
STATUTORY INSTRUMENTS

2020 No. 1160

The Human Rights Act 1998 (Remedial) Order 2020

Amendment of the Human Rights Act 1998

- 2.—(1) In section 9 of the Human Rights Act 1998 (judicial acts), for subsection (3), substitute—
- “(3) In proceedings under this Act in respect of a judicial act done in good faith, damages may not be awarded otherwise than—
- (a) to compensate a person to the extent required by Article 5(5) of the Convention, or
 - (b) to compensate a person for a judicial act that is incompatible with Article 6 of the Convention in circumstances where the person is detained and, but for the incompatibility, the person would not have been detained or would not have been detained for so long.”.
- (2) The amendment made by paragraph (1) applies in relation to judicial acts occurring before (as well as to those occurring after) this Order comes into force.