10.9 Human Rights Law: The UN Declaration and the Human Rights Act 1998: 10-minute Pack

AQA 8062 · about 10 minutes

Total Marks

Name: _____ Date: ____ / ____ / _____

Answer ALL questions.

1 Which one of the following documents was adopted by the United Nations General Assembly in 1948 and sets out universal human rights standards?

- ☐ The Universal Declaration of Human Rights
- ☐ The Human Rights Act 1998
- ☐ The Magna Carta
- ☐ The European Convention on Human Rights

(Total for Question 1 is 1 mark)

2 Name the Act of Parliament that brings most rights from the European Convention on Human Rights into UK law, as used in courts and public bodies in the United Kingdom.

(Total for Question 2 is 1 mark)

3 Give two named articles of the European Convention on Human Rights or the Human Rights Act 1998 that are most relevant to freedom of religion and freedom of speech in the UK context. Name each article.

(Total for Question 3 is 2 marks)

© Revision Library | revisionlibrary.co.uk

4 Explain two ways human rights are protected in the United Kingdom, focusing on legal and institutional mechanisms that operate after 1998.

(Total for Question 4 is 4 marks)

5 State two legal limits to freedom of religion and belief in the UK and briefly explain why each limit exists, in the context of balancing rights.

(Total for Question 5 is 4 marks)

© Revision Library | revisionlibrary.co.uk

Mark scheme · 10.9 Human Rights Law: The UN Declaration and the Human Rights Act 1998: 10-minute Pack

Question 1

awarded for selecting The Universal Declaration of Human Rights **B1**

Answer: The Universal Declaration of Human Rights

Question 2

naming the Human Rights Act 1998, oe **B1**

Answer: The Human Rights Act 1998

Question 3

Article 9, freedom of thought, conscience and religion, named correctly **B1**

Article 10, freedom of expression, named correctly **B1**

Answer: Article 9, freedom of thought, conscience and religion; Article 10, freedom of expression.

Question 4

point 1: the Human Rights Act 1998 requires UK courts to interpret legislation compatibly with Convention rights where possible, oe **B1**

development: this allows individuals to rely on Convention rights in domestic courts rather than only taking cases to the European Court of Human Rights, oe **B1**

point 2: public authorities must act in a way compatible with Convention rights and can be challenged in court, oe **B1**

development: courts can issue declarations of incompatibility or require public bodies to change practices, providing practical protection, oe **B1**

Answer: E.g. HRA requires courts to interpret UK law compatibly with Convention rights so individuals can use rights in domestic courts; public authorities must act compatibly and can be challenged, with courts able to declare incompatibility and prompt change.

Question 5

limit 1: restrictions for public safety or prevention of disorder, oe **B1**

meaning 1: such limits exist to protect the general public where religious practices would cause harm or danger, oe **B1**

limit 2: restrictions to protect the rights and freedoms of others or equality, oe **B1**

meaning 2: limits exist so one person's religious practice does not unjustly infringe another person's legal rights, for example in employment or education, oe **B1**

Answer: Any two: limits for public safety or prevention of disorder (to protect people), and limits to protect the rights and freedoms of others, including equality obligations so religious practice does not infringe others.

© Revision Library | revisionlibrary.co.uk