

# UNITED KINGDOM

## 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 May 2010. Members of the upper chamber, the House of Lords, occupy appointed or hereditary seats. Scotland, Northern Ireland, and Wales each have elected legislative bodies and devolved administrations, with varying degrees of legislative and executive powers. The UK has 14 overseas territories. Each of the overseas territories has its own constitution while the UK government is responsible for issues relating to external affairs, security, and defense. Security forces throughout the UK and its territories reported to civilian authorities.

During the year there were significant reported incidences of sexual crimes, including the sexual exploitation of children. Racial and ethnic discrimination continued to be a problem in many areas. Child labor was a reported problem, both in the UK and in some of its overseas territories.

Other human rights problems include reported deaths in prison, threatened eviction of rioters' families from their public housing after the August riots, unequal pay for equal work between men and women, child abuse, anti-Semitic crimes, relations with Travellers (a distinct nomadic ethnic group with its own history and culture), trafficking in persons, homophobic crimes, and limitations on the freedom to strike. In Bermuda the law provides no protection against discrimination based on sexual orientation or age.

The government investigated all allegations of official wrongdoing, 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**

On August 4, police shot and killed Mark Duggan during an attempt to arrest him. Circumstances leading to the shooting were unclear. An inquiry into Duggan's death, conducted by the Independent Police Complaints Commission (IPCC), continued at the end of the year.

Also in August police faced criticism when three suspects died after officers used stun guns or pepper spray while arresting them. Investigations by the IPCC into the exact causes of their deaths continued.

Police faced criticism over the use of violence against demonstrators, particularly in the 2009 death of Ian Tomlinson, a newspaper seller who died during protests in London against the G20 summit. A May 2011 inquest found Tomlinson was “unlawfully killed.” Simon Harwood, the police officer who allegedly hit Tomlinson with his baton immediately prior to Tomlinson’s death, was on trial for manslaughter at year’s end.

In September a government-commissioned inquiry into the death of Iraqi civilian Baha Moussa released its report. The inquiry, led by retired appeal court justice Sir William Gage, examined allegations of abuse stemming from the death of Moussa in 2003 while in custody of the British military. Gage found a lack of “proper MoD [Ministry of Defense] doctrine on interrogation,” leading to widespread ignorance of the law by British soldiers. His report condemned the actions of the soldiers responsible for the detainee group that included Moussa but noted that the events “did not amount to an entrenched culture of violence” throughout the rest of the British military. The Crown Prosecution Service’s decision on whether to take further action based on the inquiry’s recommendations was pending at year’s end.

On April 3, Police Service of Northern Ireland (PSNI) Constable Ronan Kerr, a Catholic, was killed by a bomb placed under his car at his home in Omagh, Northern Ireland. Following a three-month cross-border search, police arrested five alleged members of a dissident republican splinter group for the crime. Press reports suggested that these groups, which rejected the peace agreement in Northern Ireland and sought the full reunification of the island, actively targeted Catholic members of security forces to hinder “normalization” in Northern Ireland. At year’s end the trial was pending.

## **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.

### **Prison and Detention Center Conditions**

Prison and detention center conditions generally met international standards, including access to potable water, and the government permitted visits by independent human rights observers. 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 are charged with similar duties for Scotland and for Northern Ireland. Nonviolent offenders can receive community sentences, which can involve unpaid community work, government supervision, paying compensation to victims, and participation in alcohol or drug rehabilitation or mental health treatment.

According to the Ministry of Justice, at the end of October the prison population in England and Wales was 86,754, in a prison system with an official capacity of 76,848. Higher-than-average conviction rates for those charged with participating in the August riots in London and other UK cities boosted the prison population. According to the UK justice ministry, women made up 4.8 percent of the total prison population of England and Wales; juveniles comprised 1.8 percent. According to Inquest, a UK nonprofit organization, during the year 170 deaths were reported in prisons in England and Wales, of which 52 were classified as self-inflicted, 98 were non-self-inflicted with an additional death caused by “other non-natural causes,” two were homicides, and 17 were awaiting classification. Two deaths in custody were reported in Northern Ireland; both were young people held in Hydebank Wood.

At the end of September there were 8,167 prisoners and detainees in Scottish jails, which have an official total capacity of 7,294. Juveniles accounted for 1.6 percent of prisoners in Scottish prisons, and 5.7 percent were women. The prison population in Northern Ireland consisted of 1,673 persons of whom 3.1 percent were women, while juveniles comprised 1 percent. The official capacity of the Northern Irish penal system was 1,765 persons.

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

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions. However, critics charged that some procedures

justified by the government as necessary to combat terrorism constituted detention without charge. The law allows the government to hold terrorism suspects in detention without charge for up to 28 days.

On July 11, the Bermudian Parliament passed the Firearms Amendment Act 2011, which provides that suspects alleged to be involved in a crime with a firearm can be incarcerated in prison prior to being charged in order to ease overcrowding in police detention cells. It also passed the Bail Amendment Act 2011 authorizing police to arrest individuals if there are reasonable grounds to suspect that they are likely to breach the conditions of their bail. In addition, the law allows police to consider a suspect's safety in deciding whether to grant bail.

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

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 Metropolitan Police in extreme cases. Scotland's judicial, legal, and law enforcement system is fully separate from that of the rest of the UK. Police forces that enforce the law in Scotland report cross-border crime and threat information to the national UK police and respond to UK police needs in Scotland upon request. Scottish police forces report to the justice minister and the Lord Advocate, which is the Crown's Prosecutor in Scotland, both appointed by the Scottish government.

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. There were allegations that police officers received cash payments from journalists at the now-defunct newspaper, the *News of the World*, and possibly other media outlets in return for providing contact information on private citizens. The two most senior officers of the Metropolitan Police both resigned during the year in the context of the scandal. A series of police inquiries into the allegations continued.

### **Arrest Procedures and Treatment While in Detention**

In most cases police must have a warrant to arrest a person. The police may make an arrest without a warrant if they have reasonable grounds for suspecting a person has committed or is about to commit one or more listed "arrestable offenses," or if

a police officer believes an arrest is necessary to prevent physical injury or damage to property.

Police may detain an ordinary criminal suspect for 96 hours without charges. Detention for more than 24 hours must be authorized by a senior police official, and detention of more than 60 hours requires the approval of a magistrate. Only terrorism suspects may be detained without charge for longer than 96 hours. All detainees are entitled to counsel during this period. Detainees may make telephone calls and have legal representation, including government-provided counsel if they are indigent. 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.

#### **e. Denial of Fair Public Trial**

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

#### **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. Criminal proceedings must be public except 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 generally allows for jury trials. 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.” Scotland allows jury trials in criminal and civil cases. Bermudian law provides for jury trials in criminal cases and for trial by judge in civil cases.

Defendants have the right to be present at their trials and to consult with an attorney in a timely manner. Indigent defendants have the right to free counsel of their choice, with some exceptions. Defendants may question witnesses against them.

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 appeal to successively higher courts.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees. However, many observers criticized the judicial process after the August riots, noting that sentences given to rioters for theft, handling stolen goods, or public order offenses were 25 percent to 40 percent longer than sentences for the same offenses committed in other contexts.

### **Regional Human Rights Court Decisions**

The country is a party to the European Convention on Human Rights and subject to the jurisdiction of the European Court of Human Rights (ECHR). During the year the court made numerous rulings involving the United Kingdom. In July the ECHR ruled that Britain violated the rights of the families of four Iraqi men killed by British forces by not investigating the deaths. In a separate ruling, the ECHR declared the UK had violated the rights of a man it interned in Iraq for three years without trial. In practice the UK government in most cases complied with the court's judgments.

### **Civil Judicial Procedures and Remedies**

Individuals in the UK may seek civil remedies for human rights violations and have the right to appeal decisions to the ECHR.

Bermudian law authorizes the Human Rights Commission to investigate violations of the Human Rights Act. In 2010 the commission referred no cases to a board of inquiry for adjudication; statistics were not yet available for the year.

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

The law prohibits such actions, and the government generally respected those prohibitions in practice. After the August riots in London and other UK cities, the local council of Wandsworth served an eviction notice on a teenage rioter and his family, who lived in public housing. Other councils, including Southwark, sent letters to rioters awaiting trial, informing them that convictions might lead to eviction notices. According to public housing tenancy agreements, tenants can be evicted if they, members of their household, or visitors engage in criminal activity.

The BBC quoted the British prime minister as stating that these possible evictions were a way of “enforcing responsibility in our society.” However, human rights and legal experts argued that such evictions amounted to a form of collective punishment without due process, and that any attempts by the government to implement such a policy would immediately put it at odds with its obligations under the European Convention on Human Rights. The Wandsworth council said it would pursue the eviction only if the teenager was found guilty of the riot-related charges.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

#### **Status of Freedom of Speech and Press**

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

During the year the continuing telephone-hacking scandal at the *News of the World* led to allegations of illegal practices in the media and corruption among politicians and police. Prime Minister David Cameron appointed a commission to examine these problems. At the end of the year the commission’s work continued.

#### **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. During and after the August riots, police reportedly monitored social media sites such as Twitter and Facebook and received cooperation from Blackberry over its Messenger service after rioters used these outlets to organize disturbances; the media reported that some British citizens who used Facebook to incite riots were given jail sentences. Following the riots, Prime Minister Cameron suggested in public comments that the government would consider whether it would be appropriate to curtail the use of social media in similar circumstances in the future to prevent rioting. However, the Home Office ultimately stated that the government “did not seek any additional powers to close down social media networks.”

## **Academic Freedom and Cultural Events**

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

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

The law provides for this right, and the government routinely respected it in practice. In some cases human rights organizations criticized police for the practice of “kettling” peaceful protesters, or forcing them into tight groups by using metal barricades.

### **Freedom of Association**

The law provides this right, and the government routinely respected it in practice.

## **c. Freedom of Religion**

See the *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://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 movement within the country, foreign travel, emigration, and repatriation, and the government routinely respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) 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: The UK’s laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

The government grants varying levels of assistance to refused asylum seekers, including return flights and financial assistance.



An asylum seeker whose claim is upheld is granted “refugee status” and has access to the benefits enjoyed by British citizens, including employment opportunities, health benefits, and education.

Bermuda’s constitution and laws protect the fundamental rights and freedoms of the individual but do not specifically provide for the granting of asylum or refugee status, nor has the government established a system for providing protection to refugees. A refugee would be accorded all the protections, rights, and freedoms accorded to non-Bermudians and would receive benefits as a Bermudian if the government made special provisions for that refugee.

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 law permits authorities to remove an asylum applicant to another country that is deemed responsible for adjudicating an applicant’s claim. The UK is subject to the EU’s Dublin II regulation and considers all other EU member states to be countries of safe origin or transit.

Nonrefoulement: In practice the government provided protection against the return of persons to a country where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

However, the UNHCR objected to the government’s forced return of asylum seekers to areas of Iraq it considered dangerous. These returns reportedly continued from 2010.

Human rights groups including Human Rights Watch, Amnesty International, and Freedom from Torture criticized the British government for forcibly deporting to their country of origin failed Tamil asylum seekers from Sri Lanka in September. These groups alleged the asylum seekers risked detention and torture upon returning to Sri Lanka.

In November a report published by a human rights nongovernmental organization (NGO), Justice First, cited a number of cases of asylum seekers from the Democratic Republic of the Congo, forcibly returned by the UK government between 2007 and 2011, who were reportedly subjected to repression, torture, and other rights violations upon return.

Temporary Protection: The government may also provide temporary protection to individuals who may not qualify as refugees under the categories of humanitarian protection and discretionary leave.

Employment: Asylum seekers are not allowed to work. They receive state support at 30 percent below the normal rate for the duration of their asylum claim.

### **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 in practice through periodic free and fair elections held on the basis of universal suffrage.

#### **Elections and Political Participation**

Recent Elections: The most recent elections, for local representatives in May and for Parliament in May 2010 and in Bermuda in 2007, were held in accordance with international standards. There were no reports of abuses or irregularities.

Participation of Women and Minorities: In the 2010 national elections 144 women were elected as members of Parliament (MPs). Women comprised 22 percent of all MPs, the highest number and proportion of female representatives in history. In Northern Ireland 20 women were elected to the Northern Ireland Assembly, making up 18.5 percent of the total 108 seats. In Scotland 35 percent of the Scottish Parliament's members were women, and women made up 40 percent of the National Assembly for Wales. Bermuda's 36-seat House of Assembly had seven women, with four women in the 11-member Senate. One-third of the British members elected to the European Parliament were women.

Four of the 23 UK cabinet posts (17 percent) were held by women. Of 119 government ministers, including the cabinet, whips, lords in waiting, and 12 unpaid positions, 19 (16 percent) were held by women. Four women (38 percent) served in Bermuda's 13-member cabinet.

There were 27 MPs, or 4 percent of the total, from ethnic minority backgrounds. In Scotland two ethnic minority candidates, or 1.5 percent of the members, were elected to the Scottish Parliament. In the National Assembly for Wales there were also 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.

#### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption, and the government routinely implemented these laws effectively. Repercussions continued from the 2009 scandal over expenses claimed by MPs, with more than a dozen lawmakers charged with false accounting and ordered to pay back thousands of pounds claimed in false expenses.

The UK publishes the names, grades, job titles and annual pay rates for most civil servants with salaries over 150,000 pounds (approximately \$234,000). Government departments publish the business expenses of and hospitality received by their most senior officials. Under the ministerial code issued by the Prime Minister's Office government, ministers are expected to follow standards of conduct, including the disclosure of gifts and travel. In October, Secretary of Defense Liam Fox resigned after a report by Cabinet Secretary Sir Gus O'Donnell concluded Fox had been in "a clear breach of the ministerial code."

All MPs are required to disclose their financial interests. The Register of Members' Interests is published 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 law provides for public access to information, and authorities generally granted access to citizens and noncitizens, including foreign media. There are exceptions to the availability of government information, including those relating to national security and defense, personal privacy, and possible risks to health and safety. There are no fees for requesting information; however, there may be a bill for materials and postal fees. There is a mechanism to appeal denials.

On June 15, the Bermuda Police Service announced that it would investigate whether former premier Ewart Brown committed any criminal offenses involving requests for commissions and board memberships. On August 3, the Bermudian Parliament passed the Good Governance Act 2011 to improve transparency and accountability.

## **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 generally 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 can call for testimony from government officials, who generally comply. During the year the committee produced reports on education, police reform, the terrorism act, and extradition policy, among others.

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

The law prohibits discrimination based on based on race, gender, disability, language, or social status, and the government routinely enforced the law effectively. The human rights commissions in England, Wales, and Scotland have mandates to combat discrimination based on race, sex, religion and belief, sexual orientation, and age. The Bermudian constitution and laws protect the human rights of inhabitants of Bermuda, with the exception of protection against discrimination based on sexual orientation and age.

### **Women**

Rape and Domestic Violence: The law criminalizes rape, spousal rape, domestic violence, female genital mutilation, and sexual harassment, and the government routinely enforced the law effectively when cases were reported. The courts imposed punishment ranging up to life imprisonment, the maximum legal penalty for rape. 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 provided shelters, counseling, and other assistance for victims of battery or rape and offered free legal aid to battered women who were economically dependent on their abusers. The Home Office reported 14,624 cases of rape of a female during the year, down 1 percent from 2010; the sanction detection rate for these offenses was 24 percent.

In March the UK launched an action plan to halt violence against women; the action plan includes 88 “cross-government actions” and commits the government to work towards changing attitudes and behaviors that condone violence against women.

In December a freedom of information request by the Iranian and Kurdish Women’s Rights Organization revealed that in 2010 UK police reported 2,823 “honor attacks.” Of the 39 police forces reporting, 12 also provided figures from 2009, which showed that 2010 saw a 47 percent rise in such incidents in those areas. In 2010, the last year for which data was available, the UK’s Forced Marriage Unit gave advice or support related to a possible forced marriage in 1,735 instances.

In Bermuda police reported 26 cases of sexual assault in the first nine months of the year. Police estimated 20-30 reported incidents of domestic abuse per week; of these, 10-15 resulted in a formal complaint of which two or three moved forward to prosecution. In February one person received a 25-year prison sentence for a 2009 domestic abuse death.

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

Contraception, prenatal care, obstetric and postpartum care, access to family planning advice, treatment for sexually transmitted infections, and skilled attendance during childbirth were all widely available.

Discrimination: Women enjoy the same legal status and rights as men under the judicial system. According to the World Economic Forum’s Global Gender Gap report, women in the UK during the year earned 71 percent of men’s earnings for similar work. The Home Office oversees implementation of the law and the Equality Strategy, which was published in June and commits the UK government to work with the private sector and civil society to promote equal treatment and equal opportunity for all.

## **Children**

Birth registration: All births must be registered within 42 days in the district where the baby was born, and unregistered births were uncommon. Local authorities have procedures for the late registration of babies. A child born in the UK receives the country’s citizenship at birth if one of the parents is a British citizen or 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 for persons who might otherwise be stateless. Overseas territories citizens have some restrictions regarding their ability to live and work within the UK; similarly, there are some restrictions on British citizens living and working in the overseas territories. However, Bermudians with UK passports may live and work in the UK without restrictions.

Child Abuse: The UK government did not publish specific statistics on the incidence of child abuse every year, but it actively combated child abuse through policies to protect children from abusive adults, overhauling child protection services, and encouraging better reporting of abuse crimes.

Child protection registers contain confidential details of children who are at continuing risk of physical, emotional, or sexual abuse or neglect, and for whom there is a child protection plan. Registers cover each local authority area in the UK and are managed by individual social services departments. The latest figures available from March 2010 showed 46,705 children on child protection registers in the UK. Of these, 39,100 were in England, 2,357 in Northern Ireland, 2,518 in Scotland, and 2,730 in Wales.

In Northern Ireland 663 cases of child abuse were reported between July 2010 and June. During this period children made up 17 percent of the total number of victims of violent crime and 56 percent of the total number of victims of sexual offenses, according to the PSNI.

In Bermuda in 2010, the latest date for which statistics were available, there were 111 cases of physical abuse of children up to the age of 18. The Department of Child and Family Services substantiated 48 of the physical abuse cases. Of the rest, 34 cases were unsubstantiated, 22 were suspected, and seven were pending.

The National Society for the Prevention of Cruelty to Children (NSPCC), a leading NGO, reported that incidents of child abuse and mistreatment in the UK dropped significantly over the last decade. The NSPCC concluded that public education campaigns, heightened public awareness, and high levels of media coverage of child abuse have led to a positive attitudinal shift in how people treat children.

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.

There are strict penalties for sexual offenses against children and the commercial sexual exploitation of children. The law also prohibits child sex tourism and allows authorities to prosecute citizens or residents for offenses committed abroad. Some sexual offenses carry penalties up to life imprisonment. Anyone convicted of sexual offenses must register with the police. Registrants are required to notify police any time they change their name or address, or travel outside of the UK.

As of March 2010, 34,939 individuals were registered as sexual offenders in England and Wales; however, this figure did not distinguish between offenses against adults and children. The Home Office reported that 32 percent of all sexual crimes (including rape, sexual assault, sexual activity, and sexual grooming) recorded during the year, or 17,727 incidents, were committed against children under 16. In Bermuda 115 cases of sexual abuse of children up to the age of 18 were recorded in 2010.

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 its own independent body for dealing with Hague Convention cases and communicates directly with Hague Convention authorities. For information on international parental child abduction, see the Department of State's report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [http://travel.state.gov/abduction/country/country\\_533.html](http://travel.state.gov/abduction/country/country_533.html).

### **Anti-Semitism**

The UK Jewish population numbers approximately 280,000.

Incidents of anti-Semitism against the UK Jewish community fell 13 percent in the first half of the year compared with the same period in 2010. The Community Security Trust (CST), a UK body that monitors anti-Semitism, reported that in the first half of the year there were 41 violent assaults, 35 incidents of damage and vandalism to Jewish property, and 186 incidents of abusive behavior, such as verbal abuse, hate mail, and anti-Semitic graffiti. In total there were 283 incidents in early 2011, a drop from the 325 incidents registered in the same period of 2010.

According to the CST, there were 16 anti-Semitic incidents affecting Jewish students, academics, student unions, or other student bodies in the first half of the year, compared with 28 such incidents in the first six months of 2010, a fall of 43 percent. CST figures show there were five anti-Semitic incidents affecting Jewish students or academics off campus in the first half of the year, compared with 13 such incidents in the first half of 2010.

The London-based Institute for Jewish Policy Research reported that between October 2010 and March more than 40 percent of Jewish university students witnessed or experienced an incident of anti-Semitism. Anti-Semitic language continued to be found in recent additions of textbooks supplied by the Saudi Arabian government and used to teach 5,000 pupils in private weekend schools outside of the UK's public school system.

During the year there were several incidents of football fans chanting anti-Semitic slogans during matches. In response the Football Association launched an initiative to tackle faith-based discrimination, including anti-Semitism and Islamophobia. Kick it Out, an antiracism organization, sponsored a short film starring several soccer players to address racist abuse by fans.

In December, Conservative MP Aidan Burley was removed from his post as the parliamentary private secretary to the Transport Minister after attending a party where one guest wore a Nazi uniform and some guests toasted Third Reich figures.

### **Trafficking in Persons**

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

### **Persons with Disabilities**

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

The law requires that all public service providers (except in the transportation sector) make "reasonable adjustments" to ensure their services are available to persons with disabilities. The law forbids employers from harassing or



discriminating against job applicants or employees with disabilities. In August the Bermudian Parliament enacted the Human Rights (Unreasonable Hardship) Amendment Act 2011 to protect the rights of the disabled 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.

The mandate of UK’s Equality and Human Rights Commission (EHRC) included 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, as well as persons of African, Afro-Caribbean, South Asian, and Middle Eastern origin, at times reported mistreatment on racial or ethnic grounds.

On October 19, after a legal process that began in 2005, Essex police began an operation to clear an illegal Travellers’ encampment at Dale Farm in Basildon, Essex. Thirty-nine protesters were arrested. Amnesty International estimated that 300 to 400 persons were evicted from the illegal settlement. Although some claimed this action was anti-Traveller, the evictions were in accordance with established legal procedures, and the Basildon Council offered alternative housing to those evicted.

In 2010/2011 the Home Office reported 2,982 racially or religiously motivated assaults with bodily harm or other injury; there were 4,058 such assaults without injury. These figures represent a 15 percent and a 6 percent decline, respectively, from 2009/2010 figures. It was frequently difficult to determine whether hate crimes had ethnic, xenophobic, or religious motives, and abuses directed at members of ethnic minorities from Muslim countries were officially reported as being “anti-Islamic.”

In Scotland the August 2010 murder of a Chinese man, Simon San, continued to have a high profile. In August police issued a public apology acknowledging their failure to investigate the attack as a racist incident. Two men convicted in the

attack on San were sentenced to two years in prison, while a third was sentenced to five years. The lawyer of the victim's family said the accused would have faced tougher sentences if racial bias had been considered. However, the Crown Office stated there would be no inquiry into how prosecutors handled the case.

In Bermuda there were multiple instances of graffiti and one instance of stone throwing in July and August that were aimed at Asian and Indian migrant workers. In October several vehicles belonging to Filipinos were set ablaze. An MP and Amnesty International Bermuda condemned the acts. The Human Rights Commission responded by reminding the public that every person has equal dignity and an obligation to respect the rights of others.

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

The law prohibits discrimination and harassment based on sexual orientation; however, sporadic incidents of homophobic violence were reported. The law 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.

During the year the Metropolitan Police reported 122 incidents of homophobic crime in greater London by July, a 16-percent decrease from the 145 incidents registered in the same period in 2010.

In Scotland racial, sexual, or other discriminatory motivation can be an "aggravating factor" in crimes. In May the Scottish Prosecution Service reported that in the year since the law came into effect, 448 charges had been made in which homophobia was an "aggravation." In 14 cases gender identity was an "aggravation." However, NGOs representing lesbian, gay, bisexual and transgender persons claimed the real rate of homophobic violence was much higher, since many victims did not report homophobic attacks to police.

In Bermuda the law does not protect against discrimination based on sexual orientation. There is no official recognition of same-sex relationships. The Bermuda Bar Association updated its professional code of conduct in December 2010 to ban members from discriminating and extending its coverage to include protection from discrimination on the basis of sexual orientation.

## **Other Societal Violence or Discrimination**

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

## **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 without previous authorization or excessive requirements. The government protected this right in practice, and the law prohibits blacklisting of workers for trade union membership or activity. Workers have the right to strike. However, according to the International Trade Union Confederation, 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 does not cover workers in the armed forces, public sector security services, police forces, and freelance or agency work.

Unions and management typically negotiated collective “agreements,” which were less formal than collective bargaining contracts. Collective agreements were considered “implied” individual work contracts and were legally enforceable as such.

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

The government prohibits all forms of forced and compulsory labor, including by children, and effectively enforced these laws. However, there were some reports that forced labor by men, women, and children occurred in practice. In September, Bedfordshire police freed 24 men who had been held captive and forced to work without pay. Five people were arrested on charges of slavery offenses.

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

### **c. Prohibition of Child Labor and Minimum Age for Employment**

UK law prohibits the employment in any capacity of children under 13. Those under 16 are not permitted to work in an industrial enterprise, including

transportation or street trading; their work hours are strictly limited and may not interfere with school attendance. Children ages 13 to 16 must apply for a work permit from a local authority, and the local authority's education and welfare services have primary responsibility for oversight and enforcement. Authorities effectively enforced these laws. In Bermuda children under 13 may work in light work of an agricultural, horticultural, or domestic character if the parent or guardian is also the employer of the child.

The Departments of Health, Trade, and Industry, and Education and Skills have regulatory responsibilities related to child labor, and government departments enforced these laws effectively. 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.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

On October 1, the government increased the UK's national minimum wage. The rate varied depending on the age of the worker, starting at 3.68 pounds (\$5.78) per hour for 16-17-year-olds; 4.98 pounds (\$7.78) for 18-20-year-olds; and 6.08 pounds (\$9.50) per hour for those 21 and over. Tax authorities may issue compliance orders against employers who are not paying the minimum wage, but employment tribunals handle disputes. The government aggressively monitored employers' compliance with minimum wage law. Unions and NGOs were also actively involved in ensuring employees' awareness of their rights. In the UK the official poverty line is defined as an income of 60 percent or less of the median annual income for a given year. According to the Joseph Rowntree Foundation, in 2009/2010 approximately 13.5 million persons in the UK were living in poverty when income was calculated after housing costs.

The law limits the workweek to 48 hours when averaged over a 17- to 26-week period; however, the 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. Workers can opt out of the 48-hour limit. 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.

However, the average worker received five weeks of paid annual leave plus eight national holidays as part of collective agreements. An individual employee may agree through a contract to work overtime for premium pay. The law does not prohibit compulsory overtime, but overtime is limited by the 48-hour-workweek restriction.

The law stipulates that the health and safety of employees not be placed at risk, and it was effectively enforced by the Health and Safety Executive (HSE), which is an arm of the Department of Work and Pensions and can initiate criminal proceedings in appropriate cases. As of April the HSE's Field Operations Department, which conducts workplace inspections, employed 1,171 persons. In 2010/2011 the HSE reported that it had instituted legal proceedings in 551 cases; 517 of those resulted in convictions, with an average fine of approximately 36,000 pounds (\$56,000) per conviction. In that same period of time, the HSE also reported 171 fatalities in the workplace, 51 of which involved self-employed persons. This was an increase from the year before, when 147 workers suffered fatal injuries; 43 of those were self-employed. Sectors with the highest numbers of workplace fatalities were the construction and service sectors. There were 115,379 reported nonfatal injuries in the workplace in 2010/2011. Workers may legally remove themselves from dangerous work conditions without jeopardy to their continued employment.

Bermuda's law does not provide for a minimum wage, but it 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 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 extensively cover the safety of the work environment and are enforced by the Department of Labor and Training.