

# UNITED KINGDOM 2018 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The United Kingdom of Great Britain and Northern Ireland (the UK) is a constitutional monarchy with a multiparty, parliamentary form of government. Citizens elect members (MPs) to the House of Commons, the lower chamber of the bicameral Parliament. They last did so in free and fair elections in June 2017. Members of the upper chamber, the House of Lords, occupy appointed or hereditary seats. Scotland, Northern Ireland, Wales, and Bermuda each have elected legislative bodies and devolved administrations, with varying degrees of legislative and executive powers. The UK has 14 overseas territories, including Bermuda. Each of the overseas territories has its own constitution, while the UK government is responsible for external affairs, security, and defense.

Civilian authorities throughout the UK and its territories maintained effective control over the security forces.

Human rights issues included violence motivated by anti-Semitism and against members of minorities on racial or ethnic grounds.

The government investigated, prosecuted, and punished allegations of official abuse, including by police, with no reported cases of impunity.

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

#### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports the government or its agents committed arbitrary or unlawful killings.

On March 4, according to British authorities, agents of Russian military intelligence spread the nerve agent Novichok on the front door of the home of former Russian military intelligence officer Sergei Skripal in Salisbury in an apparent attempt to kill him. Skripal and his daughter Yulia were hospitalized in serious condition but both ultimately survived. On June 30, Salisbury residents Dawn Sturgess and Charlie Rowley were hospitalized after accidentally coming in contact with a bottle of Novichok that the assassins had discarded. Sturgess died on July 8.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities.

## **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 but had serious problems.

Physical Conditions: The *Annual Report* for 2017-18 by the chief inspector of prisons for England and Wales released on July 11 documented “some of the most disturbing prison conditions we have ever seen,” and “conditions which have no place in an advanced nation in the 21st century.” Among 39 men’s prisons, safety outcomes had declined in 14 and improved in nine.

The Urgent Notification protocol allows Her Majesty’s Chief Inspector of Prisons to alert directly the lord chancellor and secretary of state for justice if he or she has an urgent and significant concern about the performance of a prison. It was used for the first time in January with respect to Nottingham Prison. An inspection report at Liverpool Prison was considered so troubling that the parliamentary Justice Select Committee decided to carry out an investigation.

Regarding young individuals, the *Annual Report* notes, “For young adults aged 18-21 in young offenders’ institutions, the picture was particularly dire with 385 reporting they were unlocked for less than 2 hours each day.”

There were 291 deaths in male prisons in England and Wales in 2017-18, 33 fewer than in the previous year. These included 68 self-inflicted deaths; 165 deaths from natural causes; five apparent homicides; and 53 other deaths, 52 of which had not been classified.

Imprisonment for Public Protection (IPP) sentencing introduced in 2005 allows keeping serious offenders in prison indefinitely as long as the Parole Board

believes they pose a threat to society. IPP was abolished in 2012 following a European Court of Human Rights ruling, but the abolition was not retroactive.

There are 13 publicly managed and two privately managed prisons in Scotland. The number of deaths in custody remained steady at 28 in 2017. In 2017-18 there were 94 serious prisoner-on-prisoner assaults, an increase from 74 the previous year, but minor assaults saw a slight reduction. The Scottish Prison Service has an ongoing building and refurbishment program to improve conditions. The women's prison at Cornton Vale was a particular concern; overcrowding was a serious issue.

The Northern Ireland Prison Service Report for 2017-18 found that further measures were required to help prisoners with mental health conditions. Women do not have a separate facility from juveniles. According to the report, the ombudsperson began investigations into three deaths. Two of the deaths appeared to be suicides, with the other due to natural causes.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers. Every prison, immigration removal center, and some short-term holding facilities at airports have an independent monitoring board. Each board's members are independent, and their role is to monitor day-to-day activity in the facility and to ensure proper standards of care and decency. Members have unrestricted access to the facility at any time and can talk to any prisoner or detainee they wish, out of sight and hearing of staff, if necessary.

In Northern Ireland, the position of prisoner ombudsman has been vacant since August 2017 due to a lack of a functioning government.

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

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government routinely observed these requirements.

In Scotland guidelines that came into force in May 2017 allow police to stop and search persons only when police have "reasonable grounds."

#### **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, is responsible for external security and supports police in extreme cases. The National Crime Agency (NCA) investigates many serious crimes in England, Scotland, Wales, and Northern Ireland, and it has 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.

By law authorities must refer to the Independent Police Complaints Commission 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 in or following police custody, and other deaths to which the action or inaction of police may have contributed.

In 2017, 23 persons died in or following police custody or contact, according to the Independent Office for Police Conduct. The office also said that 17 individuals were subjected to the use of force or restraint "by the police or others" before they died, but the use of force or restraint "did not necessarily contribute to the deaths."

Scotland's judicial, legal, and law enforcement system is fully separate from that of the rest of the UK. 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. The chair of the Independent Police Monitoring Board said in March 2018 that he is concerned about the lack of oversight for the PSNI in the continued absence of a functioning government in Northern Ireland.

The Bermuda Police Service (BPS) is responsible for internal security on the island. The BPS reports to the governor appointed by the UK but is funded by the elected government of the island.

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

## Arrest Procedures and Treatment of Detainees

Police nationally must have a warrant issued by a magistrate or a judge to arrest a person, unless there is reasonable suspicion a person has just committed or is about to commit a crime. In England, Wales, and Northern Ireland, 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. Police must inform detainees promptly of charges against them, and police generally respected this right.

Nationally there is a functioning bail system, but defendants awaiting trial judged to be flight risks, likely to commit another offense, suspected terrorists, or in certain other limited circumstances may be denied bail.

If questioned at a police station, all suspects have the right to legal representation, including counsel provided by the government if they are indigent. Police may not question suspects who request legal advice until a lawyer is present. Detainees may make telephone calls. The maximum length of pretrial detention is 182 days. The court may extend pretrial detention in exceptional cases. Suspects were not held incommunicado or under house arrest. Authorities routinely respected these rights.

In Gibraltar the Committee for the Prevention of Torture found that, while the right of access to a lawyer is adequately enshrined in law, a lawyer was only accessible at the detainee's own expense.

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. Only a judge can issue a warrant for arrest if he or she believes there is enough evidence against a suspect. A suspect must be informed immediately of allegations against him or her and be advised promptly of the charges if there is sufficient evidence to proceed. Police may not detain a person more than once for the same offense. Depending on the nature of the crime, a suspect should be released from custody if he or she is deemed not to present a risk. There is a functioning bail system.

In Bermuda a court must issue a warrant for arrest. The law permits arrests without warrant only in certain conditions. When a police officer has reasonable

grounds for suspecting that any offense, that is not an arrest-able offense, has been or is being committed or attempted, they may arrest the relevant person if it appears that service of a summons is impracticable. No arrests or detentions can be made arbitrarily or secretly, and the detainee must be told the reason for his or her arrest immediately. Individuals may be detained initially for six hours, and for two further periods of up to nine hours each subject to review and justification.

There is a functioning system of bail in Bermuda. A detainee has an immediate right of access to a lawyer, either through a personal meeting or by telephone. Free legal advice is provided for detainees. Police must inform the arrestee of his or her rights to communication with a friend, family member, or other person identified by the detainee. The police superintendent may authorize incommunicado detention for serious crimes such as terrorism. House arrest and wearing an electronic monitoring device may be a condition of bail.

Formal complaints about arrests in Bermuda can be made to an independent criminal compensation board, the police complaints authority, the Human Rights Commission, or a court.

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

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

#### **Trial Procedures**

The law provides for the right to a fair and public trial, and an independent judiciary routinely enforced this right. Defendants enjoy a presumption of innocence, and the right to be informed promptly and in detail of the charges, with free interpretation as necessary from the moment charged through all appeals. Criminal proceedings must be held without undue delay and be open to the public except for cases in juvenile court or those involving public decency or security. Defendants have the right to be present at their trial. Under the Official Secrets Act, the judge may order the court closed, but sentencing must be public.

Defendants have the right to communicate with an attorney of their choice or to have one provided at public expense if unable to pay. Defendants and their lawyers have adequate time and facilities to prepare a defense and free assistance of an interpreter if necessary. 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.

In Bermuda the law requires a defendant to declare to the prosecutor and the court within 28 days of his arraignment whether he intends to give evidence at his trial. Failure to do so permits the court to direct the jury to draw inferences from the defendant's refusal to testify.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

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

Nationally, nongovernmental organizations (NGOs) and groups of individuals may seek civil remedies for human rights violations and have the right to appeal to the European Court of Human Rights decisions involving alleged violations by the government of the European Convention on Human Rights.

In Bermuda the Human Rights Tribunal adjudicates complaints.

### **Property Restitution**

The UK complies with the goals of the 2009 Terezin Declaration and 2010 Guidelines and Best Practices. The government has laws and mechanisms in place, and NGOs and advocacy groups reported that the government made significant progress on resolution of Holocaust-era claims, including for foreign citizens.

### **f. Arbitrary or Unlawful 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 Expression, Including for the Press**

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

Freedom of Expression: The law prohibits expressions of hatred toward persons because 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 distress a person. The penalties for such expressions include fines, imprisonment, or both.

Press and Media Freedom: The law's restrictions on expressions of hatred apply to the print and broadcast media. In Bermuda the law prohibits publishing written words that are threatening, abusive, or insulting, but only on racial grounds; on other grounds, including sexual orientation, the law prohibits only discriminatory "notices, signs, symbols, emblems, or other representations."

### **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. The country has no blanket laws covering internet blocking, but the courts have issued blocking injunctions against various categories of content such as depictions of child sexual abuse, promotion of extremism and terrorism, and materials infringing on copyrights.

By law, the electronic surveillance powers of the nation's intelligence community and police, allow them, among other things, to check internet communications records as part of an investigation without a warrant.

According to the Office for National Statistics (ONS), in the first quarter of the year, 90 percent of adults had used the internet in the last three months, up from 89 percent in 2017.

### **Academic Freedom and Cultural Events**

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

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

The law provides for the freedoms of peaceful 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**

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government routinely respected these rights.

The law permits the home secretary to impose "Temporary Exclusion Orders" (TEOs) on returning UK citizens or legal residents if the home secretary reasonably suspects the individual in question is or was involved in terrorism-related activity and considers the exclusion necessary to protect persons in the UK from a risk of terrorism. TEOs impose certain obligations on the repatriates, such as periodic reporting to police. The measure requires a court order and is subject to judicial oversight and appeal. Home Secretary Sajid Javid confirmed the Home Office served nine TEOs in 2017.

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, or other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: Home Office officials have the power to detain asylum seekers and unauthorized migrants who do not enter the asylum system. There was no maximum time limit for the use of detention. Immigration detention was used to establish a person's identity or basis of claim, to remove a person from the country, or to avoid a person's noncompliance with any conditions attached to a grant of temporary admission/release.

In-country Movement: The home secretary may impose terrorism prevention and investigation measures (TPIMs) based on a "balance of probabilities." TPIMs are a form of house arrest applied to those thought to pose a terrorist threat but who cannot be prosecuted or deported; a TPIM can last for up to two years. The measures include electronic tagging, reporting regularly to the police, and facing

“tightly defined exclusion from particular places and the prevention of travel overseas.” A suspect must live at home and stay there overnight, possibly for up to 10 hours. Suspects can be sent to live up to 200 miles from their normal residence. The suspect may apply to the courts to stay elsewhere. The suspect can use a mobile phone and the internet to work and study, subject to conditions.

### **Protection of Refugees**

Access to Asylum: In England, Scotland, Wales, and Northern Ireland, the law provides for granting 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 does not have an established system for providing protection to refugees.

Safe Country of Origin/Transit: The country 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. 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 remained in the country for a period before seeking asylum.

Employment: Asylum applicants are not allowed to work while their asylum application is under consideration, except in limited circumstances. If the applicant has waited longer than 12 months for the government to make an initial decision on an asylum claim, the applicant can request permission to work. Asylum seekers received government support at 30 percent below the normal rate for their family size for the duration of their asylum application.

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.

### **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

Recent Elections: The UK general parliamentary elections were held in June 2017. Bermuda held elections to the House of Assembly in July 2017, and elections to the Northern Ireland Assembly were held in March 2017. Independent observers reported no abuses or irregularities in any of the elections.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate.

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

The law provides criminal penalties for corruption by officials, and the government implemented the law effectively. There were no reports of government corruption during the year.

Corruption: An inquiry into allegations of large-scale corruption at the Northern Ireland Assembly (Stormont) concerning renewable energy incentive payments, which led to the collapse of the Northern Ireland government in January 2017, was ongoing.

Financial Disclosure: All MPs are required to disclose their financial interests. The *Register of Members' Interests* was 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. The ministerial code issued by the Prime Minister’s Office sets standards of conduct, including on the disclosure of gifts and travel. The national government publishes the names, grades, job titles, and annual pay rates for most civil servants with salaries greater than 150,000 pounds (\$195,000). Government departments publish the business expenses of and hospitality received by their most senior officials.

#### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses 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 an independent, 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. The commission was considered effective.

The Northern Ireland Human Rights Commission, sponsored by the Northern Ireland Office, and the Equality Commission for Northern Ireland, sponsored by the Office of the First Minister and Deputy First Minister, monitored human rights in that province. These entities were considered effective.

In Bermuda the Human Rights Commission is an independent body that effectively administers human rights law by the investigation and resolution of complaints lodged with it.

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

### **Women**

Rape and Domestic Violence: The law criminalizes rape, including spousal rape. 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 in reported cases. Courts in some cases imposed the maximum punishment for rape. According to the ONS, from April 2017 to March, police recorded 53,977 rapes. The government provided shelters, counseling, and other assistance for survivors of rape or violence.

The law criminalizes domestic violence. In May new sentencing guidelines for domestic violence took effect. Those who abuse spouses, partners, or family members will now face tougher punishment than those who commit similar

offenses in a nondomestic context. Approximately 26 percent of women and 15 percent of men aged 16 to 59 had experienced some form of domestic abuse since they were 16 years old, according to the Crime Survey for England.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C. The law also requires health and social care professionals and teachers to report to police cases of FGM/C on girls less than 18 years of age. It is also illegal to take a British national or permanent resident abroad for FGM/C or to help someone trying to do this. The penalty is up to 14 years in prison. An FGM protection order, a civil measure that can be applied for through a family court, offers the means of protecting actual or potential victims from FGM/C under the civil law. Breach of an FGM protection order is a criminal offense carrying a sentence of up to five years in prison.

FGM/C is practiced in the country, particularly within some diaspora communities where FGM/C is prevalent. There were no convictions for FGM/C during the year. In March a man was acquitted for allowing his daughter to undergo FGM, in the second-ever case brought to a UK court. A case involving a Ugandan man and a Ghanaian woman charged with FGM/C on a three-year-old was pending at year's end.

The government took nonjudicial steps to address FGM/C, including awareness-raising efforts, a hotline, and requiring medical professionals to report FGM/C observed on patients. The National Health Service reported 4,495 newly recorded cases between April 2017 and March 2018.

Sexual Harassment: The law criminalizes sexual harassment at places of work. Authorities used different laws to prosecute cases of harassment outside the workplace. A 2016 NGO report found that more than half of women had faced sexual harassment at work.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides the same legal status and rights for women and men. Women were subject to some discrimination in employment.

## **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. All births must be registered within 42 days in the district where the baby was born; unregistered births were uncommon.

Child Abuse: Social service departments in each local authority 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.

Early and Forced Marriage: The minimum legal age for marriage is 16. In England, Northern Ireland, and Wales, persons younger than 18 require the written consent of parents or guardians, and the underage person must present a birth certificate. The legal minimum age to enter into a marriage in Scotland is 16 and does not require parental consent.

Forcing someone to marry against his or her will is a criminal offense throughout the UK with a maximum prison sentence of seven years. Forcing a UK citizen into marriage anywhere in the world is a criminal offense in England and Wales. In 2017 the Home Office Forced Marriage Unit provided support in more than 1,196 cases of potential or confirmed forced marriage cases involving UK citizens, 90 percent of which took place overseas. In 2017 the government introduced lifelong anonymity for victims of forced marriage to encourage more to come forward.

In May a UK national was convicted of forced marriage after tricking her 13-year-old daughter into traveling to Pakistan and forcing her to marry a Pakistani man. The woman received a four and a half year prison sentence. In July a UK couple was convicted for forcing their teenage daughter to marry after taking her on what she thought was a holiday to Bangladesh. These cases represented the first such convictions under the 2014 law criminalizing forced marriage in England and Wales.

NGOs reported that the government took insufficient action to protect British victims of early or forced marriage from their foreign husbands or fiancés by denying them UK visas.

Sexual Exploitation of Children: The penalties for sexual offenses against children and the commercial sexual exploitation of children range up to life imprisonment.

The minimum age of consensual sex in the UK is 16. The law prohibits child pornography in all parts of the UK.

International Child Abductions: The UK including Bermuda is party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>.

### **Anti-Semitism**

The 2011 census recorded the Jewish population at 263,346. Some considered this an underestimate, and both the Institute for Jewish Policy Research and the British Board of Deputies suggested that the actual figure was approximately 300,000.

The NGO Community Security Trust (CST) published a semiannual report recording 727 anti-Semitic incidents nationally in the first six months of the year and more than 100 anti-Semitic incidents monthly from January to June. "This sustained high level of anti-Semitic incidents suggests longer-term phenomenon in which people are more confident to express anti-Semitic views," CST stated.

Among the incidents between January and June were 59 assaults, three of which left people requiring hospital treatment. One involved the use of a knife and 13 involved stones, bricks, bottles or other thrown objects. There were 53 threats, 43 involving damage or desecration, and 544 examples of abusive behavior, including anti-Semitic graffiti on non-Jewish property, one-off hate mail, and verbal abuse. According to the report 163 incidents involved social media.

In March, Jewish leaders demonstrated outside the parliament protesting Labour Party leader Jeremy Corbyn's failure to address anti-Semitism in his party. Labour MPs who took part in the protest were subjected to social media abuse and threatened with deselection from the Labour Party.

Also in March Corbyn apologized for defending an artist who had painted a mural considered by many as offensive and anti-Semitic. He said he did not properly look at the picture, which depicted a group of bankers or industrialists, some of them appearing to be Jewish, playing Monopoly on the backs of the poor. Corbyn admitted the contents of the mural were "deeply disturbing and anti-Semitic."

In an April parliamentary debate, Jewish Labour MPs recounted the anti-Semitic abuse they had suffered from Jeremy Corbyn's supporters, among whom Labour Party member Marc Wadsworth was named as a prime perpetrator. Wadsworth was expelled from the party for two years for his alleged anti-Semitism.

In March staff at a library in Belfast received threatening phone calls following an event to mark the birth of Belfast-born former Israeli President Chaim Herzog. In a response, former First Minister Arlene Foster called for regional political unity in opposition to anti-Semitism.

In November a young boy required hospitalization after he was punched in the eye and grabbed by the mouth by a couple on a bus in Wales after his mother told them she was born in Israel. According to a bystander, the couple appeared to be intoxicated, and the man used "verbal anti-Semitic abuse."

The Jewish Leadership Council's Scotland branch stated, "The Jewish community here in Scotland has seen a rise in anti-Semitic hate crime in the last year, and there has been a rise in anti-Semitic comments and actions, not just day-to-day, but in mainstream politics." Scotland's political parties continued to speak out against any forms of racism, including specifically anti-Semitism.

### **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. The government effectively enforced the law.

Britain's equality watchdog, the EHRC, contended persons with disabilities were still treated as "second-class citizens," because progress in promoting improvements by governments, businesses, and the wider community had stalled.

Bermudian law protects the rights of persons with disabilities in the workplace. The law does not include any protection from discrimination on mental health grounds.

The EHRC provided legal advice and support to individuals, a hotline, and could 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 Northern Ireland, the PSNI reported that the number of incidents and crimes fell in four of six hate-related motivations: racist, homophobic, sectarian, and disability. It increased slightly in two categories: faith/religion and homophobic.

Racially motivated crime remains the most commonly reported hate crime.

In April the so called Windrush scandal broke out concerning those, mostly from the Caribbean, who were wrongly detained, denied legal rights, threatened with deportation, deported, or refused re-entry to the UK. Many of those affected were born British subjects and arrived in the UK legally decades earlier. The authorities, however, destroyed their immigration records in 2010, making it impossible for them to prove their legal status. The scandal led to the resignation of then home secretary Amber Rudd and the appointment of Sajid Javid as her successor. Javid announced a series of measures to redress the situation. The implementation of those measures was ongoing.

Under “Right to Rent” rules all landlords in England had to check the immigration documents of prospective tenants to verify they are not irregular or undocumented migrants. Landlords can be fined up to 3,000 pounds (\$3,900) for noncompliance. In June the Joint Council for the Welfare of Immigrants sought permission from the high court to challenge the right to rent scheme, which the court granted on the basis that “the right to rent creates a real risk of discrimination,” according to the chief executive. A cross-party group of MPs also raised the matter with the Home Secretary, urging a review of the scheme.

In Bermuda, where 54 percent of residents describe themselves as black, arrests of black persons constituted 84 percent of all arrest cases in 2017.

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

The law in England and Wales prohibits discrimination and harassment based on sexual orientation. 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.

In Scotland racial, sexual, or other discriminatory motivation may be an "aggravating factor" in crimes. Crime motivated by bias against lesbian, gay, bisexual, transgender, or intersex persons was the second most common type of hate crime.

In Northern Ireland, in accordance with a law that came into effect in June, individuals previously convicted under laws that criminalized homosexuality were officially pardoned and their criminal records cleared. Annual Pride parades across Northern Ireland occurred without incident.

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

According to the European Commission against Racism and Intolerance, intolerant political discourse focused on immigration and contributed to increasing xenophobic sentiments. Certain politicians and some policies portrayed Muslims in a negative light. Hate speech in some traditional media, particularly tabloid newspapers, continued to be a problem, with dissemination of biased or ill-founded information.

## **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 routinely respected these rights. The law prohibits antiunion discrimination and protects employees from unfair dismissal while striking, provided the union has complied with the legal requirements governing such industrial action.

The law allows strikes to proceed only when there has been a ballot turnout of at least 50 percent. For "important public services," defined as health services,

education for those younger than the age of 17, fire services, transport services, nuclear decommissioning and the management of radioactive waste and spent fuel, and border security, an additional threshold of support by 40 percent of all eligible union members must be met for strike action to be legal.

The law does not cover workers in the armed forces, public sector security services, police forces, and freelance or temporary work. 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,” and noted that legal protections against unfair labor practices only exist within the framework of organizing a recognition ballot. Penalties range from employers paying compensation to reinstatement and were sufficient to deter violations.

The government and employers routinely 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, be incorporated into an individual work contract with legal standing.

The law does not allow independent trade unions to apply for derecognition of in-house company unions or to protect individual workers seeking to do so.

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

According to the ONS, approximately 6.2 million employees were trade union members in 2017. The level of overall union members increased by 19,000 (0.3 percent) from 2016. Membership levels were below the 1979 peak of more than 13 million.

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

The law prohibits forced and compulsory labor, but such practices occurred despite effective government enforcement. Resources and inspections were generally adequate and penalties were sufficiently stringent compared with other sentences for serious crimes.

The law permits punishment of up to life imprisonment for all trafficking and slavery offenses, including sexual exploitation, labor exploitation, and forced servitude. More than 12,000 firms with a global turnover of 36 million pounds (\$46.8 million) that supply goods or services in the UK must by law publish an annual statement setting out what steps they are taking to ensure that slave labor is not being used in their operations and supply chain. Foreign companies and subsidiaries that “carry on a business” in the UK also have to comply with this law. The law allows courts to impose reparation orders on convicted exploiters and prevention orders to ensure that those who pose a risk of committing modern slavery offenses cannot work in relevant fields, such as with children.

Forced labor in the UK involved both foreign and domestic workers, mainly in sectors characterized by low-skilled, low-paid manual labor and heavy use of flexible, temporary workers. Those who experienced forced labor practices tended to be poor, living on insecure and subsistence incomes and in substandard accommodations. Victims of forced labor included men, women, and children. Forced labor was normally more prevalent among the most vulnerable, minorities or socially excluded groups. Albania, Nigeria, Vietnam, Romania, and Poland were the most likely countries of origin, but some victims were from the UK itself. Most migrants entered the UK legally. Many migrants used informal brokers to plan their journey and find work and accommodation in the UK, enabling the brokers to exploit the migrants through high fees and to channel them into forced labor situations. Many with limited English were trapped in poverty through a combination of debts, flexible employment, and constrained opportunities. Migrants were forced to share rooms with strangers in overcrowded houses, and often the work was just sufficient to cover rent and other charges. Sexual exploitation was the most common form of modern slavery reported in the UK, followed by labor exploitation, forced criminal exploitation, and domestic servitude. Migrant workers were subject to forced labor in agriculture, construction, food processing, service industries (especially nail salons), and on fishing boats. Women employed as domestic workers were particularly vulnerable to forced labor.

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, mostly involving migrant men in the construction sector and women in domestic service. Media did not report any cases of forced labor or worker exploitation in 2017. The law requires employers to repatriate work-permit holders. Failure to do so had been a migrant complaint. The cases of worker exploitation largely consisted of employers requiring workers to work longer hours or to perform work outside the scope of their work permit. The government effectively enforced the law. The penalties for employing someone outside the scope of their work permit or without a work permit are 5,000 Bermudian dollars (\$5,000) for the first offense and \$10,000 Bermudian dollars (\$10,000) for the second or subsequent offenses. Penalties are levied to both the employer and the employee and are sufficient to deter violations.

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 younger than the age of 13 with exceptions for sports, modeling, and paid performances, which may require a child performance license. The law prohibits those younger than 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 younger than 16, and, while some laws are common across the UK, local bylaws vary. If local bylaws so require, children between the ages of 13 and 16 must apply for a work permit from a local authority. The local authority's education and welfare services have primary responsibility for oversight and enforcement of the permits.

The Department for Education has primary regulatory responsibility for child labor, although local authorities generally handled enforcement. Penalties for noncompliance consist of relatively low fines, but were sufficient to deter violations. The Department of Education did not keep records of the number of local prosecutions, but officials insisted the department effectively enforced applicable laws.

In Bermuda children younger than 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 younger than 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 younger than 18 may not work at night, except that those ages 16 to 18 may work until midnight; employers must arrange for safe transport home for girls between ages 16 and 18 working until midnight. Penalties were sufficient to deter violations. The BPS reported no cases of child labor or exploitation of children during the year.

The governments of Anguilla, the British Virgin Islands, the Falkland Islands, Montserrat, and St. Helen-Ascension-Tristan da Cunha have not developed a list of hazardous occupations prohibited for children.

There are legislative gaps in the prohibition of trafficking in children for labor exploitation and the use of children for commercial sexual exploitation on the Falkland Islands and St. Helena-Ascension-Tristan da Cunha. While criminal laws prohibit trafficking in children for sexual exploitation, they do not address trafficking in children for labor exploitation. Laws do not exist in Montserrat regarding the use of children in drug trafficking and other illicit activities. Traffickers subjected children to commercial sexual exploitation in Turks and Caicos. The government did not effectively enforce the law, and penalties are not sufficient to deter violations.

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 and Occupation**

The law prohibits discrimination in employment or occupation regarding race, color, sex, religion or belief, political opinion, national origin or citizenship, social origin, disability, sexual orientation, gender identity or reassignment, marriage and civil partnership, being pregnant or on maternity leave, age, language, or HIV or other communicable disease status. Legal protection extends to others who are associated with someone who has a protected characteristic or who have complained about discrimination or supported someone else's claim. 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. Complainants faced higher fees

in discrimination cases than in other types of claims made to employment tribunals or the Employment Appeals Tribunal.

The law requires equal pay for equal work. The government enacted mandatory gender pay reporting, aimed at closing the gender pay gap, a separate concept from the equal pay principle. From April, businesses with more than 250 employees are required to measure, and then report, on how they pay men and women. This affected 8,000 businesses employing approximately 11 million persons. The gap has narrowed over the long term for low earners but has remained largely consistent over time for high earners.

In July the government required the British Broadcasting Corporation to publish information on the earnings and salaries of employees making 150,000 pounds (\$195,000) or more. The information revealed two-thirds of the 96 top earners were men and that the highest-paid woman earned less than a quarter of the salary of the highest-paid man. The gender pay gap for full-time workers fell in 2017 to 9.1 percent from 10 percent in 2016, although the gap including both full and part-time work remained stable at 18.4 percent.

The finance sector has the highest pay gap of all sectors, with the average woman earning 35.6 percent less than the average man.

In Northern Ireland, all employers have a responsibility to provide equal opportunity for all applicants and employees. Discrimination based on religion or political affiliation is illegal. Employers must register with the Northern Ireland Equality Commission if they employ more than 10 people. Registered employers are required to submit annual reports to the Commission on the religious composition of their workforce.

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

The National Living Wage became law in 2016. All workers age 25 and older are legally entitled to at least 7.50 pounds (\$9.75) per hour. Workers between 21 and 24 are legally entitled to the National Minimum Wage, which was 7.05 pounds (\$9.17) per hour.

The government measures the poverty level as income less than 60 percent of the median household income; thus, the poverty line moves with the median income year to year. The median income is currently 27,200 pounds (\$35,400), putting the poverty line at 16,320 pounds (\$21,200) or less.

Although criminal enforcement is available, most minimum wage noncompliance is pursued via civil enforcement. Civil penalties for noncompliant employers include fines of up to 200 percent of arrears capped at 20,000 pounds (\$26,200 per worker) and public naming and shaming. Penalties were sufficient to deter violations.

The law limits the workweek to an average of 48 hours, normally averaged over a 17-week period. The law does not prohibit compulsory overtime, but it limits overtime to the 48-hour workweek restriction. 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, although there are exceptions for airline staff, delivery drivers, security guards, and workers on ships or boats.

The government set appropriate and current occupational safety and health standards. The law stipulates that employers may not place the health and safety of employees at risk. The Health and Safety Executive (HSE) is responsible for identifying unsafe situations, and not the worker. By law workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

The HSE, an arm of the Department for Work and Pensions, effectively enforced occupational health and safety laws in all sectors including the informal economy. The fine for violations is 400 pounds (\$520), which was sufficient to deter violations. The HSE conducted workplace inspections and may initiate criminal proceedings. HSE inspectors also advise employers on how to comply with the law. Employers may 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 failed to comply with health and safety law, each of which was called a “breach.” The HSE prosecuted recipients for noncompliance with a notice while the Crown Office and Procurator Fiscal Service (COPFS) prosecuted similar cases in Scotland.

Figures for 2016-17 show that the HSE and COPFS prosecuted 593 cases with at least one conviction secured in 554 of these cases, a conviction rate of 93 percent. Across all enforcing bodies, 9,495 notices were issued. HSE and COPFS prosecutions led to fines totaling 69.9 million pounds (\$90.9 million) compared with the 38.3 million pounds (\$49.8 million) in 2015-16.

According to the HSE annual report, 137 workers were killed at work in 2016-17. An estimated 621,000 workers sustained a nonfatal injury at work according to self-reports. A total of 71,062 industrial injuries were reported in 2017-18 in the UK.

Bermuda's law does not currently provide a minimum wage, however, and update to the legislation is expected next year. The Department of Labor and Training currently enforces any contractually agreed wage. Regulations enforced by the Department extensively cover the safety of the work environment; occupational safety and health standards and are current and appropriate for the main industries. By law workers can remove themselves from situations that endangered health or safety without jeopardy to their employment. Penalties were sufficient to deter violations. There were three industrial injuries reported in Bermuda in 2018.