

**CAMPAIGN AGAINST COMPULSORY METRICATION – INFORMAL
OPINION FROM QUENTIN RICHARDS, BARRISTER – GIVEN
INFORMALLY BY TELEPHONE**

3 February 2000

Quentin Richards telephoned me today.

He had been considering the implications of the Human Rights Act, 1998, which will come into force on 1 October 2000.

The Human Rights Act will incorporate fully into English/British law the European Convention on Human Rights.

Mr Richards was at pains to point out that this legislation is retrospective, in that it can cover alleged breaches of the European Convention on Human Rights which occurred before 1 October 2000, including breaches which are occurring now. He made the point that, in effect, any Court case which touched upon rights guaranteed under the Human Convention on Human Rights would have to make their Judgments in accordance with the principles of the European Convention on Human Rights.

He quoted from Article 10, and it may be as well to quote the entire article below:

ARTICLE 10

- "1. Everyone has the right to freedom of expression. This right shall (my emphasis) include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers [emphasis given by Quentin Richards]. This Article shall not prevent States from acquiring the licensing of broadcasting, television or cinema enterprises.**

- 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interest of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary (Quentin Richard's emphasis)".**

He thought that the Article 10 point was quite a strong one – even if weaker than Michael Shrimpton's argument that the Weights and Measures (Units of Measurement) Regulations were wholly invalid.

He suggested that we may be well advised to put the "Human Rights Act" arguments to Southend-on-Sea Borough Council – and other Trading Standards Officers – as soon as possible; he thought it would be an additional reason why any Council would stay away from a prosecution.

NOTE

Any errors in recording Quentin Richards' informal opinion are, of course, mine.

No responsibility is accepted by either Quentin Richards or myself for following this advice. In the general spirit in which advice is being given in this field at present, it is offered to those who wish to make use of it, but further advice should be taken before raising the "Human Rights Act" aspect, before tackling any Council.



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