

Legality and Supremacy of Law: All Actions and Policies Must Comply with Applicable Laws

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Abstract

Law of Human Right is a Critical subject matter, the Human Right Law Act in the Slavery, and Force labour is often occurred together or two separate occurrences occasionally, they are two separate matters. This falls under the act of law in the Article 4, of Human Right, the Act what is placed against the slavery and force labour. Article 4, protects people's right that individuals should not be held in slavery or servitude. This Act is against those force labour upon others and it is to stands up for the rights of those are made to do work by force, or forced into or made to compulsory labour, and denied their Rights of refuse to accept the order or to refuse vow before the coercers or controlling group or individuals. The same Act stand up against the modern day slavery.

Keywords: Legality, Supremacy of Law, Actions and Policies, Must Comply, Applicable Laws

A. Introduction

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It is slavery when someone implies to owns someone, when people talk with asserting power over of very others and they claim as they own someone like an item or a property, and to place order upon them. It is slavery and force labour when someone or a group by blackmailing or coercion, dictate upon, make others to work against one's wish. It is "Servitude". A kind of slavery, when one person is made compelled, or made obliged or restricted into to working for another under order without chance of choice to refuse, ordered to provide services to a person or to a group or to a system in binding to, for no reward or a payments. When work or services made continues without stopping, that the serving person is unable to stop, it is not that the other person own the serving person. It is the coercion, blackmailing, cruel, controlling power abuse.

Human Rights of safety and protection, the Article 3, ensures to protect human from Tortures of mental or physical and inhuman or degrading treatment or punishment. “No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.”

Forced or compulsory labour is when a person or people are forced to do work that s/he or they have not agreed to, and having to do under a threat of punishment or blackmailing, compelled to for some weakness and it is restrictions to the right to freedom. The people’s right to be protected against slavery and servitude, and is absolute, it can never be restricted. Restrictions to the right to freedom is the opposite.

The right of relating to forced labour is also absolute. It is not same as, and does not apply to work those are listed below:

- a. Those are in prison or community sentence. Even there is a limit and level of rights of dignity and emotions and health care.
- b. When government requires people for the state of emergency. There too has an loo legitimate and rational fit ability and suitability and capacity taken into consideration.

In a disastrous situation in a natural or man-made disaster. In this scenario it is not binding, it is again capacity and capability questioned better the individuals do address their true capability condition.

“Any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention. Any service of a military character or, in case of conscientious. Objectors in countries where they are recognised, service exacted instead of compulsory military service. Any service exacted in case of an emergency or calamity threatening the life or well-being of the community, or any work or service which forms part of normal civic obligations.”

B. Research Method

A qualitative research approach with a normative, formative and summative information of legal aspects. Research design. The research focuses on understanding, interpreting, and analysing the principles, norms, and mechanisms of international law, Civil Law and criminal Law, representation and serving verdicts. A qualitative approach is appropriate because the study seeks to explore legal concepts, interpret legal texts, and examine practices, measure variables quantitatively. Hammadi, T. J. (2025).

1. Research Approach

The research applies several complementary approaches, including a Statutory Approach, through this approach had examined international legal instruments, Law Acts, international Law, Criminals Law conventions, and resolutions, verdicts, Human Rights, Rights of representation. Conceptual Approach, This approach analyses legal doctrines, principles, and concepts related to rights, including, legal aid, court representation, arbitration, and judicial settings. Case Approach: Selected cases from international judicial and quasi-judicial case studies of Rights of safety. (The principle of humanism in the criminal and penal law of Ukraine: actual theoretical and legal issues. Analysed to understand explained how legal principles are applied in practice. (Hammadi, T. J. 2024)

2. Sources of Data

The study relies on primary secondary data, which consist of legal materials categorized as Primary Legal Materials, case studies, data, Acts, conventions, charters, and judicial decisions relevant to Personal criminals Law data, and Acts. Secondary Legal Materials, Scholarly books, peer-reviewed journal articles, legal commentaries, and reports written by

experts in national criminal Law. Tertiary Legal Materials, Legal dictionaries, encyclopaedias, and reference materials used to clarify legal terminology and concepts. Perjalanan, T. (2024).

3. Data Collection Technique

Data are collected through a library-based research method. Relevant legal documents and legal context, systematically identified, reviewed, and documented to ensure comprehensive coverage of the topic. The collection process emphasizes authoritative and credible legal sources. Tuffuor, K. A. T., Korantema, S. K., & Yin, E. T. Y. (2024).

4. Data Analysis Technique

The collected data are analysed using qualitative descriptive and analytical methods. Legal materials are interpreted through systematic legal interpretation, including textual, contextual, and teleological analysis. The study examines similarities, differences, and developments in case representation, mechanisms to evaluate their effectiveness and relevance within the legal framework. The personal and criminal Law Commission.

5. Validity and Reliability

To ensure the validity of the research findings, the study applies source triangulation by comparing multiple legal sources and scholarly opinions. Consistency in interpretation and analyses is maintained through careful cross-referencing of legal texts and cases. (UNCLOS) (1982).

6. Scope and Limitations

The research focuses exclusively on representation mechanisms of legal Acts regulated by states and international law and does not address coercive measures or the use of force. The analysis is not limited because, Law Acts with selected case studies and legal instruments explained that are presented on Law Acts of most relevant to the research objectives. (Noer, R. T., & Majiid, K. A. 2023). (Miah. Fatema. April, 2026. Exoneration - Lucy Letby case of perverted justice).

C. Result and Discussion

The term ‘forced or compulsory labour’ shall not be mixed up, including one to other for the purpose of an or any Article, per to two they are two separate entities, they are one is binding and the other can be non-binding. Among the two matters one is crime committed by forced upon helpless people or person against the Human Rights and the other one is instructed for the benefit of the society person or for People safety. The needs and capacity, fit ability is a crucial what is often neglected in the force labour. It leads to violation, and physical and emotional abuse. Whereas, in compulsory condition the needs, capability and fit ability is assessed and taken into consideration in compulsory condition. Therefore, in compulsory condition it meant to no chance of violation, physical and emotional abuse or risk.

For an example a person cannot swim should not jump in to rescue another drowning person, is it worse dangerously demonising, total end of the change of saving a drowning person. In civic obligations, like jury service, again there persons’ right level intellectual capacity matters to be able to understand and process and to contribute in critical verdict matter. (The conditions comes under Article 5). Human rights violation and emotional and physical torture exam of a case study here is below.

Case – Siliadin - France in 2005.

“A 15-year-old girl was brought to France from Togo by ‘Mrs D’, who paid for her journey but then confiscated her passport. It was agreed that the girl would work for Mrs D until she had paid back her air fare, but after a few months she was ‘lent’ to another couple.

They forced her to work 15 hours a day, seven days a week with no pay, no holidays, no identity documents and without authorisation of her immigration status. The girl wore second-hand clothes and did not have her own room. The authorities intervened when made aware of the situation, but slavery and servitude were not a specific criminal offence in France at that time. The European Court of Human Rights held that the girl had been kept in servitude and that France had breached its positive obligations under the prohibition of slavery and forced labour. This was because French law had not given the girl specific and effective protection.” (Case summary taken from ‘Human rights, human lives: a guide to the Human Rights Act for public authorities’, which provides legal case studies that show how human rights work in practice”) (Page updates. Published: 4 May 2016. Last updated: 3 June 2021).

Human Rights of safety and protection, the Article 3, ensures to protect human from Tortures of mental or physical and inhuman or degrading treatment or punishment.

According to British execution of sentences maintaining the Human Rights principles, the public authorities should not inflict tortured of any kind of degradation treatment on people, to protect people from being inhuman treatment or cruelly. The public authorities or police’s duty it is to intervene in to stop cruelty or unfair treatment and responsibility to investigate on ‘credible’ allegations of any case of right breached or when someone deliberately causes pain, cruel and causing suffering of physical or mental stress, injuries and hurts. Including when punish someone, or intimidating for information from one. Or physical assault, severe detention conditions and restraints, physical and psychological abuse, including in healthcare setting or in coaching groups. Also threatening to torture someone or scaring one with real threat, breaches the Article 3.

For an instance of European Implementation of the principle, in the field of execution of sentences. For the European standard sentences of execution, in the field of human rights protection thereon, an example of the Ukraine development of criminal law policy of the national legislation direction determined to be promising the harmonization with its European standard.

The execution of sentences are revealed about those committed crime, “since the isolation of a convicted person as a form of punishment objectively causes him suffering. It is substantiated that the humanistic approach requires that even in conditions of deprivation of liberty a person is not subjected to cruel or degrading treatment. Proposals are formulated to improve criminal-executive legislation in the direction of a more detailed normative consolidation of the content of the principle of humanism and the mechanisms of its practical implementation.” The principle of humanism in the criminal and penal law of Ukraine: actual theoretical and legal issues.

The International Law and the criminal case proceedings, the aspect of the axiological of the right to defence in criminal case proceedings under the international law, the comparative on the constitutional criminal law and criminal procedure provisions and a number of legal provisions of foreign countries, the right to defence in criminal proceedings is a complex structure. The right to self-defence, or the right to defence on the international Law, in some Asian and African countries, 3rd world or developing countries, it is matter of the applied system, with available facilities of Rights of or access to assets, the socio -economy condition of individuals self affordability versus the absolute of civil Rights provided of available level of facilities including presentation and fundings facility of Legal Aid.

The Rights of facilitated choice of legal aid, the right to appointed legal aid, and the group of absolute civil rights are the basic international standards rights that people cannot be deprived of the defence. The socio-economic rights is a tight of defence by court in one of the established basic international human rights for criminal courts. However, International criminal courts have high requirements for the qualifications of defence counsel who can represent

interests in criminal. (Sergeeva D.B. E.I. Lysachenko E.I. Pogoretskyi. M.M. July, 2024. Research. Herald of criminal).

In UK an important case that one of the groups of an Indian in UK, an Indian political rebel groups individual, (the group seeking independence from India) in UK on suspicion of being a terrorist, in relation to their acts of groups activities of rebel against India here in UK, on suspicions by UK's authority, UK wanted to deport him to India. The European Court of Human Rights held by for the Article 3, prohibited his removal from UK because there is a real risk of torture or inhuman or degrading treatment to him in India.

The Court stressed, "that Article 3 prohibits, in absolute terms, torture, inhuman or degrading treatment or punishment, irrespective of the victim's conduct (including suspected involvement in terrorism). (Article 3. November, 2022. British institute of Human Rights.

In UK a different another case, a matter of perverted of justice taken place. UK nurse Lucy Letby serving jail sentences on perverted justice case. An exoneration that is due right is overdue in the case of UK nurse Lucy Letby had false confession, under stress and in confusion nurse had confessed. "First individuals may become confused or overwhelmed during intense interrogations, especially when subjected to coercive questioning techniques. The stress associated with prolonged interrogation can cause cognitive overload and emotional distress, leading individuals to make statements that are not accurate. Second, psychological pressure may trigger panic or fear, particularly when suspects believe that cooperation will lead to leniency or relief from interrogation. In such situations, individuals may confess simply to escape the stressful environment. Third, misunderstanding or misinterpretation of the situation may lead suspects". (Miah. Fatema. June, 2026. Exoneration- Lucy Letby case of perverted justice).

Dr Zakir Nayek of India, a Muslim preacher, a qualified medical doctor, and an Islamic scholar, a preacher who is highly Intelligent and knowledgeable person, he who owns and broad caster a TV channel of his own with his team, the Peace TV. Dr Nayek a Silafi Sect Muslim group believer, for his controversial and for international, politically incorrect direct challenging and provoking talk against non-Muslims, against diversity respect of right of choice of belief, while promoting Islamic teachings, while preaching he had been overly exercising freedom of speech, sometimes demoralise Hindu faith caused offence by direct addressing singling-out and faulting and belittling Hindu faith. Dr Nayek is accused of inciting violence, and converting Hindus to Muslims, case filed against him, by Indian Government, hence Dr Nayek to avoid an arrest, trial he dis-located, left his home country India, chose a refuge in Malaysia.

Malaysia under the Asia Pacific Refugee Rights Network (APRRN), through its Policy Advocacy work alongside other human rights groups advocate for changes to Malaysian refugee system, restore the safety and dignity of refugees in Malaysia for all refugees to feel safe and can rebuild their lives.

"Asylum Access Malaysia has been protecting and advancing the rights of refugees in Malaysia's challenging legal environment since 2014." (Malaysia Asylum access. 2014. Policy Advocacy. Asia Pacific Refugee Rights Network (APRRN)).

Legality and justice meant to be one entity though occasionally, they are separated by politics. There were Black and Colour those went to war alongside British, brought to UK after WWII, addressed as the subject, were brought to UK to oppress the Irish uprising in UK against UK's politics. Windrush community is a group, a several decades long pending and an undecided subject matter of British Law and politics. A group of plantation workers or indenture slaves of British imperialists from the British Indian Ireland Jamaica, were taken to War, at the end of the War, they were in the Windrush war ship, brought to UK on British Windrush Ship from War to UK. While British had to leave Jamaica handed over to Colony of Jamaica, declared the independence of the Colony of Jamaica in 1962. After the Irish uprising

was suppressed, the Windrush Jamaicans stayed in UK, without any political or Legal status for over 80 years.

“Members of the Windrush generation are still fighting for justice after they were wrongly accused of living in the UK illegally. One of them is Hannah Dankwa, who was incorrectly stopped from entering the UK. After reports by this programme the government has finally reversed the decision to block her.” “This week’s Windrush Day has been a chance to celebrate the Commonwealth citizens who helped rebuild the UK after the Second World War. Windrush: 82-year-old citizen finally gets British passport.” (Ayshah Tull. 25 Jun 2026. News Correspondent).

In UK, in 70s large black and white, and Irish and Black violence, streets fights taken place, and Black men were around about on the street corners was a common matter, mugging, stealing, thief, burglary were common cases of omitted by Young black men and adolescent children because black men were jobless. Some women managed get cleaners jobs in public places. Men often were not trusted at all in fear of violence. Black Jamaican’s living conditions and depression was not understood by other communities because there was political deliberate inelegance, ignorance and repression on the matter left their condition unknown. Wider Social Tensions, the period was characterized by heavily strained relations between Black British communities and the Metropolitan Police. Even the High-profile death incidents of Jamaican born Cynthia Jarrett occurred during a police raid in 1985. The incident triggered tension and let to the Broadwater Farm riot. There was renowned social unrest, and deep sorrow over a decade within inner city of London.

D. Conclusion and Suggestions

1. Conclusion

The notion of equality do not connect to the element of fairness per to the fairness is not ascertained in verdict of justice always, neither same or equal everywhere, as for there is existence a large gap of inequality. The Equality treatment and fairness in services although by large has been implemented well by diversity aspect on commons in general. There are some complexities in applied equality serving fair of fair justice.

Equal treatment is again is not certainty justice when treating all same, because everyone is not same, all matters are not on equal level. There require to be adjustments for the differences and assessment is required to check what implications would or could be needed for the adjustments to make it fair. The equality notion is an influential political philosophy, the term distributive justice is better aligned to fair treatment.

About the philosophy and notion: Theory of Justice twentieth century’s, 1971s John Rawls philosophers term, ‘justice as fairness’ what he meant broadly that a society of free citizen holding equal basic rights. The author of John Rawls defended and simultaneously, in cooperation within egalitarian economic system.

“Rawls’ view allows for some inequalities of outcome in terms of the wealth and resources people acquire in life, for example, some jobs may pay more than others. But he prioritises equality of opportunity, so those jobs should be open equally to all those with the ability to do them. A different view of justice is based less in equality and more in what each person is entitled to have.”. In support of some inequality in wealth, he prioritised equality of opportunity in jobs for those have ability.

2. Suggestion

Human Rights of safety and protection, the Article 3, ensures to protects human from Tortures of mental or physical and Inhuman or degrading treatment or punishment. Article 4, protects people’s right that individuals should not be held in slavery or servitude. This Act is against those force labour upon others and the Act is to stands up for the rights of those are

made to do work by force, or forced into or made to compulsory labour, and denied their Rights of refuse to accept the order or to refuse vow before the coercers or controlling group or individuals beyond their physical capacity. The same Act stand up against the modern day slavery. These Acts of Human Rights should be applied worldwide.

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