

Unit 1 Human rights

About the unit

In this unit, pupils study the historical development of the concept of human rights, and some of the human tragedies that led to its genesis. They learn about the non-enforceable Universal Declaration of Human Rights, and contrast this with the European Convention on Human Rights (ECHR), which can be enforced in court. They find out about how human rights laws and principles protect fundamental rights and freedoms, and the relevance of human rights issues to our everyday lives. They research contemporary examples of infringements of human rights, and examine the ways in which individuals and groups have campaigned to bring about change. Pupils learn about the Human Rights Act 1998, which incorporated the ECHR into UK law, and consider how to apply the principles that underpin the Act in a number of different situations.

As human rights issues permeate people's lives, it is often possible to deal with them in the context of other topics in citizenship or PSHE.

Where the unit fits in

This unit addresses the following aspects of the key stage 4 citizenship programme of study:

Knowledge and understanding about becoming informed citizens

Pupils should be taught about:

- 1a the legal and human rights and responsibilities underpinning society and how they relate to citizens, including the role and operation of the criminal and civil justice systems
- 1b the origins and implications of the diverse national, regional, religious and ethnic identities in the United Kingdom and the need for mutual respect and understanding
- 1c the work of parliament, the government and the courts in making and shaping the law
- 1d the importance of playing an active part in democratic and electoral processes
- 1f the opportunities for individuals and voluntary groups to bring about social change locally, nationally, in Europe and internationally
- 1i the United Kingdom's relations in Europe, including the European Union, and relations with the Commonwealth and the United Nations
- 1j the wider issues and challenges of global interdependence and responsibility, including sustainable development and Local Agenda 21

Developing skills of enquiry and communication

Pupils should be taught to:

- 2a research a topical political, spiritual, moral, social or cultural issue, problem or event by analysing information from different sources, including ICT-based sources, showing an awareness of the use and abuse of statistics
- 2b express, justify and defend orally and in writing a personal opinion about such issues, problems or events
- 2c contribute to group and exploratory class discussions, and take part in formal debates

Developing skills of participation and responsible action

Pupils should be taught to:

- 3a use their imagination to consider other people's experiences and be able to think about, express, explain and critically evaluate views that are not their own.

This unit builds on unit 3 'Human rights' in the key stage 3 scheme of work. It links with unit 4 'How and why are laws made?' and unit 3 'Challenging racism and discrimination'.

Expectations

At the end of this unit

most pupils: know that human rights are the basic rights, *eg the right to life*, and the basic freedoms, *eg freedom from discrimination*. They understand the importance of human rights, and recognise why the Universal Declaration of Human Rights and later conventions like the UN Convention on the Rights of the Child were adopted and endorsed by nations across the world. They know that infringing human rights is against the UK Human Rights Act 1998, and that this Act is based on the European Convention on Human Rights (1950). They understand that most rights are not absolute, and can be limited in certain circumstances to protect the rights of others, *eg to prevent serious crimes*. They draw on case studies they have researched to discuss and describe a situation in which individuals and/or groups have campaigned on human rights issues.

some pupils have not made so much progress and: have some understanding of what the term 'human rights' means. They are able to name some of the rights and freedoms that human rights law protects, *eg the right to life, freedom from discrimination*. They know that serious infringements of human rights are against UK law, but that breaches of human rights still occur in the UK and other countries.

some pupils have progressed further and: are able to offer a comprehensive definition of the term ‘human rights’ as used in UK and international law. They describe how human rights legislation is enforced in the UK and Europe. They cite examples, which they have investigated, of how the UK has brought its own legislation and practices into line with international human rights law. They know about government agencies and NGOs that promote or monitor human rights. They discuss contemporary human rights issues, *eg those relating to refugees, domestic violence, terrorism.*

Resources

Resources include:

- *Your Rights and Responsibilities*, available from the Citizenship Foundation
- *Human Rights ImpACT*, an information booklet on the Human Rights Act 1998, available from the Citizenship Foundation
- *The Human Rights Act 1998 – A Study Guide*, published by the Home Office
- The European Convention on Human Rights, available from the Council of Europe website (*see www.standards.dfes.gov.uk/schemes*)
- *Lessons of the Holocaust*, a pack produced by the Holocaust Education Trust

Many groups and organisations produce online resources that are relevant to citizenship. QCA has not printed these website addresses as it recognises that they can and do change, often at short notice. So that we can monitor and maintain a reliable and useful resource, the website addresses of the following organisations can be accessed through the key stage 4 citizenship scheme of work site at www.standards.dfes.gov.uk/schemes

- Human Rights Unit
- Anti-Slavery
- Unicef
- Liberty
- JUSTICE
- Amnesty International
- Refugee Council
- British Institute of Human Rights
- Children’s Rights Alliance (for information on the Convention on the Rights of the Child in the UK)
- European Court of Human Rights (for information on recent court cases and judgements)
- Human Rights Watch (includes information and news on human rights issues in different countries)

Links with other subjects

In this section, references are made to the programme of study if there is one at key stage 4, or to the subject specific criteria on which GCSE courses are based. Some of these links have been included in the ‘Points to note’ section to illustrate these opportunities.

English: En1 1a, 1b, 2a, 3a, 3b 10a, 10b; En2 4a; En3 1e, 1g, 1l, 1m in the programme of study

History: GCSE content, including areas of modern world history (Nazi Germany, the USSR, Northern Ireland, apartheid in South Africa)

Geography: GCSE criteria: places, their interdependence and global citizenship using a wide range of sources of evidence (3.1iii); using enquiry (3.1x)

RE: GCSE specifications for religious studies and other agreed syllabuses for RE cover human rights and related issues. They also deal with questions of religious and ethical belief, and teachings about the nature of human beings and society, our obligations to one another, and justice. Some cover particular individuals who have promoted human rights, such as Gandhi

PSHE: 3a, 3c, 4g in the non-statutory guidelines

Pupils should learn:

Pupils:

What are human rights and what do we think about them?

- the meaning of the term ‘human rights’, and to distinguish human rights from other kinds of rights
- that some rights are not absolute, and why it may be necessary to balance them in order to protect the rights of others
- Ask the class to reflect on what they learnt during key stage 3 about basic human rights. Draw up a summary/list and keep this to refer to later.
- Working in small groups, pupils look through a range of newspapers to find reports about things that have happened to others in the UK or elsewhere that they would dread happening to themselves, *eg being executed, being evicted from their homes, being taken away from their parents, being tortured or given a degrading punishment, being forced to marry, having their post opened or censored, being arrested for an offence they did not commit, being arrested without being told why, being deprived of food and water, being made a slave, being bullied*. Are there any circumstances in which any of these things could be justified? Which should never be allowed to happen to anyone?
- Drawing on real cases, pupils explore and discuss circumstances in which it may be necessary to limit some people’s rights in order to protect the rights of others. They could consider whether it would ever be acceptable to do any of the following:
 - use CCTV surveillance to prevent crime
 - read prisoners’ letters and censor what they read
 - restrict free speech in order to prevent people inciting racial hatred
 - tell racist jokes
 - allow pornography on the internet
 Other issues that could be considered include:
 - whether the law is right to prevent parents hitting children with sticks but to allow smacking by hand
 - whether it is acceptable for a person to slap their girlfriend/boyfriend/wife/husband if they have been provoked
 - whether a prisoner who is having a baby should be handcuffed while in hospital
 - whether prisoners should have the right to vote
 - whether lack of access for wheelchairs to a polling station could deny a disabled person the right to vote
 - whether religious freedom means that any practice accepted by a particular religion should be allowed, *eg parents refuse permission for their children to receive blood transfusions*
 - whether employees who do essential work should be allowed to strike
 - whether night flights that interfere with people’s sleep are justified on the grounds that they contribute to the economic prosperity of the country
- discuss difficult issues, giving reasons for their views and showing respect for the views of others
- understand that there is often no right or wrong answer on human rights issues, but a need to find a balance between the rights of one individual and those of another
- reflect on their own values and the way in which they treat their friends and family
- recognise that human rights issues affect the lives of people in the UK every day
- Under international human rights legislation, governments must not abuse the rights of people in their country. They also have a positive duty to protect their citizens’ rights.

Learning objectives

Pupils should learn:

Possible teaching activities**Learning outcomes**

Pupils:

Points to note

What are human rights and what do we think about them? (continued)

- These issues could be used as the basis for an attitudes questionnaire, where only one side of the argument is presented, *eg CCTV invades people's privacy, but invading people's privacy is OK if it prevents crime*. Pupils identify the extent to which they agree or disagree with the statement by circling a number from 1 to 5, where 1 means 'strongly agree' and 5 means 'strongly disagree'. In pairs, they compare their completed questionnaires and discuss their reasons for agreeing or disagreeing with each statement. If the pupils have different responses, each tries to persuade the other to change their point of view through reasoned argument.
- Extension activity: a whole-class activity could follow in which the numbers 1–5 are written on pieces of paper and placed at intervals in a straight line across the room. Some of the statements from the questionnaire are read aloud and, when asked, pupils move to stand near the number they circled for that statement. This creates a human graph of class opinion. Pupils compare their reasons for agreeing/disagreeing with the people standing near them.
Next, remove number 3 so that those pupils who neither agreed nor disagreed with a statement have to make a decision. Then, all the pupils who agree with the statement join a large group with those who strongly agree with it, and all those who disagree join a large group with those who strongly disagree. The two groups then devise statements to support their opinion, and record these. Finish by holding a debate on one of the issues.

- During the extension activity, pupils may move to stand with their friends, whether or not they circled the same number. If this happens, explore issues relating to peer pressure with pupils.

Learning objectives

Pupils should learn:

Possible teaching activities**Learning outcomes**

Pupils:

Points to note

How did human rights agreements come about? What is the European Convention on Human Rights? What happens when human rights are denied?

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| <ul style="list-style-type: none"> • about the origin of international human rights principles and agreements, and the development of human rights law in Europe and the UK • that human rights are universal, meaning that they belong to every individual in the world regardless of their age, gender or nationality • why human rights ideals were developed, and about the horrendous acts that brought the Universal Declaration of Human Rights into being | <ul style="list-style-type: none"> • Using a brief video clip, archive newspaper material or audio reports from the time, remind pupils of some of the atrocities that took place during World War II. Then describe, or provide them with written or other materials about, the measures taken to prevent such things from happening again. Include information about the 1948 Universal Declaration of Human Rights, which has moral force but cannot be enforced in a court of law, and the European Convention on Human Rights. This was developed in 1950 by the Council of Europe (created in 1949), and in 1959 a court was set up to which all people resident in Europe can appeal for justice against the actions of their governments. • Ask pupils to work in pairs to identify and review the major rights enshrined in the UN Universal Declaration of Human Rights, the European Convention on Human Rights or the UN Convention on the Rights of the Child. These include: the right to life, the right to be free from discrimination, the right to a fair trial, the right to be free from cruel or degrading punishment, and the right to vote. Pupils also review the articles in the Human Rights Act 1998 to establish how UK law protects these rights. | <ul style="list-style-type: none"> • know about the history of human rights law in Europe, including the development of the European Convention of Human Rights • understand that the concept of human rights came about to prevent governments using unreasonable power over their citizens • recognise that human rights can easily be infringed if they are not protected in a constitution and cannot be enforced in court • learn about the actions of people who campaign against breaches of human rights, nationally and internationally | <ul style="list-style-type: none"> • This section builds on unit 3 'Human rights' in the key stage 3 scheme of work. • Encourage pupils to relate the rights to their own experiences, <i>eg to recognise that freedom from degrading treatment includes freedom from bullying; that the right to privacy relates to respecting the confidentiality of friends' diaries or letters; the implications of the right of parents to educate their children according to their religious and philosophical convictions</i>. Explain that serious infringements of human rights (<i>eg torture</i>) are prevented by law, while other infringements are not unlawful but still breach human rights principles (<i>eg reading a friend's diary</i>). |
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Learning objectives

Pupils should learn:

Possible teaching activities**Learning outcomes**

Pupils:

Points to note

How did human rights agreements come about? What is the European Convention on Human Rights? What happens when human rights are denied? (continued)

- that conventions such as the UN Convention on the Rights of the Child and the conventions on discrimination were designed to prevent people in positions of power, including employers, teachers and parents, from abusing that power
- to use skills of enquiry and research to find out about a legal case that involved a breach of human rights
- Groups of pupils investigate an example of how human rights have been breached in the past and/or are being breached now. Possible topics include slavery, child labour, the Holocaust, capital punishment, discrimination, *eg during the years of apartheid in South Africa*, and the displacement of people following a conflict, *eg in the Balkans*. There may be other examples in the news at the time of teaching. Pupils use different sources of information, including newspapers, news websites, books and materials from campaigning organisations, to gather data and produce a case study. Some of the case studies may involve an actual human rights court case. Pupils should find out about the key issues/events, the human rights that were abused or denied, how individuals and groups have campaigned against such abuses, and what the outcome of the case was.
- The groups share what they have found out. As a class, pupils consider why some sections of the public might be opposed to human rights.
- By investigating a recent legal case, *eg the Campbell and Cosans case*, pupils explore how the law protects citizens from breaches of human rights. In this case, the parents of Jeffrey Cosans objected to him receiving corporal punishment (with a leather strap) in a Scottish school. Jeffrey was suspended until he agreed to be strapped. This was ruled to be in breach of more than one article of the European Convention on Human Rights, and led to the abolition of corporal punishment in all UK state schools.
- Alternatively, pupils might consider recent or historical examples of ways in which sub-groups of a population have been discriminated against with regard to one or more of the Articles in the Universal Declaration of Human Rights, *eg women (prevented from voting), homosexuals (denied the right to a private life), ethnic minorities (discriminated against at work)*. Encourage pupils to think about the methods human rights campaigners use to bring about change. Amnesty International publishes material on abuses of freedom of thought, conscience and religion, and freedom of expression.
- know examples of how human rights have been breached
- use research and investigation to enquire into a recent legal case where rights have been infringed
- communicate and discuss their findings with the class
- This section links with unit 4 'How and why are laws made?' and unit 3 'Challenging racism and discrimination'. It also links with unit 11 'Citizenship and history: Why is it so difficult to keep peace in the world today?' in the key stage 3 scheme of work; this unit can be used to explore the recent conflict in the Balkans.
- Further material on the Jeffrey Cosans case can be found in *Your Rights and Responsibilities*, available from the Citizenship Foundation. Note that this case was brought before the Human Rights Act 1998 came into being.
- There is a summary list for pupils of the rights contained in the Universal Declaration of Human Rights and the European Convention on Human Rights in *Your Rights and Responsibilities*, available from the Citizenship Foundation. A full version of the European Convention on Human Rights is available at the Council of Europe website (see www.standards.dfes.gov.uk/schemes).
- For the text of the UN Convention on the Rights of the Child, refer to the Children's Rights Alliance website (see www.standards.dfes.gov.uk/schemes).
- Under the Human Rights Act 1998, individuals can take their case to a UK court if they believe that the government or any public body (including a local authority or the police) has infringed their rights.

Learning objectives

Pupils should learn:

Possible teaching activities**Learning outcomes**

Pupils:

Points to note

How did human rights agreements come about? What is the European Convention of Human Rights? What happens when human rights are denied? (continued)

- Anti-slavery can provide information on the fight against slavery, and Unicef and other aid agencies can provide information on child labour. Many charities are active in the human rights field and are keen to provide information on their latest campaigns. Liberty and JUSTICE each have information on current UK human rights cases; the Refugee Council has information on asylum seekers and refugees; and the Children's Rights Office has information on the implementation of the UN Convention on the Rights of the Child in the UK.
- The European Court of Human Rights website contains information about recent cases and judgements (see www.standards.dfes.gov.uk/schemes).
- UK legislation protecting human rights that predates the Human Rights Act includes: legislation protecting children from physical abuse; the Race Relations and Sex Discrimination Acts; the Data Protection Act, which protects privacy; and the Police and Criminal Evidence Act, which protects the rights of suspects.
- *Human Rights ImpACT* is an information booklet on the new Act that could easily form the basis of a teaching unit for key stage 4 pupils. Contact the Citizenship Foundation for details of availability.

Learning objectives

Pupils should learn:

Possible teaching activities**Learning outcomes**

Pupils:

Points to note**Why are human rights important in society today?**

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| <ul style="list-style-type: none"> • about the Human Rights Act 1998 and how it can be used to protect the basic rights of citizens in the UK • to contribute to group and class discussions | <ul style="list-style-type: none"> • Ask pupils to reflect on what they have found out about the Human Rights Act 1998 in the course of this unit and through previous learning. What is included in the Act? • Invite pupils to reflect on what they have learned. Discuss why particular rights matter to us as individuals and why they matter to our democracy, <i>eg why we value our right to privacy and family life and our right to practice our own religion; why freedom of speech and freedom of the press are necessary in a democracy.</i> What happens when these rights are taken away? Why does the UN Convention on the Rights of the Child emphasise the importance of children and young people participating in decisions that affect them? Do pupils do this, <i>eg through the student council?</i> • Pupils discuss: <ul style="list-style-type: none"> – what the different ways to protect human rights are, <i>eg through the law, by training people in authority to use their powers fairly, by educating people to respect the rights of others</i> – what sources of advice and support they could use if they felt their human rights had been infringed • Return to the list drawn up at the beginning of the unit. Pupils review their progress and add additional points to illustrate new areas of learning. | <ul style="list-style-type: none"> • discuss and explain why rights and responsibilities are important in society • know who to go to for help and advice if they feel their rights have been breached • reflect on their learning about human rights and give examples of what they have learnt during the unit |
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- The Human Rights Act 1998 includes 16 basic rights: the right to life; protection from torture or inhuman or degrading treatment or punishment; freedom from slavery; the right to liberty; the right to a fair and public hearing by an independent court; the right to respect for privacy and family life; the right to freedom of thought, conscience and religion; the right to freedom of expression; the right to peaceful assembly and freedom of association; the right to education; the right to enjoy one's possessions; the right to elect a government by secret ballot; the absence of the death penalty; the right to enjoy the above rights without discrimination.