

# UNITED KINGDOM 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The United Kingdom of Great Britain and Northern Ireland (the UK) is a constitutional monarchy with a multi-party, 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. On September 18, Scotland held a referendum in which the electorate voted to remain in the UK. 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.

In a country where official respect for human rights is important, during the year the most significant human rights problems in the country included reported incidences of sexual crimes, including trafficking and sexual exploitation of children, rape, and domestic violence. Historic cases of systematic child sexual abuse were also reported. Hate crimes, based on factors including race, religion, anti-Semitism, ethnicity, sexuality, and disability were also problems.

Other human rights problems included forced or early marriage, unequal pay for equal work between women and men, and limitations on the right to strike. Human rights problems in Bermuda included reports of corruption, which forced the resignations of the premier and attorney general, evidence of discriminatory enforcement of the law between ethnic groups, and a difference in the legal age for consensual sex for gay men (18) and for lesbians and heterosexuals (16).

The government investigated, prosecuted, and punished 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 the government or its agents committed arbitrary or unlawful killings.

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. During the year the Independent Police Complaints Commission (IPCC) investigated 10 cases.

### **b. Disappearance**

There were no reports of politically motivated disappearances, 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.

### **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: As of October 3, the prison population in England and Wales was 85,705 in a system with an official capacity of 85,995. Of this prison population, 81,797 were men and 3,908 were women. The child custody population as of June totaled 1,104 of which 53 were girls and 53 were between the ages of 10 and 14. As of September 26, there were 7,751 prisoners and detainees in Scottish prisons, which had a total capacity of 8,069, including 429 women and 439 juveniles. As of September 30, the prison population in Northern Ireland was 1,803 prisoners and detainees, with an official capacity of 1,953. Of this population, 60 were women and 18 were juveniles. As of July 31, there were 230 prisoners and detainees in Bermuda, including 13 women but no juveniles, in facilities with a total capacity of 385.

Authorities held prisoners separately according to gender, conviction/remand status, and age. The only mixing was in rare cases where, for security reasons, an adult male inmate on remand required housing in maximum security or segregation

units. Even in these units, authorities separated remand prisoners from convicted inmates.

In February 2013 the Criminal Justice Inspectorate found significant failings in the Ash House (women's prison) and the Hydebank Young Offenders Center in Northern Ireland. Since the Northern Ireland Prison Service has not yet built a separate facility for female offenders, Ash House remains colocated within Hydebank and shares its facilities. Authorities no longer routinely subjected women to full body strip searches but continued the practice for men.

In 2013-14, prisoners and prison officers in Bermuda claimed that black mold presented a health concern in certain areas of the Co-ed Facility, one of Bermuda's two prisons. The government fixed the problem and instituted an improved cleaning regime to prevent recurrence. Inmates also complained that officials denied them access to case and social workers, a situation that was under internal review.

The *Official Annual Report of the Prisons and Probation Ombudsman for England and Wales* for the period 2013-14 stated there were 239 prison deaths in England and Wales during the year, of which 130 were due to natural causes, 90 self-inflicted, four homicides, nine classified as "other nonnatural," and six awaiting classification. The Scottish Prison Service reported 24 prison deaths in Scotland in 2013-14, of which 22 were awaiting classification, one was a suicide, and one determined by authorities to be due to natural causes. In May an investigation by the Scottish weekly newspaper, *The Sunday Mail*, alleged that authorities did not properly protect suicidal prisoners in Scottish jails because of a lack of communication and failures in care. The Scottish Prison Service denied the allegations. Prisoners and detainees had access to potable water, and there were no reports of concerns with quality or quantity of food.

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, participation in alcohol or drug rehabilitation or mental health treatment. The prisons and probation ombudsman for England and Wales investigated complaints from prisoners and deaths in custody. Separate ombudsmen performed 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 questionable conditions.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. On March 27, the Council of Europe's Committee for the Prevention of Torture (CPT) released the report on its 2012 visit to the country. The report noted that, while the number of complaints the CPT received of assaults by Scottish police decreased since its previous report, they still amounted to 10 percent of all complaints received.

Every prison, immigration removal center, and some short-term holding facilities at airports have an independent monitoring board (IMB). IMB members are independent, and their role is to monitor day-to-day life in their local facility and to ensure that proper standards of care and decency were maintained. Members have unrestricted access to their local prison or immigration detention center at any time and can talk to any prisoner or detainee they wish, out of sight and hearing of staff, if necessary.

#### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. In August the police forces in England and Wales agreed to adopt a new government code of conduct on the use of their powers to stop and search members of the public. Pressure for a code of conduct followed an investigation that found 27 percent of stop-and-search actions did not satisfy the requirement of "reasonable grounds for suspicion." Police agreed to record every stop-and-search action and the results.

#### **Role of the Police and Security Apparatus**

Except in Scotland and Northern Ireland, the national police maintained internal security and reported to the Home Office. The army, under the authority of the Ministry of Defense, was responsible for external security but may be called upon to support police in extreme cases. The National Crime Agency (NCA) investigated most serious crimes in England, Scotland, and Wales and had a mandate to deal with organized, economic, and cybercrimes as well as border policing and child protection. The NCA director general has independent operational direction and control over the NCA's activities and is accountable to the home secretary.

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 IPCC.

Scotland's judicial, legal, and law enforcement system is fully separate from that of the rest of the UK. The Scottish police force, Police Scotland, reports to the Scottish justice minister and the state prosecutor. Police Scotland 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 Police Service of Northern Ireland (PSNI). The PSNI reports to the Northern Ireland Policing Board, a nondepartmental 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 appointed by the UK but is funded by the elected government of Bermuda.

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.

Coroner's inquests investigated deaths related to the Troubles in Northern Ireland. In July the Committee on the Administration of Justice's (CAJ's) report found dozens of inquests were opened but not completed, primarily due to delays in the state's disclosing information. In 2013 the European Court of Human Rights (ECHR) in two cases found the UK to be in breach of its obligations under European Convention on Human Rights with regard to legacy inquests. The CAJ argued the Historical Enquiries Team did not have sufficient independence from the PSNI to comply with the convention when investigating alleged unlawful state killings and called for the establishment of an independent investigative body.

### **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. After an initial detention period of 12 hours, 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 for the same offense.

In May lawmakers and nongovernmental organizations (NGOs), including the Children's Commissioner for Scotland, criticized Police Scotland for stopping and searching 2,912 children between the ages of eight and 12 between April and December 2013. In June, Police Scotland announced it would end the practice of stop searches of children under the age of 12.

In Bermuda legal aid is available to those whose disposable income is less than \$18,000 Bermudian dollars (\$18,000) a year.

Detention of Rejected Asylum Seekers or Stateless Persons: Unsuccessful applicants for asylum and stateless persons are detained pending deportation. 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. The CPT recommended that English and Welsh authorities reconsider their policy of indefinite incarceration of rejected asylum seekers without legal recourse. The CPT also received some complaints of detainee mistreatment. A joint report produced in 2012 by the Inspectorate of Prisons and the independent chief inspector of borders and immigration stated that the government held 3,500 unsuccessful asylum seekers and stateless persons in detention centers or prisons

on any given day in the first quarter of 2012, more than 40 of whom had been held for more than two years.

### **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 an independent judiciary routinely enforced this right. Defendants enjoy a presumption of innocence, and the right to be promptly and in detail informed of the charges, with free interpretation as necessary. Criminal proceedings must be held 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 in England, Wales, and Northern Ireland allows for jury trials with some exceptions. 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 (\$15,600). 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, except in cases before employment tribunals that may unintentionally overlap with undiscovered discrimination cases. Defendants and their lawyers have adequate time and facilities to prepare a defense, 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, NGOs, and groups of individuals in the UK may seek civil remedies for human rights violations and have the right to appeal to the ECHR decisions involving alleged violations by the state of the European Convention on Human Rights.

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 complied with most court orders.

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

The law prohibits such actions, and there were no reports that the government failed to respect 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.

Freedom of Speech: The law prohibits expressions of hatred toward persons on account of their color, race, nationality (including citizenship), ethnic or national origin, religion, or sexual orientation as well as any communication that is threatening or abusive and is intended to harass, alarm, or bring distress to a person. The penalties for such expressions include fines, imprisonment, or both.

Press Freedoms: The law's restrictions on expressions of hatred apply to the print and broadcast media.

### **Internet Freedom**



The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Consistent with the exceptions to freedom of speech noted above, the government on occasion blocked websites, for example, Bit Torrent file sharing sites such as Pirate Bay primarily for violations of intellectual property rights. Viewing or posting the following categories of activity on the internet is subject to criminal prosecution: child sexual abuse images hosted anywhere in the world, criminally obscene adult content hosted in the UK, incitement to racial hatred content hosted in the UK, nonphotographic child sexual abuse images such as drawings hosted in the UK.

According to statistics of the International Telecommunication Union, 90 percent of the UK population used the internet in 2013.

### **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 the freedoms of assembly and association, and the government routinely respected these rights.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **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, except Greece, to be countries of safe origin or transit. The regulation permits authorities to remove an asylum applicant to another country responsible for adjudicating an applicant's claim.

Employment: The government did not allow asylum seekers to work. They received state support at 30 percent below the normal rate for the duration of their asylum application. An asylum seeker whose claim is upheld was granted "refugee status" and received 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 granted 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 the ability to change their government through free and fair elections, and citizens exercised this right through periodic elections based on universal suffrage.

### Elections and Political Participation

Recent Elections: The UK and Bermuda held parliamentary elections in 2010 and 2012, respectively, while Scotland, Wales, and Northern Ireland elected their own

parliaments in 2011. On May 22, elections were held for seats in the European Parliament. On September 18, Scotland held a referendum on whether to remain in the UK. 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, 147 were women; 182 of 781 members of the House of Lords were women. Of the 73 British members of the European Parliament elected during the year, 30 were women. In Scotland, Nicola Sturgeon was elected as the first female Scottish first minister on November 19. In the Scottish Parliament, 35 percent of members were women, as were 40 percent of the National Assembly for Wales. In the Northern Ireland Assembly, women occupied 21 of the 108 seats. Bermuda's 36-seat House of Assembly had eight women, with five women in the 11-member Senate.

Women held five of the 22 UK cabinet posts. Of 121 government ministers, including the cabinet, whips, lords in waiting, and 12 unpaid officials, 30 were women. Women held five of the 10 Scottish government cabinet posts, becoming the first cabinet in the UK to achieve gender equality. Ten of the 23 government ministerial positions in Scotland were held by women. There were three women in the 11-member Welsh cabinet. Two women served in Bermuda's 13-member cabinet.

In 2010 voters elected 27 members of Parliament with ethnic minority backgrounds, representing 4 percent of the total. The Scottish Parliament had two ethnic minority members, accounting for 1.5 percent of the total. The National Assembly for Wales had two ethnic minority representatives, accounting for 3.3 percent of the total. The Northern Ireland Assembly had one minority member, or 1 percent of the total.

#### **Section 4. Corruption and Lack of Transparency in Government**

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

Corruption: In Bermuda on May 19, Premier Craig Cannonier and Attorney General Mark Pettingill resigned their positions in the wake of the "Jetgate" scandal. The two were accused of accepting, prior to the 2012 general election, a campaign contribution of BMD350,000 from American businessman Martin Landow and six others for their party, the governing One Bermuda Alliance, as

well as personal travel favors thereafter. At year's end the BPS was investigating to determine if any criminal offenses had been committed.

The Serious Fraud Office is an independent government department operating under 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. Police Scotland's Countercorruption Unit is responsible for investigating allegations of corruption in the public sector in Scotland. Allegations of corruption against police in Scotland were conducted by the Crown Office and Procurator Fiscal Service.

Financial Disclosure: All members of Parliament 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 member 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. Under the ministerial code issued by the Prime Minister's Office, ministers must follow standards of conduct, including the disclosure of gifts and travel. The UK publishes the names, grades, job titles, and annual pay rates for most civil servants with salaries greater than 150,000 pounds (\$234,000). Government departments publish the business expenses of and hospitality received by their most senior officials.

In Bermuda in June, the Joint Parliamentary Committee on Elections concluded that election candidates should disclose any interest in government contracts. The two opposition members of the committee filed a minority report citing Finance Minister E.T. Richards and Member of Parliament Jeff Sousa for their failure to declare their interests prior to the 2012 general election, suggesting that they might not have the right to sit in the House of Assembly. The NGO Center for Justice stated that the constitution, with narrow exceptions, requires disclosure of an interest in any government contract and recommended amendments to remove ambiguity and to add enforcement provisions. It also suggested creation of an independent, nonpartisan electoral commission to enforce electoral requirements.

Public Access to Information: The law provides for public access to information, and authorities routinely granted access to citizens and noncitizens, including foreign media. Authorities implemented the law effectively.

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 and implemented the law effectively. The commissioner sometimes responded to requests late.

Bermuda enacted public access to information legislation in 2010 but never implemented it.

### **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 investigates 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 nondepartmental 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.

In Bermuda the Human Rights Commission administers the law regarding human rights.

### **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.

Bermudian law protects against discrimination because of race, place of origin, color, or ethnic or national origins, sex or sexual orientation, marital status, disability, family status, religion or beliefs, political opinions, and, except where the nature of the an offense justifies different treatment, criminal record. Elderly persons are also a protected class in the areas of goods, facilities, services, and accommodations but not in employment. The law does not protect against discrimination of persons with mental, learning, and cognitive disabilities.

## 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 2012-13 police recorded 53,540 sexual offenses across England and Wales of which 23 percent (14,885) were for rape. The government provided shelters, counseling, and other assistance for victims of rape or violence in the UK and Ireland. It offered free legal aid to battered women who were economically dependent on their abusers.

The most recent figures published in Scotland showed 60,080 incidents of domestic violence in 2012-13, an increase of 0.4 percent compared with the previous year. Police reported 8,604 sexual offenses in 2013-14, an increase of 12 percent compared with 2011-12. There were 1,690 rapes and attempted rapes in 2013-14, an increase of 24 percent. In June the Scottish government launched a new Violence against Women and Girls strategy that aimed to eradicate all forms of violence against women and girls. Titled *Equally Safe*, the report outlining the strategy identified the need to eliminate the systemic gender inequality that lies at the root of violence against women. The NGO Scottish Women's Aid welcomed the publication of the report.

In Northern Ireland from June 2013 to June 2014, police recorded 2,258 sexual offenses, including 538 rapes and 27,628 incidents of domestic violence from April 2013 through March. The latter figure represented an increase of 438 incidents over the previous year's statistics. According to the PSNI, there were 141 rapes with a domestic abuse motivation, a decrease of 31 offenses over the previous year. The PSNI recorded 200 cases of indecent or sexual assaults on women, an increase of 50 offenses and the highest level recorded since 2004-05.

In Bermuda reported sexual assaults increased from 26 in 2012 to 31 in 2013. Police estimated there were 20 to 30 reported incidents of domestic abuse per week. There was a 48-percent decrease in the number of domestic violence orders issued, from 42 in 2011 to 22 in 2013; the reason for the decrease was unclear.

In 2013 the Bermudian NGO Center against Abuse reported an increase in domestic abuse cases, from 125 in 2012 to 158 in 2013. The center assisted 127 female clients and 31 male clients in 2013. From January until June, the Center assisted 56 women. The center offered safe haven to 31 women and children for a combined total of 459 nights in 2013. From January until June, the center provided a safe house to seven women. The center reported one domestic violence case involving firearms in 2013; one was also reported for the first six months of the year.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. There were no reports that FGM/C was performed on women.

Other 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. In 2013 the FMU gave advice or support related to a possible forced marriage of women in 1,302 cases. Where the age was known, 33 percent involved victims between 18 and 21, 15 percent involved victims between 22 and 25, 7 percent involved victims between 26 and 30, and 3 percent involved victims who were 31 and older (see also section 6, Children, Early and Forced Marriage).

In Scotland the law provides for protection against being forced into marriage without free and full consent and for protecting persons who have been forced into marriage without such consent.

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

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of children and to have the information and means to do so. They have the right to attain the highest standard of reproductive health, 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 law requires equal pay for equal work. 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 (see section 7.d.).

## **Children**

Birth Registration: A child born in the UK receives the country's citizenship at birth if one of the parents is a UK citizen or a legally settled resident. Children born in Northern Ireland may opt for UK, Irish, or dual citizenship. A child born in an overseas territory is a UK 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 1,586 cases of abuse against a person under the age of 18 in Northern Ireland in 2012-13. In July the Historic Institutional Abuse Inquiry announced that it received 529 reports from victims of child abuse in 13 religious and state-run care homes and reformatory institutions in Northern Ireland from 1922 to 1995. In August the inquiry heard that during that period approximately 131 children from voluntary institutions or state bodies in Northern Ireland were sent to Australia. In some of these cases, parental consent was not sought, and some children were deprived of their real identities by the withholding of birth certificates.

In Bermuda in 2013, the most recent date for which statistics were available, cases of physical abuse of children up to the age of 18 increased from 120 in 2012 to 127 in 2013. The Department of Child and Family Services substantiated 49 of the abuse cases. Of the remaining cases, 60 were unsubstantiated, six were suspected but could not be proven, nine were pending with police, and three were deemed unrelated to child protection. The Department of Child and Family Services reported the number of referrals of children exposed to domestic violence



decreased from 83 in 2012 to 70 in 2013. There were 86 cases involving lack of supervision in 2013 and a decrease in the number of referrals for child neglect, from 339 cases in 2012 to 297. Bermuda received 297 referrals for child neglect in 2013. Of those cases, 175 were substantiated, 73 unsubstantiated, 22 suspected, and 19 pending; eight cases were deemed to be unrelated to child protection.

Social service departments in each local authority area in the country maintained confidential child protection registers containing details of children at risk of physical, emotional, or sexual abuse or neglect. The registers also included child protection plans for each child. According to the charitable NGO National Society for the Prevention of Cruelty to Children (NSPCC), at the end of March 2013 there were 50,732 children on child protection registers or subject to child protection plans in the UK. In Scotland, as of April 2013, there were 2,681 children on child protection registers. In Northern Ireland, as of March 2013, there were 1,914 children on child protection registers.

Early and Forced Marriage: On June 16, forcing a UK citizen into marriage anywhere in the world became a criminal offense in England and Wales. The new law provides for a maximum prison sentence of seven years. The minimum legal age for marriage in the UK is 16. In England and Wales, persons under 18 and not previously married require the written consent of the parents or guardians, and the underage person must present a birth certificate. In Northern Ireland persons under 18 need parental consent “or if appropriate an order of a court dispensing with consent.” In Scotland persons between 16 and 18 do not need parental consent to be married. In Bermuda the minimum age for marriage is 18.

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 married in England and Wales. In Scotland in 2010, the latest year for which data was available, 219 women and 79 men under the age of 20 married. In 2010 in Northern Ireland, 79 women and 42 men between the ages of 16 and 19 married.

Between January and December 2013, the FMU gave advice or support related to a possible forced marriage in 1,302 cases. Where the age was known, 15 percent of cases involved victims who were below 16, and 25 percent involved victims who were 16 or 17. The FMU handled cases involving girls and women from 74 different countries, including Pakistan (42.7 percent), India (10.9 percent), Bangladesh (9.8 percent), Afghanistan (2.8 percent), Somalia (2.5 percent), Iraq (1.5 percent), Nigeria (1.1 percent), Saudi Arabia (1.1 percent), Yemen (1 percent), Iran (0.8 percent), Tunisia (0.8 percent), the Gambia (0.7 percent), Egypt (0.6

percent), and Morocco (0.4 percent). The origin was unknown in 5.4 percent of cases. Persons with disabilities of all ages were victims in 97 cases, and 12 involved lesbian, gay, bisexual or transgender (LGBT) victims of all ages.

In Bermuda there were no marriages of persons under the age of 18 in 2013 or the first six months of 2014.

Female Genital Mutilation/Cutting (FGM/C): 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, whose ethnic background included a tradition of FGM/C. The first official figures published on the numbers of FGM/C cases seen by hospitals in England showed that 467 previously unknown survivors of genital mutilation received treatment at hospitals in England in September. Police operations at airports and ports over the summer led to the arrest of several adults suspected of taking children abroad to undergo FGM/C. The first prosecution for the practice was in court at year's end.

The 24-hour FGM/C helpline of the NSPCC received 321 reports, 148 of which were referred to police and children's services.

During the year the government made dealing with FGM/C a stated priority. Since September all hospitals must record information on patients who have undergone FGM/C, and the Home Office has launched a 100,000-pound (\$156,000) FGM Community Engagement Initiative aimed at raising awareness of FGM/C.

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

The penalties for sexual offenses against children and the commercial sexual exploitation of children range up to life imprisonment. In December 2013 the chief justice issued new sentencing guidelines for magistrates in sex offense cases to provide for consistency in sentencing. Released 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.

The NSPCC recorded 18,915 sexual crimes against children under 16 in England and Wales in 2012-13. Scottish police data for 2012-13, the most recent available, showed 429 sexual offenses involving children between the ages of 13 and 15. In Bermuda the number of cases of sexual abuse of children up to 18 increased

from 106 cases in 2012 to 126 in 2013, of which 59 were substantiated, 29 were unsubstantiated, three were suspected but could not be proven, 34 were pending with police, and one was deemed unrelated to child protection. The majority of the cases were child-on-child referrals or children exhibiting sexualized behaviors. Of the 126 referrals, 86 were girls and 40 boys.

In August the Rotherham city council released an independent report detailing more than 1,400 cases of sexual child exploitation that took place from the early 1990s to the release of the report. The report detailed a failure of Rotherham police and social services to provide adequate response and support to victims. The home secretary announced further investigations to determine where responsibility lay and how to address the problem. The IPCC was to investigate the conduct of 10 police officers involved for their handling of the matter.

*A Multi-agency Public Protection Arrangements* report published in February reported 43,664 sexual predators in England and Wales. In Scotland in 2012-13, there were 3,314 registered sex offenders. As of July, Northern Ireland registered 197 sexual offenders, again without differentiation among offenses against adults or children.

In September the press reported 602 cases of child trafficking in 2013. Of these, 65 percent were girls subjected to sexual exploitation. The victims were mainly from Romania, Poland, and Albania, but also included some British citizens.

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 country-specific information see the Department of State's website at [travel.state.gov/content/childabduction/english/country/united-kingdom.html](http://travel.state.gov/content/childabduction/english/country/united-kingdom.html).

## **Anti-Semitism**

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

Anti-Semitic incidents included bomb threats, physical attacks, anti-Semitic insults, incidents at sports events, graffiti and damage to synagogues and other property, and anti-Semitic entries on social media. The NGO Community Security Trust recorded 304 anti-Semitic incidents in the first six months of the year and

another 130 incidents in July alone. From January through June, there were 24 assaults, none of which was life-threatening or caused grievous bodily harm, and 27 cases of damage or desecration of property. In 19 instances, there were direct anti-Semitic threats and four incidents of mass-produced or mass-mailed anti-Semitic literature.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **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 the law.

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. It 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 2013 through March 2014, in Scotland there were 154 recorded crimes connected to disability, an increase of 12 percent from the previous year. The PSNI recorded 74 hate crimes connected to disability from April 2012 through March 2014. The NGO National Autism Society reported that of 800 persons who took part in its survey, 81 percent had experienced verbal abuse and 47 percent 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 or organizations 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 and ethnic 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.

In England and Wales, police recorded 44,480 hate crimes in 2013-14. Of these, 37,484 (84 percent) were race hate crimes. In 2013-14, Scottish police recorded 4,148 race crimes, a 3 percent increase from the previous year. In February there was a spate of racist attacks in Glasgow, including one by an individual, Chris Chisholm, who verbally abused the Scottish government minister for external affairs and international development, Humza Yousaf. These incidents attracted widespread coverage in the Scottish press and led to the Scottish government's launching an antihate campaign urging victims to come forward and report crimes. In Northern Ireland from April 2013 to March 2014, the PSNI recorded 691 hate crimes connected to racism. In June, two Pakistani men were attacked twice in their North Belfast home and required medical attention after being beaten. One of the victims publicly accused First Minister Peter Robinson of stoking tension when he defended anti-Islamic comments made by an evangelical pastor. Robinson ultimately apologized for his remarks. The PSNI chief constable reported a 200-percent increase in hate crime in North and West Belfast during the year; efforts were underway during the year to address the situation.

In Bermuda on May 13, a man shouting racist epithets assaulted the president of the Association of Filipinos. In June the *Royal Gazette* reported on xenophobia directed against Filipino residents, including discrimination in the workplace, by landlords, and even by staff at the Office of Workforce Development (see section 7.d.). There were repeated instances of anti-Filipino graffiti over several years.

In Bermuda arrests of black persons were disproportionately high. From July 2013 to the end of June 2014, 85 percent (2,068) of 2,430 persons arrested were black (excluding mixed race). According to the 2010 census, 54 percent of all residents described themselves as black. Among the Bermudian population, excluding foreign residents, 63 percent were black.

The city of Glasgow participated in the RomaNet project of the EU's URBACT exchange and learning program, in which 40 community organizations provided

counseling, English courses, and training to help adults find jobs, send their children to school, and integrate into the community.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

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

The law in England and Wales 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 2013 to 2014, police in England and Wales recorded 4,622 hate crimes related to sexual orientation and 555 transgender hate crimes.

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. Crime aggravated by sexual orientation was the second most common type of hate crime, with 890 charges reported in 2013-14.

The PSNI recorded 179 hate crimes related to sexual orientation and eight transgender hate crimes in Northern Ireland from April 2013 until March (see section 7.d.).

In a move welcomed by human rights groups, the opening ceremony of the 2014 Commonwealth Games, hosted by Glasgow, included a gay kiss, viewed as a rebuke to the 42 Commonwealth nations where homosexuality remains illegal. The rainbow flag flew at the Scottish government's headquarters in Edinburgh for the duration of the games in support of LGBT rights.

### **Other Societal Violence or Discrimination**

Police in England and Wales recorded 42,236 hate crimes in 2013. The Home Office classified 1,621 as religious hate crimes. Of the 5,823 hate crimes Police Scotland recorded in 2013-14, there were 587 charges with a religious aggravation.

The PSNI recorded 13 hate crimes motivated by religion and 961 sectarian incidents from April 2013 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, bargain collectively, and conduct legal strikes. The government generally respected these rights. The law prohibits antiunion discrimination but does not require reinstatement of workers fired for union activity.

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 (ITUC), 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 government enforced applicable laws. Remedies were limited in situations where workers faced reprisal for union activity, and the ITUC stated that the law does not provide “adequate means of protection against antiunion discrimination.” Penalties ranged from employers paying compensation to reinstatement and were sufficient to deter violations.

The government and employers 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.

The International Labor Organization remained concerned that the statutory procedure for recognition allows an employer to avoid recognizing an independent trade union by setting up a company union and voluntarily extending to it recognition rights. The law does not allow independent trade unions to apply for derecognition of in-house company unions or protect individual workers seeking to do so. Labor-market surveys suggested that employers expanded the practice of “zero-hour contracts” in which workers are required to be available but are not

guaranteed any minimum work hours, which potentially eroded independent trade union membership and further limited worker rights.

Various labor NGOs advocated for worker's rights freely within the UK and acted independently from trade unions, although often advocacy problems overlapped. NGOs advocates for improvements in paid family leave, a minimum/living wage, and worker safety among other problems.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced and compulsory labor, but such practices occurred.

The government generally enforced these laws effectively. Resources and inspections were generally adequate and were sufficiently stringent compared with other sentences for serious crimes.

Victims of forced labor included men, women, and children. Migrant workers were subject to forced labor in agriculture, construction, food processing, and service industries (especially nail salons), and on fishing boats. Women employed as domestic workers were particularly vulnerable to forced labor.

In March a report by Human Rights Watch alleged some foreign workers employed as domestic servants were subject to abuses including forced labor, the confiscation of passports, confinement, and denial of payment.

In Bermuda the Department of Immigration and the Director of Public Prosecutions confirmed there were no cases of forced labor during the year, although historically there were some cases of forced labor among men in the construction sector and women in domestic service, mostly migrants. The media reported that several migrant farm workers were denied wages for long periods or received only partial payment during the year. The Bermudian government passed legislation in September 2013, effective April 1, to require employers to repatriate work-permit holders. Failure to do so had been a migrant complaint. Worker exploitation increased in many areas. In some situations employees were required to perform work outside the scope of their work permit. The Department of Immigration did not have adequate resources to conduct inspections and address these problems. The penalties for employing someone outside the scope of their work permit are BD\$5,000 (\$5,000) for the first offense and BD\$10,000 (\$10,000) for the second or subsequent offenses.



Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **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 from working in an industrial enterprise, including transportation or street trading. Children's work hours are strictly limited and may not interfere with school attendance. Different legislation governs the employment of 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 bylaws require, and the local authority's education and welfare services have primary responsibility for oversight and enforcement of the permits. The authorities effectively enforced applicable laws.

The departments of health, trade, industry, education, and skills have regulatory responsibilities related to child labor.

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. Schoolchildren may not work during school hours or more than two hours on school days. No child under 15 may work in any industrial undertaking, other than light work, or on any vessel, other than a vessel where only family members work. Children under 18 may not work at night, except that those ages 16 to 18 may work until midnight; employers must arrange for safe conduct home for women between 16 and 18 working until midnight. Penalties for violations of the law begin at BD\$350 (\$350) for the first offense and BD\$720 (\$720) for the second and subsequent offenses. The Bermuda Police Service reported no cases of child labor or exploitation of children during the year. Under the Children Act 1998, the penalty for willfully abusing, mistreating, neglecting, deserting, or abandoning a child is a fine not exceeding BD\$3,000 (\$3,000) or imprisonment for a term not exceeding six months.

Under the criminal code, the penalties for sexual exploitation of children, carnal knowledge, luring and dealing with child abusive material range between three and 10 years. Sentences for serious offenses are between 20 and 25 years.

Labor laws do not set a minimum age for work in the territories of Montserrat and St. Helena-Ascension-Tristan da Cunha.

Traffickers subjected children to commercial sexual exploitation in Anguilla and Turks and Caicos.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/) for information on UK territories.

#### **d. Discrimination with Respect to Employment or Occupation**

The law prohibits discrimination in employment or occupation regarding race, sex, gender, disability, sexual orientation, and gender identity. The government effectively enforced these laws and regulations. Discrimination in employment and occupation occurred with respect to race, gender, and sexual orientation and gender identity (see section 6).

In July a tribunal found that Scotland Yard subjected a black female officer, Police Constable Carol Howard, to “vindictive ... spiteful ... insulting, malicious and oppressive” treatment because she was black and a woman. Police Constable Howard was awarded a total of 37,000 pounds (\$58,000) including aggravated damages to show the tribunal’s disapproval of the Met’s actions both before and after the case.

#### **e. Acceptable Conditions of Work**

The minimum wage was 6.50 pounds (\$10.13) for individuals 21 and over, 5.13 pounds (\$7.99) for individuals between 18 and 20, 3.79 pounds (\$5.90) for individuals under 18, and 2.73 pounds (\$4.25) for an apprentice. In 2010-11, the most recent period for which data was available, the poverty level for households was an income of 215 pounds (\$335) 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.

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 employers may not place the health and safety of employees 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. The law allows workers to opt out of the 48-hour limit. The government set appropriate occupational safety and health standards.

In March a report by Human Rights Watch alleged that some foreigners employed as domestic workers were subject to abuses and exploitation including verbal, physical, and psychological abuse; excessive working hours; denial of time off; salaries well below the minimum required by law; and late payment of salaries. The law that prohibits foreign domestic workers from changing jobs without obtaining a new work visa bound them to their jobs (“tied visa”) and effectively foreclosed an effective remedy for abuse.

On June 10, the European Working Conditions Observatory reported that 3 percent of the country’s workers stated they had performed paid work undeclared to tax authorities in the previous year.

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. HSE inspectors enforced health and safety standards by giving advice on how to comply with the law. Employers may also be ordered to make improvements, either through an improvement notice, which allows time for the recipient to comply, or a prohibition notice, which prohibits an activity until remedial action has been taken. The HSE issued notices to companies and individuals for breaches of health and safety law. The notice may involve one or more instances when the recipient has failed to comply with health and safety law, each of which was called a “breach.” The HSE prosecuted recipients for noncompliance with a notice. In 2013 the HSE prosecuted 551 cases in England and Wales, local authorities in England and Wales prosecuted 88 cases, while the procurator fiscal in Scotland prosecuted 35 cases.

According to the HSE’s annual report for 2013-14, the provisional estimate of workers fatally injured in the UK was 133, less than the 148 fatalities reported for the same period in the previous year. There were 77,593 reported nonfatal injuries

to employees. Workers can remove themselves from situations that endangered health or safety without jeopardy to their employment and authorities effectively protected employees in this situation.

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 2013 there were 36 workplace accidents, including two fatalities. Between January and September, one industrial injury was reported.