

United Kingdom

Country:

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Year:

2016

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

1

Aggregate Score:

95

Freedom Rating:

1.0

Overview:

Prime Minister David Cameron's Conservative Party won general elections held in May 2015, enabling it to govern without its former coalition partner, the Liberal Democrats. Euroskeptic groups, including some within the ruling party, continued to criticize Britain's membership in the European Union (EU), and Cameron pledged to hold a referendum by the end of 2017 on whether the country should leave the bloc.

Mass surveillance by the security services, including Government Communications Headquarters (GCHQ), remained a concern in 2015. In July, a government-commissioned report on the issue called for greater judicial oversight and consideration for privacy rights. Also that month, the High Court found a mass surveillance measure passed in 2014, the Data Retention and Investigatory Powers Act (DRIPA), to be unlawful.

Political Rights and Civil Liberties:

Political Rights: 40 / 40 [Key]

A. Electoral Process: 12 / 12

Each of the members of the House of Commons, the dominant, lower chamber of the bicameral Parliament, is elected in a single-member district. Executive power rests with the prime minister and cabinet, who must have the support of the Commons. The House of Lords, Parliament's upper chamber, can delay legislation initiated in the Commons. The Commons must reconsider any measure defeated by the Lords, but it can ultimately overrule the upper chamber. The Lords' approximately 800 members consist mostly of "life peers" nominated by successive governments. There are also 89 hereditary peers (nobles) and 26 bishops and archbishops of the Church of

England. The monarch, Queen Elizabeth II, plays a largely ceremonial role as head of state. Elections in Britain are consistently free and fair.

The Conservative Party, which had been ruling in coalition with a smaller party, the Liberal Democrats, won an unexpected victory in the May 2015 general elections, taking 36.9 percent of the popular vote and increasing its share of Commons seats by 24 for a total of 330, an outright majority. The second-ranked Labour Party took 30.4 percent of the vote and 232 seats, a loss of 26. The Scottish National Party (SNP) won 4.7 percent of the vote and 56 seats, an increase of 50. The Liberal Democrats won 7.9 percent of the vote and lost 49 seats, leaving them with just 8. The Euroskeptic, populist United Kingdom Independence Party (UKIP), campaigning on an anti-immigration platform, secured only one seat, despite having won the country's 2014 European Parliament elections and taken two Commons seats in 2014 by-elections. Turnout for the 2015 voting was 66.1 percent. Local elections in England took place on the same day, with the Conservatives winning control of 163 of 279 councils; Labour placed second with control of 74 councils.

Sinn Féin and the Democratic Unionist Party (DUP) consolidated their control over the Northern Ireland Assembly in its most recent elections in 2011. The SNP, which rules in Scotland, made major gains in the Scottish Parliament elections that year, and Labour led the Welsh Assembly voting. The next legislative elections for Northern Ireland, Scotland, and Wales were scheduled for May 2016. The success of the SNP in the 2015 general elections fueled speculation that the party may push for another referendum on Scottish independence, particularly if Britain voted to leave the EU in the referendum promised by Cameron.

B. Political Pluralism and Participation: 16 / 16

The Conservative Party and Labour Party have dominated British politics for decades, though several other parties regularly win seats in Parliament. After its loss in the May 2015 elections, Labour replaced its leader, Ed Miliband, with Jeremy Corbyn. The SNP, led by Nicola Sturgeon, supplanted the Liberal Democrats as the third-largest party. Smaller parties, such as UKIP and the Greens, fare better in races for the European Parliament, which feature proportional-representation voting.

Under Britain's system of "devolution," Parliament has granted certain powers to subnational legislatures, augmenting the political representation of regional populations as well as parties like the SNP. In Wales, Plaid Cymru champions Welsh nationalism. A 2011 referendum increased the Welsh Assembly's autonomy, giving it authority to make laws in 20 subject areas without consulting Parliament.

In Northern Ireland, the main Catholic and republican parties are Sinn Féin and the Social Democratic and Labour Party, while the leading Protestant and unionist parties are the Ulster Unionist Party and the DUP. The armed struggle between unionists and Irish nationalists over governance in Northern Ireland largely ended with a 1998 peace agreement, which established the Northern Ireland Assembly. The August 2015 shooting death of a former operative of the Provisional Irish Republican Army (PIRA)—an outlawed Irish nationalist militant group that had formally disarmed—led to a political crisis amid speculation that the group was still active. The DUP temporarily blocked the functioning of the power-sharing executive it leads with Sinn Féin, but the party's ministers resumed their duties in October.

A bill introduced in May 2015 proposed greater power and autonomy for the Scottish Parliament, in keeping with a pledge by the main British parties ahead of the 2014 referendum on Scottish independence, which was narrowly defeated. The legislation passed the Commons and was awaiting review by the Lords at year's end.

C. Functioning of Government: 12 / 12

Britain's freely elected officials make and implement national policy, and corruption is not pervasive, though high-profile scandals have damaged political reputations under both Labour and Conservative governments. The Bribery Act, which is considered one of the most sweeping pieces of antibribery legislation in the world, came into force in 2011. In July 2015, a member of the Northern Ireland Assembly accused First Minister Peter Robinson of accepting millions of dollars in kickbacks to sell assets managed by the Republic of Ireland's National Asset Management Agency (NAMA) to the U.S. investment firm Cerberus. An investigation of the sale was ongoing at year's end.

Parties in the United Kingdom are financed through membership fees, donations, and state funding (if they are in opposition), and there have been scandals over donations to political parties. Prime Minister Cameron has pledged to enact new rules requiring greater transparency for lobbying in Britain, though a new lobbying register established in March 2015 was criticized for its narrow scope and lack of enforcement mechanisms.

A 2013 World Bank study concluded that Britain's freedom of information laws are "reasonably successful." Civil liberties groups and the press have criticized government-proposed reforms to limit freedom of information requests.

Civil Liberties: 55 / 60 (-2)

D. Freedom of Expression and Belief: 13 / 16 (-2)

Press freedom is legally protected, and the media are lively and competitive. Daily newspapers span the political spectrum, though economic pressures and rising internet use have driven some smaller papers out of business. On rare occasions, the courts have imposed so-called superinjunctions that forbid the media from reporting on certain information or even the existence of the injunction itself.

The state-owned British Broadcasting Corporation (BBC) is editorially independent and competitive with its counterparts in the commercial market. A series of scandals have plagued the broadcaster in recent years, including the convictions of several current and former employees for sexual and verbal abuse in 2013, and a controversy involving senior managers who were given inordinately high severance payouts and executive pay.

In the wake of a 2011 scandal in which reporters at the *News of the World* were accused of hacking the voicemails of hundreds of public figures and crime victims, a 2013 royal charter created a special panel that would certify an independent regulatory body for the press. However, most of the newspaper industry opted to create a self-regulatory body, the Independent Press Standards Organization (IPSO), that would not seek recognition under the charter. The chairman of the House of Lords Communications Committee criticized the situation in 2015, saying IPSO had not demonstrated independence from the industry. A possible second regulator, Impress, was reportedly planning to apply for recognition under the royal charter.

The 2013 Defamation Act overhauled the country's plaintiff-friendly libel laws, introducing a "public interest" defense, setting more stringent requirements for claimants, and making it more difficult for foreigners to file complaints in cases with little connection to Britain. Nevertheless, the number of libel cases has increased, in particular those involving online statements.

The government does not restrict internet access. New online criminal offenses were introduced in April 2015 under the Criminal Justice and Courts Act, including the dissemination of images of a naked person without the subject's consent, also known as "revenge porn."

Although the Church of England and the Church of Scotland have official status, freedom of religion is protected in law and practice. A 2006 law bans incitement to religious hatred, with a maximum penalty of seven years in prison. Nevertheless, minority groups, particularly Muslims, report discrimination, harassment, and occasional assaults. The Muslim community has come under threat and occasional violence from far-right groups like the English Defence League. The Metropolitan Police recorded a 70 percent increase in Islamophobic hate crimes in London in the 12 months preceding July 2015. In the weeks following November 2015 terrorist attacks in Paris, the Metropolitan Police reported that Islamophobic hate crimes in London tripled.

Academic freedom is generally respected. However, the Counter-Terrorism and Security Act of 2015, adopted in February, requires schools and universities to prevent students from being drawn into terrorism and to vet the remarks of visiting speakers as part of that effort. The new legal obligation raised concerns that open debate and academic inquiry could be stifled, adding to a reported trend in which many universities have sought to suppress racist and other potentially offensive speech on campus.

The effects of mass surveillance on free and open private discussion are also a growing concern. In July 2015, a government-commissioned report on surveillance by British security agencies held that although the power to collect bulk communications data on British citizens may be justified, privacy concerns must be considered early in the collection process. It also stated that judges, rather than ministers, should authorize warrants for the collection of data related to criminal matters, and that there should be judicial review of warrants related to national security that are authorized by ministers.

Separately in July, the High Court ruled that DRIPA, the 2014 law governing intelligence agencies' authority to monitor communications data, was unlawful because it allowed the agencies to conduct surveillance without judicial oversight. The court also found that the law was too vague about which kinds of allegations justified surveillance, and gave the government until March 2016 to adopt new legislation that would address these problems.

In November 2015, Home Secretary Theresa May released a new draft Investigatory Powers Bill that would require communications companies to store metadata on customers' activity for 12 months and allow this information to be accessed by police and other security services without a warrant. Among other provisions, however, the bill called for judicial commissioners to review ministerial authorization of warrants for the actual interception of communications, including their content.

E. Associational and Organizational Rights: 12 / 12

Freedoms of assembly and association are respected, though police have been criticized for certain crowd-control tactics in recent years. A number of demonstrations and assemblies were organized during 2015, including rallies across the country in June to protest government austerity measures.

Civic and nongovernmental organizations (NGOs) operate freely. Groups identified as terrorist organizations can be banned, and there are concerns that the legal definition is broad enough that it could be interpreted to encompass legitimate associations and activism. Surveillance of NGOs has also drawn criticism. In July 2015, the Investigatory Powers Tribunal disclosed that Amnesty International was among the groups whose data GCHQ had accessed and illegally retained. In September, Human Rights Watch filed a complaint with the tribunal alleging that its communications

had also been the target of such surveillance, which entailed cooperation with the U.S. National Security Agency.

A lobbying law adopted in 2014 was heavily criticized for limiting the amount of money organizations can spend during election years; opponents assert that the law's ambiguous language could lead to self-censorship and hinder the work of smaller groups.

Workers have the right to organize trade unions, which have traditionally played a central role in the Labour Party in particular. The rights to bargain collectively and strike are also respected.

F. Rule of Law: 15 / 16

A new Supreme Court began functioning in 2009, transferring final judicial authority from the House of Lords. In April 2015, the Criminal Justice and Courts Act, a sweeping legal reform law, came into effect. Among other things, it increased maximum prison sentences for terrorists and pedophiles, made certain kinds of extreme pornography illegal, and introduced measures to reduce recidivism.

The police maintain high professional standards, and prisons generally adhere to international guidelines. Inmates are banned from voting. Although the European Court of Human Rights has ruled on several occasions that this is a violation of prisoners' rights, an EU court ruled in October 2015 that voting bans can be legal for prisoners convicted of serious crimes. The decision could lead prisoners convicted of lesser crimes to challenge the voting ban.

Britain's strict antiterrorism laws allow authorities to control the movement of terrorism suspects when the evidence against them is insufficient for prosecution or deportation. The 2015 Counter-Terrorism and Security Act has been criticized for giving excessive powers to police, including the authority to seize travel documents of individuals attempting to leave the country if they are suspected of planning to engage in terrorist-related activities abroad, and to forcibly relocate terrorism suspects within the country, up to 200 miles away from their homes.

Immigrants and their descendants receive equal treatment under the law, but generally face living standards below the national average. There have also been reports of unwarranted suspicion and rising anti-immigrant sentiment amid recent terrorist attacks and plots.

A new immigration bill proposed in 2015 would require landlords to check the immigration status of their tenants, oblige banks to perform background checks before opening an account, and make it a criminal offense for migrants to obtain jobs without appropriate paperwork. It would also allow police to seize vehicles belonging to illegal migrants and allow authorities to electronically track those released on bail while awaiting deportation. At year's end the bill had passed the Commons and was under review by the Lords. Plans by Cameron to curb social benefits for EU migrants, which would require the amendment of EU rules on freedom of movement within the bloc, met with resistance from other EU leaders during 2015.

In June 2015, the High Court found that the government's fast-track procedure for asylum seekers—under which failed applicants were detained while their appeals were processed in an expedited manner—unlawfully prioritized speed over fairness. The Court of Appeal confirmed the ruling in July.

The authorities actively enforce a 2010 law barring discrimination on the basis of factors including sexual orientation and gender reassignment.

G. Personal Autonomy and Individual Rights: 15 / 16

Citizens generally enjoy freedom of travel and choice of residence, employment, and institution of higher education. Economic activity is not excessively influenced by the government.

While women receive equal treatment under the law, they remain underrepresented in top positions in politics and business. The number of women in the House of Commons rose to 191, or 29 percent, as a result of the 2015 elections, from about 23 percent before the elections. Gender discrimination persists in the workplace in practice. Abortion is legal in Great Britain, though heavily restricted in Northern Ireland, where it is allowed only to protect the life or the long-term health of the mother.

Same-sex marriage became legal in July 2013. Religious organizations are permitted to refuse to conduct same-sex marriages.

The Modern Slavery Act, which increases punishments for human traffickers and offers greater protections for victims, became law in March 2015. Children and migrant workers are among those most vulnerable to forced labor and sex trafficking.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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