



**Equality and  
Diversity Forum**

**Human rights in the UK:  
the challenge of winning hearts and minds**

The report of a seminar held on 20 July 2011  
as part of the Equality and Diversity Forum's  
Human Rights Learning Exchange

December 2011

## Introduction

In July 2011 the Equality and Diversity Forum (EDF) held a Human Rights Learning Exchange with colleagues from the United States to inform EDF's wider human rights initiative. This is the report of the seminar held as part of the Exchange. We hope it will be of interest and use to organisations as they work together to defend and promote human rights over the coming months. In particular, the 'Key lessons from the Learning Exchange seminar' on page 8 of the report provide essential learning, not only for those working in the field of human rights, but for NGOs attempting to change attitudes and policies in many areas of disadvantage or injustice.

## The background to this report

The Government's launch of a Commission to consider a UK Bill of Rights in March 2011, set alongside continuing media and political attacks on the Human Rights Act 1998, brought home to NGOs the urgent need to mobilise and take action to defend the Act and promote human rights more broadly. The risk we face is the weakening of the UK's human rights framework and the protections it affords. A worst-case scenario is the repeal of the Human Rights Act and its replacement with a bill of rights containing fewer protections for all members of society, including vulnerable minorities. As the national network of NGOs working on both equality and human rights, EDF believes it has a lead role to play in addressing these threats. Our work has two objectives:

- Mobilising equality and social justice NGOs to advocate for human rights and in particular for the Human Rights Act.
- Changing the terms of public debate and understanding about human rights and their application.

Recognising that this was new territory, EDF decided to ask for advice and inspiration from NGOs that had successfully confronted similar threats elsewhere. And so in July 2011, we held a week-long Human Rights Learning Exchange and invited partners from the Opportunity Agenda and Muslim Advocates – two US-based NGOs – to visit us and take part in meetings and events with parliamentarians and EDF colleagues in order to share their experiences.

We wanted to know how might US experience and learning relate to the UK context? How do we convince the people we need to – whether they are politicians, journalists or members of the public? How can we shift the terms of the debate? And what do we do about those who are fundamentally opposed to human rights and the human rights framework? Finally, with small resources, what activities should we prioritise?

As we hope this report demonstrates, the Learning Exchange and seminar were hugely successful in helping us to begin to answer those questions – and in generating enthusiasm about the programme of work ahead of us.

## The seminar

The seminar brought together 50 individuals from equality and human rights organisations, advice agencies, think tanks and trusts – all keen to learn how to apply human rights and human rights values in the work of their organisations and to contribute their experiences to the debate.

Sarah Spencer CBE, Chair of the Equality and Diversity Forum and Deputy Director of Oxford University's Centre of Migration, Policy & Society set the terms for the debate by identifying the challenge to be addressed: despite passionate championing of human rights by many and the humbling evidence of the way in which human rights is transforming some public services, here in the UK we are facing an unprecedented challenge to the legal framework on human rights.

Sarah pointed out the irony of holding the seminar in the midst of what must be the most significant political crisis around human rights that we have probably ever seen in Britain, namely media invasion of privacy on a grand scale. Public reaction to the scandal demonstrates how dear the public holds the human right to privacy, and yet the debate has made almost no mention of human rights. It is clear that we are not winning the argument, with many organisations feeling unable to use the language of human rights publically for fear of provoking a negative reaction.

As a network of equality and human rights organisations, EDF has been hugely successful in working collaboratively to reform equality law in 2006 and again in 2010. Now we need to coordinate our efforts once more to lift the terms of debate on human rights. And we are looking for inspiration to our colleagues in the US, working in a different context but facing similar challenges.

Alan Jenkins, Director of the Opportunity Agenda and Juhu Thukral, Director of Law and Advocacy highlighted the strategies that the Opportunity Agenda has found successful in promoting rights in the United States. The Opportunity Agenda's mission is to build the national will to expand opportunity in America. Its approach is based on analysing media coverage and understanding public opinion as the basis for developing tools and strategies that advocates can use to tell a common story about why human rights matter. Milestones in achieving change through this approach have included: better measures on immigrant integration in Maryland and New Jersey; preventing anti-immigrant laws in Nebraska; defeating measures on juvenile life without parole for non-homicide crimes; and the establishment of a health care equity commission in Connecticut.

The Opportunity Agenda's strategy starts from the recognition that there is no such thing as 'the general public'. There are specific audiences that can be targeted made up of: the people who are already sympathetic – the 'persuadables'; those who could be supportive but are not yet on board; and the opposition – those who will never be supporters. NGOs should not expend valuable resources trying to convince this last group.

Consultations, polling and focus groups need to be carried out to find out how people think about the issues but also to find out how their attitudes can be shifted. The Opportunity Agenda has tested messages with specific audiences in a number of US cities and with different demographics and is now able to cluster different audiences in terms of their understandings of human rights and level of support. Some interesting findings have emerged: for example, while only 8% of Americans can name the Universal Declaration of Human Rights, 29% are in favour of virtually all the rights contained in it. So while the mechanisms of human rights are unknown, there is much greater clarity about and support for human rights concepts. Americans value human rights in the context of their support for fairness, opportunity, human dignity and a better society for all.

Some of the Opportunity Agenda's findings gave the organisation cause to reconsider its approach. Many respondents talked about pride in America's heritage and founding principles, adhering to a form of 'progressive patriotism' that caused allies to rethink the way they framed their activities. And the research showed scepticism and a lack of understanding in relation to international treaties and conventions, suggesting that references to these instruments needs to be contextualised and take a back seat to messages based on overarching values perceived to be a part of American heritage, such as fairness, dignity and opportunity.

In developing a strategy, advocates need to consider both short and long-term gains; not only how to win the immediate campaign but also how to build support in the longer term. Alan gave an example: one argument against torture could be that terrorist suspects should not be tortured because it does not produce reliable information. This might bring an immediate leap in public support for human rights, but over a longer period is unlikely to convince those who believe torture does produce solid evidence. A more successful approach that was tested was engaging a retired military spokesperson to argue that suspects should not be tortured because it is 'not what we believe in as a country'.

In conclusion, the Opportunity Agenda's experience shows the importance of establishing core values that are supported by all advocates. Individual NGOs will have different reasons why human rights matter to them and their users, but they all need to link back to an overarching narrative based on shared values. This is the basis for the specific campaigns of the present moment, but also for achieving greater support for human rights over the coming months and years.

Amber Khan from Muslim Advocates, an organisation that promotes Muslim participation in American public life, also underlined the importance of developing a narrative based on understanding public attitudes. Even before 9/11, anti-Muslim bigotry was visible in the United States based on misperceptions that Islam is about violence, that it is a fascist ideology and that Muslims are not to be trusted. Yet perhaps surprisingly, attitudinal research shows that a year after 9/11, there were still some very positive attitudes about Muslims, suggesting that Americans are not quick to make up their minds. There was also national outrage in response to a spate of hate

crimes – including the killing of a Sikh American thought to be a Muslim. This kind of evidence paints a complex picture for those trying to respond to the post 9/11 challenge. Advocates found that responding to the opposition by myth-busting did not work; it simply repeated the opposition's negative messages about Muslims. So they developed a new narrative that was value-led and framed the debate in terms of rights on which there is a consensus – freedom from torture, freedom from discrimination, and the right to due process. And this approach has begun to show a shift in attitudes.

Seminar participants then heard responses from individuals close to the human rights agenda in the UK who considered how US experiences might apply to efforts here. Professor Francesca Klug OBE of the LSE's Centre for the Study of Human Rights, saw a similarity between US and UK experiences in relation to public opinion. In the UK, despite the transformation of the legal landscape that was the result of the Human Rights Act, there is little public support for the Act and what is more, successive governments have failed to promote it or explain its purpose and a number of leading politicians and ministers have made misleading statements about its impact, which on occasion have had to be corrected by the public bodies involved. At the same time, opinion polls show much support for human rights themselves and for civil liberties – which are seen as part of the national identity. What is contentious here is who has access and deserves to have access to these rights.

The danger of a British Bill of Rights is that in the name of gaining something new, we lose something precious that we have already won – namely universal human rights protection within our domestic legislation. The challenge is to find a way of communicating and championing these gains as a benefit for everyone. And we may have some new opportunities for doing so: Francesca pointed out that preparations for the introduction of the Human Rights Act, following decisions of the European Court of Human Rights, were directly responsible for the legislation that made mobile phone hacking illegal (the Regulation of Investigatory Powers Act 2000). Indeed there was no general right to privacy recognised in English common law or statute before the Human Rights Act, which is gradually developing such a right. This is a powerful message about why the Act matters that is likely to resonate across society, and is also a major reason why the tabloid press mounted a vigorous campaign against the Act, even before it became law.

Don Flynn, Director of the Migrants' Rights Network, began by asking why human rights have not 'taken off' in the UK and why they are not more popular, using his own experience in the field of migration. One problem may be the way human rights developed as an alternative to collectivism and collective rights as articulated by trade unions. Human rights have been presented as providing a more modern mechanism for addressing citizens' and consumers' concerns. The human rights model in the UK has seemed to be more about supporting a choice agenda than achieving basic rights such as decent housing or employment. One remedy might be to show that human rights help people address not only the 'spectacular' abuses of their rights but also the day-to-day problems they face, such as securing a minimum wage. Don argued that we need to develop human rights at local level –

making the case not only for the rights of migrants, but for the rights of all working people – people needing housing, people needing healthcare and others.

Working in roundtables and in a final plenary debate, seminar participants then discussed how to apply US experience to the specific challenges and circumstances of the UK. Some of their contributions are summarised below.

### **How might US experience and learning relate to the UK context?**

- The UK needs to develop an equivalent to the unifying ‘American dream’, focusing on the kind of society we want to become without appealing to ‘British’ values about which there is unlikely to be consensus.
- There was agreement that it makes sense to begin with values rather than technical discussions of treaties and conventions – without losing sight of their importance in providing the framework for human rights to operate.
- The difficulty of linking human rights to specific measures and areas of work was recognised. In both the UK and the US, human rights have been largely absent from debates on health care reform, for example.
- There are lessons to be learnt from how opinion polls and focus groups are used in the US, not simply as proof of attitudes, but also to test messages.
- We need to recognise the differences as well as the commonalities between US and UK experiences: the Bill of Rights is embedded in the American constitution and collective psyche while the UK has yet to develop a domestic sense of ownership of its human rights framework.
- Breaking down audiences into different target groups as the Opportunity Agenda has done is useful. Advocates and campaigners in the UK should do likewise to help focus their communications.
- Timing is key. UK organisations should follow the Opportunity Agenda in capitalising on big stories in the media to get a positive message across. Current outrage about media phone hacking can be used to show what happens when human rights are not respected.
- American experience shows the possibility for reinvention and re-labelling by campaigners. Gay marriage used to be a ‘toxic’ subject used to defeat any electoral candidate who mentioned it. Today, it is no longer a political football and the majority of Americans support it because the LGBT and human rights communities made the smart move of telling the story in terms of marriage equality rather than gay rights. We need to consider the language we use to make our case.



## What should the priorities be for UK organisations defending human rights and the Human Rights Act?

- UK NGOs should work together and find a common voice without losing sight of their individual work, messages and audiences. This is where an overarching human rights narrative can generate solidarity without undermining the specific work of participating organisations.
- We need to find ways to attach a human rights label to positive stories of improvements to people's daily lives, while maintaining core messages about overarching values that apply to everyone. For example, what role might human rights play in ensuring decent housing and basic standards of employment and remuneration? In the 1960s, the film 'Cathy Come Home' touched people's hearts enormously and was a huge boost for Shelter's work in tackling homelessness – a communications model that NGOs might want to consider. Similarly, human rights should be publicly identified as the solution for abuses like splitting up older couples in care facilities. That is not to ignore the continuing role of the Act in providing redress for often unpopular groups and individuals, but to situate that role in a broader context and show the range of situations and people that need the measures contained in the Act.
- The problem of promoting human rights for some marginalised and unpopular groups was widely recognised. One solution could be by using personal experiences, such as that of 'X Factor' singer Gamu Nhengu. Because the public had come to know and like her before her immigration status was made public, there was huge support when she was threatened with deportation. The lesson is that people feel more positively about those who are in some way known to them than they do about an abstract group of, for example, illegal immigrants or over-stayers.
- At the same time, we should move the argument away from discussions about the 'deserving' and the 'undeserving'. The message should be that human rights are for everyone.
- It was suggested that we might develop a narrative connecting the Equality Act 2010 with the Human Rights Act to show the linkages between them. Freedom from gender-based violence, for example, is both an equality and a human rights issue.

## **Some practical points, including challenges and opportunities, were made:**

- Human rights advocates need to take a positive approach – not start on the back foot from a defensive position.
- Better use of media and different kinds of media is important. New forms of social media present an opportunity but using them effectively to convey a positive message can be a challenge.
- NGOs often have difficulty using human rights language in their every day work and lack the resources to develop a human rights narrative alongside the messages they use to work on their specific subjects. Networks like EDF have a role in providing examples of how equality NGOs can use human rights both in their work and in their communications with different audiences.
- Children’s organisations were seen to have a crucial role in developing a popular human rights narrative. EDF is well-positioned to bring them around the table with other member organisations.
- There was a strong sense that more support is needed within parliament, where politicians supporting the human rights agenda need to be enlisted.
- Not everyone agreed that myth-busting is counterproductive. In the context of migration, some participants felt it was important to challenge inaccurate statistics. At the same time we need to avoid reproducing the opposition’s framework and messages. Alan Jenkins gave an example of a better strategy that might be used: instead of addressing the myth that immigrants don’t pay taxes and are a drain on the economy, start from an affirmative position by talking about the contribution that they make to society and the nation, and as a part of that message, explain that migrants contribute by paying taxes alongside everyone else.

Summing up the outcomes of the event, Sarah Spencer thanked our partners from the Opportunity Agenda and Muslim Advocates for their valuable insights. We need to look at how American approaches could apply here, by carrying out research, identifying key audiences and thinking about common narratives without losing the specificity of our individual organisations’ activities. And we need to think about whether the messages that work in America would work here and test them out. EDF and our partners also need to remember what we are good at and build on what we have already achieved. We will be using the learning that has come out of the seminar and the Human Rights Learning Exchange to develop our work on human rights in the months ahead.



# Key lessons from the Learning Exchange seminar

## Identify the task ahead

Start by identifying the challenge: to change policy in the short term and win hearts and minds in the long term; and to mobilise support and equip advocates from across the equality and human rights sector to defend and promote human rights in their work.

## Lead with values

Develop a shared narrative consisting of an overarching value – that everyone benefits from living in a society where human rights are respected and upheld – and some specific messages that sit within that and can be used by different advocates in different situations.

## Develop alliances

UK NGOs from the equality and human rights sector need to develop a common narrative and messages on human rights, while continuing to focus on their specific areas of concern. EDF's history as a network addressing shared concerns provides a useful model for doing this.

## Take a positive approach

Avoid a defensive position based on rebutting opposition arguments or myth-busting. Start with an affirmative 'story', for example, explaining that the Human Rights Act is important because it helps ensure everyone in society is treated fairly.

## Use personal narratives

Apply human rights to situations that people know and care about, such as the right of couples not to be separated in residential care homes. Similarly, talk about individuals that people know and can identify with rather than abstract groups. Knowing that one's respected local doctor is a Muslim is more likely to undermine assumptions that all Muslims are terrorists than referring to Muslims as an abstract group. This addresses the difficulty of promoting human rights for 'unpopular' groups.

## Understand your audiences

Research, opinion polling and focus groups can help understand and disaggregate public opinion and should be the starting point for mobilising and campaign activities. It may be useful to break down audiences into those who are already on board, those who might be persuaded and who are the target audience, and those who will never be converted and whose views need to be marginalised.

## **Think about timing in strategic planning**

Develop a two-pronged strategy leading to immediate policy gains and longer term attitudinal change, recognising that the two may not always align and that it may sometimes be better to sacrifice short-term gains in the interest of bigger wins in the future. And ultimately recognise that building a human rights movement takes time.

## **Take advantage of opportunities**

As seminar participants pointed out, the Human Rights Act and European Court of Human Rights decisions were directly responsible for legislation making hacking mobile phones illegal. The hacking scandal in the UK is an opportunity to show people how human rights law helps prevent behaviour that everyone recognises to be unacceptable. NGO's should try to identify other current cases and media stories with a strong human rights dimension.

## **Build on experience in the UK and abroad**

UK NGOs should build on their experience of working together on the equality agenda over the past decade and apply that in mobilising support for human rights. Similarly, they should use the experiences of NGOs in the US (and other countries) but recognise that some lessons may not apply to a UK context.

## **Target audiences effectively**

Within a strong shared narrative, individual organisations will want to convey different messages to different audiences at different times. Similarly, different strategies and channels will be effective depending on whether the target is policy makers, the media or the public. It also helps to recognise that language is important. Terminology and styles of discourse that work in one situation will have no resonance in another. Talking about marriage equality rather than gay rights helped swing public opinion in America. Here in the UK, discussing the detail of the European Convention on Human Rights may be of interest to a legal audience but not to a group of journalists. A detailed communications strategy will be critical in helping advocates target their message in an effective way.

## Next steps

EDF's next steps will be meeting with partners, analysing the learning that came from the seminar and the exchange, and seeking the funding needed to take our work on human rights to the next level. This will include:

- Mobilising EDF members to articulate the value of human rights to vulnerable groups, including minorities. We will also seek to mobilise other allies in and beyond civil society, focusing on organisations concerned with the interests of people likely to be most affected by any weakening of human rights protection.
- Developing, in consultation with others, a credible multilayered strategy for engaging with the Bill of Rights Commission process involving: a briefing making the case for the Human Rights Act in terms that are accessible to non-experts; providing expert evidence to the Bill of Rights Commission, both from the EDF network and from members of EDF's academic network; media and communications work to convey key messages to target audiences; and public affairs work with opinion formers, including parliamentarians.
- Drawing together an evidence base. This will involve: drawing together existing evidence on attitudes to human rights; analysing the terms of current media and political discourse on minorities and human rights; understanding what drives public attitudes to human rights and hence what might change them; and developing and testing the impact of different communications approaches on key target audiences.
- Developing a long term narrative and communications strategy that can convey a shared understanding of the inclusive, rights-respecting society to which we aspire and the benefits it will bring, while addressing the counter arguments of others. Our intention is that EDF members and our partners will cascade communications through their own networks alongside direct engagement by EDF with the media and opinion formers.
- Community based initiatives to shift attitudes, for instance, a project bringing older people together with migrants for conversational English, and a toolkit for teachers and youth workers.

And we will be inviting our colleagues from the US to make a return visit in 2012, at a point when we have developed our evidence base, in order to seek their advice on moving to the next stage of our human rights agenda.

## Appendix 1

### Human rights organisations and information

#### UK NGOs working on human rights

**Amnesty International UK** [www.amnesty.org.uk](http://www.amnesty.org.uk)

Amnesty works independently and impartially to promote respect for all the human rights set out in the Universal Declaration of Human Rights. Amnesty International UK is one of more than 50 nationally organised sections that make up the Amnesty International worldwide movement.

**The British Institute of Human Rights** [www.bihhr.org.uk](http://www.bihhr.org.uk)

The British Institute of Human Rights is an independent human rights charity that is committed to challenging inequality and social justice in everyday life in the UK.

**JUSTICE** [www.justice.org.uk](http://www.justice.org.uk)

JUSTICE is an all-party law reform and human rights organisation. It promotes improvements to the British legal system – through research, education, lobbying and interventions in the courts.

**Liberty** [www.liberty-human-rights.org.uk](http://www.liberty-human-rights.org.uk)

Liberty seeks to protect civil liberties and promote human rights for everyone.

#### US NGO partners in the EDF Human Rights Learning Exchange

**The Opportunity Agenda** <http://opportunityagenda.org/>

The Opportunity Agenda works to build public support and public policy for greater and more equal opportunity in the United States. 'Talking Human Rights in the United States. A Communications Toolkit' is available on the Opportunity Agenda website.

**Muslim Advocates** [www.muslimadvocates.org/](http://www.muslimadvocates.org/)

Muslim Advocates' mission is to promote equality, liberty, and justice for all by providing leadership through legal advocacy, policy engagement, and civic education, and by serving as a legal resource to promote the full and meaningful participation of Muslims in American public life.

## **Information about human rights in the UK**

**The text of the Human Rights Act** is available at  
<http://www.legislation.gov.uk/ukpga/1998/42/contents>

**Information about the Human Rights Act 1988** is on the Equality and Human Rights Commission website at  
<http://www.equalityhumanrights.com/human-rights/what-are-human-rights/the-human-rights-act/>

**The Commission on a Bill of Rights** website is at  
<http://www.justice.gov.uk/about/cbr/index.htm>

## Appendix 2

### EDF members, November 2011

Action on Hearing Loss

Advice UK

Age UK (formerly Age Concern and Help the Aged)

British Humanist Association

British Institute of Human Rights

Children's Rights Alliance for England

Citizens Advice

Discrimination Law Association

End Violence Against Women

Equality Challenge Unit

EREN – The English Regions Equality and Human Rights Network

Fawcett Society

Friends, Families and Travellers

JUSTICE

Law Centres Federation

Mind

National AIDS Trust

Press for Change

Race On The Agenda (ROTA)

Radar

Refugee Council

RNIB

Runnymede Trust

Scope

Stonewall

The Age and Employment Network

Trades Union Congress

UKREN

UNISON

Women's Budget Group

Women's Resource Centre



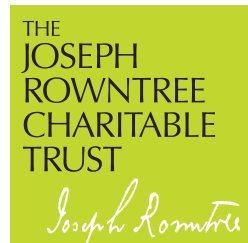
## About the Equality and Diversity Forum

The Equality and Diversity Forum (EDF) is a network of national organisations committed to equal opportunities, social justice, good community relations, respect for human rights and an end to discrimination based on age, disability, gender and gender identity, race, religion or belief, and sexual orientation.

For details of EDF activities and membership, or to subscribe to EDF's free electronic newsletter, visit [www.edf.org.uk](http://www.edf.org.uk).

This publication was made possible by a grant from Carnegie Corporation of New York. The statements made and views expressed are solely the responsibility of the author.

EDF also thanks the Joseph Rowntree Charitable Foundation and the Barrow Cadbury Trust for their support for our work.



We would also like to thank all those who gave their their time and expertise to the Learning Exchange and seminar, in particular, our colleagues from the Opportunity Agenda and Muslim Advocates for their inspiring words and contribution to our human rights work.

The views expressed in this report are those of the speakers and participants at the seminar, and are not necessarily those of the Equality and Diversity Forum or its members.

Produced by the Equality and Diversity Forum in December 2011.

Equality and Diversity Forum  
Tavis House, 1-6 Tavistock Square  
London WC1H 9NA  
Tel +44 (0) 20 303 31454  
email: [info@edf.org.uk](mailto:info@edf.org.uk)  
website: [www.edf.org.uk](http://www.edf.org.uk)

The Equality and Diversity Forum is a registered charity (1135357) and company (6464749)