A Feminist Review of the Human Rights Act

Workshop: University of Liverpool and Online
Friday 3rd December 2021, 10:00-17:00

Announcing the Independent Human Rights Act Review in December 2020, the then Justice Secretary Robert Buckland gave one concrete example of why the Review was necessary: the House of Lords “essentially strik[ing] down” the rape shield in the case of R v. A (Complainant’s Sexual History) [2001] UKHL 25. At the Conservative Party Conference in October 2021, the new Justice Secretary Dominic Raab also implied that the HRA is harmful for victims of gendered crimes when he highlighted a case in which a person “convicted of beating his ex-partner” could not be deported due to his right to family life. While opponents of the HRA have long portrayed the Act as a ‘criminal’s charter’, this implication that it poses a particular threat to women is more recent and appears deliberate. But what has been the impact of the HRA on women’s rights? With the Independent Human Rights Act Review due to report at the end of October, we ask what a Feminist Review of the Human Rights Act would find.

At this workshop, we will consider three broad, related questions:

1) What have been the uses and limitations of the HRA for women and those of minority sexes, genders and sexual orientations?
2) Where the HRA has not been helpful for women’s or SOGI rights claims, to what extent is this a failure of ‘rights’ discourse in general, the limitations of the substantive rights under the ECHR in particular, and/or the structure or application of the HRA in the UK courts?
3) What is the potential for the future of the HRA? How/Should it be reformed to better protect women’s and SOGI rights? Or should rights claims be replaced with something else entirely?

This workshop is free courtesy of funding from the British Academy and is co-hosted by Prof Nicola Barker (University of Liverpool) and Feminist Legal Studies.

Accessibility: The School of Law and Social Justice building is fully accessible but please inform us of any accessibility and dietary requirements on registration. There is a dedicated breastfeeding/pumping room in the building and there may be limited places available at a nursery close to campus for attendees. Ten bursaries are available from Feminist Legal Studies (up to £50 each) for those who need to pay for additional childcare or other care responsibilities to attend the workshop. If you would like to request this bursary please fill in this form by 26th November:
https://forms.office.com/Pages/ResponsePage.aspx?id=UPs_KAuujEIQ9M2uT3rm0c6pcKDob2ZnUv2KQMzAx1UQTFMFhNNFRCWks3VjdBUVE4SkpNM01VSC4u

For further information please contact slojmret@livepool.ac.uk
Please register via Eventbrite. (https://www.eventbrite.co.uk/e/a-feminist-review-of-the-human-rights-act-tickets-186707335667)