20. Using Human Rights in the United Kingdom Courts

This chapter examines the use of human rights in the domestic courts of the UK. The chapter is organized as follows. Section 2 considers the main features of the Human Rights Act 1998 (HRA). Section 3 looks at the issue of judicial deference to the executive and Parliament in human rights situations. Sections 4 and 5 examine two case studies. The first of these is the litigation brought by Shabina Begum challenging her school’s decision preventing her from wearing a jilbab to school. The second case study considers the litigation that followed the enactment of Pt IV of the Anti-terrorism, Crime, and Security Act 2001, and the challenges to control orders imposed under the Prevention of Terrorism Act 2005.