

[Home](#)[Issues & Press](#)[Travel & Business](#)[Youth & Education](#)[About State Department](#)

United Kingdom

Country Reports on Human Rights Practices - [2005](#)

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The United Kingdom of Great Britain and Northern Ireland, with a population of 60.4 million, is a constitutional monarchy with a democratic, parliamentary government. Citizens periodically choose their representatives in free and fair multiparty elections; a national parliamentary election took place on May 15. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens; the law and judiciary provide effective means of addressing individual instances of abuse. The following human rights problems were reported:

- occasional abuse of detainees and other persons by individual members of the police and military
- overcrowded prison conditions and some inadequate prison infrastructure
- violence and discrimination against ethnic and religious minorities, women, and children
- trafficking of persons into the country

Although most paramilitary organizations in Northern Ireland continued to maintain a cease-fire, killings and "punishment attacks" continued in some areas under the influence of both republican and loyalist paramilitary groups.

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 politically motivated killings by the government or its agents.

According to the Independent Police Complaints Commission (IPCC), 106 people died between April 2004 and March while being arrested by the police or while in police custody, including road traffic fatalities and fatal shootings; since April, police shot and killed 5 persons. The IPCC investigates fatal shootings by the police and refers officers to the Crown Prosecution Service should there be an indication that the deaths resulted from police misconduct. There was no indication that deaths resulted from police misconduct among cases in which the IPCC completed its investigation.

Members of the Metropolitan Police Service (MPS) killed Jean Charles de Menezes on July 22, the day after failed bombing attempts in London and two weeks after the July 7 terrorist attacks in which 56 persons died. The police subsequently stated that de Menezes was not a suspect in the terrorist attacks. An IPCC investigation was pending at year's end.

In October the government responded to the Parliament's Joint Committee on Human Rights December 2004 call for a task force to develop guidelines on how to prevent deaths in custody with a commitment to build on its existing Ministerial Roundtable on Suicides and to strengthen the links between the Roundtable and other government structures which address prison suicides.

An independent review by the Devon and Cornwall police of the Surrey police investigation into the 1995-2002 deaths by gunshot of four soldiers at the Princess Royal Barracks, Deepcut, found no improper army influence on the Surrey investigation. However, the review criticized the leadership of the Surrey police investigation. An additional review initiated by the armed forces minister in December 2004 remained ongoing.

Authorities initiated judicial inquiries and preliminary proceedings into allegations of government involvement, collusion, or culpability in three controversial killings that took place in Northern Ireland in the 1980s and 1990s. A separate inquiry into the 1989 killing of Pat Finucane remained pending.

The Saville Inquiry chairman and two other judges continued drafting their report into the January 1972 "Bloody Sunday" events.

The Independent Monitoring Commission reported that paramilitary groups were thought to be responsible for seven killings in Northern

Ireland from September 2004 to August.

In July dissident republican paramilitaries participated in a violent riot directed at police officers in Belfast. In September loyalist paramilitary groups participated in rioting in which more than 150 shots were fired. The Loyalist Ulster Volunteer Force and the Ulster Volunteer Force engaged in a feud marked by assassinations. In September the Independent International Commission on Decommissioning reported that the Provisional Irish Republican Army had put all of its weapons "beyond use."

On July 7, four terrorist attacks on London's public transportation system killed 56 people, and on July 21, terrorists attempted but failed to inflict additional casualties on the nation's capital. After the July terrorist attacks, the government proposed new laws and regulations, which were debated in Parliament and public.

At year's end two separate courts-martial were pending for 11 soldiers relating to the deaths of 2 Iraqi detainees in 2003. The charges in a case against seven paratroopers were dismissed in November. In January four soldiers were convicted and dismissed from the army in relation to abuse of Iraqis in their custody. The Crown Prosecution Service was considering charges in another case but had released no further details.

b. Disappearance

There were no reports of politically motivated disappearances.

In June the Police Service of Northern Ireland (PSNI) recovered the remains of Gareth O'Connor, who disappeared in 2003.

The government and the Republic of Ireland hired a forensic expert to assist in the possible recovery of remains of nine victims killed and secretly buried by the Provisional Irish Republican Army in the 1970s.

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

Although the law prohibits such practices, there were complaints that individual members of the police occasionally abused detainees. On December 8, the House of Lords Judicial Committee reversed an appeals court decision and ruled that even in terrorism cases no court could consider evidence obtained through torture.

A March report by the Adult Learning Inspectorate, citing Armed Forces surveys, stated that 10 percent of the personnel (or 20 thousand individuals) in the three military services had suffered bullying and harassment. The abuses were attributed to hazing or punishment by peers or commanders for minor infractions, such as not making a bed correctly. The report recommended zero tolerance for such abuses.

From April through December 2004 (the most recent period for which statistics were available), 1,103 complaints against police were referred to the IPCC. Between April 2004 and March, the police ombudsman for Northern Ireland received 2,885 complaints that involved 4,206 allegations of police misconduct. The chief constable also referred 72 matters to the ombudsman, and the ombudsman investigated 4 other matters deemed to be in the public interest. The ombudsman stated that "a significant change in the nature of allegations" had taken place over the last 4 years, noting that the percentage of allegations regarding oppressive behavior (for example, assault, intimidation, and harassment) had fallen from 51 percent to 36 percent of the total number of allegations received. The ombudsman recommended seven cases to the director of public prosecutions for possible legal action.

Both loyalist and republican paramilitary groups in Northern Ireland continued to intimidate or carry out killings or "punishment attacks" in areas under paramilitary influence. The attacks often aimed to maintain or extend the control of paramilitary groups in an area. The PSNI reported that, through November, 111 paramilitary-style attacks had occurred in Northern Ireland; of these, 58 were shootings and 53 were beatings. Human rights groups stated that available statistics underreported the casualties because many intimidated victims did not report the attacks. Sinn Fein continued to withhold support for the police service, which contributed to the refusal of many republicans to assist with PSNI investigations into serious crime, including murder and sexual assault.

Prison and Detention Center Conditions

Prison conditions generally met international standards; however, overcrowding, poor facilities, and suicides occurred. As of December 23, the Prison Service reported 75,561 prisoners in England and Wales, an increase of 1,500 from the same date in 2004. A July Prison Reform Trust (PRT) report recorded that 82 of 142 prisons in England and Wales suffered from overcrowding, down from 91 in 2004.

As of November 8, there were 6,932 prisoners in Scotland, an increase of approximately 150 compared with the previous year. Hundreds of prisoners in Scottish prisons have sued the Scottish Executive (government) over conditions that do not meet European Union standards, particularly by not offering plumbing in individual cells. A prisoner in Barlinnie Prison received a court-ordered financial award during the year when the judges ruled that prison conditions had aggravated the prisoner's medical problems.

A May report by the chief inspector of prisons and the chief inspector of criminal justice criticized conditions for female inmates at the Hydebank Wood Centre in Belfast. The report highlighted inadequate sanitation and shortages of trained staff to deal with inmates who are at risk for suicide or self-harm. The report recommended construction of a new prison for female inmates. The Northern Ireland Prison Service announced that it accepted most of the report's recommendations.

During the year 78 prisoners in England and Wales committed suicide in jail, a decrease of 18 percent from 2004; an additional 131 prisoners were resuscitated after serious self-harm incidents. The July PRT report stated that the institutions with the highest number of suicides were generally the most overcrowded and that nearly two-thirds of those who committed suicide in prison had a history of drug abuse. By year's end 41 prisons had implemented a new care plan for at-risk prisoners. In Scotland four prisoners committed suicide between April 2004 and March.

The government permitted independent human rights observers and the media to visit prisons and immigration detention centers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest or detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

In Great Britain, regional police forces (44 in England and Wales and 8 in Scotland) are responsible for maintaining law and order. In Northern Ireland the PSNI has that responsibility. In some areas of Northern Ireland, because of the continuing threat of violence, army units reinforced the PSNI.

In August the National Criminal Intelligence Service reported that organized criminals could exploit individual corrupt officials. The Inspectorate of Constabulary promotes efficient and effective police practices and inspects police units for compliance with relevant laws and procedures, including police corruption. The IPCC investigates specific allegations against police officials, including supervising the investigation of five Gwent police officers arrested in June for misconduct in public office and corruption.

There were incidents of racial discrimination by the police, which authorities took steps to address (see section 5).

Arrest and Detention

Generally, police officers may only arrest persons if they have reasonable grounds for suspecting that someone has committed or is about to commit one or more listed "arrestable offenses." Even if the crime in question is not an arrestable offense, a police officer may arrest a person without a warrant, provided the officer believes the arrest is necessary to prevent damage to property or physical injury. The law provides for certain exceptions related to terrorism, particularly in Northern Ireland.

The law limits the amount of time that a suspect can be detained without a formal charge for a criminal offense, generally to less than 24 hours, and requires that an inspector review the detention at set intervals to ensure that it is necessary and lawful. The law also provides law enforcement authorities with the power to detain for up to 48 hours without charge individuals suspected of having committed a terrorism-related offense, which a court may extend for a maximum of 14 days. Suspects are promptly informed of the criminal offenses for which they are being investigated.

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. Detainees are allowed to make telephone calls and have legal representation, including state-provided counsel if indigent.

The law permits extended detention of foreigners suspected of being terrorists but who cannot be removed from the country immediately, due to concerns that they will be subjected to torture in their country of origin. Such detainees have the right to appeal their certification by the government as a terror suspect, and all the detainees are free to leave the country at any time. In March the government enacted the Prevention of Terrorism Bill, which permits a judge (or the home secretary with a judge's permission) to impose "control orders" on individuals suspected of involvement with terrorism-related activities regardless of nationality or perceived terrorist cause. The control orders include a range of restrictions up to house arrest.

There were no reports of political detainees.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, and the government generally respected this provision in practice.

There are several levels of courts. In England and Wales, most criminal cases are heard by magistrates' courts, which were managed by locally-based committees. Their decisions may be appealed to one of 90 crown courts, which also hear criminal cases requiring a jury trial, or to the high courts. Crown court convictions may be appealed to the Court of Appeal, which may in turn refer cases involving points of law to the Lords of Appeal in Ordinary (the Law Lords), who constitute the country's final court of appeal. The Criminal Cases Review Commission is an additional appellate body in England, Wales, and Northern Ireland and considers cases after the judicial appeals process is exhausted, but where significant new evidence casts doubt on the conviction.

In Scotland the High Court of Justiciary acts as a court of first instance for serious crimes, such as rape and murder, and also serves as an appellate body. There are 49 sheriff courts, which handle lesser crimes. District courts in each local authority handle crimes such as breach of peace, minor assaults, and petty theft. Civil matters can be handled in the first instance by either the Court of Session, which is the supreme civil court in Scotland, or by sheriff courts. Decisions by the Court of Session can be appealed to the Law Lords.

Trial Procedures

The law allows for jury trials, except in England and Wales when the jury has been intimidated, when "compelling new evidence" arises after a previous acquittal, or when evidence of a defendant's previous misconduct is to be introduced. In Northern Ireland trials for certain terrorism-related crimes also do not allow juries.

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.

Defendants have the right to be present and consult with an attorney in a timely manner, to question witnesses against them, and to appeal to successively higher courts; they also enjoy a presumption of innocence until proven guilty. Indigent defendants have the right to free counsel of their choice, with some exceptions.

Political Prisoners

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 respected these prohibitions in practice.

A 2002 case brought before the European Court of Human Rights by three nongovernmental organizations (NGOs) which stated that the government had intercepted their telephone calls to clients in Ireland without a warrant, remained pending at year's end.

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 respected these rights in practice and did not restrict academic freedom or the Internet. An independent press, an effective judiciary, and a functioning democratic political system combined to secure freedom of speech and of the press.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right in practice.

In Northern Ireland residents in some Catholic communities perceived certain parades to be threatening or provocative. The law grants responsibility for ruling on "contentious" marches to a parades commission, which may not ban marches, but may impose conditions, such as route restrictions. Of the 3,041 legal parades between April 2004 and March, the parades commission re-routed 30 and imposed other conditions on 90. Serious rioting by republicans and loyalists in connection with contentious parades took place on July 12 in the Ardoyne area of north Belfast and from September 10 to 13 in several areas in north and west Belfast. Police showed notable restraint in both July and August given the level of violence directed toward them.

In an August update on its investigation concerning the September 2004 foxhunting protest, the IPCC reported that disciplinary investigations against 15 MPS officers had been withdrawn with the remainder subject to ongoing investigation. Nine of the 17 cases submitted to the Crown Prosecution Service remained pending; four cases were sent to the metropolitan police for consideration of disciplinary action.

Freedom of Association

The law provides for freedom of association, and the government generally respected this right in practice.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice.

There are two established (or state) churches, the Church of England (Anglican) and the Church of Scotland (Presbyterian). The monarch is the "Supreme Governor" of the Church of England and always must be a member of the church and promise to uphold it. Two Anglican archbishops and 24 bishops receive automatic membership in the House of Lords, while clergy from other faiths are not automatically granted this privilege.

The government does not consider the Church of Scientology and the Unification Church as religions for the purpose of visas for ministers of religion or missionaries. In October the Home Office lifted the exclusion order against Unification Church leader Reverend Sun Myung Moon.

The law requires religious education in publicly maintained schools throughout the country. The content of religious instruction is decided on a local basis and must be nondenominational and refrain from attempting to convert pupils. All parents have the right to withdraw a child from religious education, but the school must approve this request.

In addition, schools in England and Wales must provide a daily act of collective worship, which 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 be allowed.

While most state-supported schools were Protestant or Roman Catholic, there were 45 Jewish, 5 Muslim, 2 Sikh, 1 Greek Orthodox, and 1 Seventh-day Adventist state-supported schools. Funding for the first Hindu state-supported school was announced in October.

Societal Abuses and Discrimination

The Forum Against Islamophobia and Racism reported approximately 168 anti-Islamic incidents between January and September.

Attacks against mosques and individuals increased after the July 7 and 21 bombings in London. In the first 3 days after the first attack, 180 racial incidents were reported. Arson and criminal damage was done to mosques in Leeds, Tower Hamlets, Merton, Telford, and Birkenhead. A Pakistani man died after what police called a racially aggravated attack.

Between April and the end of the year, the MPS recorded 12,432 hate crimes (related to both race and faith), down from 13,082 in the same period of 2004; 919 of the incidents were faith hate crime, compared with 497 in the same period in 2004.

In December 2004 police arrested the leader of the British National Party (BNP) on suspicion of incitement to racial hatred. His arrest was the twelfth following the July broadcast of a BBC documentary *Secret Agent*, which covertly recorded BNP members as they called Islam a "vicious, wicked faith" and admitted to their participation in racially motivated crimes. The court case remained pending at year's end.

Fear of intercommunal violence continued a decades-old pattern of segregated communities in Northern Ireland. The Northern Ireland police reported 222 attacks against both Catholic and Protestant churches, schools, and meeting halls during the year. Such sectarian violence often coincided with heightened tensions during the spring and summer marching seasons.

The Community Security Trust recorded 455 anti-Semitic incidents during the year, including 80 assaults, 2 cases of extreme violence, and 48 instances of desecration and damage to property. For example, Jewish graves in a cemetery in Aldershot, Hampshire, were desecrated with Nazi symbols (including the swastika) twice early in the year. In January eight assaults were recorded against Hackney's Jewish community. Additionally, in June approximately 100 gravestones were pushed over, damaged, and defaced at the West Ham Jewish Cemetery. Six members of an extreme right wing group were convicted in November of plotting to publish material designed to stir up racial hatred and received sentences of up to five years in prison.

The law prohibits offenses aggravated by religious hostility and extends a prohibition against incitement to racial hatred to include cases where the incitement to hatred is directed against groups abroad. Between April 2004 and March, the Crown Prosecution Service prosecuted 34 defendants for religiously aggravated cases, down from 49 for the corresponding period in the previous year. Muslim cleric Abu Hamza al-Masri was charged with 14 counts of solicitation and race hate and 1 under the Terrorism Act; his trial was postponed to early 2006. The mayor of London was widely criticized for making allegedly anti-Semitic comments to a Jewish journalist in February and faced a disciplinary panel over whether his statement brought disrepute to his office.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

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

The law provides for these rights, and the government generally respected them in practice.

Although there is no law prohibiting exile, the government did not employ it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice, the government provided protection against *refoulement*, the return of persons to a country where they feared persecution; however, the government limited this right for persons from "safe countries of origin." The government granted refugee status or asylum.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and its 1967 protocol. In 2004 approximately 7,110 persons were not recognized as refugees but were granted permission to remain in the country.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees and asylum seekers.

The law authorizes the home secretary to institute a list of safe countries of origin (or safe parts of certain countries) for all residents or for

particular classes of people. The government considered asylum claims from such individuals as unfounded.

The law also casts doubts on the credibility of applicants who claim asylum in the country after having passed through a safe country of transit. Furthermore, the law permits asylum seekers to be removed to a third country deemed responsible for adjudicating an applicant's claim.

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

The law provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

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 five years; elections for members of Parliament took place on May 5. The other chamber of Parliament, the House of Lords, is appointed. Participation in the political process is open to all persons and parties. Other elected bodies, such as the Scottish Parliament and the Welsh Assembly, control matters of regional importance, such as education, health, and some economic matters.

The overseas territories, with an aggregate population of approximately 212 thousand, enjoyed varying degrees of self-government based on the United Kingdom model, with appointed governors.

There were 127 women in the 659-seat House of Commons. There were 6 women in the 23-member cabinet. There was 1 woman among the 12 Law Lords. There were 15 members of minorities in the 659-seat House of Commons and 1 member of a minority group in the 23-member cabinet. There were 24 minority members of the House of Lords and no minorities among the 12 Law Lords.

Government Corruption and Transparency

There were no reports of high-profile government corruption cases during the year.

The law allows for public access to information held by public authorities. Anyone can request information, regardless of age, nationality or location. There was a mechanism to appeal denials.

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 generally operated without government restriction, investigating and publishing their findings on human rights cases, including the first Northern Ireland Victims Commissioner, who was named in October. Government officials were cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, nationality, gender, sexual orientation, or disability; however, some groups continued to experience societal discrimination.

Women

The law prohibits domestic violence against women, including spousal abuse, and the government strictly enforced the law with penalties ranging up to life imprisonment. Nonetheless, violence against women continued to be a problem. According to the Home Office, two women per week died from domestic violence in England and Wales, which accounted for 16 percent of all violent crime. The Home Office's crime statistics for April 2004 through March recorded 24,120 indecent assaults on women. 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 law, which was enforced strictly, criminalizes rape, including spousal rape, and provides substantial penalties ranging up to life imprisonment. The Home Office's crime statistics for April 2004 through March recorded 14,002 rapes of women. The government provided shelters, counseling, and other assistance for victims of battery or rape and offered free legal aid to battered women who were economically reliant on their abusers.

While the law makes it a crime to practice female genital mutilation, or to assist another person in its practice, either domestically or abroad, NGOs reported that the practice continued in isolated incidents among immigrant communities during the year. In May the Scottish Parliament passed the "Prohibition of Female Genital Mutilation (Scotland) Act 2005," providing similar definitions and punishments as in the laws for England and Wales.

While the government does not collect statistics on "honor killings," it has identified 12 such cases in the past 5 years. In November a Bangladeshi father and his two sons were sentenced for up to 20 years' imprisonment for killing an Iranian after learning that his daughter, whom he had already promised to marry to someone else, had become pregnant by the victim.

While prostitution involving consenting adults is legal, offenses such as loitering for the purpose of prostitution and maintaining a brothel are prohibited. A 2004 Home Office report estimated that there were 80 thousand prostitutes in the country. Organized international gangs continued to traffic women into the country for exploitation in the sex industry (see section 5, Trafficking). The law also prohibits child sex tourism and allows authorities to prosecute citizens or residents for offenses committed abroad.

The law prohibits sexual harassment and provides penalties of up to five years' imprisonment for sexual harassment in public or in the workplace.

Although women enjoy the same rights as men, including rights under family and property law and in the judicial system, in practice women experienced some discrimination. According to a December Equal Opportunities Commission report, women's hourly earnings for full-time, private sector employment were 22.5 percent lower than those of men; in full-time public sector jobs, women earned 13.3 percent less than men.

There is a cabinet-level minister for women, a deputy minister for women and equality, and two independent bodies for women's issues: the Equal Opportunities Commission (EOC) and Women's National Commission (WNC). The EOC supported women in discrimination cases before industrial tribunals and courts and produced guidelines for employers. The WNC is an umbrella organization representing women and women's organizations to ensure women's views are taken into account by the government and are heard in public debate.

Children

The government was strongly committed to children's rights and welfare. The government provided free, universal, and compulsory education until age 16 and further free education until age 18. UN Educational, Scientific, and Cultural Organization statistics recorded 100 percent enrollment of children of primary school age and over 90 percent for those of secondary school age.

The government amply funded medical care for children.

Child abuse remained a problem. As of March there were 25,900 children on child protection registers (locally maintained lists of children whom social-services authorities judged to be at continuing risk of significant harm due to neglect or to physical, sexual, or emotional abuse). Several NGOs and charities, the most prominent of which was the National Society for the Prevention of Cruelty to Children, campaigned against child abuse and neglect.

The minister for children coordinated government policy concerning children and young persons in England and Wales. In Scotland the ministries for education, young people, and communities supervised similar programs designed to protect and provide assistance to minors. In Scotland the Protection of Children and Prevention of Sexual Offences (Scotland) Act went into effect in July. During the year a commissioner for children was appointed in Northern Ireland.

Some children were subjected to forced labor or trafficked into the country for sexual exploitation (see section 5, Trafficking). In July the children's charity, Bernardo's, estimated that at least one thousand children were sexually exploited in London annually.

The armed forces accept recruits from age 16, although they are not deployed on operations until age 18.

Trafficking in Persons

Although prohibited by law, trafficking in persons, particularly for sexual exploitation, remained a problem.

The law prohibits trafficking in persons for the purposes of prostitution, sexual exploitation, or forced labor. The law criminalizes trafficking offenses by citizens and residents, whether committed domestically or abroad, and carries a maximum sentence of 14 years' imprisonment. The law also prohibits such related acts as keeping a brothel and causing, inciting, or controlling prostitution for gain. There were severe penalties for such offenses as causing, inciting, controlling, arranging, or facilitating the prostitution of a child. The law also criminalizes paying for sexual services of a child.

The "Reflex" task force, which brings together agencies that combat trafficking in persons, reported that in the 12 months ending in March the authorities were responsible for 149 disruptions and 1,456 arrests, resulting in seizures of \$10 million (5.5 million pounds).

Operation Maxim targets organized immigration crime in London. It is a MPS program which works with and is funded in part by Reflex and involves a team of police and immigration officers from the passport service and the Crown Prosecution Service. From January to November, it arrested 143 people and charged 49 people, of whom 32 were convicted and 17 are awaiting trial.

The Home Office, which includes the Immigration and Nationality Directorate, had the lead in efforts to combat trafficking. Other cabinet-level departments involved in antitrafficking efforts include the Foreign and Commonwealth Office, Department of Trade and Industry, Department for Education and Skills, the Crown Prosecution Service, and the Department for International Finance and Development.

The government assisted with international investigations of trafficking.

The country is primarily a destination for trafficking in persons and occasionally a transit point. There was no comprehensive official estimate of the number of victims of trafficking or the annual number of persons trafficked into the country.

Women were trafficked for sexual exploitation from Central and Eastern Europe (primarily the Balkans and the former Soviet Union) and Asia, including China. While many or most trafficked women worked in the sex industry, women, men, and children were also trafficked for labor exploitation in domestic service, agricultural and rural labor, construction, and catering.

Trafficking victims were most often subject to debt bondage, the withholding of travel documents, false information about law enforcement and immigration penalties, or threats of violence against them or their families. Traffickers less frequently employed physical and sexual violence.

Organized international gangs allegedly were responsible for most trafficking for commercial sexual exploitation.

Several NGOs criticized the government for not "opting in" on the European Council directive on providing "reflection periods" --short-term residence permits for victims of trafficking who cooperate with the authorities. However, the government thoroughly considered each instance on a case-by-case basis. Victims were able to make claims for asylum or humanitarian protection. In many cases the government also granted "exceptional leave to remain," thereby permitting victims to obtain government benefits, including housing, education, and health care. The government did not prosecute victims of trafficking who were violating prostitution or immigration laws; however, they could face repatriation to their country of origin.

Local social services authorities and various charities provided services to trafficking victims. A program run by the Poppy Project received government funding to operate a shelter with capacity for 25 persons. Children who may be victims of trafficking are the responsibility of local social service agencies and were generally placed in the foster care system. The government and the NGO community maintained an active dialogue on victim protection services.

The Foreign and Commonwealth Office and the Department for International Development distributed antitrafficking material in countries of origin. Immigration intelligence assets were deployed across Europe on the main routes for illegal migration and trafficking under the Immigration Liaison Officer program. The National Criminal Intelligence Service engaged in exchange programs in which its officers aided in preventive antitrafficking efforts in Central and Eastern Europe. The government also funded a communication campaign, in partnership with an NGO, which was intended to increase general public awareness, potential victim awareness, and to give trafficked women access to the resources available to them.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law also mandates access to buildings for persons with disabilities, and the government effectively enforced these provisions in practice.

The law mandates that all public service providers (except in the transportation sector) make "reasonable adjustments" to make their services available to persons with disabilities. The law also forbids employers to harass or discriminate against job applicants or employees with disabilities.

The Disability Rights Commission (DRC), an independent organization funded by the government, worked on behalf of persons with disabilities to stop discrimination and promote equality of opportunity. The DRC provided a hot line for persons with disabilities and employers, legal advice and support for individuals, and policy advice to the government. The DRC may also conduct formal investigations, arrange conciliation, require persons to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

National/Racial/Ethnic Minorities

Despite legal prohibitions against racial discrimination, persons of African and Afro-Caribbean, South Asian, or Middle Eastern origin, and Travellers--itinerant populations consisting of Roma, Irish, and other ethnic groups estimated to number 300 thousand persons--were occasionally the victims of societal violence and some discrimination. Of the country's estimated 4.6 million minorities, 2.3 million persons described themselves as Asian, 1.1 million as Black Caribbean or Black African, and 700 thousand as mixed.

Victim Support, a charity assisting persons affected by crime, received 21,103 referrals for assistance in cases of racially motivated crime between April 2004 and March. The Crown Prosecution Service, which covers England and Wales, prosecuted 4,660 defendants for racially aggravated crimes between April 2004 and March, up from 3,616 during the previous year. The PSNI reported 813 racial incidents in the year ending in April, up from 453 such incidents during the preceding 12-month period. PSNI reported 634 racial crimes, including 187 injuries or assaults, during the same period. From April 2004 to March, there were 3,959 racial complaints in Scotland, resulting in 1,961 prosecutions and 993 guilty verdicts.

There were cases of discriminatory or racist police conduct. In March, 12 police officers were disciplined in connection with a 2003 documentary recording police officers making explicitly racist statements. In July four Greater Manchester police officers were dismissed after a 10-month investigation regarding a racist text message. After a December 2004 inquiry into allegations of racism within the MPS found "clear disproportionality in the way black and minority ethnic officers are treated in relation to the management of their conduct," the MPS began public discussions on implementing the 37 recommendations from the inquiry.

Since the December 2004 release of the report of the independent Morris Inquiry, the MPS monitored progress on implementing its proposals. Actions taken included establishing a leadership academy and adopting new diversity and recruitment strategies.

Other Societal Abuses and Discrimination

The law prohibits discrimination and harassment based on sexual orientation; however, sporadic incidents of homophobic violence were reported, including the killing of a man in Clapham in October; three individuals under the age of 18 were arrested in connection with this case. The law encourages judges to impose a greater sentence in assault cases where the victim's sexual orientation is a motive for the hostility, and many local police forces demonstrated an increasing awareness of the problem and trained officers to identify and moderate these attacks. In January a former executive became the first person to use successfully the Employment Equality (Sexual Orientation) Act in an employment tribunal to receive compensation for unfair dismissal, harassment, and discrimination.

Section 6 Worker Rights

a. The Right of Association

The law provides for the right of workers, except those in the armed forces, public sector security services, and police forces, to form and join unions, and workers exercised this right in practice. Approximately 29 percent of the workforce was unionized. Coverage was most widespread in the public sector, where 57 percent of workers were unionized. In contrast, 17 percent of private sector workers were unionized.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. Collective bargaining is protected in law and was freely practiced. Unions and management typically negotiate so-called "collective agreements," less formal than collective bargaining contracts. Collective agreements are considered as "implied" into individual work contracts and legally enforceable as such. About 35 percent of the workforce was covered by collective agreements. Under the law a strike must be confined to workers and their own employers; the dispute must be wholly or mainly about employment-related matters (for example, pay and conditions); workers must be properly and secretly balloted before striking (with notice to the employer); and mass picketing is prohibited. Workers freely exercised the right to strike.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

While the government prohibits forced or compulsory labor, including by children, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively implemented laws and policies to protect children from exploitation in the workplace.

The law prohibits employment in any capacity of children under age 13. Those under age 16 are not permitted to work in an industrial enterprise, including transportation or street trading; their total work hours are strictly limited and may not interfere with school attendance. They may work as part of an educational course. Independent NGOs claimed that up to two million school-age children were involved in part-time employment. A child age 13 to 16 must apply for a work permit from a local authority and the local authority's education and welfare services have primary responsibility for oversight and enforcement. Authorities effectively enforced these laws. The following central government ministries have additional regulatory responsibilities: the Departments of Health; Trade and Industry; and Education and Skills.

There were reports that children were trafficked into the country and forced to work as domestic servants, beggars, pickpockets, drug couriers, or in sweatshops and restaurants (see section 5).

e. Acceptable Conditions of Work

The national minimum wage, which ranged from \$7.45 to \$8.82 (3.00 pounds to 5.05 pounds) depending on the age of the employee, did not provide a decent standard of living for a worker and family; however, other government benefits filled the gap, including free universal access to the National Health Service. Tax authorities may issue compliance orders against employers not paying the minimum wage, but employment tribunals handle disputes. The government aggressively monitored employer efforts to bring pay practices into compliance with minimum wage law. Unions and NGOs were also actively involved in ensuring employees' awareness of their rights.

The law limits the workweek to 48 hours averaged over a 17- to 26-week period; however, the regulations do not apply to senior managers and others who can exercise control over their own hours of work. The law provides for one day's rest per week, 11 hours daily rest, and a 20-minute in-work rest break where the working day exceeds 6 hours. The law also mandates a minimum of four weeks paid annual leave, including eight national bank holidays. However, the average worker nationwide receives five weeks of paid annual leave plus eight bank holidays as part of collective agreements. An individual employee may agree through a contract to work overtime for premium pay. The law does not prohibit compulsory overtime, but overtime is limited by the 48-hour week restriction.

The law stipulates that the health and safety of employees not be placed at risk, and it was effectively enforced by the Health and Safety Executive (an arm of the Department of Work and Pensions), which could initiate criminal proceedings in appropriate cases. Workers'

representatives also actively monitored enforcement of the law. Workers may legally remove themselves from dangerous work conditions without jeopardy to their continued employment.

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