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What have human rights ever done for us? Quite a lot, actually!

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If you were to open a British newspaper or log onto social media at any time in the last decade, you would be likely to see headlines in which human rights are portrayed as being on the wrong side of debates about fairness, democracy, sovereignty and security.

Headlines in which human rights are asserted to be irredeemably unpopular, out of step with British values, claimed only by dangerous or undeserving people, especially in the context of migration.

This framing of human rights has brought us to a position where the UK's founding 75-year commitment to the European Convention on Human Rights is in peril.

¹ Professor Alice Donald is engaged in an ongoing collaboration, [Human rights: informing the UK public debate](#), with the Policy and Evidence Centre on Modern Slavery and Human Rights and the Bonavero Institute of Human Rights, both at the University of Oxford. See also: [The European Convention on Human Rights and Immigration Control in the UK: Informing the Public Debate](#) and [Examining 10 Reasons to Stay in the European Convention on Human Rights: Informing Public Debate in the UK](#).

The Conservative party, Reform UK and the Restore Britain party have all said they would pull the UK out of the Convention.

If we look across Europe, we can see how out of step the UK has become.

No democracy has ever left the Convention — and none aside from the UK is even contemplating it.²

I want to discuss how we got here.

And I want to invite you to consider how — in ways that are often invisible — human rights are of value to each of us as individuals, and to our society.

How they protect us when we are at our most vulnerable, hold public and private power accountable, safeguard our privacy against intrusion in this age of mass surveillance and data harvesting, and protect free speech and democracy.

And, on the international plane, how membership of human rights treaties like the ECHR strengthens the UK's security, influence and reputation.

An “alarm bell” for democratic Europe

But first, let's go back in time, to when and why the Convention was created.

Pierre Henri Teitgen was a Gaullist minister who was active in the French resistance against the Nazi occupation.

He was one of the main drafters of the Convention, alongside the British Conservative politician, David Maxwell Fyfe.

² See: Alice Donald, [A Badge of Dishonour: Will the UK Conservatives Follow the Far-Right Towards ECHR Withdrawal?](#), Verfassungsblog, 29 September 2025.

Teitgen observed that democracies didn't become fascist countries in a day.³ Evil progresses cunningly, he said. One by one, freedoms are suppressed and the national conscience is asphyxiated.

So, the ambition in that immediate post war period — on a war-ravaged continent, divided by what Churchill had recently called the “iron curtain” — was to create an “alarm bell” for democratic Europe.

An international mechanism by which “free Europe” could protect itself against the rise of another Hitler, or a totalitarian regime.

A system which could act as the “conscience of Europe”.

At that critical moment in history in 1950, a dozen states, with the UK at the forefront, became the founding signatories of the ECHR.

Rights and freedoms for everyone

This international mechanism not only allowed states to act as watchdogs over each other, but also — and this was the revolutionary part — empowered individuals and organisations to bring cases against their *own* state for violations of their rights and freedoms.

And they decided that those rights and freedoms should belong to *everyone*, regardless of nationality, citizenship or immigration status.

So, what are these rights and freedoms?

Inspired directly by the Universal Declaration of Human Rights adopted in 1948, they include fundamental rights — the right to life, to be free from torture and slavery, servitude and forced labour.

Also protected are rights that sustain a pluralistic democracy: freedom of expression, freedom of peaceful assembly and association, freedom of religion and belief, free elections.

³ Pierre-Henri Teitgen (France) during the first session of the Consultative Assembly in 1949: *Collected edition of the 'Travaux préparatoires' of the European Convention on Human Rights*, vol I (Martinus Nijhoff 1975).

The rights to liberty and to a fair trial are also there, so integral to our justice system.

We also enjoy protection for our more intimate selves and our personal autonomy through guarantees such as the right to private and family life and the right to marry and start a family.

Other rights were added after 1950, such as the right to education and the abolition of the death penalty, which ensures that today, no European state that is a member of the Convention system executes people.

And all these rights must be secured for everyone without discrimination.

There are now 46 member states, and the Convention protects some 700 million people, from Iceland in the west to Azerbaijan in the east (but not any longer Russia, which was expelled over its aggression in Ukraine).

These 46 countries are all members of the Council of Europe — a separate entity to the European Union, which is a venue for cooperation to defend the core missions of upholding human rights, democracy and the rule of law.

Human rights in a changing society

Now, let's come back to the UK.

This country, like the rest of Europe, was a very different place when the ECHR was written in 1950.

For example, having gay sex was a criminal offence, but physical punishment of children was not.

Let's recall two people who brought cases to the European Court of Human Rights in Strasbourg, after courts in the UK had rejected their claims.

One is **Jeffrey Dudgeon**. He's from Northern Ireland, where in the early 1980s, homosexuality was still a crime.

Jeffrey's house was raided by police. His letters and diaries were seized. He was taken to a police station and interrogated for hours about his sexual life.

He challenged the law — and won.⁴ The European Court of Human Rights ruled that by criminalising homosexuality in Northern Ireland, the UK government had violated the right to a private life, not only of Jeffrey but of all men in his position.

The law was changed and several other European countries followed suit. So, Jeffrey's case was a landmark in progress towards decriminalisation.

Let us also recall **Grace Campbell**. She had a child in a state school in Scotland, where staff were allowed to discipline pupils with a leather strap.

Grace asked her local council for a guarantee that corporal punishment would not be used against her seven-year-old son, Gordon. The council refused.

She and another mother, **Jane Cosans**, complained to the European Court, and it ruled in 1982 that by allowing physical punishment to be used in state schools, the authorities had violated their right to have their children educated in line with their own philosophical convictions.⁵

The government later introduced a new Education Act abolishing corporal punishment in state schools across the UK.

And further judgments of the Court led to the ban extending to private schools,⁶ and to a change in the law that means adults can no longer use the defence of “reasonable chastisement” when children have been physically punished in the home.⁷

The value of external scrutiny

These cases show us the value of the European Court as an external and additional source of scrutiny — a backstop of last resort in circumstances where a person's or an organisation's rights have been violated and they have not been able to obtain redress from British courts

⁴ *Dudgeon v UK*, No. 7525/76, 22 October 1981.

⁵ *Campbell and Cosans v United Kingdom*, Nos. 7511/76, 7743/76, 25 February 1982.

⁶ *Costello-Roberts v United Kingdom*, No. 13134/87, 25 March 1993.

⁷ *A v United Kingdom*, No. 25599/94, 23 September 1998.

This was most directly the case before the Human Rights Act came into force in 2000, bringing the rights and freedoms in the Convention into UK law and making them enforceable in British courts.

In the pre-Human Rights Act days, domestic human rights protection relied on the common law; that is, law that is derived from custom and judicial precedent rather than statutes passed by Parliament.

The common law recognises certain basic rights and liberties, including personal security and private property.

But other rights, such as the rights to life, to freedom of expression and to privacy, are afforded higher protection — and in some cases are *only* given protection — under the HRA through its incorporation of the ECHR.

So, in that period before the HRA, judgments of the European Court upheld rights — where UK courts had *not* — in cases concerning, for example, the ban on LGBTQ+ people in the UK armed forces,⁸ press freedom to expose the thalidomide scandal,⁹ and the practice of birching (striking the bare skin of young offenders with sticks as a public punishment).¹⁰

Bringing rights home: the Human Rights Act 1998

These days, as a result of the Human Rights Act, Convention rights impact upon our society, our democracy, and our own day-to-day lives in a more *direct* way.

Because these are not merely abstract standards. For the last 25 years, under the HRA, public authorities have been under a duty to uphold Convention rights in all their actions and decisions.

That means that government departments, local councils, the police, prisons, hospitals, schools and universities — these public bodies, that we all use and rely on — must proactively take account of human rights in everything they do.

⁸ *Smith and Grady v United Kingdom*, Nos. 33985/96 and 33986/96, 27 September 1999; *Lustig-Prean and Beckett v United Kingdom*, Nos. 31417/96 and 32377/96, 27 September 1999.

⁹ *Sunday Times v United Kingdom* (No 1), No. 6538/74, 26 April 1979.

¹⁰ *Tyrer v United Kingdom*, No. 5856/72, 25 April 1978.

If they fail to, the Act provides remedies, meaning that if a law or a practice breaches human rights, the problem can be addressed by public authorities, or if necessary, by parliament.

If — and only if — a remedy is not provided at home, then cases can be taken to the European Court of Human Rights.

But these days, fewer and fewer cases are. In recent years, there have been only a handful of judgments against the UK — on average three a year in the last five years.¹¹

The “human” in human rights

But I don’t want to dwell on the statistics, because all too often we forget the “human” in human rights.

Some of you may naturally feel that rights are all well and good but not something that you would ever need to rely on, something that happens “over there”, to other people in unusual or extreme situations.

But human rights exist also for when our circumstances, or those of our loved ones, become precarious or vulnerable.

There is abundant evidence, too, about how Convention rights, given effect through the HRA, support people working in public services to manage risk and find balanced and proportionate solutions to complex problems.

Let’s take examples of people who are unable to make decisions for themselves, such as some people with dementia, severe autism, or learning disabilities.

Their rights are especially vulnerable to being breached through practices such as sedation, physical restraint, seclusion, and constant supervision, sometimes over very long periods.

Cases brought by UK applicants to the European Court have led to stronger standards of protection for people who are deprived of their liberty in order to enable their care or treatment.

¹¹ Examining 10 Reasons to Stay in the European Convention on Human Rights: Informing Public Debate in the UK, p. 7.

In a key case, the Court found that detaining a man with severe autism in a hospital as an “informal patient” without any legal safeguards amounted to unlawful detention in violation of the right to liberty.¹²

In response, the government introduced Deprivation of Liberty Safeguards. These provide protection for tens of thousands of people each year who are unable to consent to care or treatment — and help care staff to ensure that any restriction of people’s liberty is in their best interests and the least restrictive way to keep them safe.

So, human rights help public services become *better*, more *responsive* services in which people are treated with dignity and respect.

Filling gaps in protection

People can also invoke human rights — inside or outside the courtroom — when laws and policies let them down or where unfair gaps in protection are exposed.

This is what **Siobhan McLaughlin** from Northern Ireland did.

When she lost her long-term partner, with whom she had four children, she discovered that she was not eligible for Widowed Parents’ Allowance, because they had not been married or in a civil partnership.

She took her case to the Supreme Court, which in 2018 decided that this breached the right to family life and was discriminatory.¹³ It said that children should not suffer disadvantage because their parents chose not to marry.

In 2020, the High Court made a similar ruling in respect of the higher rate of what was by then called Bereavement Support Payment.¹⁴

In response, the government extended these benefits to surviving cohabitees with children.

¹² *H.L. v United Kingdom*, No. 45508/99, 5 October 2004.

¹³ *McLaughlin, Re Judicial Review (Northern Ireland) (Rev 1)* [2018] UKSC 48 (30 August 2018).

¹⁴ *Jackson & Ors v SSWP* [2020] EWHC 183 (Admin).

More than 8,000 backdated claims had been made as of last July — and I should declare an interest here, as I was one of the beneficiaries.

Diane Blood also exposed an injustice. She successfully challenged the law which prevented her from registering her deceased husband as the father of her two children, conceived by IVF after his death, on their birth certificates.

This provision, too, was declared to be incompatible with the right to respect for private and family life and discriminatory.¹⁵ The law was later changed, benefitting other families with posthumously conceived children.

Craig Matheson and his family used the Human Rights Act to challenge a decision to suspend his five-year-old son Cameron's Disability Living Allowance when he was admitted to hospital for more than 12 weeks.

Craig pursued his case to the Supreme Court after Cameron died.¹⁶ He said later the Human Rights Act enabled his family to prove that their experience was typical of almost every family in the same situation and not just an unfortunate exception.

Their legal challenge prompted the Government to change the law, so families of sick or disabled children do not lose their benefits, no matter how long their hospital stay.

So, each of these cases led to changes not only for the families concerned, but for countless more in the future — families who will probably never know that they, too, are beneficiaries of human rights law.

Protection for victims of crime

The Convention also calls upon the state to actively protect people when they are at their most vulnerable, including children and victims of domestic violence, crime, and modern slavery.

¹⁵ *Blood and Tarbuck v Secretary of State for Health* (unreported; 28 February 2003), which challenged the Human Fertilisation and Embryology Act 1990.

¹⁶ *Cameron Mathieson, a deceased child (by his father Craig Mathieson) (Appellant) v Secretary of State for Work and Pensions (Respondent)* [2015] UKSC 4.

Patience Asuquo was a domestic worker and nanny brought from Nigeria to the UK. For over two years her “employer” abused her, forced her to work for free, and withheld her passport.

Patience escaped, but modern slavery wasn’t a criminal offence in the UK at the time. The police didn’t take her seriously and failed to investigate or prosecute.

So, she took her case to the European Court, relying on the prohibition of forced labour under the ECHR to force the police to investigate and prosecute her abusers.¹⁷

Hers was one of the cases that led in 2015 to the Modern Slavery Act, which aims to prevent and punish such instances of severe exploitation.

Two women known as **DSD and NBV** also invoked their Convention rights to seek accountability for police failures to investigate John Worboys, who used ‘date-rape’ drugs to sexually assault dozens of women in his black cab.

The ITV drama *Believe Me*¹⁸ depicts how the two women had reported Worboys’ attacks on them in 2003 and 2007 to the Metropolitan Police but were not taken seriously. The botched investigation allowed Worboys to continue attacking women until he was arrested in 2008.

The women brought actions against the Met Police under the Human Rights Act, arguing that the police’s failure to effectively investigate their allegations had exposed them to inhuman and degrading treatment, which is prohibited under the ECHR.

They won their case at the Supreme Court and were awarded compensation.¹⁹

This doesn’t mean that the police will be liable for every investigation in which there are errors.

It *does* mean that people can now hold the police to account where they are a victim of a crime which causes suffering that amounts to torture or inhuman or degrading treatment, such as rape and sexual assault, where the police have made substantial failures.

¹⁷ *Asuquo v United Kingdom* (dec), No. 61206/11, 10 July 2012.

¹⁸ See <https://www.itv.com/watch/believe-me/10a0144>.

¹⁹ *The Commissioner of Police of the Metropolis v DSD & Another* [2018] UKSC 11.

This is a prime example of how Convention rights, given effect through the HRA, provide much stronger protection than under the common law.

When, in 1988, the mother of Jacqueline Hill, the last victim of the “Yorkshire Ripper”, Peter Sutcliffe, tried to sue the police for negligence due to failings in that investigation, the House of Lords ruled that the police were *not* liable for the murder, even though very serious mistakes were made, because imposing a duty of care on the police was not considered “fair, just, and reasonable”.²⁰

So, the Worboys case could *only* be taken because ECHR rights are given legal teeth through the Human Rights Act, and DSD and NBV were able to secure a measure of justice where Jacqueline Hill’s mother was not.

Righting wrongs

The same principle underlines another important case where the HRA allowed a measure of justice to be achieved after catastrophic state failure.

On 15 April 1989, a crush developed at the Hillsborough stadium in Sheffield, leading to the deaths of 97 Liverpool fans.

The original inquest from 1991 controversially recorded verdicts of accidental death and ruled out evidence relating to fans’ deaths beyond a narrow time frame, based on flawed advice that all the victims were either dead or had already suffered irreversible brain damage.

After a protracted campaign by the Hillsborough families, the High Court quashed these verdicts and in 2016, more than 25 years after the disaster, fresh inquests concluded that all those who died were unlawfully killed.

The jurors agreed that contrary to false accounts given by the police, fans played no part in causing the disaster. Instead, the jurors blamed police failures, defective stadium design, and a delayed response by the ambulance service.

²⁰ *Hill v Chief Constable of West Yorkshire* [1989] AC 53.

What is rarely reported is that these inquests were *only* made possible by the Human Rights Act — specifically the right to life, which creates a duty on public authorities to effectively investigate deaths for which the state may bear responsibility.

For Hillsborough, that meant analysing the broader circumstances that caused the disaster and ensuring that the families were properly represented and finally able to see hundreds of thousands of pages of previously undisclosed evidence.

Anna Morris KC, who represented some of the families, stated: “The families and justice demanded this level of investigation and these detailed conclusions. The Human Rights Act helped the families to make it possible.”²¹

And now, almost 40 years on, Parliament is debating the (Public Office (Accountability) Bill, known as the “Hillsborough Law”. This will create a statutory duty of candour for all public authorities and give voice and representation to those affected by disasters.

In campaigning for this law, the Hillsborough families joined forces with groups seeking the truth and justice for other fatal events including the Grenfell fire, the contaminated blood scandal, the COVID-19 pandemic and the Manchester Arena bombing.

So let us shine light on this neglected fact.

These campaigns for truth and justice are underpinned by the right to life, protected by the ECHR, and when enacted, the Hillsborough Law will be a primary means by which the UK fulfils its investigative duty to the high standards developed in successive human rights cases following state failure.

How human rights underpin democracy

Now, some critiques of the idea of legally protected rights suggest that they illegitimately tie the hands of elected politicians — that they are in some way undemocratic.

According to this view, if the government or Parliament want to do something — to introduce a law or policy, say, or to deport an individual — then judges, whether in a British

²¹ Anna Morris, [The Human Rights Act: securing justice for the Hillsborough families](#), British Institute of Human Rights, 31 May 2016.

court or an international one, should not be able to constrain them on the basis of human rights.

But I'd like to suggest an alternative reading of the role of legally protected rights in a democracy.

As Patience Asuquo's story reminds us, rights exist in part to protect those who are in a permanent minority or relatively powerless and who can't therefore rely on the usual mechanisms that ensure responsiveness of politicians to the electorate.

And as we have seen in stories like those of the Hillsborough families and survivors of John Worboys' attacks, human rights also act as a corrective to the mistakes and injustices that even well-functioning democracies may sometimes perpetrate.

So, human rights, far from being in *tension* with democracy, are *constitutive* of it.

I mentioned earlier the way in which the Sunday Times used the ECHR in 1979 to overturn an injunction against reporting on the thalidomide scandal, upholding both the newspaper's right to free expression and the public's right to be informed.

More recently, the **Daily Mail**, that scourge of the ECHR, took a case to the European Court of Human Rights — and won.²² The Mail argued that its right to free expression was breached by a requirement for it to pay excessive “success fees” to plaintiffs who had engaged lawyers to take cases on a no win, no fee basis.

A little ironic perhaps, but a reminder of the potential to invoke Convention rights in the interests of media freedom.

And let's not forget the right to protest. Recall the images from 2021 of the vigil on Clapham Common, which a group called Reclaim These Streets sought to organise in the wake of Sarah Everard's murder.

Their plans were thwarted by the Metropolitan Police, which banned the vigil for infringing COVID regulations and threatened the protesters with fines and prosecution if it went ahead, before aggressively dispersing the spontaneous gathering that took place in defiance of the ban.

²² *Associated Newspapers Limited v United Kingdom*, No. 37398/21, 12 November 2024.

These actions were later found unlawful, because the police had been too heavy handed and failed to consider the rights to freedom of expression and peaceful assembly.²³

Let's consider the value of cases such as these, beyond the individuals who won their case.

The value in upholding the right to peaceful protest on an issue of overwhelming public interest, certainly — and in the longer term helping the police, and all of us, to decide where to draw the line between the right to protest and other public interests.

Because these are questions where the law does not dictate rigid rules, but rather provides a framework that politicians, the police — and we as citizens and residents of the UK — can use to decide how to balance the different rights and interests in a democratic society.

Adapting to changing times

And of course, the context in which we claim our rights — and in which public authorities must uphold them — are not static.

As social attitudes and our material world have changed, the European Court of Human Rights, and British courts, have interpreted the Convention in a way that evolves with these transformations.

Sometimes judges take flak for doing so — for allegedly going too far or engaging in mission creep.

But the drafters of the Convention *intended* the broadly framed rights they set down to stand the test of time — to confront new or previously unrecognised threats with each new generation.

And how could it be otherwise?

In 1950, the Internet, social media, and artificial intelligence didn't exist.

Today, we live in an era of intrusive technologies, surveillance and data harvesting, often controlled by powerful private interests, which the state has a duty to regulate.

²³ *Leigh & Ors v (1) The Commissioner of Police of the Metropolis and (2) Secretary of State for Health and Social Care (Interested Party)* [2022] EWHC 527.

Let's consider some examples of how human rights have helped public authorities — and all of us — to navigate the boundaries of acceptable intrusion and the safeguards that we need in this digitally connected world.

The two innocent people who campaigned to have their biometric data removed from the police's national DNA database.²⁴

The parents who contested the use of covert surveillance by a local council in a dispute over school catchment areas.²⁵

The man who challenged the dissemination of CCTV images of him attempting suicide in the street in a moment of distress, prompting changes to the law to restrict the disclosure of CCTV images to third parties and the monitoring and recording of people in public spaces.²⁶

The first judgment on automated facial recognition in the UK, which clarified what commercial and public organisations need to consider when deploying this controversial technology.²⁷

And the group of individuals and civil liberties groups who challenged the scope and magnitude of the electronic surveillance programmes operated by the UK Government, through GCHQ.²⁸

Summing up the value of human rights

Let me now start drawing the threads together.

I've shared with you some stories which illustrate the impact and value of human rights on people in the UK.

²⁴ *S and Marper v United Kingdom*, Nos. 30562/04 and 30566/04, 4 December 2008.

²⁵ *Jenny Paton and others v Poole Borough Council*, IPT/09/01, 6 November 2009.

²⁶ *Peck v United Kingdom*, No. 44647/98, 28 January 2003.

²⁷ *The Queen (on the application of Edward Bridges) v The Chief Constable of South Wales Police & others* [2020] EWCA Civ 1058.

²⁸ *Big Brother Watch and Others v United Kingdom*, Nos. 58170/13, 62322/14 and 24960/15, 25 May 2021.

How people working in public services use human rights principles as a practical tool to make decisions in contexts where there is no single correct path, but a balancing of interests is required.

How survivors and bereaved families have been able to seek truth and justice as a matter of right.

How human rights — far from interfering with democracy — help states to become *better* and more *resilient* democracies, to learn from their mistakes and ensure that minorities are protected, even when the majority wills otherwise.

How *all* branches of the state — the government, parliament, and the courts — are partners in the shared endeavour of protecting everyone's rights.

Migration myths

But I want to end where I began, because if you open a newspaper or go online, you will probably read a very different narrative.

When we monitored media coverage of the ECHR in the UK media last year, we found that three quarters of reports and commentaries were about immigration, especially the deportation of foreign national offenders.²⁹

And many of them were misleading.

You may have heard the story about the Albanian criminal who couldn't be deported because his son only likes British chicken nuggets.

It reduced Nigel Farage to tears³⁰ and Kemi Badenoch linked it to the end of western civilisation.³¹

²⁹ [The European Convention on Human Rights and Immigration Control in the UK: Informing the Public Debate](#) (note 1).

³⁰ [‘Nigel Farage “reduced to tears” over ECHR rule which saw Albanian criminal’s deportation “halted over chicken nuggets”’](#) LBC, 10 February 2025.

³¹ Kemi Badenoch, Speech at the Alliance for Responsible Citizenship Conference, 17 February 2025.

But the story is false.

At the heart of the case is a child, a British citizen with complex special needs. He struggles with many aspects of life, including anxiety and food sensitivity.

The media picked up a single detail — his aversion to unfamiliar fast food — and built a story around it which has persisted for more than a year.

But senior judges in the case made it very clear that this detail — one detail among many pages of evidence — does not approach “*anywhere near the level of harshness*” to influence their decision.

So, the eventual decision that the boy’s father could stay in the UK to care for him was nothing to do with chicken nuggets.

Stories like this which seek to trivialise human rights dominate media coverage about the ECHR and form the central plank of the policy of the Conservatives and Reform that the UK should leave the Convention.

Yet, to inject a sense of scale into this debate, the most recent available data shows that *less than 1%* of sentenced foreign offenders made successful appeals on the basis of human rights, reflecting the very high threshold for such claims and their exceptional nature.³²

The consequences of withdrawal

I hope it’s clear from my focus so far that if the UK repealed the Human Rights Act which allows us to enforce our rights in British courts — or left the ECHR altogether — we would all have weaker protection for our rights.

But we should not only look *inwards* for the consequences of withdrawal.

³² The European Convention on Human Rights and Immigration Control in the UK: Informing the Public Debate (note 1), p. 20. Please note that the figure of less than 1% reflects the most recent published Home Office data (for 2020-21) at the time the lecture was delivered on 8 July 2026. In August 2026, data was [published](#) for 2022, which shows that the number of successful human rights appeals that year (156) was around 2.5% of the total number of sentenced foreign national offenders at the end of the year ([6,261](#)).

There are a host of other repercussions that would need to be navigated, including disrupting the Northern Ireland peace settlement by breaching the Belfast/Good Friday Agreement, and violating the terms of the post-Brexit Trade and Cooperation Agreement.

In the time available, let me address the latter.

The Agreement commits the UK and EU explicitly to ECHR membership as an “essential element” of the partnership. So, withdrawal could be considered a breach that would enable the EU ‘to terminate or suspend it’.

Certainly, the EU would have a legal basis to terminate or suspend Part Three of the Agreement, which governs criminal law cooperation and extradition of criminal suspects.

UK membership of the ECHR also underpins the data sharing agreement with the EU for intelligence and law enforcement, and for business and trade. So alarmed is the Bar Council for England and Wales that it ventures that if the UK left the ECHR, “it is no exaggeration to say that the UK’s multilateral law enforcement and criminal cooperation capabilities would be set back thirty years to the time of the fall of the Berlin Wall”.

Not only that, but withdrawal would damage cross-border cooperation on tackling people smuggling gangs and controlling irregular migration — the very basis of the argument used to justify pulling the UK out of the Convention.

“You don’t know what you’ve got til it’s gone”

I haven’t even touched upon human rights in the context of protecting the environment, but Joni Mitchell lamented the destruction of nature in her song, Big Yellow Taxi.

I will borrow her chorus and leave with you a final thought.

That we should all be alert to the risk that the UK could sleepwalk out of the European Convention on Human Rights without an informed debate and based on a false prospectus.

We risk learning this — and squandering our rights and freedoms — the hard way.

As Joni Mitchell said: “You don’t know what you’ve got til it’s gone”.

[ends]

