# Keir Starmer's past on human rights laws clashes with current government stance on ECHR anti-immigration efforts



In 1999, Sir Keir Starmer, then a human rights lawyer, edited a manual on interpreting the Human Rights Act 1998 (HRA) and the European Convention on Human Rights (ECHR). The document, obtained by GB News, praises the HRA as a transformative framework with "enormous potential," representing "a new way of thinking about law, politics and the relationship between public authorities and individuals." This background contrasts sharply with current political debates where Sir Keir, now Prime Minister, faces criticism for his government’s handling of migration and its refusal to leave the ECHR despite challenges posed by human rights laws on deporting migrants arriving via small boats.

The Attorney General, Lord Richard Hermer KC, reiterated the government's firm stance against withdrawing from the ECHR during recent parliamentary scrutiny. Speaking before the Lords constitution committee, Hermer described leaving the treaty as "completely contrary to the national interest," asserting that tackling illegal migration requires continued cooperation with Europe under the framework of the ECHR. He strongly opposed proposals to abandon international agreements, warning against the dangers of emulating countries like Russia and Belarus by abandoning protections against deporting individuals to places where they risk death or torture. Hermer also highlighted ongoing Home Office reviews concerning the application of Article 8, which protects the right to private and family life, noting that this provision grants states "an enormous margin of appreciation" in immigration matters.

Despite such official assurances, calls for reform or abandonment of the ECHR are vocal, especially among opposition figures and some former officials. Reform UK leader Nigel Farage criticised Sir Keir's role in popularising human rights laws that now hinder stronger immigration controls. Similarly, former Labour Home Secretary Jack Straw, who helped draft the 1998 Human Rights Act, urged Prime Minister Starmer to "decouple" British law from the ECHR in response to migrant deportation challenges. Straw argued the ECHR is being misapplied, blocking deportations under Article 8 more often than intended and called for amendments to the Act to avoid mandatory adherence to Strasbourg court rulings, rather than outright withdrawal — a process he acknowledged would take years to implement.

Conservative figures, including former Home Secretary Suella Braverman, plan to publish a comprehensive blueprint for leaving the ECHR. Their report contends the convention, intended as a shield against tyranny, has mutated into a "sword against sovereignty," obstructing effective policymaking on immigration and national security. They propose new arrangements to safeguard the UK’s borders, protect veterans, and potentially revise elements of the Belfast Agreement — a sensitive matter involving the Northern Ireland border — which opponents of withdrawal, including Hermer and Labour officials, warn could unravel peace accords and diplomatic relations.

The debate over Article 8 remains central to the controversy. The government’s top legal adviser lamented the misinformation surrounding this article in asylum and immigration cases, identifying a "real job on misinformation" as public discourse often distorts how the right to private and family life is applied in UK courts. Legal experts note the European Court of Human Rights has shown deference to national authorities regarding balancing family rights against immigration controls, insisting this balance respects core human rights principles.

While Conservative ministers have expressed frustration, arguing Starmer’s Attorney General is blocking decisive action, the government maintains its commitment to reform the immigration system within the bounds of international law. Measures such as a limited returns agreement with France and asylum processing reforms are being pursued. However, the unresolved tension highlights the complex interplay between protecting human rights, maintaining international legal commitments, and addressing public concerns about immigration, which recently surpassed economy and health as the most significant voter worry according to opinion data.

In sum, Sir Keir Starmer’s historical role in shaping human rights jurisprudence and the current UK government’s reliance on the ECHR underscore the challenges faced by policymakers attempting to reconcile sovereign immigration control with obligations under international law. The debate continues to evoke strong opinions across the political spectrum, illustrating the difficulty of reforming human rights protections without risking diplomatic and legal fallout.

### 📌 Reference Map:

* Paragraph 1 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[2]](https://www.cambridge.org/core/journals/legal-information-management/article/abs/european-convention-on-human-rights-and-the-human-rights-act-1998/0313F873F1E30F5C5590500416216F67)
* Paragraph 2 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[3]](https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57), [[5]](https://www.irishnews.com/news/uk/misinformation-being-whipped-up-over-immigration-cases-attorney-general-C4HOFOVZ6VLYXKYVTICYHHXILY/)
* Paragraph 3 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[4]](https://www.ft.com/content/b94d5b8d-b234-4199-b820-ea82bfe9292b)
* Paragraph 4 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490)
* Paragraph 5 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[5]](https://www.irishnews.com/news/uk/misinformation-being-whipped-up-over-immigration-cases-attorney-general-C4HOFOVZ6VLYXKYVTICYHHXILY/), [[6]](https://www.theguardian.com/commentisfree/2025/may/03/human-rights-labour-migration-labour-european-convention-on-human-rights)
* Paragraph 6 – [[1]](https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490), [[3]](https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57), [[7]](https://www.telegraph.co.uk/politics/2023/03/15/britain-prepared-consider-leaving-echr-blocks-illegal-migration/)

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## Bibliography

1. <https://www.dailymail.co.uk/news/article-15086583/Keir-Starmer-edited-manual-human-rights-laws.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data
2. <https://www.cambridge.org/core/journals/legal-information-management/article/abs/european-convention-on-human-rights-and-the-human-rights-act-1998/0313F873F1E30F5C5590500416216F67> - In this article, Keir Starmer provides a comprehensive guide to the European Convention on Human Rights (ECHR) and the Human Rights Act 1998. He outlines the Convention rights, discusses reservations and derogations, and explains the procedures following the implementation of the Act. The piece serves as an essential resource for understanding the interplay between UK domestic law and international human rights obligations, highlighting the significance of the ECHR in shaping human rights jurisprudence within the UK legal system.
3. <https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57> - Attorney-General Richard Hermer has strongly criticised Conservative leader Kemi Badenoch's suggestion that the UK consider leaving the European Convention on Human Rights (ECHR). In a lecture at the Royal United Services Institute, Hermer warned that abandoning international treaties would undermine the West and embolden adversaries like Russian President Vladimir Putin. He emphasised the necessity of adhering to international law and advocated for reforming international agreements rather than withdrawing from them. Hermer rejected Badenoch’s call to review all UK international agreements as dangerous and naive, arguing it conflates law with politics. While some critics accuse Hermer of prioritising international law over national interest—citing the UK's plan to hand over the Chagos Islands to Mauritius—he insists Britain's stance reflects 'progressive realism.' Supported by Prime Minister Keir Starmer, who has affirmed the UK’s continued commitment to the ECHR, Hermer maintains that international law is essential for maintaining state sovereignty. Despite Conservative criticism of Article 8 for complicating deportations, Hermer supports the ECHR and sees potential in reform, not withdrawal.
4. <https://www.ft.com/content/b94d5b8d-b234-4199-b820-ea82bfe9292b> - Former Labour Home Secretary Jack Straw has urged UK Prime Minister Sir Keir Starmer to 'decouple' British law from the European Convention on Human Rights (ECHR), arguing the convention is being misapplied to block migrant deportations. Straw, who helped draft the UK's 1998 Human Rights Act, claims the ECHR is now interpreted in unintended ways and suggests amending the Act to avoid mandatory adherence to ECHR judgments, rather than withdrawing entirely—a move that would take years. His comments follow similar calls by right-wing Reform UK leader Nigel Farage and former Labour minister David Blunkett for changes or suspension of the ECHR in response to rising small boat crossings. Straw emphasised the current migrant situation is more severe than in the early 2000s and rejected Farage's claims about lax enforcement under the Blair government. Despite public pressure, Downing Street opposes suspending the ECHR, warning it would align the UK with countries like Russia and Belarus. Public concern about immigration has surpassed that for the economy and health, prompting Starmer to seek solutions, such as a limited returns agreement with France and asylum process reform. Straw also noted practical challenges in deporting certain groups of migrants due to diplomatic barriers.
5. <https://www.irishnews.com/news/uk/misinformation-being-whipped-up-over-immigration-cases-attorney-general-C4HOFOVZ6VLYXKYVTICYHHXILY/> - Misinformation is being 'whipped up' over asylum and immigration cases in relation to international human rights law, the Government’s top legal adviser has said. Lord Richard Hermer KC warned there is a 'real job on misinformation' around Article 8 of the European Convention on Human Rights (ECHR), the right to private and family life, in how it is applied to immigration cases in the UK. Giving evidence to Parliament’s Joint Committee on Human Rights on Wednesday, the Attorney General said: 'There is clearly a lot of information, misinformation, that is being whipped up in the context of asylum and immigration in particular, Article 8.'
6. <https://www.theguardian.com/commentisfree/2025/may/03/human-rights-labour-migration-labour-european-convention-on-human-rights> - This opinion piece argues that the Labour Party should not collude in the attack on the European Convention on Human Rights (ECHR), as it is fuelled by myths and false narratives. The author contends that current rules require the Home Office to make a deportation order against any foreign criminal serving a prison sentence of 12 months or more, and that only 'exceptionally' can automatic deportations be avoided if they would breach the ECHR, which in practice typically means the right to family life contained in article 8. The piece also notes that the European court has been demonstrably robust in defending the right of countries who have signed up to the ECHR to reach their own judgments as to where the balance lies in respect of family life, so long as basic human rights principles are not violated.
7. <https://www.telegraph.co.uk/politics/2023/03/15/britain-prepared-consider-leaving-echr-blocks-illegal-migration/> - Britain is prepared to consider leaving the European Convention on Human Rights (ECHR) if Strasbourg judges block the Government’s plans to crack down on illegal migration, Dominic Raab has warned. The Justice Secretary said the Government was committed to staying within the ECHR and would 'strive every sinew' to remain within it but could not 'rule out forever and a day the possibility that we might need to revisit our membership.' He told the House of Lords Justice Committee that this would, however, depend on the 'responsiveness' of the European Court of Human Rights (ECHR) in Strasbourg to Britain’s new legislation effectively barring migrants who arrive illegally from claiming asylum in the UK. Ministers believe the legislation complies with the ECHR but have acknowledged the novel approach 'pushes the boundaries of international law' and have a more than 50 per cent chance of breaching the UK’s obligations under the ECHR.