

# UNITED KINGDOM 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

The United Kingdom of Great Britain and Northern Ireland (the UK) is a constitutional monarchy with a multiparty, parliamentary form of government. Citizens elect members of Parliament to the House of Commons, the lower chamber of the bicameral Parliament. They last did so in free and fair elections in December 2019. Members of the upper chamber, the House of Lords, occupy appointed or hereditary seats. Scotland, Northern Ireland, Wales, and Bermuda all have elected legislative bodies and devolved administrations, with varying degrees of legislative and executive powers. The Northern Ireland devolved government, which had not been operational for three years, was restored in January. The UK has 14 overseas territories, including Bermuda. Each of the overseas territories has its own constitution, while the UK government is responsible for external affairs and defense.

Except in Scotland and Northern Ireland, the national police maintained internal security and reported to the Home Office. The army, under the authority of the Ministry of Defence, is responsible for external security and supports police in extreme cases. The National Crime Agency investigates serious crime in England, Scotland, Wales, and Northern Ireland, and it has a mandate to deal with organized, economic, and cybercrimes as well as border policing and child protection. The National Crime Agency director-general has independent operational direction and control over the agency's activities and is accountable to the home secretary.

Scotland's judicial, legal, and law enforcement system is fully separate from that of the rest of the UK. Police Scotland reports to the Scottish justice minister and the state prosecutor, and coordinates cross-border crime and threat information to the national UK police and responds to UK police needs in Scotland upon request.

Northern Ireland also maintains a separate police force, the Police Service of Northern Ireland, which reports to the Northern Ireland Policing Board, a public body composed of members of the Northern Ireland Assembly and independent members of the community.

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

Civilian authorities throughout the UK and its territories maintained effective control over the security forces. Members of security forces committed no abuses.

There were no reports of significant human rights abuses.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses.

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

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

The Independent Office for Police Conduct investigates whether security force killings were justifiable, and if appropriate, passes cases to the Crown Prosecution Service to pursue prosecution.

### **b. Disappearance**

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

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

The law prohibits such practices, but there were a few reports that government officials employed them.

A female convict with a diagnosed borderline personality disorder alleged to the visiting delegation from the Council of Europe's Committee on the Prevention of Torture (CPT) visiting Scotland in October 2019 that she was twice roughly handled during transfers between prisons resulting in bruises on her left upper thigh, on her left elbow, and a black eye in the first instance and injuring her elbow in the second. The CPT investigated uses of force at the Cornton Vale Prison in Scotland, where the woman was incarcerated. Authorities provided more than 200 incident reports covering the period from October 2018 to the day of the visit (i.e., one year). Half of all the incidents involved control and restraint measures and, notably, the use of wrist and thumb-locks. In approximately 25 percent of the incidents when force was used, the female prisoners involved had shown aggression and had first attacked prison staff. In approximately 75 cases, the

female prisoners had failed to comply with orders to move cells or get into their cells. In 27 of these control and restraint cases, the refusal to comply with orders had happened after acts of self-harm or suicide attempts.

On February 20, the Subcommittee on Torture of the UN Human Rights Council reported on a visit to the country in September 2019. The report has not been published.

Impunity was not a problem in the security forces. The Independent Office for Police Conduct, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services, and Her Majesty's Inspectorate of Prisons carried out investigations into complaints of abuses by security forces. The United Kingdom's (UK's) College of Policing incorporates human rights-oriented guidance on policing into its *Authorized Professional Practice*, the official source of policing practice.

### **Prison and Detention Center Conditions**

Prison and detention center conditions met international standards but had shortcomings. The government has documented and was investigating these problems.

Physical Conditions: The 2019-20 annual report by Her Majesty's chief inspector of prisons found that 12 of 14 men's prisons in the UK had "poor or less than suitable" levels of safety. It also found that only 40 percent of prisons followed the recommendations laid out by the Prisons and Probation Ombudsman following a death in custody, and that several men's prisons, such as Hewell, and youth institutions, such as Feltham A, were missing documentation recording the use of force, making it difficult to evaluate whether force was used proportionally.

The Ministry of Justice recorded 64,552 incidents of self-harm in UK prisons from March 2019 to March 2020, up 11 percent from the previous 12 months. The chief inspector of prisons found that self-harm had risen in all immigration detention centers.

The CPT delegation that visited England found severe overcrowding (147 percent of capacity) at Doncaster Prison. The CPT also noted that the population of women prisoners was 85 percent higher than what facilities were designed to support, resulting in many women prisoners being held in primarily men's facilities. According to the International Center for Prison Studies, as of August 28, the overall occupancy level in prisons in England and Wales was 104.6

percent. The CPT also recommended a “deep-cleaning and refurbishment” of the Liverpool and Wormwood Scrubs Prisons.

The House of Commons Justice Select Committee conducted an inquiry in July to evaluate the effectiveness of measures put in place in March to guard the prison population from COVID-19. The final report showed that some prisoners detained during the pandemic were kept in conditions akin to “internationally accepted definitions of solitary confinement.” Citing the wide variation in the interpretation of COVID-19 prevention measures in prisons across the UK, the committee recommended that the Ministry of Justice set a standard minimum time out of cell and provide additional mental health support to prison populations. During the strictest pandemic lockdown measures from March to July, 23 prisoners and nine prison staff members eventually died after testing positive for the virus.

The CPT’s report on its visit to Scotland expressed concern about the use of “long-term segregation” and recommended that “alternatives...should urgently be considered.”

The Urgent Notification Protocol allows the chief inspector of prisons to alert the lord chancellor and secretary of state for justice directly if he or she has an urgent and significant concern about the performance of a prison. There were no urgent notifications during the year.

According to the Ministry of Justice, from June 2019 to June 2020, there were 294 deaths in prison custody, a decrease of 5 percent from 309 deaths the previous 12 months. Of these, 76 deaths were self-inflicted, a 13 percent decrease from the 87 self-inflicted deaths in the previous 12 months. Serious prisoner-on-prisoner assaults decreased by 8 percent to 2,782 in the 12 months to March. During the same period, serious assaults on staff decreased by 5 percent to 953.

Offenders younger than age 20 were held in young offender institutions. Security training centers (STCs) are institutions for young persons up to the age of 17. There were three STCs in England and Wales. The Inspectorate of Prisons warned the House of Commons Justice Select Committee it was “unacceptable” that children in young offender institutions were being locked up in excess of 22 hours a day during the COVID-19 pandemic. The CPT report on England stated that between 2016 and 2019, assaults both on staff members and on other young persons at the Feltham A and Cookham Wood Young Offenders Institutions and the Rainsbrook Secure Training Centre had risen by 10 percent at Cookham Wood

and by more than 100 percent at Feltham A and at Rainsbrook. It noted “widespread” use of force by guards in all three institutions.

Separate from prisons, there were seven immigration removal centers in England and Wales used solely for the detention of failed asylum seekers and migrants. In May a report by Her Majesty’s Chief Inspectorate of Prisons found that four of the eight immigration removal centers had “dramatically reduced their populations” since March because migrants can only be held if there is a reasonable expectation of removal. Given the widespread use of travel bans to stop the spread of COVID-19, this expectation did not exist, allowing detainees to be released until removal proceedings could be resumed. There was no update to this trend at year’s end.

The CPT delegation that visited Scotland in October 2019 considered the separation and reintegration unit of the Scottish Cornton Vale Prison was “a totally inappropriate environment for holding vulnerable women prisoners, especially mentally ill and young women, for long periods of time.” In Scotland the CPT found that two women in the segregation unit at Cornton Vale Prison (known as “the Dumyat”) were locked alone in their cells for 23.5 to 24 hours each day, allowed at most one hour of outside exercise alone and 15 minutes on the telephone every day. They were offered no purposeful activities to structure their days and no mixing with other prisoners.

There were 13 publicly managed and two privately managed prisons in Scotland.

In 2019 there were 37 deaths in custody in Scotland, of which 28 resulted from natural causes and nine resulted from suicide.

According to the annual Northern Ireland prisoner ombudsman report for 2018/19, the latest data available, investigations into eight deaths were carried out. Five of those deaths were suicides, and the other three were due to natural causes.

Administration: Authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: In England and Wales, the government permitted monitoring by independent nongovernmental observers. Every prison, immigration removal center, and some short-term holding facilities at airports have an independent monitoring board. Each board’s members are independent, and their role is to monitor day-to-day activity in the facility and to ensure proper standards of care and decency. Members have unrestricted access to the facility at

any time and can talk to any prisoner or detainee they wish, out of sight and hearing of staff, if necessary.

Scotland operates the Independent Prison Monitoring system. The 2018-19 annual report by the chief inspector of prisons for Scotland, the latest information available, found that “prisoners and staff reported they felt largely safe” and that there were “positive and respectful relationships between staff and prisoners.”

On April 30, the CPT published the report of its visit to England in May 2019. On October 8, it published the report of its visit to women’s prisons in Scotland in October 2019.

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

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

Police officers in England and Wales have powers to stop and search anyone if they have “reasonable grounds” to suspect the individual may be in possession of drugs, weapons, stolen property, or any item that could be used to commit a crime.

In Scotland guidelines allow police to stop and search persons only when police have “reasonable grounds,” a refinement after criticism that stop-and-search was being used to target specific racial groups. Data published in April revealed 32,107 stop and searches conducted between April and December 2019.

#### **Arrest Procedures and Treatment of Detainees**

Police nationally must have a warrant issued by a magistrate or a judge to arrest a person, unless there is reasonable suspicion a person has just committed or is about to commit a crime. In England, Wales, and Northern Ireland, a senior police official must authorize detention without charges for more than 24 hours, and a magistrate must authorize detention for more than 36 hours up to a maximum 96 hours. Police may detain terrorism suspects without charge for up to 14 days. Police must inform detainees promptly of charges against them. The court may extend pretrial detention in exceptional cases. Authorities respected these rights.

Nationally there is a functioning bail system, but defendants may be denied bail if they are judged to be flight risks, likely to commit another offense, are suspected terrorists, or for other limited circumstances.

If questioned at a police station, all suspects in the UK have the right to legal representation, including counsel provided by the government if they are indigent. Police may not question suspects who request legal advice until a lawyer is present. In Gibraltar the Duty Legal Representative Scheme provides free legal representation to anyone in Gibraltar police custody earning less than 14,000 pounds (\$18,480) per year, the minimum wage. All law firms in Gibraltar with five or more lawyers are required to register as part of the scheme.

In Scotland police may detain a suspect for no more than 24 hours. After an initial detention period of 12 hours, a police custody officer may authorize further detention for an additional 12 hours without authorization from the court, if the officer believes it necessary. Only a judge can issue a warrant for arrest if he or she believes there is enough evidence against a suspect. A suspect must be informed immediately of allegations against him or her and be advised promptly of the charges if there is sufficient evidence to proceed. Police may not detain a person more than once for the same offense. Authorities respected this right. Depending on the nature of the crime, a suspect should be released from custody if he or she is deemed not to present a risk. There is a functioning bail system.

In Bermuda a court must issue a warrant for an arrest to proceed. The law permits arrests without warrant only in certain conditions. When a police officer has reasonable grounds for suspecting that any offense that is not an arrestable offense has been or is being committed or attempted, they may arrest the relevant person if it appears that service of a summons is impracticable. No arrests or detentions may be made arbitrarily or secretly, and the detainee must be told the reason for his or her arrest immediately. Individuals may be detained initially for six hours, and for two further periods of up to nine hours each subject to review and justification. Authorities respected this right.

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

Pretrial Detention: On September 26, temporary legislation came into effect extending the maximum length of pretrial detention from 182 to 238 days to address delays in jury trials due to COVID-19.

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

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

#### **Trial Procedures**

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

Defendants have the right to communicate with an attorney of their choice or to have one provided at public expense if unable to pay. Defendants and their lawyers have adequate time and facilities to prepare a defense and free assistance of an interpreter if necessary, from the moment charged through all appeals. Defendants have the right to confront witnesses against them, to present their own witnesses and evidence, and not to be compelled to testify or to confess guilt. Defendants have the right to appeal adverse verdicts.

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

#### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

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

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

In Bermuda the Human Rights Tribunal adjudicates complaints.

### **Property Restitution**

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

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, which covers Holocaust-era restitution and related issues, was released publicly on July 29, 2020. The report is available on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

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

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Expression, Including for the Press**

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

Freedom of Speech: The law prohibits expressions of hatred toward persons because of their color, race, nationality (including citizenship), ethnic or national origin, religion, or sexual orientation as well as any communication that is deemed threatening or abusive and is intended to harass, alarm, or distress a person. The penalties for such expressions include fines, imprisonment, or both.

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

In September the Council of Europe issued a “Level 2 Media Freedom Alert” to the UK after Ministry of Defence press officers refused to engage with *Declassified UK*, an investigative media outlet. The secretary of state for defence issued an apology to lawyers for *Declassified UK* and said he would open an investigation into the incident.

Violence and Harassment: During Black Lives Matter protests in London in June, two Australian and one British journalist, were violently attacked. The National Union of Journalists called for the arrest of the perpetrators, which had not taken place at year’s end.

In July charges were brought against a suspect for the killing of freelance reporter Lyra McKee in April 2019 in Londonderry, Northern Ireland.

Libel/Slander Laws: On February 12, the governor of the British Virgin Islands signed into law a bill that criminalizes with imprisonment for up to 14 years and a fine “sending offensive messages through a computer.” The law applies to a message that is “grossly offensive or has menacing character” or that is sent “for the purpose of causing annoyance or inconvenience.” The provision carries penalties up to 14 years in prison and a fine. Media freedom NGOs strongly criticized the law.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. The country has no blanket laws covering internet blocking, but the courts have issued blocking injunctions against various categories of content such as depictions of child sexual abuse, promotion of violent extremism and terrorism, and materials infringing on copyrights.

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

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

There were no government restrictions on academic freedom or cultural events. Under emergency COVID-19 legislation, participation in cultural events was severely restricted.

In March the UK's cultural scene, including restaurants, museums, galleries, cinemas, and sporting events, was closed down because of the COVID-19 pandemic. Outdoor music events were allowed from July, but indoor musical events remained restricted at year's end. The government provided a support package of 1.57 billion pounds (\$2.07 billion) for arts groups and venues. From March through the end of the year, the government imposed restrictions on the number of persons from separate households who could gather socially indoors and outdoors, including with regard to protest.

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

The law provides for the freedoms of peaceful assembly and association, and the government routinely respected these rights. Under emergency COVID-19 legislation, the government banned mass gatherings.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

Except for areas affected by COVID-19 laws and guidelines, the law generally provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government routinely respected these rights.

In March, Prime Minister Boris Johnson introduced extraordinary measures, including curbs on the freedom of movement, to slow the spread of COVID-19 in England. These measures continued in force in some form at year's end. From

March 24 through May 13, the government instructed individuals they were only allowed out of their homes to purchase essential items.

COVID-19 legislation empowers police to enforce the evolving government guidelines. Police officers could issue fixed penalty notices (FPNs) to those they suspected of acting contrary to government guidelines on social interaction. FPNs allowed the accused to pay a fine rather than face prosecution for the offense.

On May 13, the prime minister announced changes that allowed those in England to leave their homes for outdoor recreation. The governments of Scotland, Wales, and Northern Ireland also began easing their lockdown restrictions in May. From May through year's end, COVID-19 guidelines in all four nations of the UK were frequently relaxed or tightened to account for shifting trends in the spread of COVID-19 as well as public pressure to reopen schools and businesses. The prime minister announced that from July 4, lockdown laws in England would no longer provide legal restrictions associated with the government's social distancing guidance. The other three nations made similar changes to their laws in July. Laws across the UK mandate some restrictive rules on social gatherings. As the spread of COVID-19 began to slow, the government took steps in July and August to loosen restrictions, allowing individuals to have small gatherings, return to the office and schools, and reopen retail businesses, restaurants, and pubs. The UK government passed laws in September that imposed additional restrictions called "local lockdowns" in areas where the virus was most prevalent. From November 5 until December 2, the prime minister imposed a lockdown across England to slow the spread of the virus.

In-country Movement: The home secretary may impose terrorism prevention and investigation measures (TPIMs) based on a "balance of probabilities." TPIMs are a form of house arrest applied for up to two years to those thought to pose a terrorist threat but who cannot be prosecuted or deported. The 14 measures include electronic tagging, reporting regularly to the police, and facing "tightly defined exclusion from particular places and the prevention of travel overseas." A suspect must live at home and stay there overnight, possibly for up to 10 hours daily. Authorities may send suspects to live up to 200 miles from their normal residence. The suspect may apply to the courts to stay elsewhere. The suspect may use a mobile phone and the internet to work and study, subject to conditions.

Exile: The law permits the home secretary to impose "temporary exclusion orders" (TEOs) on returning UK citizens or legal residents if the home secretary reasonably suspects the individual in question is or was involved in terrorism-

related activity and considers the exclusion necessary to protect people in the UK from a risk of terrorism. TEOs impose certain obligations on the repatriates, such as periodic reporting to police. The measure requires a court order and is subject to judicial oversight and appeal.

In May a UK high court issued a preliminary ruling that the restrictions imposed on individuals under TEOs must be in accordance with the provision of the European Convention on Human Rights providing for a fair trial. The ruling allows those under TEOs to know the evidence against them and to contest the terms of their obligations.

**Citizenship:** The law allows the home secretary to deprive an individual of citizenship if officials are satisfied this is “conducive to the public good,” but not if this renders a citizen stateless.

In 2019 the home secretary started the process of revoking the citizenship of Shamima Begum, a 20-year-old British citizen by birth of Bangladeshi extraction who left the UK to join ISIS. Because Begum was British by birth, the home secretary could only cancel her British citizenship if she were a dual national. The home secretary asserted that Begum held dual citizenship with Bangladesh. Begum’s lawyers disputed that she had Bangladeshi citizenship. In August the Court of Appeal of England and Wales ruled that Begum should be allowed to return to the UK to have a fair and effective appeal against being stripped of her British citizenship. In November the Supreme Court held hearings on the home office’s appeal.

#### **e. Status and Treatment of Internally Displaced Persons:**

Not applicable.

#### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern.

During the year the UK government consolidated its various refugee resettlement programs into a single “global scheme” aimed at providing more consistency in the

way that refugees are resettled and to broaden the geographical focus beyond the Middle East and North Africa. UNHCR welcomed the shift.

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

On September 20, Glasgow's six members of Parliament (MPs) signed a joint letter calling for a fatal accident inquiry into the deaths of three asylum seekers housed in the city during the year. Adnan Walid Elbi, Mercy Baguma, and Badreddin Abedlla Adam died in separate incidents. The causes of Elbi's and Baguma's deaths were not determined, although the NGO Positive Action in Housing stated they were living in "extreme poverty." In June police officers shot and killed Adam after he stabbed six persons at a hotel temporarily housing asylum seekers. Scotland's Police Investigations and Review Commissioner launched an investigation into the police shooting, but had not published the results at year's end. Media reports and NGOs suggested the government contractor providing services to Adam and other asylum seekers at the location of the attack may have been negligent in the provision of health services.

Access to Asylum: In England, Scotland, Wales, and Northern Ireland, the law provides for granting asylum or refugee status, and the government has established a system for providing protection to refugees. Asylum is a matter reserved for the UK government and is handled centrally by the Home Office. Bermuda's constitution and laws do not provide for granting asylum or refugee status, and the government does not have an established system for providing protection to refugees.

NGOs criticized the government's handling of asylum seekers crossing the English Channel from France. By October an estimated 7,000 persons had crossed the channel in more than 500 boats. Media reported that many of these asylum seekers were being held in detention centers.

Safe Country of Origin/Transit: Until the end of the year, the country was subject to the EU's Dublin III regulation and considered all other EU member states to be countries of safe origin or transit. The regulation permits authorities to remove an asylum applicant to another country responsible for adjudicating an applicant's

claim. The government placed the burden of proof on asylum seekers who arrived from safe countries of origin, who passed through a country where they were not considered to be at risk, or who remained in the country for at least five consecutive months before seeking asylum.

For the duration of their asylum application, asylum seekers are eligible for government support at 30 percent below the normal rate for their family size, an amount that NGOs continued to deem inadequate. NGOs continued to criticize the government for cutting off benefits 28 days after a person is granted refugee status, which they say left some destitute.

Employment: Refugees are eligible to work or to receive state benefits if unable to work. In Scotland the devolved government funded the Refugee Doctors' Program to help refugees to work for the National Health Service Scotland. The program offers doctors advanced English lessons, medical classes, and placements with general practitioners or hospitals, providing them with the skills needed to get their UK medical registration approved.

Temporary Protection: The government may provide temporary protection to individuals who may not qualify as refugees. In the year ending in March, the government granted humanitarian protection to 1,482 individuals (up 24 percent from 2019), 1,026 grants of alternative forms of leave (down 18 percent), and 4,968 grants of protection through resettlement schemes.

### **g. Stateless Persons**

The government provides a route to legal residence for up to five years for stateless persons resident in the country. After the initial five-year period, stateless persons are able to apply for "settled status" or further extension of their residency. The government did not publish data on the number of habitual residents who are legally stateless.

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

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

### **Elections and Political Participation**

Recent Elections: UK general parliamentary elections were held in December 2019. Bermuda held elections to the House of Assembly on October 1. Elections to the Northern Ireland Assembly were held in 2017. Independent observers reported no abuses or irregularities in any of the elections.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate.

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

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

Corruption: In March the findings of an official inquiry into allegations of large-scale corruption that led to the collapse of the Northern Ireland government in 2017 did not identify any individuals as being at fault for the costly program. It did, however, determine the initiative was poorly conceived, fiscally irresponsible, and the consequence of political negligence and administrative incompetence rather than corrupt practices.

Financial Disclosure: All MPs are required to disclose their financial interests. The *Register of Members' Interests* was available online and updated regularly. These public disclosures include paid employment, property ownership, shareholdings in public or private companies, and other interests that “might reasonably be thought to influence” the member in any way. The Scottish Parliament, the National Assembly for Wales, the Northern Ireland Assembly, and the Bermudian Parliament have similar codes of conduct for members. The ministerial code issued by the Prime Minister’s Office sets standards of conduct, including on the disclosure of gifts and travel. The national government publishes the names, grades, job titles, and annual pay rates of most civil servants with salaries greater than 150,000 pounds (\$198,000). Government departments publish the business expenses of their most senior officials and hospitality received by them.

#### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A wide variety of domestic and international human rights groups operated without government restriction, investigating and publishing their findings of human rights cases. Government officials were routinely cooperative and responsive to their views.

Government Human Rights Bodies: Parliament has a Joint Committee on Human Rights composed of 12 members selected from the House of Lords and the House of Commons. The committee investigates human rights matters in the country and scrutinizes legislation affecting human rights. It may call for testimony from government officials, who routinely comply.

The Equality and Human Rights Commission (EHRC) is an independent, nondepartmental public body that promotes and monitors human rights and protects, enforces, and promotes equality across nine “protected” grounds: age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation, and gender reassignment. The sponsoring department is the Government Equalities Office. The commission was considered effective.

The Scottish Human Rights Commission, which is accountable to the Scottish Parliament, monitors and protects human rights in the region.

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

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

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

### **Women**

Rape and Domestic Violence: The law criminalizes rape of both men and women, including spousal rape. The maximum legal penalty for rape is life imprisonment. The law also provides for injunctive relief, personal protection orders, and protective exclusion orders (similar to restraining orders) for victims of violence. The government enforced the law effectively in reported cases. Courts in some

cases imposed the maximum punishment for rape. The government provided shelters, counseling, and other assistance for survivors of rape or violence. NGOs warned that police and Crown Prosecutorial Services have raised the bar for evidence needed, causing victims to drop out of the justice process. In July the Crown Prosecution Service launched a five-year plan for the prosecution of rape and serious sexual offenses (RASSO) to help reduce the gap between reported cases and prosecutions. The plan committed to improving cooperation between police and prosecutors, fully resourcing RASSO units, and training to improve communication with victims.

The law criminalizes domestic violence. Those who abuse spouses, partners, or family members face tougher punishment than those who commit similar offenses in a nondomestic context.

The NGO Women's Aid reported that as of April 6, a total of 38 of 45 service providers had reduced or suspended at least one service due to COVID-19. NGOs expressed concern that the digitization of medical services due to COVID-19 disproportionately affected women and children of color who were less likely to have access to computers or smart phones.

The Office for National Statistics (ONS) reported in November that while police-recorded cases of domestic violence in England and Wales rose by 7 percent from March to June, compared with the same period in 2019, the rise could not be attributed entirely to the COVID-19 pandemic because police made an effort to record these crimes better in recent years. The same report stated demand for domestic violence services increased since the start of COVID-19 restrictions on movement outside the home in March, and it acknowledged that victims trapped at home with their abuser due to restrictions may not be able to report the crime to police.

The #YouAreNotAlone campaign introduced by the home secretary during the COVID-19 response aimed to raise public awareness about domestic violence and encourage those experiencing abuse to seek help. NGOs criticized the fact that the campaign was carried out entirely in English. Additionally, in April the Home Office provided an additional two million pounds (\$2.64 million) to NGOs and the Domestic Abuse Commissioner to bolster domestic abuse helplines and online support. Throughout the year professional organizations responsible for safeguarding women and children issued COVID-19 specific guidance to help practitioners, such as nurses, police, and social workers, to identify and report signs of abuse.

Domestic violence and abuse was at a 15-year high in Northern Ireland, having increased by 9.1 percent with more than 32,000 incidents (18,885 crimes) recorded by the Police Service of Northern Ireland (PSNI) from June 2019 to July 2020. Year on year, more incidents were reported during the height of the COVID-19 lockdown in April (291 more) and May (258) than in the same months in 2019. Restrictions to reduce the spread of COVID-19 forcing people to spend much more time at home created what some women's aid NGOs described as the "perfect storm" for abusers. Domestic abuse accounted for 19.1 percent of all crime recorded by the PSNI during the year, and Northern Ireland remained the only region in the UK without specific legislation on coercive control.

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

FGM/C is illegally practiced in the country, particularly within some diaspora communities where FGM/C is prevalent. The government issued 298 FGM protection orders to protect children perceived as at-risk of FGM/C.

The government took nonjudicial steps to address FGM/C, including awareness-raising efforts, a hotline, and requiring medical professionals to report FGM/C observed on patients. The National Health Service reported 6,590 newly recorded cases between April 2019 and March 2020.

Sexual Harassment: The law criminalizes sexual harassment at places of work. Authorities used different laws to prosecute cases of harassment outside the workplace.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

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

## Children

Birth Registration: A child born in the UK receives the country's citizenship at birth if one of the parents is a UK citizen or a legally settled resident. Children born in Northern Ireland may opt for UK, Irish, or dual citizenship. A child born in an overseas territory is a UK overseas territories citizen if at least one of the child's parents has citizenship. All births must be registered within 42 days in the district where the baby was born; unregistered births were uncommon.

In May the UK government confirmed that family members of British or dual Irish-British citizens in Northern Ireland would be eligible to apply for status through the EU settlement scheme. Prior to this, the government faced legal action for a claimed breach of rights in relation to citizenship and the Belfast/Good Friday Agreement. The citizen, whose application for a residence card for her U.S.-born husband was rejected, identified only as Irish and not as British but was told that under the law she is also a British citizen and legally registered as such despite her objection.

Child Abuse: Laws make the abuse of children punishable by up to a maximum sentence of 14 years' imprisonment. Social service departments in each local authority in the country maintained confidential child protection registers containing details of children at risk of physical, emotional, or sexual abuse or neglect. The registers also included child protection plans for each child.

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

Forcing someone to marry against his or her will is a criminal offense throughout the UK with a maximum prison sentence of seven years. Forcing a UK citizen into marriage anywhere in the world is a criminal offense in England and Wales. In 2019 the joint Foreign, Commonwealth, and Development Office and the Home Office Forced Marriage Unit provided support in more than 1,355 cases of potential or confirmed forced marriage involving UK citizens, which represented a 10 percent decrease from 2018. According to the Forced Marriage Unit, this figure was "in line with the average number of cases per year since 2011." Assistance included safety advice as well as "reluctant spouse cases" in which the UK

government assisted forced marriage victims in preventing their unwanted spouse from moving to the UK. The government offers lifelong anonymity for victims of forced marriage to encourage more to come forward.

In Scotland 22 cases of forced marriage were reported in 2019, down from 30 in 2018.

Sexual Exploitation of Children: The penalties for sexual offenses against children and the commercial sexual exploitation of children range up to life imprisonment. Authorities enforced the law. The law prohibits child pornography in all parts of the UK. The minimum age of consensual sex in the UK is 16.

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

### **Anti-Semitism**

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

The semiannual report of the NGO Community Security Trust (CST) recorded 789 anti-Semitic incidents during the first six months of the year. This was a 13 percent decrease from the same period in 2019, but still the third-highest number of incidents the CST has recorded during the first semester of a year. The CST noted the COVID-19 pandemic influenced how anti-Semitism manifested in the early part of the year. March and April saw the lowest monthly totals, with April being the first month since December 2017 in which the CST recorded fewer than 100 anti-Semitic incidents. These months correlated with the period when COVID-19 prevention measures regarding movements outside the home were at their strictest. The CST recorded 344 online anti-Semitic incidents, a 4 percent increase from 332 in 2019. This was the highest number of reported online anti-Semitic incidents recorded by the CST for the first half of a year. Of the 244 online incidents, 10 were reports of educational or religious online events being “hijacked” with anti-Semitic content or behavior. The CST also recorded 26 incidents of anti-Semitic rhetoric alongside references to COVID-19, such as conspiracy theories accusing Jews of inventing the COVID-19 “hoax,” of creating

and spreading COVID-19 itself for malevolent and financial purposes, or of simply wishing that Jews would catch the virus and die.

The CST recorded 47 violent anti-Semitic assaults during the first half of the year, a 45 percent decrease from of the same period in 2019. One of the violent incidents was classified by the CST as “extreme violence,” meaning the incident involved potential grievous bodily harm or a threat to life. There were 28 incidents of damage and desecration of Jewish property; 673 incidents of abusive behavior, including verbal abuse, graffiti, social media, and hate mail; 36 direct anti-Semitic threats; and five cases of mass-mailed anti-Semitic leaflets or emails. All of the listed totals were lower than the incident totals in the same categories in the first half of 2019.

More than two-thirds of the 789 anti-Semitic incidents were recorded in Greater London and Greater Manchester, the two largest Jewish communities in the UK. The CST recorded 477 anti-Semitic incidents in Greater London in the first half of the year, an increase of 2 percent from 2019. The 69 incidents the CST recorded in Greater Manchester were down from 123 in 2019 and represented a reduction of 44 percent. Anti-Semitic incidents in Manchester tended to be more street based than in Greater London, where online incidents targeted national Jewish leadership bodies and public figures. Elsewhere in the UK, the CST recorded an anti-Semitic incident in all but two of the country’s 43 police regions, compared with nine regions in the first half of 2019.

In April the newly elected Labour Party leader, Sir Keir Starmer, and the deputy leader, MP Angela Rayner, met virtually with representatives of the Jewish community to apologize to the Jewish community for allowing a culture of anti-Semitism within the party. The meeting attendees, including the Board of Deputies of British Jews, the Jewish Leadership Council, the CST, and the Jewish Labour Movement, praised Starmer for his proactive plan to root out anti-Semitism within the party, including the establishment of an independent complaints process, cooperating fully with the EHRC’s inquiry into anti-Semitism allegations, dealing promptly with all outstanding anti-Semitism cases, and training all Labour Party staff to recognize anti-Semitism.

On October 29, the EHRC published the findings of its investigation into whether the Labour Party “unlawfully discriminated against harassed or victimized people because they are Jewish.” The report found that the Labour leadership under former party leader Jeremy Corbyn breached the Equality Act by committing “unlawful harassment” in several cases in which Labour MPs were found to have

used “anti-Semitic tropes and suggesting that the complaints of anti-Semitism were fakes or smears.” The report’s targeted recommendations for the party were to commission an independent process to handle anti-Semitism complaints; implement clear rules and guidance that prohibit and sanction political interference in the complaints process; publish a comprehensive policy and procedure, setting out how anti-Semitism complaints will be handled; commission and provide education and training for all individuals involved in the anti-Semitism complaints process; and monitor and evaluate improvements to ensure lasting change. In addition to the targeted recommendations that the EHRC has a legal mandate to enforce, the commission urged changes to both the party culture and its processes. In a press briefing immediately following the report’s release, Starmer said Labour would implement all of the report’s recommendations. Corbyn issued a statement suggesting the report’s findings were overblown. Starmer suspended Corbyn from the Labour Party, but a panel of the Labour National Executive Committee subsequently readmitted him as a party member. Starmer also removed Corbyn from Labour’s parliamentary group and did not reinstate him. Corbyn remained an independent member of parliament.

### **Trafficking in Persons**

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities. The government effectively enforced the law.

On September 18, the ONS reported that from March 2 to July 14 persons with disabilities accounted for 59 percent of the deaths in the country from the COVID-19 virus.

Children with disabilities attended school through secondary education at similar rates to children without disabilities. The law requires all publicly funded preschools, nurseries, state schools, and local authorities to try to identify, help assess, and provide reasonable accommodation to children with “special educational needs or disabilities.”

In a report to Parliament in September, the Equality and Human Rights Commission stated that the Coronavirus Law 2020 gave localities overly broad

powers to cease the provision of reasonable accommodation for students with disabilities. The report also stated that, as a result of COVID-19 related delays in service provision, the drop in support for education, health, and care plans for children with disabilities could result in gaps in educational attainment between students with disabilities and those without disabilities.

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

The Department for Works and Pension recorded 44,751 official complaints about its disability benefit assessment process from April 2019 to March 2020, a 12 percent decrease from the same period in 2019. In July the Supreme Court found that the Department for Work and Pensions had not awarded the right amount of points to benefits applications involving those with mental disabilities or to those who struggle to engage with others. In September the Department for Work and Pensions started a review of claimants affected by the Supreme Court decision, which could pay eligible claimants as much as 13,000 pounds (\$17,160).

The Crown and Procurator Fiscal's Office, Scotland's prosecutor, reported in June that the number of recorded hate crimes against persons with disabilities had risen by 29 percent to 387 in 2019/20.

The EHRC provided legal advice and support to individuals and a hotline. It could also conduct formal investigations, arrange conciliation, require persons or organizations to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

### **Members of National/Racial/Ethnic Minority Groups**

The law prohibits racial and ethnic discrimination, but Travellers, Roma, and persons of African, Afro-Caribbean, South Asian, and Middle Eastern origin at times reported mistreatment on racial or ethnic grounds.

Racially motivated crime remained the most commonly reported hate crime. In October the Home Office reported 76,070 racial hate crimes in England and Wales from April 2019 to March 2020, a 6 percent increase from the same period in 2018/19. The UK government responded to nationwide antiracist demonstrations by announcing a cross-governmental commission. Prime Minister Johnson said

the commission would look at “all aspects of inequality” in employment, in health outcomes, in academia and all other walks of life.

In Scotland racial or other discriminatory motivation may be an “aggravating factor” in crimes. Race-based hate crime was the most commonly reported hate crime in Scotland, accounting for 3,038 charges in 2019/20, an increase of 4 percent on the previous year.

In Northern Ireland there were 624 racially motivated hate crimes between April 2019 and March 2020, a decrease of 78 from the previous year.

“Right to Rent” rules require all landlords in England to check the immigration documents of prospective tenants to verify they were not irregular or undocumented migrants. Landlords may be fined up to 3,000 pounds (\$3,960) for noncompliance. Although in May 2019 the UK High Court ruled that the rules discriminate against anyone without a British passport, the rules remained in force at year’s end.

Bermuda had its largest ever recorded antiracist protests in June. While 54 percent of residents described themselves as black, arrests of black persons constituted 84 percent of all arrest cases in 2017.

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

The law in England and Wales prohibits discrimination and harassment based on sexual orientation. It encourages judges to impose a greater sentence in assault cases where the victim’s sexual orientation was a motive for the hostility, and many local police forces demonstrated an increasing awareness of the problem and trained officers to identify and moderate these attacks. In November the Home Office reported a 15 percent increase in hate crimes based on sexual orientation compared with 2018/19.

Sexual motivation may be an “aggravating factor” in crimes. Crime aggravated by sexual orientation was the second most common type of hate crime in Scotland. Hate crime against lesbian, gay, bisexual, transgender, and intersex persons accounted for 1,486 charges in 2019/20, an increase of 24 percent year on year. In April the Scottish government announced that work on the Gender Recognition Act would be delayed indefinitely because of the COVID-19 pandemic. The act, which would have made it easier for persons legally to change their gender, faced

criticism, including from within the governing Scottish National Party, over how it would affect women-only services.

PSNI statistics showed there were 218 homophobic crimes and 41 transphobic crimes.

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

Hate speech, notably against Muslims, in some traditional media, particularly tabloid newspapers, continued to be a problem, with dissemination of biased or ill-founded information. Online hate speech also was a problem.

In a report released in March, the NGO Tell Mama found that anti-Muslim hate crimes in the UK increased by 692 percent in the weeks following the New Zealand Christchurch mosque attack in March 2019.

Several anti-Muslim COVID-19 conspiracy theories spread online in the UK, including theories that Muslims were not adhering to strict rules against convening at places of worship and were therefore spreading the disease. The Muslim Council of Britain's Centre for Media Monitoring submitted a report to Parliament in August suggesting that mainstream media outlets were also perpetuating images and stories that unfairly linked Islam and Muslim persons to COVID-19.

Scottish law criminalizes behavior that is threatening, hateful, or otherwise offensive at a regulated soccer match, and penalizes any threat of serious violence and threats to incite religious hatred through the mail or the internet.

In Northern Ireland crimes related to faith or religion totaled 15 for the same period, marking a reduction of eight from the previous year. Sectarian crimes decreased by 19 to 628.

In March the government introduced measures to protect renters affected by COVID-19. As long as the protections remain in force, no renter in either social or private accommodation may be evicted for failing to make rent payments. From August 29, landlords are required to give renters six months' notice if they intend to begin eviction proceedings. Simultaneously, all housing possessions going through court were suspended from March through September 20. When the suspension was lifted, courts were ordered to prioritize only the most egregious cases involving criminal behavior. Longer notice periods and new court rules will continue to apply while COVID-19 restrictions are in place, whether at the national

or local level. Evictions were suspended during the second national lockdown from November 5 to December 2, after which the suspension was extended through January 2021.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government routinely respected these rights. The law prohibits antiunion discrimination and protects employees from unfair dismissal while striking, provided the union has complied with the legal requirements governing such industrial action.

The law allows strikes to proceed only when at least 50 percent of workers who participate in a secret ballot support it. For “important public services,” defined as health services, education for those younger than 17, fire services, transport services, nuclear decommissioning and the management of radioactive waste and spent fuel, and border security, 40 percent of all eligible union members must vote in favor of the strike action, and ballots require at least a 50 percent turnout to be valid and for strike action to be legal.

The law does not cover workers in the armed forces, public-sector security services, police forces, and freelance or temporary work. According to the International Trade Union Confederation (ITUC), the right to strike in the UK is “limited” due to prohibitions against political and solidarity strikes, lengthy procedures for calling strikes, and the ability of employers to seek injunctions against unions before a strike has begun if the union does not observe all legal steps in organizing the strike.

The government generally enforced the law. Remedies were limited in situations where workers faced reprisal for union activity, and ITUC stated that the law does not provide “adequate means of protection against antiunion discrimination.” Penalties range from employers paying compensation to reinstatement and were commensurate with those for similar violations. Inspection was sufficient to enforce compliance. The Department for Business, Energy, and Industrial Strategy funded the Advisory, Conciliation, and Arbitration Service (ACAS), which works to help employees and employers better adhere to collective bargaining and other workplace laws and to improve workplace relationships. If ACAS is not able to settle a dispute, a claim can be brought to the Employment Tribunal.

The government and employers routinely respected freedom of association and the right to collective bargaining. The law allows any workplace with more than 21 workers to organize into a collective bargaining unit if 50 percent of workers agree and the employer accepts the terms. Unions and management typically negotiated collective “agreements,” which were less formal and not legally enforceable. The terms of the agreement could, however, be incorporated into an individual work contract with legal standing.

The law does not allow independent trade unions to apply for de-recognition of in-house company unions or to protect individual workers seeking to do so. The effect has been that some in-house company unions operate with a membership less than the majority of workers.

Trade union membership levels rose for three consecutive years since 2016, driven by the increase in female members and public-sector workers. According to the ONS, approximately 6.44 million employees were trade union members in 2019. Membership levels were below the 1979 peak of more than 13 million.

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

The law prohibits all forms of forced and compulsory labor.

The law permits punishment of up to life imprisonment for all trafficking and slavery offenses, including sexual exploitation, labor exploitation, and forced servitude. Firms with a global turnover of 36 million pounds (\$47.5 million) that supply goods or services in the UK must by law publish an annual statement setting out what steps they are taking to ensure that forced labor is not being used in their operations and supply chain. Foreign companies and subsidiaries that “carry on a business” in the UK also have to comply with this law. The law allows courts to impose reparation orders on convicted exploiters and prevention orders to ensure that those who pose a risk of committing modern slavery offenses cannot work in relevant fields, such as with children.

The government effectively enforced the law. Resources and inspections were generally adequate, and penalties were sufficiently stringent compared with other sentences for serious crimes.

Forced labor occurred in the UK involving both foreign and domestic workers, mainly in sectors characterized by low-skilled, low-paid manual labor and heavy

use of flexible, temporary workers. Those who experienced forced labor practices tended to be poor, living on insecure and subsistence incomes and in substandard accommodations. Forced labor was normally more prevalent among men, women, and children of the most vulnerable minorities or socially excluded groups. The majority of victims were British nationals including minors or young adults forced by criminal gangs to sell drugs.

Albania and Vietnam were the most likely foreign countries of origin for forced labor. Most labor migrants entered the UK legally. Many migrants used informal brokers to plan their journey and find work and accommodation in the UK, enabling the brokers to exploit the migrants through high fees and to channel them into forced labor situations. Many with limited English were vulnerable and trapped in poverty through a combination of debts, flexible employment, and constrained opportunities. Migrants were forced to share rooms with strangers in overcrowded houses, and often the work was just sufficient to cover rent and other subsistence charges. Forced labor was the most common form of exploitation reported in the UK, followed by sexual exploitation. Migrant workers were subject to forced labor in agriculture (especially in marijuana cultivation), construction, food processing, service industries (especially nail salons), and on fishing boats. Women employed as domestic workers were particularly vulnerable to forced labor.

In Bermuda there were no reported cases of forced labor during the year. The government effectively enforced the law. Expatriate workers are required to obtain a work permit based on the type of work and the expected length of time of employment in Bermuda. The law requires employers to repatriate work-permit holders. Failure to do so has been a migrant complaint. Cases of worker exploitation largely consisted of employers requiring workers to work longer hours or to perform work outside the scope of their work permit, threatening the status of their permit. Penalties for forced labor were generally commensurate with those for similar crimes.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits all of the worst forms of child labor. UK law prohibits the employment of children younger than 13 with exceptions for sports, modeling, and paid performances, which may require a child performance license, depending on

local bylaws. Children younger than age 18 are prohibited from working in hazardous environments. The law prohibits those younger than 16 from working in an industrial enterprise, including transportation or street trading. Children's work hours are strictly limited and may not interfere with school attendance. Different legislation governs the employment of persons younger than 16, and, while some laws are common across the UK, local bylaws vary. If local bylaws so require, children between the ages of 13 and 16 must apply for a work permit from a local authority. The local authority's education and welfare services have primary responsibility for oversight and enforcement of the permits.

The Department for Education has primary regulatory responsibility for child labor, although local authorities generally handled enforcement. Penalties were commensurate with equally severe crimes.

In Bermuda children younger than 13 may perform light work of an agricultural, horticultural, or domestic character if the parent or guardian is the employer. Schoolchildren may not work during school hours or more than two hours on school days. No child younger than 15 may work in any industrial undertaking, other than light work, or on any vessel, other than a vessel where only family members work. Children younger than 18 may not work at night except that those ages 16 to 18 may work until midnight; employers must arrange for safe transport home for girls between ages 16 and 18 working until midnight. Penalties were commensurate with those for similar crimes, and inspection was sufficient to enforce compliance. The government effectively enforced the law. The Bermuda Police Service reported no cases of child labor or exploitation of children during the year.

No cases of child labor were reported in overseas British territories, but gaps in the law made children vulnerable. The governments of Anguilla, the British Virgin Islands, the Falkland Islands, Montserrat, and St. Helena-Ascension-Tristan da Cunha have not developed a list of hazardous occupations prohibited for children. On Anguilla the minimum age for labor is 12 and for hazardous work 14, allowing children to engage in work deemed hazardous.

There are legislative gaps in the prohibition of trafficking in children for labor exploitation and the use of children for commercial sexual exploitation on the Falkland Islands and St. Helena-Ascension-Tristan da Cunha. While criminal laws prohibit trafficking in children for sexual exploitation, they do not address trafficking in children for labor exploitation. Laws do not exist in Montserrat regarding the use of children in drug trafficking and other illicit activities.

Traffickers subjected children to commercial sexual exploitation in Turks and Caicos.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> for information on UK territories.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination in employment or occupation regarding race, color, sex, religion or belief, political opinion, national origin or citizenship, social origin, disability, sexual orientation, gender identity or reassignment, marriage and civil partnership, being pregnant or on maternity leave, age, language, or HIV or other communicable disease status. The government effectively enforced these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, gender, and sexual orientation and gender identity. Women were paid less than men, and persons with disabilities faced discrimination in hiring, access to the workplace, and training. Ethnic minorities faced difficulty in hiring and attaining promotion, as well as discrimination in the work place.

The law requires equal pay for equal work. Businesses with more than 250 employees are required to measure, and then report, on how they pay men and women. This affected 8,000 businesses employing approximately 11 million persons. The pay gap has narrowed over the long term for low earners but has remained largely consistent over time for high earners. The Equality and Human Rights Commission is charged with enforcing pay gap reporting requirements. The deadline for pay-gap reporting was suspended due to the COVID-19 pandemic.

In 2019 the finance sector had the highest pay gap of all sectors, with the average woman earning 35.6 percent less than the average man.

In Northern Ireland the law prohibits discrimination in employment or occupation regarding age, disability, gender or gender reassignment, marital or civil partnership status, pregnancy and maternity, race, sex, sexual orientation, religion or political affiliation. The Northern Ireland Equality Commission assisted with 15 cases of disability discrimination throughout the year, 12 cases of gender discrimination, and 10 cases of race discrimination in the workplace. Gender

discrimination cases included complaints from women that their employment had been unfairly terminated due to reasons related to their pregnancy. Race discrimination cases included instances of harassment at the workplace. Teachers applying to work in religious schools, however, are not protected from discrimination on religious grounds. Employers must register with the Northern Ireland Equality Commission if they employ more than 10 persons. Registered employers are required to submit annual reports to the commission on the religious composition of their workforce.

In Scotland the law prohibits discrimination on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Scottish government introduced a plan in March 2019 to address the gender pay gap, estimated at 5.7 percent in 2018. This plan set a goal of reducing the gender pay gap by 2021 and includes 50 actions to provide resources and support for working women and mothers.

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

The minimum wage for workers age 25 or older, known as the National Living Wage, is above the poverty level.

The law limits the workweek to an average of 48 hours, normally averaged over a 17-week period. The law does not prohibit compulsory overtime, but it limits overtime to the 48-hour workweek restriction. The 48-hour workweek regulations do not apply to senior managers and others who can exercise control over their own hours of work. There are also exceptions for the armed forces, emergency services, police, domestic workers, sea and air transportation workers, and fishermen. The law allows workers to opt out of the 48-hour limit, although there are exceptions for airline staff, delivery drivers, security guards, and workers on ships or boats.

The government effectively enforced the wage and hour laws. Penalties were generally commensurate with those for similar violations and inspections were sufficient to enforce compliance. Although criminal enforcement is available, most minimum wage noncompliance is pursued via civil enforcement through the courts.

The government set appropriate and current occupational safety and health standards. The law stipulates that employers may not place the health and safety of employees at risk. The Health and Safety Executive is responsible for identifying

unsafe situations, and not the worker, and inspectors had the authority to conduct unannounced inspections, levy fines, and initiate criminal proceedings. By law workers can remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

In response to the COVID-19 pandemic, beginning in March the government advised citizens to work from home if possible. Employers of “essential workers,” such as hospital staff, grocery store workers, and public works departments, were required to make arrangements to work safely. In July the government allowed anyone unable to work from home to return to their place of work, as long as their employer had put in place sufficient safety measures. The government issued “COVID-secure” workplace guidance for different sectors of the economy. Employers that fail to meet these standards can be reported to the local authority or the Health and Safety Executive (HSE), an arm of the Department for Work and Pensions, which can require employers to take additional steps where appropriate. Certain businesses, such as theaters and live music venues, have been ordered to close to reduce the spread of coronavirus COVID-19, contributing to a steep rise in unemployment.

The HSE effectively enforced occupational health and safety laws in all sectors including the informal economy. The fines for violations were commensurate with those for similar laws. HSE inspectors also advise employers on how to comply with the law. Employers may be ordered to make improvements, either through an improvement notice, which allows time for the recipient to comply, or a prohibition notice, which prohibits an activity until remedial action has been taken. The HSE issued notices to companies and individuals for breaches of health and safety law. The notice may involve one or more instances when the recipient failed to comply with health and safety law, each of which was called a “breach.” The HSE prosecuted recipients for noncompliance with a notice while the Crown Office and Procurator Fiscal Service (COPFS) prosecuted similar cases in Scotland. The International Labor Organization expressed concern that the number of HSE inspectors decreased in recent years, noting that the number of cases brought by the HSE had also declined.

From April 10 to October 17, there were 11,278 disease notifications of COVID-19 in workers where occupational exposure was suspected, including 162 death notifications.

Figures for April 2019 to March 2020 revealed 111 persons were fatally injured at work. An estimated 581,000 workers sustained a nonfatal injury at work according to self-reports in 2018-19. A total of 69,208 industrial injuries were reported in 2018-19 in the UK. The HSE and COPFS prosecuted 394 cases with at least one conviction secured in 364 of these cases, a conviction rate of 92 percent. Across all enforcing bodies, 11,040 notices were issued. The HSE and COPFS prosecutions led to fines totaling 54.5 million pounds (\$71.9 million) compared with the 71.6 million pounds (\$94.5 million) in 2017-18.

Bermuda's legislation does not provide a minimum or living wage, and efforts to introduce one have not progressed. The Bermuda Department of Labour and Training enforces any contractually agreed wage, hours and safety and health standards. Regulations enforced by the department extensively cover the safety of the work environment, occupational safety, and health standards and are current and appropriate for the main industries. By law workers can remove themselves from situations that endangered health or safety without jeopardy to their employment. Penalties were commensurate with those for similar violations.