



## 2008 Human Rights Report: United Kingdom

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

**2008 Country Reports on Human Rights Practices**

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The United Kingdom of Great Britain and Northern Ireland, with a population of 60.8 million, is a constitutional monarchy with a multiparty, parliamentary form of government. Citizens elect representatives to the House of Commons, the lower chamber of a bicameral legislature. They last did so in free and fair elections in 2005. Members of the upper chamber, the House of Lords, occupy hereditary or appointed seats. Civilian authorities 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; however, there were some reports of police misconduct and occasional abuse of detainees and other persons by police and military personnel and employees of government contractors. There were also reports of overcrowded prisons and some inadequate prison infrastructure. Societal problems included discrimination against religious minorities; mistreatment of women, children, ethnic minorities, gays, and persons with disabilities; and trafficking of persons.

### **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 that the government or its agents committed any politically motivated killings; however, the Independent Police Complaints Commission (IPCC) reported that police shot and killed three persons in the performance of their duty, compared to five in 2007.

In July the Ministry of Defense agreed to pay 2.8 million pounds (approximately \$4 million) to the family of Iraqi civilian Baha Mousa, who died in 2003 after suffering 93 injuries during a 36 hour detention by British troops in Iraq. In 2007 a court martial sentenced a soldier to one year in prison and dismissed him from the army for the inhumane treatment of Mousa. Six other soldiers were acquitted; no one was convicted in the deaths. At year's end a civilian judicial inquiry was ongoing.

Proceedings continued in three cases involving allegations of government involvement, collusion, or culpability in killings during the conflict in Northern Ireland in the 1980s and 1990s.

No official developments were reported in the government's standing request, refused by Russian authorities, for the extradition of Andrei Lugovoy in connection with the 2006 death in London by radioactive poisoning of former Russian intelligence officer Aleksandr Litvinenko, an act many regarded as politically motivated. In a November 21 interview in Moscow with the British newspaper, The Times, Mr. Lugovoy offered to send Dmitri Kovtun, his alleged accomplice, to London to talk to Scotland Yard in an attempt to clear their names on condition that Mr. Kovtun not be extradited to Germany, where he is wanted on charges of transporting plutonium.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The law prohibits such practices and authorities did not usually engage in them; however there continued to be allegations that members of the military services were at least complicit, if not participants, in the torture of detainees overseas, that individual police officers occasionally abused detainees, and that guards under contract to immigration authorities abused deportees while returning them to their home countries. Police are subject to oversight by the Independent Police Complaints Commission, which investigates charges of abuse and has the power to punish police officers if abuse is found.

Member of Parliament John McDonnell accused the intelligence services of colluding in the torture of one of his constituents by Pakistani authorities. During the year several citizens, all UK Pakistani dual nationals, made similar charges. At first, the Home Office denied that the government tortures or condones torture. Subsequently, however, the Home Office asked the attorney general to investigate these allegations.

On August 15, the IPCC issued statistics indicating that approximately 3,200 charges of "other assault" (the most prevalent kind of assault) were made against police in the first half of the year. Two thirds of the cases involved charges that police used excessive force during arrests; the remainder were charges of assault during an incident involving civil unrest or while alleged victims were in detention. In reviewing the approximately 6,500 complaints of "other assault" in 2007, the IPCC found that an investigation was justified in one third of the cases, of which 236 (11 percent) were substantiated. One fourth of the complainants whose allegations were rejected appealed, and 19 percent of those appeals were upheld. Overall, 8 percent of the 2007 charges against police for "other assault" were found to be valid and the victims entitled to seek compensation.

A Consultative Group on the Past in Northern Ireland, containing prominent individuals from both sides, concluded its work on ways to deal with the legacy of decades of strife between the two communities in Northern Ireland, and announced that it intended to release its report early in 2009. Under a Victims and Survivors Act for Northern Ireland that took effect in June, "commissioners" were appointed to address the needs of victims of the decades long violence.

Prison and Detention Center Conditions

Prison conditions generally met international standards, and the government permitted visits by independent human rights observers; however, overcrowding and poor facilities continued to be problems. A study by the nongovernmental organization (NGO) Forum for Preventing Deaths in Custody, indicated that, as of September 21, the number of suicides in prison increased compared to the same period in 2007; however the Ministry of Justice subsequently released data covering the entire year, indicating that 61 incarcerated persons, all but one of them male, took their lives during the year, a significant decline from the 92 reported in 2007 and the lowest number since 59 suicides were recorded in 1995.

On September 1, the prison population in England and Wales was reported to be 83,852 in facilities designed to accommodate 73,595, a 3 percent increase over the previous year. In Scotland, 8,431 inmates were reported in prisons with an official capacity of 6,365 as of October 3. England, Wales, and Scotland conducted early release programs that somewhat reduced overcrowding. Authorities attributed prison overcrowding in part to a rise in the recidivism rates. In Northern Ireland the prison population on December 12 was 1,503.

In a preliminary report released in September, the Forum for Preventing Deaths in Custody (an organization comprising representatives of various law enforcement organizations, government ministries, NGOs, and the Independent Police Complaints Commission) stated that there were 523 deaths in custody in England and Wales in 2007, a decline over previous years. Prison overcrowding and insufficient care of individuals who were in custody for their own protection or for offenses related to mental illness were cited as contributing to the number of deaths. The Scottish Prison Service reported 12 deaths in custody, seven more than in 2007; four cases were listed as due to natural causes; the rest were under investigation. In the same period, at least one person in Northern Ireland had died in custody. The known case was a suicide in which the officers are under investigation for neglect.

On August 21, the chief inspector for prisons, Anne Owers, criticized authorities in Frankland Prison, the country's largest high security prison, for not adequately protecting Muslim and ethnic minority inmates from attacks by white inmates. She also noted that although all racially and religiously motivated attacks were perpetrated by whites, minority inmates were far more likely to face discipline, including involuntary segregation, than white prisoners. She stated that the prison had recently experienced a large increase of gang members and individuals convicted of terrorism, for which the prison was unprepared. Authorities subsequently initiated training for prison staff.

At times juveniles, including some under age 16, were held together with adult prisoners. Although rare, there were instances when pretrial detainees were held with convicted prisoners.

The government permitted independent monitoring of prison conditions by local and international human rights groups, the media, the International Committee of the Red Cross, and the independent International Centre for Prison Studies based at Kings College, London. Some of the organizations undertook monitoring missions during the year.

#### d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions; however, critics charged that some procedures justified by government as necessary to combat terrorism constituted preventative detention.

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

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

#### Arrest and Detention

In most cases police officers may make an arrest only if they have reasonable grounds for suspecting that someone has committed or is about to commit one or more listed "arrestable offenses," or if an officer believes an arrest is necessary to prevent physical injury or damage to property.

On August 27, the Home Office announced that over 1,600 individuals previously without police authority, including local government employees and employees of private security firms, had been given "enforcement powers," including the right to issue citations and fines and to demand the names and address of persons stopped in the street. Human Rights groups and opposition politicians called the practice a civil rights violation and a move towards excessive surveillance. Opposition politicians noted that there were already regular police and other officials with law enforcement powers as well as fully trained and uniformed volunteers and a comprehensive closed

circuit television surveillance network. The government defended the practice, citing existing procedure which permits a chief constable to designate a limited number of persons with a limited amount of enforcement power who are "employees of organizations which contribute to public safety."

Police may detain an ordinary criminal suspect for 96 hours without charging him or her. However, detention for more than 24 hours must be authorized by a senior police official, and detention of more than 60 hours requires the approval of a magistrate. No one except terrorism suspects may be detained without charge longer than 96 hours. Authorities may hold terrorism suspects for up to 28 days before formally charging them; they are entitled to counsel during this period. A government bill to extend the period of detention without charges from 28 to 42 days in terrorist cases was a significant source of controversy during the year; the bill was withdrawn after leaders in the House of Lords indicated it would be defeated there. Existing law permits the extended detention of foreigners who are suspected of being terrorists but who cannot be deported immediately because of the risk they would be tortured or executed in their countries of destination. Such individuals may appeal their designation as terror suspects.

The law gives defendants awaiting trial the right to bail, except for those judged to be flight risks, likely to commit another offense, suspected terrorists, or in other limited circumstances. Detainees may make telephone calls and have legal representation, including government provided counsel if they are indigent.

On April 9, the Court of Appeal ruled that radical preacher Abu Qatada, whose "inspirational" tapes were found in the German apartments used by Mohammad Atta and other 9/11 terrorists, could not be deported to Jordan because his human rights might be violated there. Abu Qatada has been held in Belmarsh prison since 2002. The court ruled that "assurances," contained in a memorandum of understanding between the government and the Jordanian government, were an inadequate safeguard. (Abu Qatada was convicted in absentia in Jordan on terrorism charges.) The government appealed. Also in April, the Court of Appeal ruled that deporting two suspected terrorists (and rejected asylum seekers) to Libya, based on a memorandum of understanding with Libyan authorities providing assurances that the deportees would not be mistreated, would constitute a violation of the law as well as the country's international commitments, as the two faced a substantial risk of mistreatment on return to Libya.

The Terrorism Act permits a judge (or the home secretary, with a judge's permission) to impose "control orders," which include a range of restrictions, up to house arrest, on individuals suspected of involvement in terrorism related activities, regardless of nationality or perceived terrorist cause. Control orders were first employed in January. In October the Law Lords ruled that the 18 hour curfew the home secretary had imposed on one group of individuals constituted a deprivation of liberty beyond what was permissible under the law. In two other cases, the Law Lords questioned the fairness of the hearing which two individuals received when they challenged the control orders served on them. On October 1, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) criticized the government's detention of terrorism suspects. The law normally requires suspects to be transferred to prisons after 14 days; however in the case of terror suspects this was extended to 28 days to protect the public and permit further investigation. The CPT's objections were based on conditions at the high security detention facility at Paddington Green police station, which they regarded as inadequate for prolonged detention. Government representatives responded that detention in police facilities beyond 14 days were exceptions that they believed to be "reasonable and proportionate."

#### e. Denial of Fair Public Trial

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

## Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Defendants enjoy a presumption of innocence. 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 generally allows for jury trials. In England and Wales, there is provision for judge only trials in rare exceptions 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 by a single judge, employed during previous decades in response to intimidation of juries by paramilitaries, ceased to be the norm on July 31. However, as in the case of England and Wales, nonjury trials may be held in cases involving possible intimidation of juries. Scotland allows jury trials in criminal and civil cases.

Defendants have the right to be present at their trials, to consult with an attorney in a timely manner, and to question witnesses against them. Defendants have access to government held evidence relevant to their cases, with some exceptions, including instances in which information pertaining to a suspect is acquired through sources associated with national security.

Defendants have the right to appeal to successively higher courts. Indigent defendants have the right to free counsel of their choice, with some exceptions.

## Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

## Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters, including access to a court to bring lawsuits seeking damages for, or cessation of, a human rights violation. Administrative remedies were also available.

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

The law prohibits such actions, and the government generally respected these prohibitions in practice.

During the year legislation requiring telephone companies to retain information about landline and cellular telephone calls took full effect. The legislation requires that the retained information may be made available, without a warrant, to over 700 governmental organizations, including police, the National Health Service, and other social services. The Ministry of Justice, responsible for implementing the legislation, denied that the data was at risk of being compromised.

The use of electronic surveillance requires the approval of the home secretary, who authorizes an "interception warrant," which must name or describe either one person or a single set of premises where the interception is to take place. However, in limited circumstances the home secretary may issue a "certified" interception warrant, eliminating the requirement to specify a person or premises. Certified warrants are intended only for communications with overseas parties. They include communications channeled through a foreign Internet service provider (ISP). An independent "interception of communications commissioner" oversaw interception warrants, and the Investigatory Powers Tribunal investigated public complaints of surveillance abuses. According to its annual

report, published in July, the tribunal received 66 new complaints in 2007, and completed its investigation of 31 of these, together with 52 cases carried over from 2007. The tribunal carried a further 41 cases forward to 2008. The government would not publically discuss the decisions of the tribunal in the cases that were resolved.

On July 3, the European Court of Human Rights (ECHR) ruled that the government's telephone tapping practices violated the right to privacy. Describing the government's powers to tap private telephone conversations and Internet connections as "virtually unfettered," the court ruled that the government's right to intrude on private conversations could not be indiscriminant and that limits need to be placed on, and public scrutiny permitted their use. The case that precipitated the ruling was brought by British and Irish human rights groups after the Irish authorities asked the government whether it was monitoring Irish telephone conversations.

Publicly funded reports by panels in Birmingham and Manchester, released on July 31, criticized the government's policy of retaining DNA records of all arrestees, including those acquitted or against whom charges were dropped. The authors of the reports proposed placing the DNA database in the hands of an independent oversight body and giving individuals who are not successfully prosecuted, as well as rehabilitated criminals who have served their sentences, the opportunity to remove their DNA from the database. Liberty, the country's largest human rights organization, described continued government control over the database as a threat to civil liberties. Officials contended that the national DNA database had revolutionized police ability to protect the public. In early December the ECHR ruled that the government's retention of the DNA of nonconvicted persons in perpetuity was unlawful. The government responded that it would retain the database but make changes to conform to the court's ruling. Authorities stated that four killers, including one serial killer, had been caught through DNA matches in the last 12 months.

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. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

The law forbids the reporting of criminal cases before they come to trial, with certain exceptions. In addition, the royal family has certain press privileges that amount to a blackout on certain types of reporting. However, such information was often available from foreign sources over the Internet and cable television, so judges were less inclined than in earlier years, to issue gag orders to the press.

The 2007 Racial and Religious Hatred Act and other legislation make it an offense to use "threatening words or behavior" toward a religious, ethnic, or racial group. The 2007 act applies specifically to words, behavior, or displays of written material; the publishing or distributing of written material; the public performance of a play; the distributing, showing, or playing a recording; the broadcasting or including a program in a program service; or the possession of written materials or recordings with intent to display, publish, distribute, or include such materials in a program service. The law was invoked once during the year.

Court decisions during the year established that possession of materials advocating terrorism alone was insufficient for conviction under the 2000 Terrorism Act; however, possession of materials that provided practical assistance to terrorists, such as the al Qa'ida Manual, the Terrorist's Handbook, the Mujahideen Poisons Handbook, and a number of military manuals, did fall within the meaning of the act.

On May 19, in a letter to the Times, several eminent journalists accused police of posing "a serious risk to the

future of investigative journalism" when they issued warrants to many British and American media outlets including major newspapers and the television news program 60 Minutes, requiring them to provide details of interviews with former jihadist Hassan Butt at the time of Butt's arrest in early May. Butt had described himself as a "poster boy for Islamic radicalism" but publicly renounced that philosophy following the bus and subway bombings in London in 2005. Police arrested Butt on May 9, noting that he continued to associate with known terrorists and leading terror suspects. After holding him without charge until May 21, they released him but indicated that their investigation continued. Police subsequently reported that Butt claimed to have made up his story about being a jihadist in order to make money.

On November 19, four men were arrested and charged with violations of the Racial and Religious Hatred Act for distributing leaflets in Ireland and the United Kingdom in September blaming Muslims for the heroin trade. The arrests followed controversy over the precedence of free speech over stirring hatred in the community. The Crown Prosecution Service at first advised police that, while racist (most British Muslims are of South Asian or African descent), the leaflets were protected speech, a position which angered the National Association of Muslim Police, which advocated halting the distribution and investigating the source.

British publication of the book the Jewel of Medina about Mohammed and his youngest wife, scheduled for release on October 30, was postponed "until further notice" for "security reasons." The book's publishing house was firebombed in September.

#### Internet Freedom

There were no government restrictions on access to the Internet. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e mail. There were no reports that authorities routinely monitored e mail or Internet chat rooms. However, the law permits communications data surveillance, including Internet usage, in the interests of national security, to prevent or detect a crime, or in the interests of public safety. Authorities did not publically discuss details of their monitoring activities. The government had voluntary agreements with most ISPs to record all incoming and outgoing emails and store them for one year. This agreement has been in place since 2003. During the year the government announced that the system would become mandatory in March 2009. The government has also proposed a national database instead of relying on the ISPs. This has led to protests.

The Internet was widely available throughout the country and was available at no cost in public libraries. Approximately 70 percent of the population used the Internet.

#### Academic Freedom and Cultural Events

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

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

The laws provide for freedom of assembly and association, and the government generally respected these rights in practice.

#### c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice. The government does not consider the Church of Scientology and the Unification Church to be religions for purposes of issuing visas for ministers of religion or missionaries. Since the Church of Scientology does not fall within the

definition of religion in the charity law, its chapels did not qualify as places of worship, and authorities did not consider its ministers to be ministers of a religion. There were no reports of specific visa denials during the year.

The law requires religious education in publicly maintained schools. Localities determine the content of religious instruction, but it must reflect the predominant place of Christianity in the cultural and historical context of the nation while taking into account the teachings and practices of the country's other principal religions, and it must refrain from attempting to convert pupils. All parents have the legal right to request that their children not participate in religious education, but the school must approve this request.

Schools in England and Wales must also provide a daily act of collective worship, of "a wholly or mainly of a broadly Christian character." Students of other faiths may offer prayers of their own religion. According to a 2005 survey by the British Broadcasting Company, a considerable number of schools were not participating in this form of worship. Teachers have the right not to participate in collective worship, without prejudice.

The chief inspector for prisons criticized authorities in Frankland Prison, the country's largest high security prison, for not adequately protecting Muslim (and ethnic minority) inmates from attacks by white inmates.

On October 22, the Law Lords, the country's highest court, declared that Shari'a law as practiced in Lebanon was discriminatory against women and reversed a Court of Appeal decision that would have upheld the deportation of a woman to Lebanon, where she claimed a Shari'a court would hand over her child to an abusive father.

The status of Humanism, in comparison with other perspectives on religion, was the subject of litigation. On September 26, the British Humanist Association (BHA) announced that it was suing the government for religious discrimination after authorities responsible for the school curriculum ruled that an optional course of studies on Humanism prepared by the BHA did not give sufficient attention to other religions. The BHA charged that the ruling violated the European Convention on Human Rights, which accords nonreligious beliefs equal status with religions.

Legal efforts to establish policies regarding the public display of religious symbols in schools continued during the year. On July 30, the High Court, overturning two lower court rulings, declared a school's decision to suspend a Sikh student for wearing a Kara bracelet to be unlawful, because it violated the school's no uniform policy. The lower courts had based their decisions on the Law Lords' 2007 ruling that schools could prohibit whatever they wished to ensure unity and safety. The lower court ruling led to victories for school administrators in court cases over the wearing of the Sikh Kirpan (small ceremonial dagger), the Muslim veil or hijab, and Christian purity rings and crosses. However, the High Court judge in this case did not cite the 2007 ruling; he relied instead on a ruling from 1983 that found that Sikhs, like Jews (who are allowed to wear yarmulkes), were a unique "race," and thus protected by antiracial discrimination laws. Several commentators said that the ruling opened the door to thousands of challenges to schools' authority on dress rules, while others concluded that the decision was intentionally narrow, as it was made on the grounds of racial and not religious discrimination. The Association of School and College Leaders urged Aberdare Girls' School to appeal to the Law Lords, but the school's representative stated that an appeal was unlikely; the student had left the school to complete her studies elsewhere and decided not to return after her victory.

#### Societal Abuses and Discrimination

The Jewish population numbers approximately 280,000. The Community Security Trust (CST), an organization that represents the Jewish community in matters of security, reported that in the first six months of the year there were 42 violent assaults against Jews, compared to 54 in the same period of 2007. In the same period, the CST recorded 266 anti Semitic "incidents," defined as any malicious act aimed at Jewish persons, organizations, or property, where there is evidence that the incident has anti Semitic motivation or content, or that the victim was targeted

because they are (or are believed to be) Jewish. This represented a 9 percent increase compared with the same period in 2007. According to CST, this increase was attributable primarily to incidents reported to CST from beyond the main Jewish communities of London and Manchester.

Anti Semitic incidents surged at the end of the year; they were primarily attributed to Israeli military operations in Gaza.

There were instances of anti Muslim behavior. On September 29, during Ramadan, vandals desecrated a Muslim cemetery in South London, damaging 40 stones and plantings. Police treated it as a hate crime.

On November 19, four men were arrested and charged with violations of the Racial and Religious Hatred Act for distributing leaflets in Ireland and the United Kingdom in September blaming Muslims for the heroin trade. The arrests followed controversy over the precedence of free speech over stirring hatred in the community. The Crown Prosecution Service at first advised police that, while racist (most British Muslims are of South Asian or African descent), the leaflets were protected speech, a position which angered the National Association of Muslim Police, which advocated halting the distribution and investigating the source. Four men were arrested on November 19 and charged with violations of the Racial and Religious Hatred Act for distributing the leaflets. The men were subsequently "cautioned," which under British law amounts to a formal admission of guilt in lieu of a trial.

Hanan and Samira Fariad, British born Pakistani Muslim sisters working for Tradition Securities and Futures (TSAF), sued their employer, claiming that their working life was made unbearable by sexist behavior and religious and racial discrimination by colleagues and supervisors. In early November they settled out of court for several million British pounds.

British publication of a book about Mohammed and his youngest wife, *The Jewel of Medina*, scheduled for release on October 30, was postponed "until further notice" for "security reasons." The book's publishing house was firebombed in September.

For a more detailed discussion, see the 2008 International Religious Freedom Report at [www.state.gov/g/drl/irf/rpt](http://www.state.gov/g/drl/irf/rpt).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations to provide protection and assistance to refugees, asylum-seekers, stateless persons, and other persons of concern.

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

##### Protection of Refugees

The laws provide 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. The government was committed to providing protection against the return of persons to a country where their lives or freedom would be threatened.

On July 14, the Home Office announced that "at this time" it would not deport asylum-seekers from Zimbabwe and Darfur whose asylum claims had been denied. The announcement followed criticism from several NGOs about the prospect of deportations. Estimates of the number of failed asylum-seekers in the country from Zimbabwe ranged

from 11,000 to 13,000. Failed asylum-seekers from Darfur were estimated to number in the low thousands.

On September 30, the Home Office announced that Dame Nuala O'Loan, former police ombudsman for Northern Ireland, would investigate claims of abuse by private contractors, hired by the government to detain and remove failed asylum-seekers. A July report by a consortium of NGOs called "Outsourcing Abuse" documented the claims of over 300 persons who accused the private contractors of physical and sexual assault and racial abuse. As of December 5, the Home Office upheld only one complaint detailed in the report, but the report included extensive medical evidence of abuse and stated that several individuals were returned to custody after pilots of the aircraft used for their removal refused to allow them to remain on board "in their current state." Dame O'Loan was instructed to reopen 50 cases that the government previously classed as unsubstantiated. She was expected to address the appropriateness of using private contractors and whether the use of "reasonable force" was appropriate in dealing with failed asylum-seekers.

Based in part on the European Union's "Dublin procedure," the government places the burden of proof on asylum-seekers if they arrive from a country on a list of "safe countries" of origin promulgated by the home secretary, if they passed through a country where they were not considered to be at risk, or if they remained in the country for a period of time before seeking asylum. The law permits authorities to remove an asylum applicant to another country that is deemed responsible for adjudicating an applicant's claim.

### 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

Elections to the Northern Ireland Assembly, to the Scottish Parliament, and to the Welsh Assembly took place in 2007. They were generally regarded as free and fair. Free and fair elections to the House of Commons took place in 2005.

In Northern Ireland the ministers of the power sharing government between Protestants and Catholics broke off talks for five months; the two main political parties deadlocked over terms for transferring authority over policing and justice from the British government in London to the government of Northern Ireland. An agreement in November led to the resumption of ministerial meetings and agreement on a path towards a transfer of power.

The overseas territories, with a total population of approximately 212,000, have varying degrees of self government based on the British model, with appointed governors.

There were 12 women in the 646 seat House of Commons and 14 in the 748 seat House of Lords. There were five women in the prime minister's cabinet. An additional 30 women held other ministerial posts. There was one woman among the 12 Law Lords. There were 15 members of ethnic minorities in the House of Commons. The number of members of ethnic minorities in the House of Lords was not reported; there were no members of ethnic minorities in the Cabinet; Baroness Scotland, who is Afro Caribbean, is attorney general, but she had only an advisory role. Four members of ethnic minorities held junior ministerial posts.

#### Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were isolated reports of government corruption during the year.

At the end of the year prosecutors were reviewing the case of the Labor Party's former general secretary, who resigned in November 2007 after admitting he had been aware of an arrangement whereby a major donor funded the party through proxies; he insisted he had believed the arrangement was lawful. The prime minister denied knowledge of the arrangement, but acknowledged that the true source of these donations had not been reported as required by law. Another member of the cabinet, Peter Hain, who also resigned as a result of the scandal, was cleared on December 5.

During the year the government continued to face criticism over its 2006 decision to abandon an investigation of government corruption in connection with BAE Systems' arms deals with Saudi Arabia. The High Court ruled in April that the decision to abandon the investigation was unlawful; however the House of Lords overturned the High Court's decision, effectively ending any further review of this case. Meanwhile, the Working Group on Bribery (WGB) of the Organization for Economic Co operation and Development (OECD) investigated the matter as part of an extraordinary review of British compliance with the OECD Bribery Convention. In stating the conclusions of its review, the WGB stated in October that it was "disappointed and seriously concerned" about the country's unsatisfactory implementation of the convention.

There were charges during the year that corruption was involved in efforts by parents and others to secure the financial support of local governments for "academy schools," state maintained independent schools established with the help of outside sponsors.

The law provides for public access to information, and authorities generally granted access to citizens and noncitizens, including foreign media. There are numerous exceptions to the availability of government information, including those relating to national security and defense, personal privacy, and possible risks to health and safety. In some instances, authorities are not obliged to indicate whether relevant information exists; however, according to authorities, they are obliged to say why they are refusing a request. There are no fees for requesting information; however, there may be a bill for the cost of materials and postal fees. Government agencies may refuse a request if the cost to the government will exceed 460 or 600 pounds (approximately \$670 or \$870), depending on the agency's size. There was a mechanism to appeal denials.

A dispute continued between The Daily Telegraph newspaper and the government over the newspaper's request for the number of unsuccessful asylum-seekers whose deportation failed because they were denied admission by the intended destination countries. The government refused to provide the data, contending that the necessary file search would be too costly; it also denied the newspaper permission to appeal. The newspaper's request was prompted by the assertions of anti immigration campaigners that the government was exaggerating the success of its deportation program and that many intended deportees were returned to the country because authorities did not provide adequate travel documentation.

During the year, defense ministry officials unsuccessfully sought to prevent civilian coroners' inquests into the deaths of members of the military in combat zones. Accusations by coroners of official culpability or cover ups in "friendly fire" deaths, as well as in deaths possibly attributable to poor or inadequate government provided safety equipment, were heavily covered in the media. Secretary of State for Defense Des Browne also sought a High Court ruling that would prohibit coroners from making such accusations, on the grounds that they could prevent the military from carrying out its primary function for fear of being held responsible for every death caused by enemy action. Family members claimed that defense ministry interference would tie coroners' hands and prevent them from learning the causes of death of their loved ones. The court did not rule on the case during the year.

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

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. 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, and the government generally enforced the law effectively.

#### Women

Rape, including spousal rape, carries a maximum penalty of life imprisonment. According to the British Crime Survey (BCS), whose data include incidents not reported to police, 21,403 sexual assaults on women were reported in the year that began on April 1, 2006. Observers expressed concern at a declining rate of successful prosecutions of rapists in England and Wales. From April 2006 through March 2007, the conviction rate was 5.7 percent of cases prosecuted, compared to 33 percent in 1977. Authorities in Scotland and Northern Ireland reported similarly low conviction rates. The BCS estimated that one in 20 women in the country had been raped.

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.

The law prohibits domestic violence, including spousal abuse, and authorities strictly enforced the law in cases reported to them. The courts imposed punishment ranging up to life imprisonment; however, violence against women continued to be a problem. The law provides for injunctive relief, personal protection orders, and protective exclusion orders (similar to restraining orders) for female victims of violence.

According to BCS estimates based on interviews and covering the approximate period of October 31, 2005 to September 1, 2006, domestic crime (2,471,000 cases) represented 16 percent of total crime committed in England and Wales. One third of violent incidents against women were domestic violence. In 2007, 110 persons were killed by domestic partners.

On July 30, The Ministry of Justice announced changes in the law against homicide in England and Wales, designed to address inequalities between men and women in certain types of family violence. Among the changes, the killing of an abusive spouse, previously considered first degree murder, could be treated as manslaughter if it occurred while responding to a fear of serious violence. In addition, a manslaughter plea would no longer be allowed when an aggrieved partner kills a spouse who has committed adultery. A parent who kills a pedophile who has abused his or her child or a woman who kills her rapist may now claim "murder with provocation."

NGOs raised concerns that police were not adequately trained to identify and respond when women sought protection.

Police and NGOs estimated that approximately a dozen honor killings occurred each year, although there were no formal statistics. As of November 22, approximately 100 homicides were under investigation as possible "honor killings." Personnel of the International Campaign against Honor Killings estimated that the number of women seeking their help quadrupled between 2005 and the end of the year. Many observers regarded honor killings as the extreme end of a spectrum that includes abductions, forced abortions, imprisonment, mental and physical abuse, and rape. It was generally considered an "imported crime," since a majority of the incidents involved families from Asia, Turkey, Algeria, and Nigeria. Many of the crimes involved hiring outside "hit men"; in other cases the perpetrator was the youngest member of the family, who was supervised by older family members. By

the end of the year, only 35 cases had been prosecuted as honor crimes. The cases involved 33 victims and 47 offenses ranging from murder, kidnapping, and false imprisonment to common assault and public order violations.

Forced marriages continued to be a problem, although their extent remained unknown. On March 11, Parliament's Home Affairs Committee requested additional information from the government on students who had disappeared from school registers. Since the majority of these students were South Asian and female, the committee expressed concern that they were in danger of becoming the victims of forced marriage. Denial by local councils, which have the responsibility for social services and schools, that the large number of "missing girls" necessarily supported this interpretation failed to satisfy the committee, since the local councils appeared unable to provide alternative explanations for the phenomenon. An investigation by the Forced Marriage Unit, a joint effort of the Foreign and Commonwealth Office and the Home Office, determined that, while the numbers were not as large as reported earlier, the problem did exist, and a law to discourage them was quickly passed by Parliament, and implemented in November. The Forced Marriage Protection Act requires schools, social services, and police to receive training about this phenomenon and to take steps to combat it, ranging from increased truancy monitoring to assisting young persons who come to them for help without parental input. The law criminalizes forced marriage and makes taking individuals out of the country on false pretenses akin to kidnapping. It also has a provision to annul marriages made outside of the country against the will of one partner.

On July 24, in another effort to deter forced marriages of citizens or residents who return to their or their parents' countries of origin, the Foreign and Commonwealth Office announced its intention to impose a number of new requirements relating to marriage visas, including raising the age someone can sponsor a spouse for a marriage visa from 18 to 21 and adding a requirement that intending sponsors of such visas register their intent to seek a visa before traveling abroad. (Authorities believed that young adults often traveled on what they expected to be a vacation to the home country and were subsequently pressured into marriage and into applying for the spouse's visa.) The new age requirement was adopted in August. The registration of marriage intent for visas was still working its way through the legal process at year's end.

Prostitution is legal for adults; however, such related offenses as loitering for the purpose of prostitution and maintaining a brothel are illegal. Authorities and NGOs estimated that 100,000 persons in the country were engaged in prostitution.

The law prohibits child sex tourism and allows authorities to prosecute citizens or residents for offenses committed abroad. Individuals were arrested on such charges, but there were no reports of prosecutions during the year.

The law prohibits sexual harassment and provides penalties of up to five years' imprisonment; authorities followed up on the isolated complaints that were filed.

Women enjoy the same legal rights as men, including rights under family and property law and in the judicial system; however, in practice women experienced some discrimination. According to a 2005 Equal Opportunities Commission (EOC) report, women's average 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. On September 2, the UN Committee on the Convention for the Elimination of All Forms of Discrimination against Women asserted that, in addition to experiencing discrimination in pay and in representation in government, women were more poorly treated than men in prisons and were imprisoned for lesser offenses. The report recommended a number of measures, including greater efforts to reduce the number of women in conflict with the law.

On September 4, the Equality and Human Rights Commission, an independent group supported by the Government Equalities Office, released its annual report *Sex and Power*, which concluded that progress by women had stalled

and in some respects declined. The report reviewed 25 job categories and, in 12 of these, found there were fewer women than in previous years.

There was a cabinet level minister for women and a deputy minister for women and equality. Two independent bodies were concerned with women's issues, the EOC and the 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. It lobbied the government to take women's views into account and include them in public debate.

#### Children

The government expressed a strong commitment to children's rights and welfare. Child abuse remained a problem, although there were no reliable figures on its prevalence. In Northern Ireland it is a criminal offense to fail to report most offenses against children; England, Wales, and Scotland do not have such laws; however, civil servants charged with the care, education and welfare of children are "responsible" for their protection. The minister for children coordinated government policy concerning children and young persons in England and Wales. In Northern Ireland there was a commissioner for children. In Scotland the Ministries of Education, Young Persons, and Communities supervised similar programs designed to protect and provide assistance to minors.

Public attention was drawn during the year to the abuse case known as "Baby P," a child who died as a result of abuse, despite knowledge by social services agencies that abuse was taking place. Their failure to act caused headlines and led to the resignation of at least one government official.

Female genital mutilation (FGM) is illegal. The maximum penalty for aiding, abetting, counseling, procuring, or carrying out this practice is 14 years' imprisonment. FGM was most often practiced by immigrant or refugee groups on girls aged seven to nine from Eritrea, Ethiopia, Somalia, West Africa, and Yemen. The Department of Health estimated in 2006 that approximately 74,000 women had undergone FGM and a further 7,000 women were at risk of having the procedure performed on them. In 2006 the Metropolitan Police Service (MPS) and a number of NGOs began an awareness and prevention campaign focused on this problem. At the end of the year, MPS warned that in addition to the 20,000 residents in the at risk communities, over 1600 young women a year entered the country to join these communities. Actual medical statistics on reported victims were being compiled at the end of the year.

There continued to be reports that some evangelical Christian immigrants from Africa abused children whom they accused of being witches.

On August 26, penal reformers and children's groups criticized the government's reliance on antisocial behavior orders (ASBOs), civil "warnings" that can limit children's access to a geographic area or impose tailored curfews. ASBOs were introduced to prevent youth from interacting with the courts and youth services as a result of minor infractions. However, youth who subsequently violate ASBOs could be arrested and would enter the criminal system. Opponents contended that the ASBOs led to criminal records for youth whose behavior in the past would have been seen as "kids being kids." According to one expert, over a thousand youths have been incarcerated for violating the ASBOs since their inception in 2000. Critics claimed that police were too quick to issue the orders for such minor infractions as excessive loudness or congregating in large numbers, violations that some children's advocates described as inevitable. Some experts contended that 30 percent of youths receiving the orders had mental or behavioral problems that did not permit them to understand the orders.

On August 22, Anne Owers, Chief Inspector of HM Prisons, criticized the treatment of children at Yarl's Wood, the detention facility for women and children migrants facing possible deportation. She noted that facilities for their health, education, and recreation were inadequate, and most serious, children with disabilities were also detained

there, contrary to British law. The United Kingdom Border Agency indicated that children were detained only as a last resort, when the parents "try to frustrate" the removal process.

According to the press a review of methods for controlling detained children issued toward the end of the year concluded that the use of limited pain inducing techniques were appropriate ways to keep children safe. Human rights groups criticized the practice.

#### Trafficking in Persons

The law prohibits all forms of trafficking; however, there were reports that persons were trafficked to, through, and within, the country.

There were no official statistics on the number of trafficking victims. In a July 3 report, however, police estimated (based on arrests, including from raids on bordellos and statements from those intercepted at the borders) that between 6,000 and 18,000 women and children were engaged in prostitution involuntarily, the majority trafficked from abroad. Regions of origin included Central and Eastern Europe primarily the Balkans and the former Soviet Union and Asia, including China. Most victims were women trafficked for sexual exploitation. Women, men, and children were also trafficked for labor exploitation in domestic service, agricultural and rural labor, construction, and catering.

During the year law enforcement agencies completed operation Pentameter 2, a crackdown on forced prostitution; 167 women and teenagers were freed during the year, including 13 girls between the ages of 14 and 17. The operation followed Pentameter 1 in 2006, which saw the arrest of 232 persons and the release of 88 victims of trafficking. Over 600 brothels were raided during the operation, most were in private homes. In a report on the Pentameter 2 operation, authorities noted that, since prostitution is not a crime, police often had difficulty distinguishing victims of trafficking and forced prostitution from those who engaged in prostitution voluntarily. The report also noted that an increasing number of persons forced into prostitution were born in the country.

On October 11, the Guardian Weekly reported an undercover operation conducted both within the country and in China which revealed that over 4,000 teenage girls, some as young as 11 years old, had been trafficked into the country from Fujian Province. Upon entry, the girls often claimed asylum, aware that the law prohibits the detention of persons under 18 and, once released, they disappeared. Over a thousand girls were described as still missing. The report also noted that the traffickers had a 15 year head start on law enforcement authorities, who only began to tackle the problem seriously in 2006, while Fujianese girls had been entering the country since the early 1990s.

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

Authorities believed that organized gangs were behind most cases of trafficking for commercial exploitation. NGOs claimed that Albanian gangs were heavily involved in prostitution rings in London that used trafficked women. Gangs from the Far East appeared to be increasingly involved in trafficking women from that area. Prosecutors also uncovered East European and Chinese involvement in labor trafficking. Traffickers often lured women by false advertisements of work as restaurant staff, maids, and childcare providers. Some victims expected to work in the sex trade but were deceived about working conditions by the traffickers and exploited upon arrival.

Traffickers used a variety of means, including use of valid travel documents, false documentation, and smuggling of aliens past border checks. Authorities believed traffickers frequently used Heathrow airport as a transit point, primarily for trafficking between European destinations. Traffickers controlled their victims through insistence that they repay endless "debts" for room and board and travel expenses, by withholding their travel documents, by

misleading them about law enforcement and immigration penalties, and by threatening violence against them or their families.

Trafficking for prostitution, sexual exploitation, or forced labor carries a maximum sentence of 14 years' imprisonment. The law applies to both citizens and residents and to acts committed domestically or abroad. The law also prohibits such related acts as keeping a brothel and causing, inciting, or controlling prostitution for gain. There are 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, as well as travel abroad for the purpose of obtaining sexual services from children. During the Pentamiter 2 operation against trafficking for prostitution initiated in 2006, law enforcement agencies made 528 arrests that led to 26 convictions.

The Home Office was the lead antitrafficking agency. Other cabinet level departments involved in antitrafficking included the Foreign and Commonwealth Office, the Department of Trade and Industry, the Department for Education and Skills, the Crown Prosecution Service, and the Department for International Finance and Development. The Serious Organized Crime Agency (SOCA) handled trafficking investigations nationally. A United Kingdom Human Trafficking Center (UKHTC) shared trafficking intelligence with SOCA and developed training modules for attorneys prosecuting traffickers. The government assisted with international investigations of trafficking.

Immigration officers and airline personnel were trained to identify potential victims of trafficking. The UKHTC has developed training programs that enabled police academies to add trafficking to the list of core police competencies. The "Paladin" program at Heathrow specifically screened for vulnerable children. Authorities provided short term residence permits for victims of trafficking who cooperated with authorities in prosecuting their traffickers.

The government continued funding the Poppy Project, which provided support services to female victims of trafficking for sexual exploitation who were willing to assist law enforcement authorities. The government did not prosecute victims of trafficking who were violating prostitution or immigration laws; however, authorities could deport them to their countries of origin.

Local social services and charities provided services to trafficking victims. The Poppy Project initiated a national 24 hour outreach service. Local social service agencies were responsible for child victims of trafficking, who were usually placed in the foster care system. The government and the NGO community maintained an active dialogue concerning protection services for victims.

The State Department's annual Trafficking in Persons report can be found at [www.state.gov/g/tip](http://www.state.gov/g/tip)

#### Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and other state services. The law mandates access to buildings for persons with disabilities, and the government effectively enforced this requirement in practice.

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

The mandate of the Equality and Human Rights Commission (EHRC), an independent organization funded by the government, included work on behalf of persons with disabilities to stop discrimination and promote equality of

opportunity. The commission provided legal advice and support for individuals, a hotline for persons with disabilities and employers, and policy advice to the government. The commission 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. Some advocates for persons with disabilities claimed during the year that the October 2007 replacement of the Disability Rights Commission, which dealt only with disabilities, by the EHRC, which also has a mandate for combating discrimination based on race, sex, religion and belief, sexual orientation and age, led to a dilution of efforts on behalf of persons with disabilities.

#### National/Racial/Ethnic Minorities

The law prohibits racial discrimination, but Travelers (itinerant populations consisting of Roma, Irish, and other ethnic groups), as well as persons of African, Afro Caribbean, South Asian, and Middle Eastern origin, at times experienced mistreatment on racial or ethnic grounds.

The law authorizes police to order Travelers' caravans to move on from any rest area or other roadside location. Before the enactment of this provision in 2003, such locations were among the Travelers' primary stopping places. Travelers' organizations also reported that local governments across the country were seeking to evict them from so called "illegal encampments." In one high profile case, Travelers fought an eviction order by the town council of Basildon, in Essex, seeking to remove them from the Dale Farm Traveler Settlement. At year's end eviction proceedings against residents of the site were on hold while a judiciary review was conducted. The case was ongoing at year's end.

Victim Support, an NGO that assists persons affected by crime, reported that it received 29,995 referrals for assistance with racially motivated incidents between April 2005 and March 2007, a 42 percent increase from 2004-05. However, Victim Support believed this increase was primarily due to an improvement in police referrals of such incidents to them. The Crown Prosecution Service, which covers England and Wales, prosecuted 7,430 defendants for racially aggravated crimes between April 2005 and March 2007, up from 4,660 during the previous year. The Police Service of Northern Ireland (PSNI) reported 936 racially motivated incidents during the same period, up by 15 percent from the preceding 12 month period and more than three times the number of incidents reported in 2003. The PSNI reported 746 racially motivated crimes, including 341 violent crimes, during the same period. In Scotland there were 3,791 racial complaints between 2005 and 2006, a decrease of 160 complaints from the previous year.

On October 7, Home Secretary Jacqui Smith announced that the government would launch a reappraisal of recruitment and promotion practices in police forces in England and Wales. The announcement came hours after London's mayor, Boris Johnson, announced his own inquiry into race and the London Metropolitan Police (MET, commonly known as Scotland Yard). Johnson made his announcement hours after MET's Black Police Association (BPA) announced it would boycott recruitment drives among ethnic minority communities and would use a media campaign to actively discourage black and Asian recruits because "they would be treated unfairly." The National Association of Muslim Police (NAMP) stated that it would not join the boycott, noting that the MET was making progress on race relations.

#### Other Societal Abuses and Discrimination

The law prohibits discrimination and harassment based on sexual orientation; however, sporadic incidents of homophobic violence were reported. The law encourages judges to impose a greater sentence in assault cases where the victim's sexual orientation 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. During the year Children's Minister Kevin Brennan stated that schools had a clear and urgent obligation to end the "widespread use"

of homophobic language and other abuse and that such language and behavior would be viewed the same as racial abuse, making teachers responsible for dealing with it and not ignoring it. Brennan's statement came days after Stonewall, a gay rights organization, released the results of a survey, conducted by the online polling service YouGov, which found that two thirds of gay students in all schools and three quarters in religious schools reported experiencing abuse. The report also found that 20 percent of all gay respondents had suffered some form of hate crime, yet only 1 percent of hate crimes lead to convictions.

There were no police reports of violence against anyone based on HIV infection, and no reports of discrimination against such persons during the year.

## 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 independent unions without previous authorization or excessive requirements, and workers exercised this right in practice. Approximately 26 percent of the workforce was unionized. Coverage was most widespread in the public sector, where almost 60 percent of workers were unionized. In contrast, 17 percent of private sector workers were unionized. The law allows unions to conduct their activities without interference, and the government protected this right in practice. Workers have the right to strike and freely exercised it during the year.

### b. The Right to Organize and Bargain Collectively

Collective bargaining is protected in law and was freely practiced. Unions and management typically negotiate collective "agreements," less formal than collective bargaining contracts. Collective agreements are considered as "implied" in individual work contracts and are legally enforceable as such. They covered approximately 35 percent of the workforce. There were no reported instances of anti union discrimination.

There are no export processing zones.

### c. Prohibition of Forced or Compulsory Labor

The government prohibits forced and compulsory labor, including by children; however, there were reports of forced labor by children. Police estimated that between six and 18 thousand women and children, the majority trafficked from abroad, engaged in involuntary prostitution. Women, men, and children were also trafficked for labor exploitation in domestic service, agricultural and rural labor, construction, and catering.

### d. Prohibition of Child Labor and Minimum Age for Employment

There are laws to protect children from exploitation in the workplace and the government generally enforced these laws effectively; however, children were forced into prostitution.

The law prohibits the employment in any capacity of children under 13. Those under 16 are not permitted to work in an industrial enterprise, including transportation or street trading; their work hours are strictly limited and may not interfere with school attendance. Children under 16 may work as part of an educational course. Independent NGOs claimed that as many as two million school age children were involved in part time employment. Children 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

Departments of Health, Trade and Industry, and Education and Skills also have regulatory responsibilities related to child labor.

e. Acceptable Conditions of Work

The national minimum wage, which ranged from 3.53 to 5.73 pounds (approximately \$5.11 to \$8.31) per hour, depending on the age of the employee, did not provide a decent standard of living for a worker and family; however, government benefits, including free universal access to the National Health Service, filled the gap. Tax authorities may issue compliance orders against employers that are 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 when averaged over a 17 to 26 week period; however, the regulations do not apply to senior managers and others who can exercise control over their own hours of work. The law provides for one day of rest per week, 11 hours of daily rest, and a 20 minute rest break when the working day exceeds six hours. The law also mandates a minimum of four weeks of paid annual leave, including eight national holidays. However, the average worker 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.