

Book Review

Hoffman, D. & Rowe, Q.C., J, Human Rights in the UK - An introduction to the Human Rights Act 1998, Pearson Education Limited, 2003, ISBN 0582473233, £22.99

This type of book has been long awaited. Its comprehensive coverage of the wide subject matter will definitely provide students with a sound understanding of human rights arguments, as well as flagging up important thought-provoking issues along the way.

The introduction sets out the background to the Human Rights Act 1998 and the adoption of the European Convention on Human Rights into the domestic law of the UK. The second chapter, written in a jurisprudential context, explores the concept of rights, their function, importance, limitation and the Court's approach when such rights are in conflict – the authors' provide a succinct overview of the conjoined twins case, concerning Jodie and Mary, to illustrate the point.

In my view, the majority of chapter three was written for the interested non-lawyer. The chapter explores the history of human rights and the Convention, mentioning names like Tom Paine, the Magna Carta, John Locke, Coke CJ and William Blackstone, to name a few. At the end of chapter three there is a useful chronology of the Convention which, for the non-lawyer, may be a useful *aide-memoire*; however, for the purposes of a law student, the same is otiose as it is unlikely to ever arise as an examination question.

The fourth chapter provides a balanced synopsis of the structure of the UK's legal system and Constitution, however, there is a glaring error on page 36 whereby the authors state that the precise name for the House of Lords is the "Judicial Committee of the House of Lords". Coverage given to the EC terms of 'margin of appreciation' and 'judicial deference' are treated with clarity and have been further highlighted with the recent cases of *Goodwin v. UK* and *R v. Kebilene*.

It is opined that page 55 renders an excellent account of the techniques of interpretation, elucidating on the meanings "reading in", "reading out" and "reading down". To this end further analysis is provided in the citing of the recent authorities *R v. A*, *Poplar Housing Association v. Donoghue* and *R v. Lambert*. The remedies section, while clearly showing the provisions upon which a remedy can be based together with the limitation period thereof, also goes much further in emphasizing the special provisions pertaining to the court rules in civil and family cases under the Civil Procedure Rules 1998 and Family Proceedings Rules 1991, respectively. Further practical steps are noted at pages 76 and 77 which would, it is suggested, be of invaluable use to students on the Legal Practice Course or Bar Vocational Course.

Chapters eight to eighteen cover substantively Articles 2 to 12, the content of which shall not be rehearsed here, save it to say that in each chapter the salient parts of the Convention have been reproduced for the reader's ready-reference. Moreover, every chapter is satisfactorily footnoted, enabling further (and more extensive) research to be undertaken by the reader should they wish to penetrate the material at a deeper level.

It was at the start of chapter twenty-one, when visualizing the reproduced picture of the World Trade Centre being destroyed, which gave realization to the fact that this book is a timely arrival, including all relevant terrorism legislation and case law to date. Naturally, the scope of attention given to the Terrorism Act 2000 (TA) and the Anti-Terrorism, Crime and Security Act 2001 (ATCSA) is wide, however, the authors' explicit demonstration of the interplay with regard to Article 5 of the Convention in respect of The Human Rights Act 1998 (Designed Derogation) Order 2001 and sections 41 of the TA and 21 ATCSA can only be described as an impressive use of material.

It is only due to space that a fuller review of this welcomed edition to student textbooks on human rights cannot be provided, however, given the foregoing limitations, there are two key discernible points which readers' should note:

- 1) this book is clear and capable of being used by those not expert in the field; and
- 2) it is contended that this text becomes a 'must have' for every law department and student wishing to take the study and/or practice of human rights seriously.

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