

RIGHT TO FAMILY AND PRIVATE LIFE



WHAT DOES THE RIGHT SAY?

“Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of

national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.”



WHERE DOES IT COME FROM?

- English law has long protected marriage, the right to be left alone, the right to communicate privately and not to have personal information published without lawful authority.
- In 1998 a right to privacy was introduced into our law for the first time through the Human Rights Act.
- Article 8 is based on Article 12 of the Universal Declaration of Human Rights.



WHAT DOES IT MEAN IN PLAIN ENGLISH?

- Four key aspects of our personal autonomy are protected: private life, family life, home, correspondence.
- Those rights can't be unreasonably interfered with by the government.
- Article 8 is a “qualified” right, so the state can restrict our rights in limited circumstances, such as when it is in the public interest.



THREE KEY THINGS THAT IT DOES FOR US

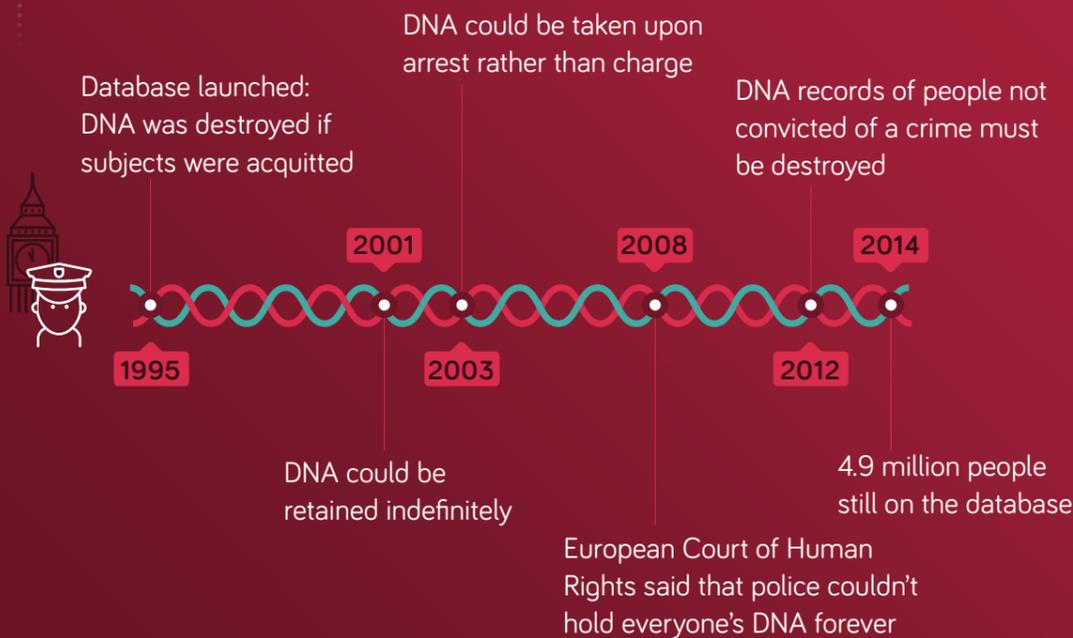
Landmark court cases:

- 1981** **Stops the criminalisation of homosexuality**
– Dudgeon v UK, Europe
A Northern Irish law criminalising private consensual homosexual acts was a violation of the private life.
- 2007** **Stops our employers secretly spying on our emails**
– Copland v UK, Europe
A school monitored a teacher's email without telling her. This was a breach of her right to privacy.
- 2010** **Stops the police searching us without reasonable suspicion**
– Gillan & Quinton v UK, Europe
Two protesters were stopped and searched by the police without any grounds for suspicion. The European Court said this violated their right to privacy.



WHY IS IT NEEDED NOW?

THE POLICE KEEP A DATABASE OF MILLIONS OF PEOPLE'S DNA
Timeline of the UK DNA database



EUROPE'S WORST OFFENDERS

Countries that have violated Article 8 the most, 1959-2014

