

UNITED KINGDOM 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The United Kingdom of Great Britain and Northern Ireland (the UK) is a constitutional monarchy with a multiparty, parliamentary form of government. Citizens elect representatives to the House of Commons, the lower chamber of the bicameral Parliament. They last did so in free and fair elections in 2010. Members of the upper chamber, the House of Lords, occupy appointed or hereditary seats. Scotland, Northern Ireland, Wales, and Bermuda each have elected legislative bodies and devolved administrations, with varying degrees of legislative and executive powers. The UK has 14 overseas territories, including Bermuda. Each of the overseas territories has its own constitution while the UK government is responsible for external affairs, security, and defense. Authorities throughout the UK and its territories maintained effective control over the security forces, and they did not commit human rights abuses.

During the year there were significant reported incidences of sexual crimes, including the sexual exploitation of children, rape, and domestic violence. Hate crimes, based on factors including race, religion, ethnicity, sexuality, and disability were a serious problem, and both the British Crime Survey and a Northern Ireland Policing Board report suggested such crimes were underreported. There were also reported incidences of child labor and trafficking in persons in the UK and in Anguilla and Montserrat.

Other human rights problems included mistreatment of prisoners in the women's and youths' prisons in Northern Ireland, "heavy-handed" tactics by police in round-ups of illegal immigrants, some cases of forced or early marriage, anti-Semitic crimes, discrimination against Travellers (a distinct ethnic group with its own history and culture), different legal age for consensual sex for gays and lesbians in Bermuda, reported deaths in prison, unequal pay for equal work between women and men, and limitations on the right to strike.

The government investigated all allegations of official abuses, including by police, and there were no reported cases of impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

During the year there were no reports that the government or its agents committed arbitrary or unlawful killings.

The UK's civilian police force carries out domestic policing. All deaths and serious injuries during or following police contact – including road traffic fatalities involving police, fatal police shootings, deaths in or following police custody, apparent suicides following police custody, and other deaths where the actions or inaction of police may have contributed – must by law be referred to the Independent Police Complaints Commission (IPCC).

In July a jury found three security guards liable for the wrongful death of Jimmy Mubena, an Angolan being deported from the UK who died after being restrained on board a plane at Heathrow airport in October 2010.

On November 19, the Crown Prosecution Service (CPS) confirmed it was examining offences of manslaughter by unlawful act and manslaughter by gross negligence against police officers following the death of Thomas Orchard in custody in October 2012. He collapsed an hour after police arrested and restrained him. The IPCC, which investigated the case, submitted its file to the CPS in July. There has never been a successful manslaughter prosecution of a police officer in connection with a death in police custody or a death after police contact, the second criteria for an IPCC investigation. During the year the IPCC investigated two other cases following two deaths in custody in November.

During the year Her Majesty's Inspector of Constabulary (HMIC) published its inspection of the Historical Enquiries Team (HET) of the Police Service of Northern Ireland (PSNI). The government created the HET in 2005 to investigate killings by members of security forces from 1968-1998 during the time referred to as the Troubles. The HMIC's report raised serious concerns about the HET's operational procedures and concluded that the HET had formulated a policy granting the government a substantial measure of impunity in its role during the Troubles.

b. Disappearance

There were no reports of disappearances or politically motivated abductions or kidnappings.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

A report in January by Her Majesty's Inspectorate of Prisons found that Feltham Prison and Young Offender Institution was "unacceptably violent," and that the use of batons by staff was "unprecedentedly high."

In June Foreign Secretary William Hague announced that Kenyans tortured by British colonial forces during the Mau Mau uprising of the 1950s would receive payouts totaling 20 million pounds (\$30 million).

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, and the government permitted visits by independent human rights observers.

Physical Conditions: According to the Ministry of Justice, as of November 8 the prison population in England and Wales was 85,337 in a prison system with an official capacity of 85,995. Of this prison population, 3,966 were women and an estimated 1,025 were juveniles. At the end of September there were 7,855 prisoners and detainees in Scottish jails, which had a total capacity of 7,840, including 381 women and 510 juveniles. The prison population in Northern Ireland was 1,852 prisoners and detainees, with an official capacity of 1,885. Of this population, 60 were women and 18 were juveniles. As of September there were 267 prisoners and detainees in Bermuda, including 17 women and 11 juveniles, with a total capacity of 385.

Authorities housed prisoners separately according to gender, conviction/remand, and age. The only mix would be in rare cases where, for security reasons, an adult male inmate on remand required housing in maximum or segregation units. Even in these units, authorities separated the remand inmate from convicted inmates. All women were in a unit specifically for women, separated between convicted and nonconvicted/remand. Young offenders are similarly housed. Living conditions, programs, and policies are the same for all offenders throughout the facilities; however, the prison does offer programs specifically tailored to female inmates.

In February the Criminal Justice Inspectorate found significant failings in the Ash House (women's prison) and the Hydebank Young Offenders Centre in Northern Ireland. For example, the report stated authorities subjected prisoners at the Ash

House to an unnecessary and disproportionate number of strip searches. The inspectorate recommended a range of improvements to prison conditions. In September, Prison Service Director General Sue McAllister stated there had been a number of changes since the inspection took place.

The Official Report of the Prisons and Probation Ombudsman for England and Wales for the period April 2012 to March 2013 stated there were 192 prison deaths in England and Wales during the year, of which 144 were due to natural causes, 71 self-inflicted, 13 classified as “other non-natural,” and one homicide. Figures published by the Scottish Prison Service showed 20 prison deaths in Scotland in the years 2012-13, 19 of which were awaiting classification, and one which authorities determined was due to natural causes. Prisoners and detainees had access to potable water.

Administration: UK prisons routinely kept good records. Nonviolent offenders may receive community sentences, which may involve unpaid community work, government supervision, paying compensation to victims, and participation in alcohol or drug rehabilitation or mental health treatment. The Prisons and Probation Ombudsman for England and Wales is charged with investigating complaints from prisoners, as well as deaths that occur in custody. Separate ombudsmen perform similar duties in Scotland, Northern Ireland, and Bermuda. The prisons allowed access to visitors, permitted religious observance, and had provisions for prisoners to submit complaints to judicial authorities without censorship. Authorities investigated credible allegations of inhuman conditions.

Legal aid legislation in Scotland is devolved to the Scottish Parliament. In January the Scottish Parliament raised the threshold for those entitled to free legal aid. Accused persons with a disposable income of more than 82 pounds (\$131) a week must contribute to defense costs.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. In October, Labour and Liberal Democrat politicians accused immigration officials of using heavy-handed tactics and racial profiling during a hunt for illegal immigrants in which 139 suspected immigration offenders were detained. The Equality and Human Rights Commission investigated whether officers were guilty of “unlawful discrimination.” As of late November the Home Secretary was considering the results of a public consultation she launched in July

which looked into the use of police stop-and-search powers, and whether they harmed community relations.

Role of the Police and Security Apparatus

Except in Scotland and Northern Ireland the national police maintain internal security and report to the Home Office. The army, under the authority of the Ministry of Defense, is responsible for external security, but may be called upon to support the police in extreme cases. The National Crime Agency (NCA), a new body to tackle the UK's most serious crimes, became fully operational on October 7. It replaced the Serious and Organized Crime Agency and has a mandate to deal with organized, economic, and cyber crimes, as well as border policing and child protection. Implementing legislation for NCA jurisdiction in Northern Ireland has yet to be passed. The NCA director general has independent operational direction and control over the NCA's activities. He is accountable to the Home Secretary.

Scotland's judicial, legal, and law enforcement system is fully separate from that of the rest of the UK. On April 1, the new Police Service of Scotland came into being, consolidating the previous eight regional forces. The Scottish Human Rights Commission welcomed the consolidated force as a unique opportunity to embed human rights into the police structure. The police force reports to the Scottish justice minister and the state prosecutor. The Scottish police force reports cross-border crime and threat information to the national UK police and responds to UK police needs in Scotland upon request.

Northern Ireland also maintains a separate police force, the PSNI. The PSNI reports to the Northern Ireland Policing Board, a non-departmental public body composed of members of the Northern Ireland Assembly and independent members of the community. Northern Ireland's Minister of Justice appoints the board.

In Bermuda the Bermuda Police Service (BPS) is responsible for internal security. The BPS reports to the governor.

Civilian authorities maintained effective control over the security forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

Police must have a warrant issued by a magistrate or a judge to arrest a person. A senior police official must authorize detention without charges for more than 24 hours, and a magistrate must authorize detention for more than 36 hours up to a maximum 96 hours. Police may detain terrorism suspects without charge for up to 14 days.

There is a functioning bail system, and defendants awaiting trial have the right to bail, except for those judged to be flight risks, likely to commit another offense, suspected terrorists, or in other limited circumstances.

All suspects have the right to legal representation, including counsel provided by the government if they are indigent, if questioned at a police station. Police may not question suspects who request legal advice until they have counsel. Detainees may make telephone calls. The maximum length of pretrial detention is 182 days. The court may extend the detention in exceptional cases. Authorities generally respected these rights.

In Scotland police may detain a subject for no more than 24 hours. There is an initial detention period of 12 hours; after this 12-hour period a police custody officer may authorize further detention for an additional 12 hours without authorization from the court if the officer believes it necessary. A detainee has the immediate right of access to a lawyer, either through a personal meeting or by telephone. Police may not detain a person more than once in relation to the same offense.

Detention of Rejected Asylum Seekers or Stateless Persons: Unsuccessful applicants for asylum and stateless persons are detained pending deportation. A joint report produced in December 2012 by Her Majesty's Inspectorate of Prisons and the Independent Chief Inspector of Borders and Immigration stated that the government held 3,500 persons in detention centers or prisons on any given day in the first quarter of 2012, more than 40 for more than two years. Detention with a view to removal is only lawful if there is a realistic prospect of removal within a reasonable period, but there is no statutory limit on detention.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government respected judicial independence.

Trial Procedures

The law provides for the right to a fair trial, and the judiciary routinely enforced this right. Defendants enjoy a presumption of innocence, and the right to be informed promptly and in detail of the charges, with free interpretation as necessary. Criminal proceedings must be without undue delay and open to the public except for cases in juvenile court or those involving public decency or security. In a trial under the Official Secrets Act, the judge may order the court closed, but sentencing must be public.

The law allows for jury trials with some exceptions in England, Wales, and Northern Ireland. The law provides for judge-only trials when there is a “real and present danger that jury tampering would take place.” In Scotland a judge hears summary procedures without a jury; the maximum prison and financial penalties for summary procedures are fixed at 12 months’ imprisonment and a fine of 10,000 pounds (\$16,000). Cases involving greater penalties require a jury. Bermudian law provides for jury trials in criminal cases and for trial by judge in civil cases.

Defendants have the right to communicate with an attorney of choice, or to have one provided at public expense. Defendants have access to government-held evidence relevant to their cases, with some exceptions, such as instances in which information pertaining to a suspect relates to national security. Defendants have the right to confront witnesses against them, present witnesses and evidence, and not to be compelled to testify or confess guilt. Defendants have the right to appeal adverse verdicts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals, nongovernmental organizations (NGOs), and groups of individuals in the UK may seek civil remedies for human rights violations and have the right to appeal decisions to the European Court of Human Rights (ECHR).

In Bermuda the Human Rights Tribunal adjudicates complaints.

Regional Human Rights Court Decisions

The country is a party to the European Convention on Human Rights and subject to the jurisdiction of the ECHR. During the year the court made numerous rulings involving the country, and the UK mostly complied with court orders. In July, Abu Qatada dropped his eight-year fight against the government's attempts to deport him to Jordan where he was wanted on terrorist charges. The European Courts had earlier ruled that deportation would breach Qatada's human rights, but once the Jordanian government ratified a new treaty providing assurances over his right to a fair trial, Qatada gave up his fight to remain in Britain.

In April the ECHR rejected the government's attempt to extradite terror suspect Haroon Aswat to the United States. Prosecutors accused Aswat of being a coconspirator of the Islamic cleric Abu Hamza. The ECHR ruled that the government could not extradite Aswat due to the threatened deterioration of his health. The government asked for a reconsideration of the ruling, but in September the ECHR ruled against the extradition once again. The latter decision is final, and Aswat may not be extradited.

In July the ECHR ruled the UK's failure to investigate the army killing of two prominent IRA members in 1990 was a breach of human rights. The judges condemned the government's failure to investigate a large number of sensitive killings during the Troubles.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government routinely respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and press.

Internet Freedom

There were no government restrictions on access to the internet. Individuals and groups could engage in the expression of views via the internet, including by

e-mail. According to statistics of the International Telecommunication Union, 87 percent of the UK population used the internet in 2012.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedoms of assembly and association, and the government routinely respected them.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government routinely respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: In England, Scotland, Wales, and Northern Ireland the law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Bermuda's constitution and laws do not provide for granting asylum or refugee status, and the government did not have an established a system for providing protection to refugees.

Safe Country of Origin/Transit: The government places the burden of proof on asylum seekers who arrive from safe countries of origin, who pass through a country where they are not considered to be at risk, or who remain in the country for a period of time before seeking asylum. The UK is subject to the EU's Dublin III regulation and considers all other EU member states to be countries of safe

origin or transit. The regulation permits authorities to remove an asylum applicant to another country deemed responsible for adjudicating an applicant's claim.

Employment: The government does not allow asylum seekers to work. They receive state support at 30 percent below the normal rate for the duration of their asylum application. An asylum seeker whose claim is upheld is granted "refugee status." Refugees have access to the benefits enjoyed by citizens, including employment opportunities.

Temporary Protection: The government may provide temporary protection to individuals who may not qualify as refugees under the categories of humanitarian protection and discretionary leave. The government grants varying levels of assistance to refused asylum seekers, including return flights and financial assistance.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens with the right to change their government peacefully, and citizens exercised this right through periodic free and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In 2010 the UK held parliamentary elections. In December 2012 Bermuda held parliamentary elections. In 2011 Scotland, Wales, and Northern Ireland elected their own parliaments. All these elections were held in accordance with international standards. There were no reports of abuses or irregularities.

Participation of Women and Minorities: Of 650 elected members of parliament (MPs) 147 were women; 182 of a total 781 members of the House of Lords were women. In Scotland 35 percent of the Scottish Parliament's members were women, and women made up 40 percent of the National Assembly for Wales. In the Northern Ireland Assembly women occupied 21 of the 108 seats, or 19.4 percent. Bermuda's 36-seat House of Assembly had eight women, with five women in the 11-member Senate. Women accounted for 23 of the 73 British members of the European Parliament.

Women held four of the 22 UK cabinet posts. Of 121 government ministers, including the cabinet, whips, lords in waiting, and 12 unpaid officials, 22 were women. Women held two of the eight Scottish government cabinet posts and eight of 23 government ministerial positions. There were three women in the eleven-member Welsh cabinet. Two women served in Bermuda's 13-member cabinet.

In 2010 voters elected to Parliament 27 MPs from ethnic minority backgrounds, or 4 percent of the total. In the National Assembly for Wales two ethnic minority representatives, accounting for 3.3 percent of the total. The Northern Ireland Assembly had one minority member, or 1 percent of all members. In Scotland two ethnic minority candidates, or 1.5 percent of the members, held positions in the Scottish Parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government routinely implemented these laws effectively.

Corruption: Operation Elveden, the investigation into bribes paid by journalists to police and public officials as part of the *News of the World* newspaper scandal, continued. During the year the number of persons arrested reached 74. The IPCC supervised Elveden.

The Serious Fraud Office is an independent government department, operating under the superintendence of the Attorney General with jurisdiction in England, Wales, and Northern Ireland. It investigates and prosecutes those who commit serious or complex fraud, bribery, and corruption, and pursues them and others for the proceeds of their crime.

Whistleblower Protection: The law provides for protection for whistleblowers. A whistleblower may not be dismissed because of whistleblowing; if a whistleblower is, he may claim unfair dismissal. The law was amended in June and states that a whistleblower should also believe his disclosure is in the public interest.

In June, Bermuda implemented the Good Governance Act 2012 creating a criminal offense for the termination of a contract with or nonpayment to whistleblowers, with a fine upon conviction up to Bermuda dollars (D) \$4,500 (\$4,500) or up to 12 months in prison, or both.

Financial Disclosure: The UK publishes the names, grades, job titles, and annual pay rates for most civil servants with salaries more than 150,000 pounds (\$240,000). Under the ministerial code issued by the Prime Minister's Office, ministers must follow standards of conduct, including the disclosure of gifts and travel. Government departments publish the business expenses of and hospitality received by their most senior officials. All MPs are required to disclose their financial interests. The *Register of Members' Interests* is available online and updated regularly. These public disclosures include paid employment, property ownership, shareholdings in public or private companies, and other interests that "might reasonably be thought to influence" the MP in any way. The Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, and the Bermudian Parliament have similar codes of conduct for members.

Public Access to Information: The law provides for public access to information, and authorities routinely granted access to citizens and noncitizens, including foreign media. Exceptions to release relate to national security and defense, personal privacy, and possible risks to health and safety. There are no fees for requesting information, but there may be a bill for materials and postal fees. There is a mechanism to appeal denials.

In Scotland the law gives everyone the right to ask for any information held by a Scottish public authority. The Scottish Information Commissioner is responsible for enforcing and promoting this legislation.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups operated without government restriction, investigating and publishing their findings of human rights cases. Government officials were routinely cooperative and responsive to their views.

Government Human Rights Bodies: Parliament has a Joint Committee on Human Rights composed of 12 members selected from the House of Lords and the House of Commons. The committee undertakes inquiries into human rights matters in the country and scrutinizes legislation affecting human rights. It may call for testimony from government officials, who routinely comply.

The Equality and Human Rights Commission (EHRC) is a non-departmental public body that promotes and monitors human rights, and protects, enforces, and

promotes equality across nine “protected” grounds: age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation, and gender reassignment. The sponsoring department is the Government Equalities Office.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, and the government routinely enforced the law effectively.

Women

Rape and Domestic Violence: The law criminalizes rape, spousal rape, and domestic violence. The maximum legal penalty for rape is life imprisonment. The law also provides for injunctive relief, personal protection orders, and protective exclusion orders (similar to restraining orders) for female victims of violence. The government enforced the law effectively when cases were reported. Courts in some cases imposed the maximum punishment for rape. In January the Ministry of Justice, Home Office, and the Office for National Statistics produced a joint statistical bulletin covering sexual offenses for England and Wales. In 2011-12 police recorded a total of 53,700 sexual offenses across England and Wales of which 16,000 were for rape. The government provided shelters, counseling, and other assistance for victims of rape or violence. It offered free legal aid to battered women who were economically dependent on their abusers. During the year a magistrate’s court in Birmingham instituted a court dedicated to domestic violence cases, with the aim of increasing support and safeguards to victims.

The most recent figures published in Scotland showed 59,847 incidents of domestic violence in 2011-12, an increase of 7 percent compared with the previous year. In September former member of the Scottish Parliament Bill Walker was jailed for 12 months after being convicted of 23 domestic abuse charges over a 28-year period. This highlighted concerns about sentencing in domestic violence cases. According to Member of the Scottish Parliament Alison McInnes, of more than 4,000 charges of domestic violence during the year, less than 200 were heard before a jury, which allows for a sentence of more than 12 months. Nearly 3,500 cases went before a Sheriff Court, which has limited sentencing powers. In September the Scottish government appointed a new national prosecutor to improve how domestic abuse cases are handled with the power to change prosecution policy. There were 1,462 rapes and attempted rapes in 2012-13, an

increase of 15 percent. Police reported 7,693 sexual offenses in 2012-13, an increase of 5 percent compared with 2011-2012.

In Northern Ireland the PSNI recorded 27,190 incidents of domestic violence from April 2012 through March. This figure represents an increase of 1,994 incidents over the previous year's statistics. The PSNI recorded 172 rapes with a domestic abuse motivation, an increase of 62.3 percent over the previous year. The PSNI recorded 124 cases of indecent or sexual assaults on women.

In Bermuda reported sexual assaults increased. In the first half of the year, police responded to 19 cases of sexual assault, which is equal to the total number of assaults in 2012. Police estimated there were 20 to 30 reported incidents of domestic abuse per week; of these, fewer than five per month were prosecuted. Reported domestic abuse cases also increased.

In 2012 the Bermudian NGO Center Against Abuse saw just more than 80 female clients and 45 male clients. From January until August the Center assisted nearly 100 female clients and more than 40 male clients. The Center reported two domestic violence cases involving firearms in 2012; none was reported for the first eight months of the year. In September the Bermuda Health Council reported that women were three times more likely than men to report experiencing domestic violence, with 19 percent of all women suffering abuse compared to 7 percent of men.

Harmful Traditional Practices: The government's Forced Marriage Unit (FMU) operated a helpline providing confidential support and advice to victims and professionals and conducted a nationwide outreach program with schools, social services, and police. The FMU gave advice or support related to a possible forced marriage in 1,485 cases. Where the age was known, 13 percent involved victims below 15 years; 22 percent involved victims aged 16-17; 30 percent involved victims aged 18-21; 19 percent involved victims aged 22-25; 8 percent involved victims aged 26-30; 8 percent involved victims aged 31 and over. The oldest victim was 71 and the youngest was two; 82 percent involved female victims and 18 percent involved male victims.

Sexual Harassment: The law criminalizes sexual harassment. No further information was available.

Reproductive Rights: Couples and individuals may decide freely and responsibly the number, spacing, and timing of children. They also generally have the information and means to do so free from discrimination, coercion, and violence.

Discrimination: Women enjoy the same legal status and rights as men under family law, labor law, property law, and inheritance law. The government's Equalities Office is responsible for the government's overall equality strategy. Its stated aims are to improve equality and reduce discrimination and disadvantage for all, at work, in public and political life, and in a person's life opportunities. In Scotland the equivalent department is the Equality, Human Rights, and Third Sector Division. According to the NGO Fawcett Society women earned an average of 14.9 percent less than men.

Children

Birth registration: A child born in the UK receives the country's citizenship at birth if one of the parents is a British citizen or a legally settled resident. Children born in Northern Ireland may opt for British, Irish, or dual citizenship. A child born in an overseas territory is a British overseas territories citizen if at least one of the child's parents has citizenship. There are special provisions for granting citizenship to persons who might otherwise be stateless. All births must be registered within 42 days in the district where the baby was born, and unregistered births were uncommon.

Child Abuse: The UK government did not publish annual statistics on child abuse. The PSNI recorded 1,233 cases of abuse against a person under 18 years old in Northern Ireland in 2012-13. In September the Historic Institutional Abuse Inquiry announced that it received 363 applications from child abuse victims for their investigation of allegations of widespread child abuse in Northern Ireland.

In Bermuda in 2012, the most recent date for which statistics were available, there were 120 cases of physical abuse of children up to the age of 18 years. The Department of Child and Family Services substantiated 44 of the abuse cases. Of the rest, 47 cases were unsubstantiated, 20 were suspected but could not be proven, eight were pending with police, and one was deemed unrelated to child protection. The Department of Child and Family Services reported the number of children exposed to domestic violence increased from 53 referrals in 2011 to 83 in 2012.

Child protection registers in the UK contained confidential details of children who were at continuing risk of physical, emotional, or sexual abuse or neglect and for

whom there was a child protection plan. Registers covered each local authority area in the country, and individual social services departments managed them. The latest figures available from March 2012 showed 50,573 children on child protection registers, or the subject of child protection plans in the UK. Of these, 42,700 were in England. The latest figures from March 2012 showed 2,127 children on child protection registers in Northern Ireland, 2,880 in Wales, and, as of July 2012, 2,706 in Scotland.

Forced and Early Marriage: The minimum legal age for marriage in the UK is 16 years. In England and Wales persons who have not reached 18 years of age and have not been previously married require the written consent of the parents or guardians. If either of the persons is below 18 years of age, the underage person must present a birth certificate. In Northern Ireland those under 18 need parental consent, “or if appropriate an order of a court dispensing with consent.” In Scotland persons between 16 and 18 years of age do not need to have parental consent to be married. In Bermuda the minimum age of marriage is 18 years.

In 2010, the latest year for which the Office of National Statistics had official data, 3,106 women and 934 men between the ages of 16 and 19 years married in England and Wales. In Scotland in 2010, the latest year for which data is available, 219 women and 79 men under the age of 20 years married. In 2010 in Northern Ireland, 79 women and 42 men between 16 and 19 years married.

Of the 747 cases that the FMU provided help and advice to between January and June, 43 percent involved girls under the age of 18 years.

In Bermuda, through August there were no marriages of persons under the age of 18 years.

Harmful Traditional Practices: Female Genital Mutilation/Cutting (FGM/C) is illegal in the UK, with a penalty of up to 14 years in prison or a fine or both. The Home Office estimated that up to 24,000 girls under the age of 15 were at risk of the procedure. The National Society for the Prevention of Cruelty to Children (NSPCC) introduced a 24-hour helpline for anyone concerned that a child may be at risk from FGM/C.

Sexual Exploitation of Children: The minimum age of consensual sex in the UK is 16 years. In Bermuda the legal minimum age for consensual sex is 16 years for heterosexuals and lesbians, and 18 years for gay men.

The penalties for sexual offenses against children and the commercial sexual exploitation of children range up to life imprisonment. Persons convicted of sexual offenses must register with police and notify police any time they change their name or address, or travel outside the UK. During the year sex offenders in England and Wales gained the ability to appeal placement on the register of sex offenders for life.

The NSPCC recorded 18,915 sexual crimes against children under 16 in England and Wales in 2012-13, compiled from research and official publications up to October. Scottish police data for 2012-13 showed 429 sexual offenses involving children ages 13-15. In Bermuda officials reported 106 cases of sexual abuse of children up to the age of 18 years in 2012, of which 40 were substantiated, 34 were unsubstantiated, 16 were suspected but could not be proven, 15 were pending with police, and one was deemed unrelated to child protection.

As of 2011 England and Wales registered 35,665 individuals as sexual offenders; this figure did not distinguish between offenses against adults and children. In Scotland in 2012-13, there were 3,314 registered sex offenders. In Northern Ireland as of September 1, there were 191 sexual offenders registered, again without differentiation among offenses against adults or children.

International Child Abductions: The UK including Bermuda is party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. Due to its distinct and separate legal system, Scotland has an independent body for handling Hague Convention cases and communicates directly with Hague Convention authorities. For information on international parental child abduction, see the Department of State's country-specific information at http://travel.state.gov/abduction/country/country_5790.html.

Anti-Semitism

The 2011 census recorded the UK Jewish population as 263,346.

During the first six months of the year, the Community Security Trust (CST), a UK organization that monitors anti-Semitism, counted 219 anti-Semitic incidents across the UK, compared with 311 incidents in the corresponding period in 2012. This is the lowest number of incidents the CST has recorded for the first half of a year since 2003. Of the 219 incidents recorded, 29 were classified as "violent anti-Semitic assaults," compared with 36 such cases recorded in the first half of 2012. None of the assaults recorded was life-threatening. From January through June,

the CST recorded 19 incidents of damage and desecration of Jewish property, 18 direct anti-Semitic threats, and 151 incidents categorized as abusive behavior. Four of every five incidents reported occurred in the main Jewish centers of the Greater London and Greater Manchester areas.

In March the Labour Party suspended Lord Nazir Ahmed for saying that his 2009 prison conviction for dangerous driving was the result of pressure applied on the court by Jews “who own newspapers and television channels.” In May, Ahmed formally resigned from the Labour Party but continued to sit in the House of Lords.

In January, MP David Ward accused Israel of inflicting atrocities on Palestinians on a daily basis in the West Bank and Gaza. After a complaint from the Holocaust Educational Trust, Ward refused to apologize. On July 18, the Liberal Democrat Party temporarily suspended Ward from the party for tweeting: “Am I wrong or are am I right? At long last the Zionists are losing the battle--how long can the apartheid State of Israel last?” On November 4, at a parliamentary meeting Ward commented that, “I didn’t say Israel shouldn’t exist but that it should never have been created. I said it was an apartheid state.”

In November the EU’s Fundamental Rights Agency released a survey on discrimination and hate crime against Jews in eight EU member states, including the UK. When the respondents were asked whether they had experienced harassment and/or physical attack in the previous 12 months, 19 percent of British Jews stated that they faced such harassment and/or physical attack, and 21 percent witnessed other Jews being verbally insulted, harassed, and/or physically attacked.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services; the government effectively enforced this.

The law requires that all public service providers make “reasonable adjustments” to ensure their services are available to persons with disabilities. The law prohibits

schools from discriminating against students with disabilities, either directly, for example, by refusing admission, or indirectly.

Bermudian law protects the rights of persons with disabilities in the workplace; the act requires employers to “modify the circumstances of employment” to accommodate persons with disabilities so long as there is no “unreasonable hardship” on the employer.

From March 2011 to March 2012, police in England and Wales recorded 1,744 hate crimes connected to disability. In Scotland there were 138 recorded crimes connected to disability in 2012-13. The PSNI recorded 74 hate crimes connected to disability in Northern Ireland from April 2012 through March. The National Autism Society published a survey to highlight the effect of hate crimes on persons with autism. Of the 800 persons who took part, 81 percent of respondents stated they had experienced verbal abuse; 47 percent stated they had been the victim of physical assaults.

The mandate of the EHRC includes work on behalf of persons with disabilities to stop discrimination and promote equality of opportunity. The EHRC provided legal advice and support for individuals, a hotline for persons with disabilities and employers, and policy advice to the government. It may also conduct formal investigations, arrange conciliation, require persons to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

National/Racial/Ethnic Minorities

The law prohibits racial discrimination, but Travellers, Roma, and persons of African, Afro-Caribbean, South Asian, and Middle Eastern origin at times reported mistreatment on racial or ethnic grounds.

From March 2011 to March 2012, police recorded 43,748 hate crimes. Of these, 35,816 (82 percent) were hate crimes related to race. In 2012-13 Scottish police recorded 5,868 racially aggravated offenses; racial crime was the most commonly reported hate crime, with 4,012 incidents. The PSNI recorded 750 hate crimes connected to racism in Northern Ireland from April 2012 until March. In September an unidentified person threw a hatchet through the window of a home occupied by a Nigerian woman and her two children. A January report by the Northern Ireland Council for Ethnic Minorities stated, “Only 12 out of almost

14,000 hate-motivated incidents in the last five years were prosecuted under hate crime legislation designed to protect the vulnerable.”

The Home Office was criticized for running a poster campaign in some parts of London during the summer in which billboard vans drove through parts of London thought to contain high numbers of illegal migrants advising them to, “go home or face arrest.” In August in Glasgow human rights campaigners criticized a new UK Border Agency campaign that told asylum seekers and immigrants, “Let us help you go home.” The UK-wide campaign was piloted in Glasgow and ran across the UK until October 4.

The UN Special Rapporteur on the Right to Adequate Housing noted “multiple testimonies on the shortage of sufficient, adequate and safe sites for [Romani and Traveller] communities across the United Kingdom, many of whom believe this is part of the stigma and discrimination they regularly face from Governments and society as a whole.” During the summer local authorities in Westminster, London, forcibly removed 60 Roma who had been living on the streets, and returned 20 of them to Romania.

In July in Bermuda the opposition Progressive Labor Party noted the long-term trend that the majority of arrests are among black persons. In 2012 of 3,162 persons arrested, 2,792 (91 percent) were black. In January-June, of 698 persons arrested, 615 persons (88 percent) were black. According to the 2010 census, 54 percent of those surveyed described themselves as black.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

In Bermuda the legal minimum age for consensual sex is 16 years for heterosexuals and lesbians, and is 18 years for gay men.

The law prohibits discrimination and harassment based on sexual orientation, although individuals reported sporadic incidents of homophobic violence. It encourages judges to impose a greater sentence in assault cases where the victim’s sexual orientation was a motive for the hostility, and many local police forces demonstrated an increasing awareness of the problem and trained officers to identify and moderate these attacks. From March 2011 to March 2012, police in England and Wales recorded 4,252 hate crimes related to sexual orientation and 315 transgender hate crimes. Galop, a London-based NGO dealing with hate crimes against lesbian, gay, bisexual, and transgender (LGBT) persons, claimed

police recorded 98 homophobic and transphobic crimes each week across Britain. According to Sarah Edwards of Minster Law Solicitors, 610 claims for sexual orientation discrimination were brought to tribunal in 2012 of which 20 were successful at a hearing.

In Scotland racial, sexual, or other discriminatory motivation may be an “aggravating factor” in crimes. Scottish law also criminalizes behavior that is threatening, hateful, or otherwise offensive at a regulated soccer match and penalizes any threat of serious violence and threats to incite religious hatred through the mail or the internet. Sexual orientation aggravated crime was the second most common type of hate crime, with 729 charges reported.

The Equality Commission’s chief commissioner in Northern Ireland stated in May that surveys conducted by the commission in 2012 found that while approximately half of LGBT persons surveyed indicated they had experienced discrimination, eight of 10 had not reported it to anyone. Furthermore, “only 44 percent of LGBT persons questioned knew they were protected (against discrimination on the grounds of their sexual orientation).”

During the year Bermuda passed the Human Rights Amendment Act 2013 prohibiting discrimination on the grounds sexual orientation.

Other Societal Violence or Discrimination

There were no reports of violence against persons with HIV infection during the year.

Of the 43,748 hate crimes recorded by police between March 2011 and March 2012, the Home Office classified 1,621 as religious hate crimes. Of the 5,868 hate crimes Scottish police recorded in 2012-2013, there were 687 charges with a religious aggravation. The PSNI recorded 22 hate crimes motivated by religion and 1,372 sectarian incidents from April 2012 through March in Northern Ireland.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively. The law does not cover workers in the armed forces, public sector security services, police forces, and freelance or

temporary work. The law excludes workers serving in the police, the prison service, and the armed forces from the right to strike. According to the International Trade Union Confederation, however, the right to strike in the UK is “limited” due to prohibitions against political and solidarity strikes, lengthy procedures for calling strikes, and the ability of employers to seek injunctions against unions before a strike has begun if the union does not observe all proper steps in organizing the strike. The law prohibits blacklisting of workers for trade union membership or activity. The government enforced applicable laws, with effective remedies, and penalties generally deterred future violations.

In September eight major construction companies set up a fund, the Construction Workers Compensation Scheme, to compensate thousands of construction workers whose names appeared on a secret “construction blacklist” which was discovered in a raid by the Information Commissioner’s Office in 2009. The list contained the names of suspected “troublemakers” who were barred from working in the industry for many years, either because they were involved in trade union activity or had raised safety concerns.

The government generally respected freedom of association and the right to collective bargaining. Unions and management typically negotiated collective “agreements,” which were less formal and not legally enforceable. The terms of the agreement could, however, then be incorporated into an individual work contract with legal standing. Employees may not be dismissed or chosen for redundancy or be treated unfavorably because of their membership, any grievances may be followed up with the Advisory, Conciliation, and Arbitration Service.

The International Labor Organization alleged that the statutory procedure for recognition allows an employer to prevent an application for recognition by an independent trade union by setting up an in-house company union and voluntarily extending to it recognition rights.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced and compulsory labor, and the government generally enforced these laws.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

UK law prohibits the employment of children under the age of 13 with exceptions for sports, modeling and paid performances. The law prohibits those under 16 years old from working in an industrial enterprise, including transportation or street trading; their work hours are strictly limited and may not interfere with school attendance. Different legislation governs the employment of young persons under 16 and while some laws are common across the UK, local bylaws vary. Children between the ages of 13 and 16 must apply for a work permit from a local authority, if local by-laws require, and the local authority's education and welfare services have primary responsibility for oversight and enforcement of the permits. In Bermuda children under the age of 13 may perform light work of an agricultural, horticultural, or domestic character if the parent or guardian is the employer of the child.

The departments of health, trade, industry, education, and skills have regulatory responsibilities related to child labor. There were reports that some children in the British overseas territories of Anguilla and Montserrat were engaged in the worst forms of child labor, specifically in commercial sexual exploitation. The governments of Anguilla and Montserrat both participate in Safeguarding Children in the Overseas Territories (SCOT) Program, which the UK's Department for International Development sponsored. Through the SCOT Program, participating governments receive capacity-building and advisory support to implement policies, procedures, and best practices to ensure children's health and safety, but there is no evidence that this program had an effect in either territory.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm for information on UK territories.

d. Acceptable Conditions of Work

The minimum wage was 6.31 pounds (\$10.10) for individuals 21 and over, 5.03 pounds (\$8.04) for individuals 18-20 years old, 3.72 pounds (\$5.95) for individuals under 18, and 2.68 pounds (\$4.28) for an apprentice. In 2010-11, the most recent period for which data was available, the poverty level for households was set at an income of 215 pounds (\$344) per week. Tax authorities may issue compliance orders against employers who are not paying the minimum wage, but employment tribunals handle disputes. The government monitored employers' compliance with minimum wage law. Unions and NGOs were also actively involved in ensuring employees' awareness of their rights.

The law limits the workweek to 48 hours when averaged over a 17- to 26-week period. The law provides for one day of rest per week, 11 hours of daily rest, and a 20-minute rest break when the working day exceeds six hours. The law also mandates a minimum of four weeks of paid annual leave, including eight national holidays. As part of collective agreements, however, the average worker received five weeks of paid annual leave plus eight national holidays. An individual employee may agree by contract to work overtime for premium pay. The law does not prohibit compulsory overtime, but it limits overtime to the 48-hour workweek restriction. The law stipulates that the health and safety of employees may not be placed at risk. The 48-hour workweek regulations do not apply to senior managers and others who can exercise control over their own hours of work. There are also exceptions for the armed forces, emergency services, police, domestic workers, sea and air transportation workers, and fishermen. While workers may opt out of the 48-hour limit, there were no reports of workers being forced to so.

The Health and Safety Executive (HSE), an arm of the Department of Work and Pensions, effectively enforced occupational health and safety laws. It conducted workplace inspections and may initiate criminal proceedings.

According to the HSE's annual report for 2012-13, the provisional estimate of workers fatally injured in the UK was 148, less than the 171 fatalities reported for the same period in the previous year. There were 78,222 reported nonfatal injuries to employees; of these, 19,707 were reported as major injuries.

Bermuda's law does not provide for a minimum wage, but the Department of Labor and Training enforces any contractually agreed wage. The law requires that work in excess of 40 hours per week be paid at the overtime rate or with compensatory time off; employees may waive rights to overtime pay. The law also requires that employees have a rest period of at least 24 consecutive hours per week. It provides for paid public holidays and two weeks' paid annual leave. Regulations enforced by the Department of Labor and Training, extensively cover the safety of the work environment. In 2011 there were 43 workplace accidents, including one fatality.