



National  
Operational  
Guidance

## Section

**The Human rights Act (1988)**



**NFCC**  
National Fire  
Chiefs Council

Developed and maintained by the NFCC

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## Contents

The Human rights Act (1988) ..... 3



## The Human rights Act (1988)

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There are a number of articles within this Act that are relevant to fire and rescue services.

Article 2 of the Convention is particularly relevant to a fire and rescue service's planning and response to a major incident. It stipulates everyone's right to life shall be protected by law. European human rights case law has confirmed that if a local authority fails to take reasonable measures that would have prevented or mitigated the consequences of a foreseeable 'natural' disaster and deaths ensue as a result of that disaster, then this amounts to a violation of the right to life protected by Article 2. This emphasises the importance of interoperability and contingency planning both between fire and rescue services and other Category 1 and 2 responders.

Police service commanders are very likely to refer to the Human Rights Act in planning or responding to an incident. The most likely articles they will consider are: Article Two – The right to life, Article Six – the right to a fair trial and Article Eight – the right to a private and family life.