



United Kingdom

Country Reports on Human Rights Practices - [2001](#)

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The United Kingdom of Great Britain and Northern Ireland is a longstanding constitutional monarchy with a democratic, parliamentary government. Some central government powers have been devolved to locally elected bodies in Wales and Scotland. In Northern Ireland, the 1998 Good Friday Agreement established local government institutions, including a legislative assembly and a power-sharing executive. The judiciary is independent.

Civilian officials maintain effective control of the police forces. The British Security Service (BSS) has the authority to act in support of other law enforcement agencies in the prevention and detection of serious domestic crime, but information collected by the BSS generally is not admissible as evidence in trials. The Police Service of Northern Ireland (PSNI) is responsible for maintaining law and order in Northern Ireland. In October the Northern Ireland Policing Board, a key component of reforms proposed by the Independent Commission on Policing in Northern Ireland (commonly known as the Patten Commission) began operations. In some areas of Northern Ireland, because of the continuing threat of violence, army units operated to reinforce the PSNI. Approximately 13,000 British troops were stationed in Northern Ireland, the lowest number since the early 1970's. Some members of the security forces committed instances of human rights abuses.

A highly developed, diversified, market-based economy with extensive social welfare services provides most of the country's 59.6 million residents with a high standard of living. Higher than average unemployment rates prevail among certain demographic groups, including youth and racial minorities, and in Northern Ireland, among Catholics.

The Government generally respected the human rights of its citizens, and the law and judiciary provide effective means of dealing with individual instances of abuse; however, there were some problems in a few areas. There continued to be deaths in police custody, although their number declined. Members of the police and military occasionally abused detainees and some other persons. Prison conditions, including instances of mistreatment by prison officials, overcrowding, and prison suicides, also remained problems. There were some limits on freedom of assembly and association related to the security situation in Northern Ireland. Violence and discrimination against women remained problems, although the Government continued to take steps to combat them. Societal discrimination against nonwhite, and other ethnic minorities, including the Traveller (nomadic) community, were problems, as was occasional societal violence against minorities and asylum seekers. Trafficking in persons was a persistent problem.

The Northern Ireland Human Rights Commission (HRC), which provides legal advice and assistance to citizens, initiated a comprehensive consultation process on a bill of rights specific to Northern Ireland, pursuant to the Good Friday Agreement, which also mandated wide-ranging reforms in policing and criminal justice.

Although most paramilitary organizations in Northern Ireland continued to maintain a cease-fire in accordance with the Good Friday Agreement, punishment attacks continued in areas under the influence of these groups, and some dissident groups committed acts of violence, including killings, aimed at disrupting the peace process. In October the Independent International Commission on Decommissioning reported that the IRA had put a quantity of weapons "permanently beyond use."

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of political killings by the Government or its agents; however, there continued to be deaths in police custody, although the number of such incidents declined. Nongovernmental organizations (NGO's) reported that the Crown Prosecution Service (CPS) is reluctant to charge police officers involved in unlawful killings and that few charges result in convictions.

According to the Annual Report of the Police Complaints Authority (PCA), deaths in police custody fell to 32 during the 12 months ending in March 2001, compared with 47 during the previous period. The report states that 10 of the deaths occurred because of natural causes, 12 were due to alcohol or drugs, and 4 were suicides. The remaining six deaths were due to other causes, including one that involved police restraint. According to the Home Office, the provisional number of deaths in police custody in England and Wales during the year was 59, compared with 47 in 2000; in Scotland it was 6, compared with 3 in 2000.

There also were a number of deaths in prison due to suicide and natural causes (see Section 1.c.).

In May a London court found not guilty of misconduct the police officer charged in connection with the murder of James Ashley, who was shot and killed during a police raid on his home in 1998.

Press reports and human rights organizations expressed serious concern about the CPS's handling of the 1999 death in police custody of Roger Sylvester, and the 1999 police shooting of Harry Stanley. No charges were brought in either case.

The Northern Ireland Human Rights Commission continued to assist the family of Jim McDonnell in the formal inquest into his death in 1996 in Northern Ireland's Maghaberry Prison. Fellow prisoners charged that prison staff beat him. The inquest remained open at year's end.

In May the European Court of Human Rights ruled that authorities had failed to conduct a proper investigation, in violation of Article 2 of the European Human Rights Convention, into the deaths of 12 individuals killed by the security forces (or with alleged security force collusion) in Northern Ireland in the 1980's and 1990's. The court did not rule on whether excessive force had been employed by security forces. It awarded financial damages to the families of the victims.

Responding to longstanding questions about allegations of past state collusion in a number of killings in Northern Ireland, the UK and Irish Governments agreed in July to appoint a prominent international judge to "establish the facts and report with further recommendations"; however, by year's end, the two Governments had not appointed a judge. The four cases are those of Pat Finucane, a defense attorney who was killed by members of the Ulster Defense Association in 1989; Billy "King Rat" Wright, a loyalist paramilitary leader who was killed in prison in 1997 by republican inmates; Robert Hamill, who in 1997 was killed by a loyalist mob while nearby police allegedly failed to act; and Rosemary Nelson, a defense attorney killed in 1999 by a car bomb planted by the Red Hand Defenders. Human rights organizations have called repeatedly for independent inquiries into these cases to establish definitively the degree, if any, of state involvement and culpability. The Government pledged to conduct a public inquiry into any of these cases if so recommended by the judge.

In 1998 the Government opened a judicial inquiry into the events of January 30, 1972, in Northern Ireland--"Bloody Sunday"--when 13 unarmed civil rights demonstrators in Londonderry were killed by British soldiers, but for which no member of the security forces was held accountable. The inquiry spent 2 years gathering testimony and evidence from other victims, journalists, and government officials. Formal hearings began in 2000 and were ongoing at year's end.

In accordance with the 1998 Northern Ireland (Sentences) Act, the Government periodically determines whether paramilitary organizations, including the Provisional IRA (PIRA) and the Ulster Volunteer Force (UVF) are abiding by a cease-fire. Responding to a surge in loyalist violence, in October the Government determined that the Ulster Defense Association (UDA) and Loyalist Volunteer Force (LVF) were no longer observing a cease-fire. Other groups that the Government determined were not maintaining a total and unequivocal cease-fire were the Real IRA (RIRA), the Continuity IRA, the Irish National Liberation Army (INLA), the Red Hand Defenders, and the Orange Volunteers. During the year, the principal loyalist paramilitary groups were believed to be responsible for 15 killings in Northern Ireland. The victims included William Stobie in December, a former UDA member and police informant who had admitted involvement in the 1989 death of Patrick Finucane. The LVF was believed to be responsible for the September killing of journalist Martin O'Hagen (see Section 2.a.). The PIRA was blamed widely in the media for two killings during the year; the PIRA did not comment or deny involvement. Dissident republican groups also were blamed for two killings.

No one has been charged in the United Kingdom for the 1998 bombing in Omagh that killed 29 persons; the RIRA claimed responsibility for the bombing. While authorities have collected information that identifies individuals alleged to be responsible for the bombing, much of it cannot be used as evidence. Witnesses have been reluctant to come forward. While over 20 suspects were detained, only 1, Colm Murphy, was charged (for aiding and abetting the crime). His trial continued in the Republic of Ireland at year's end. Family members of the victims criticized Sinn Fein, a legal political party linked with the IRA, for refusing to assist in the police investigation. Some family members of the victims initiated a civil action in November against individuals identified as suspects in a documentary prepared by the British Broadcasting Corporation (BBC).

In December the police ombudsman for Northern Ireland released a report on the Omagh bombing, which charged that the "victims, their families, and officers of the RUC [PSNI] have been let down by defective leadership, poor judgment and a lack of urgency." The report criticized inadequate information sharing within the police and concluded that it will never be known whether the bombing could have been prevented if the police had acted differently in response to intelligence information received prior to the tragedy. The ombudsman also highlighted significant and fundamental errors during the investigation, including the denial to investigating officers of sensitive intelligence information held by the Special Branch, a unit within the police. The chief constable, who announced his resignation prior to release of the report, called the report's conclusions "erroneous."

In August the U.N. High Commissioner for Refugees condemned several attacks on asylum seekers, including one killing and one nonfatal stabbing in Glasgow, and another nonfatal stabbing in Hull.

b. Disappearance

There were no reports of politically motivated disappearances.

The Commission for the Location of Victims' Remains was established jointly by the British and Irish Governments in 1999 to facilitate the location of the remains of nine victims of IRA paramilitary violence from the 1970's. The commission succeeded in locating the remains of three persons in 1999, but suspended its work in 2000, pending the receipt of additional information from the IRA. Work had not resumed by year's end.

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

The law forbids torture and other cruel, inhuman, or degrading treatment; however, individual members of the police and Army occasionally abused and otherwise mistreated detainees and some other persons. Human rights organizations maintain that such abuse, while not widespread, is a matter of serious concern (see Sections 1.a. and 5).

Detainees who claim physical mistreatment have the right to an immediate medical examination. A trial judge must examine such a claim. Confessions obtained by abusive treatment are not admissible in court, and judges can exclude even voluntary confessions.

The Independent Assessor of Military Complaints coordinates investigations into complaints of abuses committed by the Army in Northern Ireland. Of the 25 formal and 410 informal complaints received during the year, most involved allegations of verbal abuse or excessive helicopter flights adjacent to residential areas.

The police and military in Northern Ireland continued to use plastic bullets (known in the UK as "baton rounds") to quell civil disturbances. Guidelines developed on the recommendation of the Patten Commission mandate that plastic bullets only be used to avert the risk of loss of life or serious injury; formerly, their use was sanctioned to protect property or to preserve the peace. In June the police introduced a new type of plastic bullet, described as "more accurate and less lethal." Human rights groups, including the Human Rights Commission, disputed the safety benefits of the new plastic bullets and continued to call for an end to their use. In total the security forces fired 108 plastic bullets during the year, compared with 25 in 2000. According to PSNI rules, plastic bullets should be aimed below the rib cage; nevertheless, the use of plastic bullets in prior years resulted in 17 deaths and numerous head and upper body injuries.

In September the Government closed the last of three holding centers used to detain and interrogate individuals suspected of terrorist offences, as recommended by the Patten Commission. Suspected terrorists subsequently were interrogated in a temporary facility in Lisburn, pending completion of a new facility. In the past, there were numerous reports of police mistreatment during interrogation in the holding centers; however, the number of complaints, generally for verbal harassment or "technical assault," dropped substantially during the year, with only one complaint filed. The independent commissioner for detained terrorist suspects in Northern Ireland made over 100 unannounced visits during the year to holding centers in order to observe

interrogations and interview detainees. During the year, police made audio and video recordings of all interrogations in the holding center.

Police occasionally harassed Travellers and members of other minorities (see Section 5). For example, government and NGO reports noted that minorities are more likely to be stopped and searched than whites.

Reports by official bodies and NGO's have suggested that the public lacks confidence in existing procedures for making complaints against the police. According to a 2000 Council of Europe committee report, more complainants have been taking their cases directly to the civil courts rather than filing complaints with the police. The report states that when complaints are filed and point to likely police culpability, criminal or disciplinary action against police officers has been rare, and convictions or disciplinary action have been even rarer; in many cases, police officers under investigation were allowed to take medical retirement. While accepting the need for reform of the complaint procedures, the Government disputed some of the conclusions reached in the report, pointing out that it omitted to mention over 1,000 disciplinary actions taken against police officers and the informal resolution of 32 percent of cases to the satisfaction of the complainants.

The Government has engaged in an ongoing process to reform the police complaints system, which includes a formal written warning procedure in serious cases and a lower burden of proof in civil misconduct proceedings. In September the Home Office introduced a new Police Standards Unit designed to raise standards and improve the operational performance of the police. In December the Government issued a white paper, "Policing a New Century: Blueprint for Reform," that proposed a new Independent Police Complaints Commission to replace the Police Complaints Authority. The public filed 8,880 complaint cases with the PCA from April 2000 to March 2001--363 fewer than in the previous period. More than one-quarter of the cases reviewed by the PCA between April 2000 and March 2001 resulted in some form of disciplinary or legal action.

The armed forces have a procedure to handle complaints of harassment, racial and otherwise. Service personnel also have the right to submit complaints to employment tribunals. In 1998 the services entered into a 5-year partnership agreement with the Commission on Racial Equality (CRE) to promote racial equality practices.

The police ombudsman for Northern Ireland, who has an independent staff, has extensive powers to investigate complaints in Northern Ireland filed against the police or referred by the PSNI chief constable, the Police Authority of Northern Ireland, or the Secretary of State for Northern Ireland. The ombudsman supervises cases involving death or serious injury and may investigate other cases. The ombudsman can recommend to the Director of Public Prosecutions (DPP) that charges be brought against officers, although the final decision rests with the DPP. The ombudsman can direct the Chief Constable to take disciplinary action against police officers.

During the year, the ombudsman received 3,571 complaints, approximately two-thirds of which concerned oppressive behavior or incivility by the police. Approximately one-third of these cases were closed due to noncooperation or withdrawal by the complainant. Another 231 cases were settled informally. None had resulted in disciplinary action or criminal charges by year's end.

Parliament enacted legislation implementing the 1999 Patten Report on Policing in Northern Ireland in November 2000, and the Government revised its implementation plan in August. The law changed the operational name of the Royal Ulster Constabulary (RUC) to the Police Service of Northern Ireland, imposed hiring quotas to increase Catholic representation in the service (only 8 percent of the total), and introduced new human rights standards and wider use of community policing practices. Respect for human rights is part of the appraisal process for staff evaluation. In September 3 of the 4 main parties, including the nationalist Social Democratic and Labor Party (SDLP), nominated a total of 10 representatives to the policing board, which also includes 9 independent members appointed by the Government. Sinn Fein has refused to participate and stated that it will discourage Catholics from joining the police.

Both loyalist and republican paramilitary groups in Northern Ireland continued to intimidate or carry out "punishment" attacks on victims who live in areas under paramilitary influence. The attacks often are intended to maintain or extend the control of paramilitary groups in a given region. Targets included group members who have broken ranks or individuals accused of "antisocial" activities such as drug trafficking or carjacking. The attackers have used iron pipes, baseball bats, sledgehammers, and spiked clubs to beat their victims or shot them in the knees and legs. During the year, the police recorded 187 paramilitary-style shootings and 143 beatings, with loyalists suspected of responsibility in nearly two-thirds of the cases. Human rights groups say that available statistics underreport the true number of casualties because many of the victims were too intimidated to report paramilitary punishment attacks.

In March a car bomb exploded outside a BBC building in London. In May a north London post office was

bombed. In July and August two car bombs were detonated in the west London Ealing neighborhood. Several persons were injured in these attacks. No one publicly claimed responsibility, but investigators suspect the RIRA.

Immigrants and asylum seekers were subject to some societal violence and attacks during the year (see Sections 1.a. and 5).

Prison conditions generally meet international standards; however, instances of mistreatment by prison officials, overcrowding, and suicides remained problems. The chief inspector of prisons 2000 report described the treatment of prisoners and the conditions in several prisons as unacceptable but noted some improvements in other institutions. The Prison Service made attempts to correct the problems of overcrowding and poor facilities maintenance in its prisons through an investment of some \$157.3 million (108.5 million pounds) in maintenance projects during the year. By year's end, according to provisional Home Office data, the prison population in England and Wales increased slightly over the previous year from 63,881 inmates to 66,049.

There were instances of mistreatment by prison officials. Following the sentencing of three police officers in September, Amnesty International again called for a public inquiry into an alleged pattern of systematic abuse at Wormwood Scrubs prison. In 2000 the deputy governor of the Feltham Young Offenders Institution resigned over what he described as dangerous, antisocial conditions. In July the Chief Inspector of Prisons criticized Feltham, noting that it has shown no improvement in 5 years. In September a high court overturned the Home Secretary's decision not to hold a public inquiry into the case of Zahid Mubarek, an Asian inmate at Feltham who was beaten to death in March 2000 by a fellow inmate, Robin Stewart. Stewart had been charged with racially motivated crimes and continued to write racist letters from prison but nonetheless was housed in the same cell with Mubarek. The Home Office's appeal of the High Court's decision remained pending at year's end.

Prison suicides decreased during the year. The Prison Service reported 119 deaths of prisoners in England and Wales during the year, compared with 139 such deaths in 2000. Of these deaths, 72 were self-inflicted (82 in 2000) and 47 were due to natural causes (54 in 2000). The Scottish prison service reported 14 deaths in prison during the year: 11 cases were apparent suicides pending the results of routine inquests, and 3 were due to natural causes. In January the Director General of the Prison Service instructed all prison governors to make the prevention of suicide their "highest personal priority."

Human rights groups have been particularly critical of Special Security Units (SSU's), which are used to hold prisoners deemed to pose an exceptional risk of escape. Human rights monitors have criticized small group isolation; the lack of adequate exercise, work, educational opportunities, and natural daylight; and the strict enforcement of noncontact visits through a glass barrier. At year's end, 5 prisoners were in SSU's.

The number of female prisoners continued to rise. According to a 1999 Home Office report, women committed 20 percent of all crime, and the number of women sent to prison has doubled in the previous 6 years. Implementing the recommendations of a 1999 report by its women's policy group, the Prison Service adopted new procedures governing admission to mother and baby units and standards for their management.

As of September 30, the Government housed 1,075 immigration detainees in regular prisons, where normally they are held separately from convicted prisoners and prisoners awaiting trial (see Section 2.d.). The U.N. High Commissioner for Refugees (UNHCR) and other groups cite a lack of specialized skills among regular prison officials in dealing with immigration detainees. The Home Office was in the process of finalizing rules for the treatment of asylum seekers in detention centers, as called for by the chief inspector for prisons for England and Wales.

Separate and distinct prison regimes exist for Northern Ireland and Scotland, administered through the Northern Ireland Office and the Scottish Office. A May report by the Council of Europe's Committee for the Prevention of Torture (CPT) found some allegations of mistreatment by prison staff in Northern Ireland, particularly the use of excessive force when restraining inmates. The Government permits independent human rights monitors to visit prisons and immigration detention centers, and several did so during the year. For example, a delegation from the CPT visited the country in February. Although the CPT had not yet released its report by year's end, it noted in a press release that the visit "paid particular attention to the treatment of young persons deprived of their liberty" and examined prison conditions in Wales and in UK military facilities for the first time.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest or detention, and the Government generally observes these prohibitions; however, arrests may be made without judicial warrants, especially in Northern Ireland, when police have reasonable cause to suspect wrongdoing, and antiterrorism legislation gives authorities broad powers of arrest, detention, and interrogation.

The law allows police officers to stop and search vehicles and pedestrians if a police officer of at least superintendent rank (or a chief inspector if no superintendent is available) "reasonably believes" it is expedient to do so to prevent acts of violence. The authorization is limited to a 24-hour period but is renewable under certain circumstances. Under the law, suspects arrested without warrants must be released within 24 hours (or 36 hours if a serious offense is involved) unless brought before a magistrates' court or arrested under Terrorism Act provisions. The court may authorize the extension of detention by 36 hours and on further application by another 24 hours.

The 2000 Terrorism Act entered into force in February 2001. The act reforms mechanisms and powers that deal with terrorism relating to Northern Ireland and extends them to all forms of domestic and foreign terrorism in the United Kingdom. Certain other provisions of previous terrorism legislation, applicable only to Northern Ireland, may be extended for a maximum of 5 years, based on the special security situation that continued to exist there. The act widens the definition of terrorism to include actions or threats of action that are designed to influence the Government or intimidate the public to advance a political, religious, or ideological cause that involves serious violence against a person or serious damage to property, endangers a person's life, creates a serious risk to the health or safety of the public, or is designed to interfere seriously with an electronic system.

The 2000 Terrorism Act also provides for special emergency powers applicable to Northern Ireland for a period of up to 5 years (or less if the Secretary of State for Northern Ireland determines that the security situation allows it). These powers include special entry, arrest, search, and seizure authority without a warrant under certain circumstances.

Human rights groups, including Amnesty International, have expressed objections to certain temporary and permanent provisions of the Terrorism Act. These objections focus on the broad definition of terrorism employed in the law, the proscriptive powers of the state, and the powers of arrest, detention, and interrogation. They argue that the act effectively reverses the burden of proof in suspected terrorism cases and fails to provide adequate safeguards against abuse by law enforcement officials.

Building on the 2000 Terrorism Act, the Anti-Terrorism, Crime, and Security bill became law in December 2001 and addresses foreign nationals suspected of terrorist activity who cannot be deported under UK human rights laws because they may be subject to inhuman treatment in their country of origin.

Defendants awaiting trial have a statutory right to bail except when there is a risk that they would flee, commit another offense, or in other limited circumstances. Defendants who are remanded into custody are covered by statutory custody time limits, which restrict the period for which they can be held while awaiting trial to a maximum of 16 weeks, unless the court grants an extension. Of those in custody, 9 percent were in lengthy pretrial detention: According to data supplied by the CPS, of the 7,719 defendants in custody awaiting trial at year's end, 2,522 had been awaiting trial for longer than the maximum 16 weeks, and 187 for more than 48 weeks. However, the courts approved extensions of the detention of all persons detained.

The law gives administrative detention power to immigration officers. There is no time limit to such detention, but detainees have the right to request a judicial review or an application for habeas corpus. As of September 30, approximately 1,330 asylum seekers were in detention, either in immigration detention centers or in regular prisons, where they normally are held separately from convicted prisoners and those awaiting trial (see Sections 1.c. and 2.d.). Occasionally such persons are held in police cells, pending removal from the country or transfer to another accommodation if their detention is expected to last less than 48 hours (see Section 1.c.). The Government provides all immigration detainees with written notice specifying the reasons for their detention at the time they are detained and provides detainees with automatic monthly updates on their case. The law permits all detainees to apply to immigration appellate authorities for bail. There are no set levels of surety for bail, and surety is not required in every case.

In September a high court judge ruled that the Oakington detention center unlawfully detained four asylum seekers by holding them for up to 10 days without evidence that they might flee; the Home Office successfully appealed the decision. The Refugee Council and Amnesty International welcomed the original high court ruling and suggested that the Government should turn Oakington into an "open" reception facility. By year's end, the Government had opened 3 new immigration detention centers, nearly doubling capacity to approximately 2,800 persons.

While there is no law prohibiting its use, the Government does not use forced exile.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the Government generally respects this provision in practice. There are several levels of courts. Most criminal cases are heard by magistrates' courts, which are managed by locally based committees. Their decisions may be appealed to the Crown Court, which also hears criminal cases requiring a jury trial, or to the High Court. Crown Court convictions may be appealed to the Court of Appeal, which may in turn refer cases involving points of law to the House of Lords. The Appellate Committee of the House of Lords (which consists of senior judges and is functionally distinct from the legislative arm) is the final court of appeal. The Criminal Cases Review Commission operates as an additional appellate body in England, Wales, and Northern Ireland. It considers cases after the judicial appeals process is exhausted and where there is significant new evidence that casts doubt on the conviction. In Scotland similar appeals may be made to the Scottish Office.

The law provides for the right to a fair trial, and an independent judiciary generally enforces this right. Defendants enjoy a presumption of innocence until proven guilty, the right to question witnesses against them, and the right of appeal to successively higher courts. Indigent defendants have the right to free counsel of their choice, with some exceptions. However, the UNHCR reported that the right of asylum seekers to free legal advice is severely limited by a shortage of competent legal advice in the regions, and of funding for such advice elsewhere.

Criminal proceedings must be held in public except those in juvenile court and 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 empowers judges to instruct juries that they may draw an inference of guilt from a defendant's refusal to answer questions during interrogation or trial, although no conviction can be based solely on such an inference. Human rights groups and the U.N. Human Rights Committee have criticized this provision, which they consider an abrogation of the right against self-incrimination. A similar provision is in effect in Northern Ireland, but the 1999 Criminal Evidence (Northern Ireland) Order prohibits the drawing of an inference from silence when a suspect is questioned before being permitted access to an attorney.

A small percentage of defendants faced lengthy pretrial detention (see Section 1.d.). The Crime and Disorder Act includes measures to reduce delays in criminal proceedings by introducing procedural reforms and further limiting the time allowed for the prosecution of cases.

The 1996 Criminal Procedures and Investigations Act reduced defense lawyers' access to potential evidence held by the prosecution, including information as to how the evidence was collected.

Under the 2000 Terrorism Act, the testimony of a senior police officer, corroborated by a suspect's silence under questioning, can be considered evidence of a suspect's membership in a terrorist organization, which is prohibited under the act (see Section 2.b.).

In Northern Ireland, special "emergency" restrictions affect due process. The 2000 Terrorism Act extends the application of most provisions of the 1991 Northern Ireland Emergency Provisions Act (EPA) for a year, subject to another 12-month extension; under the act, trials for certain terrorist-related offenses are conducted automatically in "Diplock courts" without a jury unless they specifically are "scheduled out" to ordinary jury courts. Diplock courts were established to avoid cases being heard by juries that might make decisions along sectarian lines, as well as to protect jurors from intimidation. If judges decide to convict, they must justify the decision in a document that becomes part of the court record. An appellate court may overturn the decision on either factual or legal grounds. During the year, 62 persons were tried in Diplock courts, of whom 23 either pled or were found guilty. The Government's continued reliance on Diplock courts has been criticized widely by human rights groups.

Provisions of the EPA extended under the 2000 Terrorism Act set lower standards for the use of uncorroborated confessions in Northern Ireland than in normal cases, and such confessions have in the past been used as the sole basis for conviction. These provisions also permit the police to prevent any suspected terrorist from contacting legal counsel for up to 48 hours after arrest under certain circumstances, and at the request of a police officer with the minimum rank of superintendent. After a detainee has asked to see a lawyer and has done so, this period is renewable in subsequent 48-hour increments until the detainee is charged or released. Human rights groups have criticized these provisions, arguing that a detainee is most likely to need counsel in the first few hours; lack of counsel during that time makes false or coerced confessions and the abuse of detainees more likely. According to the Northern Ireland office, no requests for access to lawyers were delayed during the year.

In light of allegations of security force collusion in the killings of Patrick Finucane and Rosemary Nelson (see Section 1.a.), there was continued concern about the harassment of lawyers by members of the PSNI, which has a zero-tolerance policy regarding unprofessional conduct toward attorneys.

In 2000 a nine-member panel of legal professionals, drawn from the civil service and private practice, issued the Northern Ireland Criminal Justice Review, as mandated by the Good Friday Agreement. The review's 294 recommendations included the creation of a single independent prosecuting authority, the Public Prosecution Service for Northern Ireland, that would be responsible for all prosecutions, including minor offences now prosecuted by the police; the creation of a nonpolitical Northern Ireland Attorney General to oversee the Prosecution Service; the establishment of a single minister-level Department of Justice once responsibility for justice is devolved to Northern Ireland; and recommendations on restorative justice, juvenile justice, community safety, victims and witnesses, and sentencing and prisons. In 2000 the Government accepted comments on the review from human rights NGO's and political parties and stated that it fully endorsed the general approach taken in the report, although by year's end, it had introduced no implementing legislation.

The Human Rights Act requires all public bodies to act in a manner compatible with the European Convention on Human Rights. The law provides citizens with the right to take alleged violations of the convention by a public authority into British courts.

There were no reports of political prisoners.

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

The law prohibits such actions, and the Government generally respects these prohibitions in practice. Warrants normally are required for a police search of private premises; however, under the 2000 Terrorism Act, a police officer may enter and search without a warrant "any premises if he or she reasonably suspects a terrorist is to be found there." The Government compensates persons whose houses or property are damaged during house searches. Police stop minorities for searches more often than whites (see Section 5).

The Regulation of Investigatory Powers Act (RIPA) allows the Government to monitor the content of private electronic communications after obtaining a warrant. Law enforcement agencies may require individuals and businesses to disclose encryption keys under certain circumstances. In October 2000, the Government enacted regulations under the RIPA allowing businesses to monitor the electronic communications of employees.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the Government generally respects these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combine to secure freedom of speech and of the press. Viewpoints critical of the Government are well represented. However, press organizations and human rights groups continued to criticize the 1981 Contempt of Court Act, which allows courts to order a journalist to disclose a source if it is deemed to be in the interests of justice. The 1984 Police and Criminal Evidence Act also contains provisions that compel journalists to give evidence in cases where police can prove it is necessary to their investigation. The Official Secrets Act, another law cited by journalists as unduly restrictive, prohibits the legal defense that the information provided by a source is already in the public domain or that its publication is in the public interest.

The print media are dominated by more than a dozen national daily and Sunday newspapers, all privately owned and independent (although often generally aligned with a political party). Approximately one-half of the electronic media are run by the BBC, which is funded by the Government but enjoys editorial independence. Corporations under renewable government licenses operate the remainder.

In September Sunday World journalist Martin O'Hagen was killed in a drive-by shooting near his home in Northern Ireland. The Red Hand Defenders, a cover name for the LVF, claimed responsibility for the killing. O'Hagen had identified many of the members of the LVF as drug dealers in articles he wrote.

Parliament passed the Freedom of Information Act (FIA) in November 2000, and it is expected to be implemented by November 2005. The FIA would provide the public with access to information held by the Government. Critics, including the NGO Campaign for Freedom of Information, charge that the FIA exempts too much information from disclosure on the grounds that the public interest in withholding it outweighs the benefit of its disclosure.

The Government does not restrict Internet access. In May the Government launched a task force to combat pedophilia on the Internet (see Section 5).

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The law provides for the right of peaceful assembly; however, the Government routinely limits that right if it would impose a cost on public convenience. Police contained and then dispersed crowds gathered at a May First anticapitalist demonstration in central London, where some protesters caused minor damage to businesses. Police arrested approximately 30 demonstrators.

In Northern Ireland the annual "marching season" poses significant problems for the Government: Local residents in some communities perceive the parades as the celebration of Protestant "triumphs" in historical battles. The Public Processions (Northern Ireland) Act grants responsibility for ruling on disputed marches to a Parades Commission. Of the 3,440 parades held between April 2000 and March 2001, 235 were considered contentious; the Parades Commission imposed restrictions on 175.

In July the Parades Commission barred one of the loyalist Orange Order processions from marching. As in previous years, in order to prevent the marchers from proceeding down the Garvaghy Road, the British Army erected a large steel barrier and brought in over 1,000 troops to prevent disorder. The Orange Order contended that the commission's ruling was a violation of their civil and religious liberties and conducted a peaceful demonstration at the barrier. Controversy over an approved Orange parade the same day in a republican area of North Belfast resulted in widespread rioting during which several police were injured.

The law provides for freedom of association; however, the Government places some limits on that right. Under the 2000 Terrorism Act, it is an offense, punishable by up to 10 years' imprisonment, to belong to or profess to belong to a terrorist organization proscribed by the Home Secretary. Individuals also are subject to prosecution for supporting or inviting support for a proscribed terrorist organization, arranging or addressing meetings by proscribed organizations, or wearing clothing or carrying or displaying articles that would reasonably arouse suspicion of membership in a proscribed organization. The act allows for the seizure and forfeiture of assets belonging to a person convicted of fundraising or otherwise assisting or supplying property to be used for the purposes of terrorism.

c. Freedom of Religion

The law provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels generally protects this right in full and does not tolerate its abuse, either by governmental or private actors.

The Church of England (Anglican) and the Church of Scotland (Presbyterian) have the status of state religions, although their status has come under increasing scrutiny, particularly because of automatic membership in the House of Lords for 26 senior church officials. Prominent clergy from other denominations or religions are not afforded this privilege. A January 2000 university report on religious discrimination commissioned by the Home Office claimed that the establishment status of the Church of England causes "religious disadvantage" to other religious communities. At year's end, the Home Office still was considering the report.

The Church of Scientology asserts that it faces discrimination because the Government does not treat Scientology as a religion. Ministers of Scientology are not regarded as ministers of religion under prison regulations or for immigration purposes. In 1999 the independent Charity Commission rejected a Church of Scientology application for charitable tax status accorded to most religious groups and concluded that it is not a religion for the purposes of charity law. The church had not appealed the decision by year's end.

Religious education in publicly maintained schools is required by law throughout the country. According to the Education Reform Act of 1988, it forms part of the core curriculum for students in England and Wales (the requirements for Scotland were outlined in the Education Act of 1980.) The shape and content of religious instruction is decided on a local basis. Locally agreed syllabi are required to reflect the predominant place of Christianity in religious life, but they must be nondenominational and refrain from attempting to convert pupils. All parents have the right to withdraw a child from religious education, but the schools must approve this request.

In addition schools have to provide a daily act of collective worship. In practice this action mainly is Christian in character, reflecting Christianity's importance in the religious life of the nation. This requirement may be waived

if a school's administration deems it inappropriate for some or all of the students. Under some circumstances, non-Christian worship may instead be allowed. Teachers' organizations have criticized school prayer and called for a government review of the practice.

Some "voluntary schools" provided by religious groups enjoy state support. While the majority of these schools are Anglican or Catholic, there are a small number of Methodist, Muslim, and Jewish schools.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, and the Government generally respects them in practice. Citizens enjoy freedom of movement within the country and foreign travel, emigration, and repatriation.

Paramilitary organizations in Northern Ireland continued to threaten individuals and families to compel them to leave the province. According to an NGO that assists families facing expulsion, more than 700 persons were forced to resettle during the year; of these approximately 50 elected to leave Northern Ireland entirely.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the office of the UNHCR and other humanitarian organizations in assisting refugees. The government provides first asylum, and did so during the Kosovar Humanitarian Evacuation Program in 1999 in which 4,346 refugees were evacuated to the United Kingdom from camps in Macedonia.

Applicants may apply for asylum or refugee status upon arrival or after entering the country. The law permits all asylum seekers to remain temporarily in the country at least until immigration authorities consider their application and, if they are refused asylum, until their rights of appeal are exhausted. Persons who are granted refugee status immediately receive "indefinite leave to remain" in the country. Persons who do not qualify as refugees under the provisions of the 1951 U.N. convention, but whom immigration authorities determine have compelling and exceptional humanitarian reasons for remaining in the country, receive "exceptional leave to remain" in the country for a period of 7 years, after which time they can apply for "indefinite leave to remain." Some asylum seekers were detained while the Government reviewed their cases; the Government dispersed detainees throughout the country, in housing estates or government facilities, and some were held in regular prisons (see Sections 1.c. and 1.d.).

From January to September, the Government acted on 96,975 initial asylum applications, granting asylum in 8,785 cases. The Government refused asylum in an additional 15,060 cases but granted those applicants "exceptional leave to remain." At the end of September, 43,000 asylum applications were outstanding.

Faced with growing numbers of asylum applicants, the Government passed legislation in 1999 designed to deter illegal entrants and the abuse of the asylum process, streamline the appeals process, and restrict benefits provided to asylum seekers. In 2000 the Government issued guidelines for use by the courts in considering asylum claims by women. Judges were urged to consider situations more likely to be faced by female asylum applicants, including female genital mutilation and trafficking (see Sections 5 and 6.f.).

The treatment of asylum seekers was the subject of considerable media attention and political debate during the year. The UNHCR and NGO's have criticized the Government's policy, and the 1999 Immigration and Asylum Act in particular, for being detrimental to refugee rights. In October the Institute of Race Relations published a report critical of the Government's policies of dispersal and detention of asylum seekers, and the voucher system used to provide them with food and other necessities. The report asserts that the Government's immigration policy contributed to the racist attacks in the English towns of Bradford, Oldham, and Burnley (see Section 5). According to the report, social exclusion is a problem in refugee communities, and individual refugees were subject to attacks, including a killing (see Section 1.a.). The UNHCR stated that asylum seekers face a "climate of vilification" in the United Kingdom.

There were no reports of the forced return of persons to a country where they feared persecution.

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

Citizens have the right to change their government peacefully and freely exercise that right in practice through periodic, free, and fair elections held on the basis of universal suffrage. The lower chamber of Parliament (the House of Commons, the center of legislative power) is elected in periodic, multiparty elections. The upper chamber (the House of Lords), which has the power to revise and delay the implementation of laws, is made up of hereditary and appointed life peers and senior clergy of the established Church of England. In 1999 the House of Lords removed all but 92 of its over 900 hereditary peers who, with approximately 500 life peers and

26 clergy, made up the House of Lords.

The Government is formed on the basis of a majority of seats in the House of Commons, which are contested in elections held at least every 5 years. Participation in the political process is open to all persons and parties. All citizens 18 years of age and older may vote. Institutions such as the Northern Ireland Assembly, the Scottish Parliament, and the Welsh Assembly have control over matters of regional importance, such as education, health, and some economic matters. Foreign affairs and defense continued to be the responsibility of the central government. As in the rest of the country, Northern Ireland has city and district councils but with fewer powers. England and Wales also have County Councils.

In Northern Ireland the devolved institutions established under the 1998 Good Friday Agreement functioned precariously due to continuing controversies over the participation of Sinn Fein in government as long as the IRA refused to decommission its weapons. In July the conflict intensified, when David Trimble, reflecting disquiet within his Ulster Unionist Party, resigned his position as First Minister, promising to resume office only after the IRA had begun weapons decommissioning. Also in July, the British and Irish Governments issued a blueprint--the Weston Park Document--mandating steps for the parties and Governments to address outstanding problems in implementing the agreement. Although none of the main parties formally accepted the blueprint, and during the following months the devolved government was near collapse several times, significant progress continued on many fronts. In October the Independent International Commission on Decommissioning reported that the IRA had put a quantity of its weapons "permanently beyond use." Trimble was elected as First Minister in the Assembly, a significant pro-Agreement development.

The small number of remaining overseas British territories have an aggregate population of approximately 190,000. They enjoy varying degrees of self-government based on the British model, with appointed governors.

The percentage of women and minorities in government or politics does not correspond to their percentage of the population, although they face no legal constraints on voting or holding office. Women constituted 18 percent of the members of the House of Commons and approximately 15 percent of those in the House of Lords; 12 Members of Parliament have identified themselves as members of minority ethnic groups.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views.

The 1998 Human Rights Act, which incorporated the provisions of the European Convention on Human Rights into domestic law, took effect in October 2000. Proceedings under the Human Rights Act may be brought only by victims of a breach of convention rights by a public authority. The Home Office has a human rights unit with responsibility for human rights policy and legislation. NGO's have criticized the Government for its failure to create a government-wide Human Rights Commission. In July the Commission for Racial Equality testified before a Parliamentary Joint Committee on Human Rights and advocated the creation of a government-wide Human Rights Commission. In Northern Ireland a Human Rights Commission was established as an outcome of the peace process. While cases still may be taken to the European Court of Human Rights, all domestic remedies under the Human Rights Act must be exhausted first.

A number of international nongovernmental human rights organizations, including Amnesty International and Human Rights Watch, are based in the country. The Government cooperates fully with international inquiries into alleged violations of human rights.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The 1976 Race Relations Act prohibits discrimination on the basis of race, color, nationality, or national or ethnic origin and prohibits incitement to racial hatred; however, some groups continued to experience official and societal discrimination.

The Human Rights Act prohibits discrimination on the basis of religion by public authorities. In Northern Ireland the Fair Employment Act specifically banned employment discrimination on the grounds of religious or political opinion. The 1998 Fair Employment and Treatment Order extended the prohibition on discrimination to the provision of goods, facilities, services, and premises. The Northern Ireland Equality Commission oversees antidiscrimination policy.

Women

Violence against women continued to be a problem. A 1999 government report, "Living Without Fear," indicated that one in four women experienced domestic violence at some stage in their lives, that two women per week were killed by their partners or former partners, and that women feared personal attack more than any other crime. According to a 2000 Home Office study, the 6,000 rapes and 17,500 indecent assaults recorded by the police yearly vastly underrepresents the real scale of sexual violence against women. The study estimated the true number of rapes and assaults at between 118,000 and 295,000. The study was released as part of a package of government grants and projects aimed at improving the conviction rate for rape and providing women with better protection against domestic violence.

Criminal penalties for rape, including spousal rape, sexual assault, and domestic violence are substantial, and these laws are enforced strictly; however, conviction rates for rape tended to be lower than for other crimes. The law provides for injunctive relief, personal protection orders, and protective exclusion orders (similar to restraining orders) for women who are victims of violence. The Government provides shelters, counseling, and other assistance for battery or rape and offers free legal aid to battered women who are economically reliant on their abusers. A new law prohibits defendants from conducting cross-examinations of complainants in rape and sexual offence trials. In December the Government placed restrictions on the admissibility into evidence of complainant's previous sexual history. Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health and has been illegal since 1985, is practiced by immigrant populations from countries in which the practice is common. The extent to which the procedure is used is unknown, but the Government continued to work to eradicate it.

Trafficking in women was a persistent problem (see Section 6.f.).

No law specifically prohibits sexual harassment; criminal action for sexual harassment cases must be prosecuted under assault legislation. Women's groups have complained that civil suits concerning sexual harassment and discrimination on the basis of gender at times take up to 31/2 years to appear before an industrial tribunal.

The law provides for equal opportunity between the sexes, but women experience some discrimination in practice. The law prohibits both direct and indirect discrimination in training, housing, and the provision of goods and services, as well as in employment. Women have equal rights regarding property and divorce. The Government's Equal Opportunities Commission supports persons who bring discrimination cases before industrial tribunals and courts and produces guidelines for employers. The Government introduced a national minimum wage in 1999 in an effort to equalize pay; however, a February report by the Government's Women and Equality Unit found that women in full-time work earned on average 82 percent of the earnings of male full-time workers in 2000. In the Government, women's issues are represented at the cabinet level by the Minister for Women, who heads up the Women and Equality Unit, which engages in dialog with women and advises the Government but has no authority for direct action.

Children

The Government is strongly committed to children's rights and welfare; it amply funds a system of public education and medical care. The Government provides free, compulsory education until age 16 and further free education until age 18 if a student so desires.

While there is no societal pattern of abuse directed against children, there are indications that child abuse is a problem; however, there is a lack of reliable data. Since the paramilitary cease-fires, reports of violence against children in Northern Ireland have increased.

Children were trafficked into the country for sexual exploitation and forced labor (see Section 6.f.).

Concern and publicity surrounding pedophiles continued to grow. As part of a government drive to protect children from child abusers, previously secret registers of pedophiles are available to any employer who runs an organization where persons under age 18 could be at risk (schools, children's homes, or voluntary organizations). In addition suspected child abusers and convicted pedophiles are banned from working with children. Childcare organizations must consult a list before offering anyone a job, paid or otherwise, and it is illegal for them to hire anyone named on it. In July a government task force on combating pedophile activity on the Internet recommended strategies to train law enforcement and child protective authorities in detecting and collecting digital evidence associated with Internet crimes against children. In November police arrested 9 persons suspected of distributing child pornography on the Internet.

The NGO's Refugee Council and Save the Children claimed in an August report that children in the asylum system are not afforded the same level of care and protection that other children receive under childcare legislation. According to the report, "Separated Children in the UK," many social services agencies provided inadequate care to unaccompanied minors seeking asylum (of which there were 2,735 in 2000). The report states that the UK lacked a strategic approach to the reception and care of separated refugee children.

Various laws covering England and Wales stipulate that children have the right to apply for court orders, to give or withhold consent for medical treatment (for those capable of making an informed decision), to make complaints to the relevant local authority, to have their ethnic, linguistic, and religious background considered in decisions affecting them, to have reasonable contact with their families (usually applied in a circumstance where there was abuse), and in general to be consulted regarding their desires. In order to reduce the intimidation that young suspects may feel when tried in an adult court there is a ban on robes and wigs and uniformed security officers in any courtroom where defendants under age 18 are tried on serious criminal charges.

Under the 2000 Prevention of Terrorism Act, the police can arrest and detain children as young as 10 years of age for up to 7 days, although no children were detained under the act during the year.

The law bans corporal punishment in state schools as well as private schools and nursery schools. Child welfare groups have called for all corporal punishment of children to be outlawed.

Persons with Disabilities

The Disability Discrimination Act (DDA) prohibits discrimination against persons with disabilities in the provision of access to public facilities by employers of more than 15 workers, service providers (apart from those providing education or running transport vehicles), and anyone selling or renting property. In addition all businesses are required to accommodate customers with disabilities. Adaptations must be "reasonable," bearing in mind the circumstances and size of the business. The Education Act requires local education authorities to make provision for the special educational needs of children with disabilities. However, one in seven persons in Britain has a disability, according to the Disability Rights Commission (DRC), which reported that approximately 8.5 million persons with disabilities faced discrimination in work, housing, health, and social care.

In March the Government responded to a disability rights task force report by announcing new measures to cover nearly 7 million jobs previously excluded from the DDA, such as police, firefighters, and prison officers. In May the Government passed the Special Educational Needs and Disability Act, which enhances civil rights for persons with disabilities in education.

The DRC provides a hot line for persons with disabilities and employers, legal advice and support for individuals, and policy advice to the Government. The DRC also has the power to conduct formal investigations, arrange conciliation, require persons to adopt action plans to ensure compliance with law, and apply for injunctions to prevent acts of unlawful discrimination.

Government regulations require that all new buildings meet the access requirements of all persons with impaired mobility and that all taxis be wheelchair accessible; similar regulations are in force for sensory-impaired persons. Access to many buildings, especially older buildings, including transportation centers, remains inadequate. New measures introduced in March require all businesses to make "reasonable" modifications for persons with disabilities by 2004.

Religious Minorities

According to the Board of Deputies of British Jews, an NGO, the number of anti-Semitic incidents in Britain during the year was 310, compared with 405 in 2000 (adjusted figure). Public manifestations of anti-Semitism are confined largely to the political or religious fringes.

Isolated attacks against Muslims occurred throughout the country immediately after the September 11 terrorist attacks in the United States. Targets included persons, including women in traditional Islamic dress, and buildings, such as mosques and Muslim-owned businesses. The Government condemned the violence.

A February 2000 report commissioned by the Home Office found that some religious groups, particularly those identified with ethnic minorities, reported unfair treatment on the basis of their religious belief. Muslims, Sikhs, Hindus, and black-led Christian churches were more likely to report problems ranging from a lack of recognition or inclusion of religious beliefs in education to discrimination or a lack of accommodation of

religious beliefs by employers.

Although there is some evidence that unemployment rates among Catholics remained higher than among Protestants in Northern Ireland, government programs and continued economic growth in the region have resulted in a decrease in the overall unemployment rate. Employment discrimination on religious grounds is prohibited by law in Northern Ireland, although not in the rest of the country, and a public tribunal adjudicates complaints. All public sector employers and all private firms with more than 10 workers must report annually to the Equality Commission on the religious composition of their work force and must review their employment practices every 3 years. Noncompliance can bring criminal penalties and the loss of government contracts. Victims of employment discrimination may sue for damages.

While the troubles in Northern Ireland are the product of political, economic, and social factors, conflict between nationalists and unionists in Northern Ireland is rooted in centuries-old sectarian divisions between the Protestant and Catholic communities. The majority of citizens in Northern Ireland support the 1998 Good Friday Agreement, which aims to create a lasting settlement to the conflict in Northern Ireland and a society based on equality of opportunity and human rights. However, the fear of intercommunal violence has, over the years, led to a pattern of segregated communities in Northern Ireland. Protestant and Catholic families have moved away from mixed or border neighborhoods.

According to the PSNI, there were 28 arson/bomb attacks and 3 other acts of violence directed at both Protestant and Catholic churches in Northern Ireland during 2000. Such sectarian violence often coincides with heightened tensions during the spring and summer marching season. Some parades by the "Loyal Institutions" (the Royal Black Preceptory, Orange Order, and Apprentice Boys), whose membership is almost exclusively Protestant, have been prevented from passing through nationalist areas because of public order concerns (see Section 2.b.).

For several weeks beginning in September, residents of the loyalist Glenbryn area of north Belfast protested, at times violently, against Catholic pupils of Holy Cross primary school on their walk to school each day. Although the residents claimed that their demonstration "was not against the children," the protest involved shouting sectarian abuse and throwing debris (including bags of urine) at the children. A blast bomb also was thrown at police seeking to protect the children. The protest ended in November. While acknowledging the right of peaceful protest, the Northern Ireland Human Rights Commission stated that the school protests were a breach of the children's right to be free from inhuman or degrading treatment and of the right to an effective education.

National/Racial/Ethnic Minorities

Despite legal prohibitions against race discrimination, persons of African and Afro-Caribbean, South Asian, or Middle Eastern origin, and Travellers faced occasional acts of societal violence and some discrimination. According to an official report, 4,711 racially related offenses were recorded in the 12-month period ending in March. Incitement to racial hatred is a criminal offense punishable by a maximum of 2 years' imprisonment. The Government strictly enforces the laws and regulations in this area.

From April through July there was significant violence between whites and South Asians in the northern English towns of Oldham and Burnley, which culminated in riots in Bradford from July 7 to 9. Hundreds were injured, including police officers, and extensive property damage was reported. When violence broke out, the Government, in accordance with the Race Relations Act, set up independent boards of inquiry to determine the causes of the violence and examine its effects on multiethnic communities. The Race Equality Unit of the Home Office published a report, "Community Cohesion," in November that discussed Government strategies and proposals to address racial divides.

In 1999 the Home Secretary ordered the police to recruit 8,000 officers from ethnic minorities within 10 years. The numbers of ethnic minority police recruited during the year rose 10 percent, according to the Home Office. At the end of September, 3,134 minority police officers served in 43 national police districts. London Metropolitan Police (LMP) recruited 165 new ethnic minority officers in the period from April 2000 to March 2001, an increase of 83 percent over the previous period. LMP employed 1,158 minority police officers by the end the year.

A series of reports indicated that minorities were more likely to be stopped and searched by police than whites (see Section 1.c.).

In March 2000, the Police Complaints Authority announced that it would conduct a new inquiry into the police handling of the death of Ricky Reel, a young Asian found drowned in the Thames River in 1997. His family

believes that Reel was the victim of a racial attack and claim that police failed to investigate the crime properly. The inquiry continued at year's end.

Travellers--itinerant populations consisting of Roma, Irish, and other ethnic groups estimated to number 100,000 persons (approximately 1.6 percent of the total population)--experienced marginalization, educational discrimination, and police and societal harassment greater than that of the settled population, according to human rights groups. U.N. Committees on both the Rights of the Child and the Elimination of Racial Discrimination expressed similar concerns. During parts of the year, UK immigration officials prescreened Czech airline travelers in Prague, including ethnic Roma, who sought to come to the United Kingdom.

The Race Relations (Northern Ireland) Order, provides specific legal protection to minority ethnic groups in Northern Ireland, including the Traveller community. In June the Scottish Parliament published a report citing evidence of institutional discrimination, racism, and harassment of Travellers in Scotland. According to the report, Travellers faced unequal access to health care, social services, and education. The report calls on public bodies in Scotland to treat Travellers as a distinct ethnic group until such time as a legal test case provides official recognition under the Race Relations Act. The Scottish Executive still was considering the report's 37 recommendations at year's end.

The government-appointed but independent Commission for Racial Equality (CRE) provides guidelines on antidiscrimination practices, supports persons taking court action under the 1976 Race Relations Act, and may initiate its own court actions. After investigating a complaint, the CRE may issue a notice requiring that the discrimination be stopped. The CRE monitors the response to such notices for 5 years.

Section 6 Worker Rights

a. The Right of Association

Workers have the right to form and join unions, and workers exercised this right in practice. Just under 30 percent of the workforce is unionized. Coverage is most widespread in the public sector, where 60 percent of workers are organized. In contrast 19 percent of private sector workers are unionized. Unions, although often affiliated with political parties, are free of government control. The Employment Relations Act affords protection to union organizing efforts and sets minimum employment standards. Workers are protected by law against dismissal or other retaliation for campaigning or voting for or against recognition. The law also prohibits the compilation of lists of union members and labor activists for use by employers and employment agencies.

The Employment Relations Act affirms the statutory right to strike. The law prohibits retaliation by strikers. Dismissed strikers are able to claim unfair dismissal if fired within 8 weeks of when they first undertook a legal strike or "trade dispute." The law defines a "trade dispute" in great detail; in summary, a strike must be confined to workers and their own employers ("secondary boycotts" are illegal), the dispute must be wholly or mainly about employment-related matters (e.g., pay and conditions), workers must be properly and secretly balloted before striking (with notice to the employer), and mass picketing is prohibited.

Unions may join federations and participate freely in international organizations. The largest federation is the Trades Union Congress. Former British union leaders frequently occupy leadership positions in international labor organizations.

b. The Right to Organize and Bargain Collectively

Collective bargaining is long standing and covers approximately 30 percent of the work force. Under the Employment Relations Act, labor-management contracts are enforceable legally.

Under the act, unions can file a request for recognition, identifying the proposed bargaining unit, to the Central Arbitration Committee (CAC), a tripartite group that includes representatives from government, business, and labor. The act covers employers with more than 20 workers and encompasses an estimated two-thirds of all workplaces. Once the CAC determines the appropriate bargaining unit, it assesses whether a union is likely to have majority support. If union members already make up a majority of the bargaining unit, the CAC may issue a declaration that the union is recognized for collective bargaining without a ballot. In those instances where the CAC orders a ballot (typically, when the majority of bargaining unit employees are not already union members), the employer must cooperate by providing a list of names and giving the union access to the workplace to campaign. Unions win recognition when a majority of those voting agree, including at least 40 percent of those in the bargaining unit.

Although the law encourages voluntary agreements between employers and unions, the CAC may, if

necessary, impose a legally binding procedure for bargaining about pay, hours, and holidays.

Union members are protected by the Employment Rights Act against "being subject to any detriment" due to union activity or membership, and this is generally observed in practice. Previously it was legal for employers to withhold fringe benefits otherwise available to nonunion employees. The Employment Relations Act also extends its protection to contract and part-time workers in an attempt to close loopholes that previously allowed some employers to evade labor regulations.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced or compulsory labor; however, the trafficking of persons to the country was a problem (see Section 6.f.).

The law prohibits forced and bonded labor by children; however, children were trafficked to the country for sexual exploitation (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Children under age 16 are not permitted to work in an industrial enterprise except as part of an educational course.

The Government prohibits forced and bonded labor by children; however, children were trafficked to the country for sexual exploitation and forced labor (see Section 6.f.).

e. Acceptable Conditions of Work

As of October 1, the adult minimum wage was \$5.95 (4.10 pounds) per hour and the youth wage, paid to youth ages 18 to 21, was raised to \$5.10 (3.50 pounds) per hour. When introduced in 1999, the new pay thresholds were expected to benefit some 1.5 million workers directly; however, according to Government figures from the spring, 320,000 jobs were held by persons age 18 and over that paid less than the national minimum wage. Government departments aggressively were instructing employers that they must bring pay practices into compliance. The Board of Inland Revenue examined over 5,000 cases in the 8 months leading up to November and recovered \$2.9 million (2 million pounds) for 5,478 underpaid employees nationwide.

The national minimum wage does not provide a decent standard of living for a worker and family; however, other benefits of the welfare state fill the gap. Of nearly 28 million workers, approximately 6 million (21 percent) benefit from a social insurance scheme, in addition to receiving free universal access to the National Health Service. The working families' tax credit and disabled person's tax credit are designed to ensure a working family a weekly income of \$319 (214 pounds), which constitutes a living wage. No family earning less than \$380 (255 pounds) per week is obligated to pay income tax. The Government also provides a minimum income guarantee for low-income pensioners, which increases the basic state pension that all retired employees receive. Effective in April, the Government increased the threshold of total personal assets to allow more low-income pensioners to avail themselves of this benefit.

A working time directive brought domestic legislation into compliance with the European Union's 48-hour workweek. The maximum compensation level for unfair dismissal claims is \$80,000 (50,000 pounds). Parental leave provisions are available for employees with more than a year's continuous service. The Human Rights Act added additional rights in the workplace.

The 1974 Health and Safety at Work Act stipulates that the health and safety of employees not be placed at risk, and in practice the act is updated constantly. The Health and Safety Executive effectively enforces regulations on these matters and may initiate criminal proceedings in appropriate cases. Workers' representatives actively monitor enforcement of the act. Workers may remove themselves from dangerous work conditions without jeopardy to their continued employment.

Foreign workers are protected by the same labor laws and have the same rights as other workers, and foreign workers exercised these rights in practice.

f. Trafficking in Persons

No laws specifically criminalize trafficking in persons, although a range of laws are used to prosecute traffickers; the trafficking of persons was a persistent problem. The United Kingdom is a destination country for trafficking in women and girls for prostitution and in men, women, and girls for manual labor. While the Government estimated that 1,400 women and girls are trafficked each year for prostitution, there is no reliable data on the number of persons trafficked as laborers.

Female trafficking victims are mainly from the Balkans and other Central European countries. Women are also trafficked from South America, West Africa (particularly Nigeria), and Southeast Asia (Thailand and Vietnam). For example, a police investigation in 1999 of the brothels in London's Soho area revealed 148 victims, of whom 125 were from the Balkans, 14 from other parts of Central Europe, 6 from South America, 2 from Africa, and 1 from Southeast Asia.

According to media and NGO reports, girls were increasingly trafficked for prostitution and labor from West Africa and Central Europe. The laborers often are brought to the country under false pretenses and then used in addition to collect increased welfare benefits by distant relatives or even strangers.

Most female victims are lured into the country by deception. Many pay exorbitant fees to criminal middlemen for visas or smuggling arrangements. The victims often agree to pay off the balance by working in the sex industry; however, upon arriving, they are required to perform sexual services they did not agree to, their documents are confiscated, and they are forced to work a longer time than anticipated. Although victims usually are not physically coerced or threatened, they are deceived into not seeking help. The women are duped into believing that the police are corrupt or abusive and that they will be deported if they alert the authorities. In addition there is evidence that a small number of victims are forcibly abducted and brought into the country against their will.

According to the National Criminal Intelligence Service, trafficked laborers come from countries including India, Pakistan, Bangladesh, Sri Lanka, the former Yugoslavia, Romania, China, Congo, Angola, Colombia, and Ecuador. Laborers are trafficked actively by China-based criminal gangs, "snakeheads," also by deception. Would-be migrants pay high fees; however, those who cannot pay are forced into servitude, often in London sweatshops run by the gangs. Some also work in agriculture. Many victims are unwilling to come forward, due to fears of retribution from traffickers, fear of being deported or abused by authorities, or because they cannot speak English well enough.

The United Kingdom generally is not a country of origin for trafficking; however, each year hundreds of persons, usually young women, are forced into marriages outside the United Kingdom, particularly in India. They usually are deceived by their parents and believe that they are visiting family. Upon arrival their relatives force them into marriage.

A May 2000 Home Office report on trafficking in women estimated that up to 1,400 women were trafficked into the country in 1998. The report highlighted that police largely are unaware of the scale of the problem and do not treat it as a priority. The Government was considering the report's recommendations, which include the creation of a new crime category of "sexual exploitation," allowing trafficked women to sue their exploiters, and a focus on prevention campaigns in host countries. However, no action had been taken by year's end.

The Government actively investigated and prosecuted traffickers under a range of relevant laws, including unlawful imprisonment and facilitating illegal entry, that provide for penalties of up to 10 years in prison. The police successfully prosecuted traffickers under laws such as those against procuring and living off of immoral earnings. For example, numerous traffickers were convicted of the charge of "causing prostitution," which carries a 2-year prison sentence.

Government agencies involved in antitrafficking efforts include the Home Office, Foreign and Commonwealth Office (FCO), the National Criminal Investigative Service (NICS), police, the Department of Trade and Industry, the Department for Education and Employment, the Department for International Development (DFID), the National Crime Squad, and the Immigration and Nationality Directorate (IND). The Metropolitan Police has a special unit of 14 officers to investigate sexual exploitation: trafficking is one of the unit's special concerns. The DFID sponsors education campaigns overseas, particularly in Central Europe and Southeast Asia, to discourage trafficking. For example, the DFID and the FCO have distributed antitrafficking literature and videos in the Balkans and other points of origin. The FCO has posted immigration officials at overseas points of transit for traffickers to identify trafficking cases before they reach the United Kingdom. The Government supports numerous private organizations that combat trafficking and is significantly involved in international discussions on trafficking.

The Government does not deport victims of trafficking; the police and the IND cooperate on assisting trafficking victims and provide temporary residency status to victims. In addition both agencies provide legal, medical,

and psychological services. Victims are not prosecuted for other crimes.

The Government works closely with and provides funding for NGO's and other relevant organizations that fight trafficking. The Child and Woman Abuse Studies Unit at the University of North London has headed efforts to intensify public discussion on prostitution and trafficking. The NGO Kayalaan is effective in assisting trafficking victims. Another NGO, Change, is working on a project to map out government organizations and NGO's that are combating trafficking in women globally. A third NGO, Womankind Worldwide, works with overseas partners on trafficking.