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## Human Rights Council

Working Group on the Universal Periodic Review

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### Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21

#### United Kingdom of Great Britain and Northern Ireland\*

The present report is a summary of 75 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

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\* The present document was not edited before being sent to United Nations translation services.

## **I. Information provided by the accredited national human rights institutions of the State under review in full compliance with the Paris Principles**

### **Background and framework**

1. The Northern Ireland Human Rights Commission (NIHRC)<sup>2</sup> referred to recommendations 12,<sup>3</sup> 15,<sup>4</sup> 21,<sup>5</sup> 22,<sup>6</sup> 23,<sup>7</sup> 24<sup>8</sup> and 26<sup>9</sup> and stated that the United Kingdom should inter alia (a) remove its interpretative declaration<sup>10</sup> in relation to the OP-CRC-AC; its interpretative declaration<sup>11</sup> in relation to ICERD; and its reservations to Articles 12. 4, 24(a) and (b) and 27 of CRPD; (b) ratify the ICCPR-OP1, ICCPR-OP2, ICESCR-OP and ICRMW;<sup>12</sup> (c) issue the required declarations under Article 22 of CAT and Article 14 of ICERD.<sup>13</sup>
2. NIHRC referred to recommendation 19<sup>14</sup> and stated that a bill of rights for Northern Ireland was yet to be introduced.<sup>15</sup>
3. The Scottish Human Rights Commission (SHRC) stated that the Scottish Government's initiative to introduce a duty on its Ministers to have "due regard" to the CRC should be extended to other international human rights treaties, but should not be an alternative to the incorporation of these instruments.<sup>16</sup> The Equality and Human Rights Commission (EHRC)<sup>17</sup> stated that the Welsh Government introduced similar legislation, and recommended a similar model for England.<sup>18</sup>
4. EHRC expressed concern over the inequalities in the enjoyment of the right to health, education and employment.<sup>19</sup>
5. SHRC stated that its budget has been cut and recommended that the Scottish Parliament ensure adequate funding to enable functioning in accordance with the Paris Principles.<sup>20</sup>
6. NIHRC referred inter alia to recommendation 13<sup>21</sup> and called for a national programme to combat overcrowding in prisons; action to address high prison populations;<sup>22</sup> and a Foreign National Prison Strategy.<sup>23</sup> NIHRC stated that there was no women's prison and gender-appropriate services in Northern Ireland.<sup>24</sup>
7. EHRC stated that Inquiries that examined allegations of torture in Iraq, including the Baha Mousa Inquiry, fell short of a full public inquiry.<sup>25</sup> The Detainee Inquiry that will investigate allegations of complicity in torture abroad should comply with international standards.<sup>26</sup>
8. EHRC expressed concern that as recipients of health and social care, elderly people whose home care was delivered by private providers did not have the same level of protection under the Human Rights Act when compared to those who received care from public bodies.<sup>27</sup>
9. EHRC stated that the current proposals for legal aid reform should not unduly restrict legal aid for civil cases, as this would affect access to justice for the most vulnerable.<sup>28</sup>
10. In relation to freedom of association and peaceful assembly, EHRC recommended restrictions on the use of "kettling", overt and covert surveillance of protestors, pre-emptive measures and banning orders.<sup>29</sup>

11. EHRC remained concerned that progress in reducing the gender-pay gap was considerably slow and recommended government policies and legal provisions to encourage equal pay practices.<sup>30</sup>
12. EHRC stated that proposed reforms to the welfare system may impact unfavourably on vulnerable people, especially people who were disabled.<sup>31</sup>
13. SHRC stated that the recent forced eviction from Dale Farm in England was an example of the failure to adopt human rights based strategies to reconcile the rights of the Gypsy/Traveller communities to those of settled communities.<sup>32</sup>
14. EHRC expressed concern inter alia about the lack of protection for migrant domestic workers.<sup>33</sup>
15. NIHRC referred to recommendations 9<sup>34</sup> and 15<sup>35</sup> and recommended that the United Kingdom implement the 1<sup>st</sup> and 2<sup>nd</sup> phases of the WPHRE<sup>36</sup> and that the Northern Ireland Executive prioritises human rights training in schools and in the civil service.<sup>37</sup>
16. NIHRC referred to recommendation 12<sup>38</sup> and recommended investigations into deaths that occurred during the conflict in Northern Ireland.<sup>39</sup>
17. NIHRC referred to recommendations 6<sup>40</sup> and 9,<sup>41</sup> and expressed concern that the Terrorism Prevention and Investigation Measures Bill retained the use of ‘closed hearings’ using the special advocate procedure.<sup>42</sup>
18. NIHRC referred to recommendations 2,<sup>43</sup> 7<sup>44</sup> and 9<sup>45</sup> and stated that the over-use of custodial remand for children in Northern Ireland indicated that the CRC was not fully implemented.<sup>46</sup>
19. SHRC stated that Scotland’s prisons continued to operate beyond capacity and concerns existed, inter alia, with the increasingly disproportionate number of female prisoners.<sup>47</sup>
20. NIHRC referred to recommendations 2,<sup>48</sup> 9<sup>49</sup> and 25<sup>50</sup> and stated that the current age of criminal responsibility across the United Kingdom – 10 years in England, Wales and Northern Ireland, and 12 years in Scotland – was too low.<sup>51</sup>
21. NIHRC referred to recommendation 16, the Child Poverty Act 2010 and the Child Poverty Strategy, and called on the United Kingdom to specify how it intended to end child poverty.<sup>52</sup>
22. NIHRC referred to recommendations 1,<sup>53</sup> 3,<sup>54</sup> 4<sup>55</sup> and 5<sup>56</sup> and stated inter alia that prevalence of domestic and sexual violence remained high in Northern Ireland.<sup>57</sup>
23. NIHRC referred to recommendation 15<sup>58</sup> and stated that the “UK Single Equality Act” was not applicable to Northern Ireland and the commitment in the St Andrew’s Agreement to a Single Equality Bill was yet to materialise.<sup>59</sup>
24. SHRC stated that the Scottish Government expressed its commitment to exploring human rights based approach to climate change, and recommended the implementation of this commitment.<sup>60</sup>

## II. Information provided by other stakeholders

### A. Background and framework

#### 1. Scope of international obligations<sup>61</sup>

25. Joint Submission 10 (JS 10) referred to recommendations 25<sup>62</sup> and 26<sup>63</sup> and stated that the United Kingdom has lifted its reservations to the CRC on immigration and citizenship, and ratified the OP-CRC-SC and the CRPD.<sup>64</sup>

26. Save the Children (SC) stated that the United Kingdom has not withdrawn its reservation to OP-CRC-SC.<sup>65</sup>

27. Child Soldiers International (CSI) stated that the United Kingdom considered its declaration when OP-CRC-AC was ratified to be an “interpretive statement” rather than a reservation. As the declaration limited the legal effect of OP-CRC-AC, it was tantamount to being a reservation.<sup>66</sup>

28. Joint Submission 9 (JS 9) encouraged the United Kingdom to withdraw the four reservations and the interpretive declaration it had entered when it ratified CRPD.<sup>67</sup>

29. Joint Submission (JS 6) stated that the United Kingdom has failed to meet its international obligations arising from CEDAW, ICESCR and ICCPR because it has not extended to Northern Ireland, the abortion legislation introduced in England, Scotland and Wales in 1967.<sup>68</sup>

30. The Redress Trust (Redress) stated that the United Kingdom has not accepted the right of petition under CAT; and has not ratified the ICCPR-OP2.<sup>69</sup>

31. The Children's Rights Alliance for England (CRAE)<sup>70</sup> called for acceptance of the right of petition with regard to the ICCPR-OP1, CPED,<sup>71</sup> and the CAT.<sup>72</sup>

32. Joint Submission 13 (JS 13) called for the ratification of ICRMW, ICESCR-OP and ICCPR-OP1.<sup>73</sup>

33. Joint Submission 12 (JS 12) stated that the actions of the police, pursuant to Section 60 of the Criminal Justice and Public Order Act 1994,<sup>74</sup> were in violation of CERD and UDHR.<sup>75</sup>

34. Council of Europe – European Commission against Racism and Intolerance (CoE-ECRI) urged the United Kingdom to sign and ratify Protocol No. 12 to the European Convention on Human Rights.<sup>76</sup>

#### 2. Constitutional and legislative framework

35. Joint Submission 8 (JS 8) and JS 10 stated that none of the human rights treaties ratified by the United Kingdom has been incorporated into law,<sup>77</sup> including the CRC.<sup>78</sup> JS 9 stated that the failure to incorporate the CRPD into law limited the enforcement of rights of persons with disabilities.<sup>79</sup>

36. JS 8 stated that in Wales, the Rights of Children and Young Persons Measure, passed in March 2011, placed a duty on Ministers to have due regard to the CRC in exercising any of their functions.<sup>80</sup> JS 10 stated that the Scotland's bill, similar to the Welsh Measure, could not serve as an alternative to the incorporation of the CRC into law.<sup>81</sup>

37. Conscience and Peace Tax International (CPTI) recommended that the United Kingdom enshrine in legislation the procedures for release from the armed forces on grounds of conscientious objection.<sup>82</sup>

38. JS 10, JS 8, Amnesty International (AI), Justice, Freedom from Torture (FT), JUST West Yorkshire (JWY) and the Law Society of England and Wales (LS) stated that the United Kingdom Government established a Commission to explore the creation of a “UK Bill of Rights”. This Commission operated “within a political environment”<sup>83</sup> that was “openly hostile to human rights”<sup>84</sup>. Its terms of reference made no mention of the HRA when any new bill of rights should build on and strengthen the current protection for human rights provided by the HRA. The HRA included a mechanism for dividing responsibility between Parliament, the executive and the courts for ensuring effective protection of human rights. However, there was now a “political agenda to redefine these responsibilities with a view to diluting the role of the courts”.<sup>85</sup> Consequently, concerns were raised about the possible replacement of the HRA.<sup>86</sup> LS recommended that the retention of HRA with none of the rights removed or diluted and the inclusion of additional rights.<sup>87</sup>

39. JS 13 called on the United Kingdom to guarantee during its upcoming review that the HRA will be maintained and built upon.<sup>88</sup>

40. The Office of the Children’s Commissioner (OCC)<sup>89</sup> recommended that a new bill of rights should include specific rights for children.<sup>90</sup>

41. The Committee on the Administration of Justice (CAJ) and JS 13 stated that The Belfast (Good Friday) Agreement<sup>91</sup> provided for a Bill of Rights for Northern Ireland.<sup>92</sup> BIRW stated that Northern Ireland needed a Bill of Rights that would reflect its own particular circumstances.<sup>93</sup>

### **3. Institutional and human rights infrastructure and policy measures**

42. SC called for compliance of the four Children’s Commissioners with the Paris Principles.<sup>94</sup>

43. The Children’s Commissioner for Wales (CCW) called for legislative amendment to remove the OCC’s functions in Wales, Northern Ireland and Scotland over non-devolved issues, enabling each of the Children’s Commissioners to promote and protect all of the rights of children in their devolved territories.<sup>95</sup>

44. OCC stated that the “Public Bodies Bill” which will allow Ministers to modify inter alia the functions of the Equality and Human Rights Commission (EHRC), was inconsistent with the EHRC’s status as an independent NHRI.<sup>96</sup>

45. JS 8 stated that it remained concerned about inter alia the lack of a strategic approach by the Welsh Government with regard to children’s rights.<sup>97</sup>

46. AI stated that the United Kingdom took a restrictive interpretation of the extraterritorial application of human rights protections under international law in relation to its obligations to regulate United Kingdom based companies operating overseas.<sup>98</sup>

47. Institute for Human Rights Business (IHRB) stated that United Kingdom removed the criteria for environmental and social impact assessments on certain projects that were required for project funding by the Export Credit Guarantee Department (ECGD)/ UK Export Finance (UKEF).<sup>99</sup>

48. Joint Submission 11 (JS 11) stated that the activities of a significant number of United Kingdom registered companies, operating within indigenous territories around the world, have violated the rights of Indigenous People.<sup>100</sup>

## **B. Cooperation with human rights mechanisms**

### **Cooperation with treaty bodies<sup>101</sup>**

49 JS 9 expressed concern about the United Kingdom's delay in submitting its initial report to CRPD.<sup>102</sup>

## **C. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **1. Equality and non-discrimination**

50. CoE-ECRI stated that while progress has been made towards eliminating discrimination, inequalities remain.<sup>103</sup>

51. JS 13 stated that some sections of the Equality Act 2010 (EA) were yet to come into force.<sup>104</sup> JS 9 stated that provisions on achieving equality for persons with disabilities were weak.<sup>105</sup>

52. CCW stated that the EA did not offer children protection from discrimination on the grounds of their age.<sup>106</sup>

53. Abused Men in Scotland (AMIS) stated that in Scotland there was an institutional bias against men in relation to access to their children in cases which included divorce or separation.<sup>107</sup>

54. UKJCW stated that the labour market was characterised by persistent occupational segregation, rooted in gendered patterns of skills acquisition, which are underpinned by stereotyping girls' and women's aptitudes, preferences, and capabilities.<sup>108</sup>

55. Joint Submission 5 (JS 5) stated that because of their caste Dalits faced discrimination in various areas including employment.<sup>109</sup> At a meeting in the House of Lords, it was decided to amend the EA to provide for caste as an aspect of race.<sup>110</sup>

56. ODVV stated that the counter-terrorism policy encouraged the public to treat Muslims as legitimate objects of abuse.<sup>111</sup>

### **2. Right to life, liberty and security of the person**

57. JS 7 stated that the Detainee Inquiry that will examine the alleged complicity of the intelligence services in tortures abroad was unlikely to comply with relevant international and domestic laws.<sup>112</sup>

58. Redress stated that *Guidance*<sup>113</sup> to intelligence officers on cooperation with foreign agencies where it was known or believed that torture would occur was inconsistent with the CAT.<sup>114</sup>

59. Redress stated that the United Kingdom should accept the extra-territorial application of the CAT and the ICCPR for actions of its officials abroad,<sup>115</sup> and the obligation to prosecute or extradite torture suspects who entered its jurisdiction.<sup>116</sup>

60. British Irish Rights Watch (BIRW) stated that the plastic bullets used by the police in riot control in Northern Ireland could potentially cause fatalities.<sup>117</sup>

61. The Council of Europe, the European Commission on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) stated that in England and Wales the policy and guidance on the use of electro-shock weapons (Tasers) by police was loosely worded and opened the door to the misuse of Tasers.<sup>118</sup>

62. AMIS stated that domestic abuse was a significant problem in Scotland;<sup>119</sup> and men, as victims, were marginalised by the authorities.<sup>120</sup>

63. GIEACPC referred to recommendations 2,<sup>121</sup> 3,<sup>122</sup> 4,<sup>123</sup> and 5<sup>124</sup> and stated that since the Review,<sup>125</sup> the legality of corporal punishment of children in the United Kingdom remained unchanged.<sup>126</sup> Corporal punishment remained lawful in the home.<sup>127</sup> The Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) stated that the laws were not compliant with international human rights standards.<sup>128</sup> JS 8 stated that they were in breach of the CRC.<sup>129</sup>

64. GIEACPC stated that corporal punishment was prohibited in all state and private schools. In the penal system, corporal punishment was unlawful as a sentence for a crime. Corporal punishment was also prohibited in residential care institutions and in foster care arranged by local authorities or voluntary organisations, but remained lawful in private foster care.<sup>130</sup>

65. World Vision (WVUK) stated that while British citizens and residents were prosecuted in the United Kingdom for exploitation and abuse of children abroad, the rate of successful prosecutions remained low.<sup>131</sup>

66. UKJCW stated that the United Kingdom government has made little progress on creating a coordinated, 4-nation strategy on violence against women.<sup>132</sup>

67. CoE-CPT made recommendations with regard to arrests, detention and imprisonment of persons which included providing detained persons with written copies of their rights.<sup>133</sup>

68. Women in Prison (WIP) stated that the lack of appropriate clothing for women in some prisons infringed their right to dignity.<sup>134</sup> HLPR stated that the prison service did not meet the needs of vulnerable women.<sup>135</sup>

69. BIRW stated, in relation to Northern Ireland, that in the Her Majesty's Maghaberry prison, the separation of paramilitary prisoners from other prisoners restricted access to facilities.<sup>136</sup> Also, there was no separate women's prison.<sup>137</sup>

70. SCLD stated that many of the programmes aimed at rehabilitation and parole of prisoners with learning disabilities were not accessible.<sup>138</sup>

71. The Poppy Project (PP) stated that there was no free-standing legal framework for the recognition or protection of trafficking victims and there was an overreliance on the asylum system to inform decision-making on trafficking.<sup>139</sup>

72. ASI stated that the National Referral Mechanism (NRM)<sup>140</sup> was formally used to identify victims of human trafficking. The NRM was flawed. It, inter alia, relied excessively on the discretion of officials, who had minimal training.<sup>141</sup>

73. The Organization for Defending Victims of Violence (ODVV) stated that care for adult women trafficked for sexual exploitation was provided to those victims who satisfied specific criteria. Thus, not all victims in need of care received such care.<sup>142</sup>

### **3. Administration of justice, including impunity and the rule of law**

74. BIRW stated that the United Kingdom has failed to set-up a mechanism to address the legacy of the conflict in Northern Ireland, despite such recommendation from the Consultative Group on the Past.<sup>143</sup>

75. BIRW stated that the United Kingdom Government agents colluded with both republican and loyalist paramilitaries throughout the conflict in Northern Ireland; and that there was such collusion in the murder of Patrick Finucane. However, despite the 2001

“Weston Park Agreement”<sup>144</sup> and the recommendation of retired Canadian Supreme Court Judge Peter Cory, an inquiry has not been held.<sup>145</sup>

76. Scottish Campaign against Irresponsible Drivers (SCID) stated that accident victims injured as a consequence of criminal driving were not recognised as victims of crime.<sup>146</sup>

77. CoE-ECRI recommended training of personnel in the criminal justice system on the legal prohibition of racially or religiously aggravated behaviour in Northern Ireland.<sup>147</sup>

78. Justice stated that Scottish criminal procedure provided for a detainee to have access to legal representation while at a police station. However, in England and Wales, a detainee’s access to legal representation was at the discretion of individual police officers.<sup>148</sup>

79. Howard League for Penal Reform (HLPR) stated that despite the announcement that the Imprisonment for Public Protection sentence will be abolished, the large number of people serving indeterminate sentences will continue to be held indefinitely and until the prison service was able to provide the required courses for their eligibility for release.<sup>149</sup>

80. LS stated that allegations that members of the legal profession were subjected to phone hacking and surveillance by some newspapers merited specific consideration by the Leveson Inquiry,<sup>150</sup> as these practices may have been carried out with the intention of undermining court action, and could have constituted an attempt to pervert the course of justice.<sup>151</sup>

81. CCW called for a re-orientation of the juvenile justice system in order to inter alia ensure the non-criminalisation of children; and respect for the rights of children in custody.<sup>152</sup> JS 7 stated that staffs at the four secure training centres,<sup>153</sup> which were privately run, were inadequately trained.<sup>154</sup> HLPR expressed concerns about the use of restraint, solitary confinement and forcible strip-searching of children in custody.<sup>155</sup> OCC stated that pain-inflicting restraint techniques were used despite the risk of serious injury to children.<sup>156</sup>

82. BIRW stated that the United Kingdom’s intelligence services operated secretly and was not subject to any public oversight, nor were individual operatives held to account for their actions.<sup>157</sup>

83. HRCS stated that the Scottish Parliament has barred it from providing assistance for human rights cases.<sup>158</sup>

84. WIP stated that women faced discrimination and inequality in the criminal justice system and the United Kingdom has not taken discernible action to implement a gender-responsive criminal justice system.<sup>159</sup>

#### **4. Right to privacy**

85. The Scottish Transgender Alliance (STA) stated that the “Gender Recognition Act 2004” prevented intersex people from accessing legal gender recognition.<sup>160</sup>

86. Islamic Human Rights Commission (IHRC) stated the introduction of body scanners in Heathrow and Manchester airports violated the right to privacy.<sup>161</sup>

#### **5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

87. The Odysseus Trust (OT) stated that the common law offences of blasphemy and blasphemous libel which were abolished in England and Wales still existed in Northern Ireland.<sup>162</sup>



88. English PEN (PEN) stated that current libel laws in England and Wales significantly infringed free expression and discouraged legitimate investigative reporting.<sup>163</sup>

89. Article 19 stated that the Digital Economy Act 2010 required internet service providers (ISPs) to inter alia take measures against subscribers without legal process;<sup>164</sup> and Nominet, the domain name register, was considering freezing domain names at the request of the police, without a court order.<sup>165</sup>

90. Article 19 stated that the “Official Secrets Act” was frequently used to silence government whistle-blowers.<sup>166</sup>

91. Engender<sup>167</sup> stated that mechanisms for improving women’s access to power, participation and decision making were failing. It recommended inter alia compulsory quotas for candidate selection.<sup>168</sup>

## **6. Right to work and to just and favourable conditions of work**

92. The Joseph Rowntree Foundation (JRF) stated that the lack of knowledge of employment rights, amongst other factors, made migrant workers vulnerable to exploitation.<sup>169</sup>

93. IHRB stated that The Gangmasters Licensing Authority which has been an effective enforcement body of the rights of vulnerable workers within its five industry sectors may either face severe funding cuts or closure.<sup>170</sup>

94. Kalayaan stated that domestic workers in diplomatic households reported similar levels of abuse to those in private households and were found to be twenty times more likely to have been trafficked.<sup>171</sup>

95. Kalayaan stated that despite the recognition of the visa for domestic workers in private households (visa) as good practice by the International Labour Organisation,<sup>172</sup> the United Kingdom proposed to either end the issuance of the visa or amend it. Kalayaan called for the retention of the visa and its extension to domestic workers in diplomatic households.<sup>173</sup>

96. The Council of Europe: European Committee of Social Rights (CoE-ECSR) concluded that the United Kingdom did not comply with the European Social Charter for reasons including the inadequate safeguards to prevent workers from working more than twelve hours a day.<sup>174</sup>

## **7. Right to social security and to an adequate standard of living**

97. CCW referred to recommendation 16<sup>175</sup> and stated that the commitment to half child poverty by 2010 was not achieved.<sup>176</sup> CCW called for sufficient resources to tackle child poverty.<sup>177</sup>

98. JS 8 stated that the “Child Poverty Strategy” lacked clear recognition of the financial pressures facing families and the impact this was having on children.<sup>178</sup>

99. JS 8 stated that in Wales, the passage of the “Children and Families Measure” made statutory provision to take forward its commitment to eradicate child poverty.<sup>179</sup> CCW stated that many of the levers which impact on child poverty were not within the competency of the National Assembly for Wales.<sup>180</sup>

100. Engender stated that the Child Poverty Strategy for Scotland<sup>181</sup> has failed to materialise into concrete plans for lifting children out of poverty through directly addressing the poverty of their mothers.<sup>182</sup>

## **8. Right to health**

101. Joint Submission 6 (JS 6) stated that in Northern Ireland the legislation on abortion hindered women from realising the highest attainable standard of physical and mental health.<sup>183</sup>

102. JS 10 stated that the specialist child and adolescent services for those with mental health problems in Scotland was inadequate.<sup>184</sup>

103. SCFS expressed concern over the use of drug chemical ‘coshes’ for children with conditions such as Attention deficit hyperactivity disorder (ADHD) and for adults in residential care.<sup>185</sup>

104. AKC stated that neuroleptic drugs were not licensed for use in “dementia care” but have become part of routine treatment in care homes, despite the increased risk of death.<sup>186</sup>

105. Age UK (AU) stated that elderly people do not always receive appropriate food and drink or get the needed assistance with eating in hospitals and care homes.<sup>187</sup>

106. STA stated that intersex people cannot be confident that their rights will be adequately respected by medical professionals, as there were no rights-based intersex healthcare protocols.<sup>188</sup>

## **9. Right to education**

107. SC stated that socio-economic background affected early learning. Children who lived in poverty performed lower than those who did not.<sup>189</sup>

108. JS 10 stated that in Scotland there was lack of support to enable children with disabilities to inter alia learn in mainstream education.<sup>190</sup>

109. SCFS stated that the Scottish Government must ensure that teachers were fully trained to additionally support children with learning difficulties and autistic spectrum disorders.<sup>191</sup>

110. SCFS stated that deaf children should have the opportunity to learn and use British Sign language (BSL) at school.<sup>192</sup>

111. JS 13 stated that the “Human Rights in Schools Project” conducted in collaboration with the Ministry of Justice was stopped in 2009 for lack of funds.<sup>193</sup>

112. SexYOUality (SY) stated that teachers have not been adequately trained to respond to homophobic bullying in schools.<sup>194</sup>

113. CRAE stated that there was an erosion of civil rights in schools. The Education Act 2011, for instance, empowered staff to look through and delete information from pupils’ phones and laptops.<sup>195</sup>

114. CRAE stated that the CRC should be included in the statutory national curriculum.<sup>196</sup>

## **10. Persons with disabilities**

115. JS 9 stated that the new Universal Credit system could significantly reduce the support to disabled children and their families.<sup>197</sup>

116. SCLD stated that cuts to “care packages” or the Disability Living Allowance (DLA) will constrain the independence and community participation of people with disabilities.<sup>198</sup>

117. The SCFS stated that despite achievements made by the Scottish Government, disabled people will have their rights eroded by the United Kingdom Government’s proposed welfare reform programme motivated by budget cuts.<sup>199</sup>

118. The Scottish Association for Mental Health (SAMH) stated that in Scotland, women with mental health problems were disproportionately found within the criminal justice system;<sup>200</sup> and that people with mental health problems were subjected to marginalisation and discrimination.<sup>201</sup>

119. JS 13 recommend that the United Kingdom Government prioritise and address the lack of understanding of hate crime by the police, insofar as it targeted disabled people.<sup>202</sup>

120. Disability Politics UK (DP) stated that enabling members of Parliament to job share would enable persons with disabilities to be members of Parliament.<sup>203</sup> A proposal in this regard was submitted to the Minister for Disabled People.<sup>204</sup>

121. The Scottish Consortium for Learning Disability (SCLD) stated inter alia that in Scotland the lack of “Changing Places Toilets”<sup>205</sup> in public areas restricted disabled people from participating in their communities and in society.<sup>206</sup>

122. Mencap stated that the assurances given by the United Kingdom in securing the rights of people with profound and multiple learning disabilities (PMLD) have not translated into visible improvements.<sup>207</sup>

123. SCFS expressed concern that women were being advised to abort their children upon diagnosis of disability despite the possibility of these children having a good quality of life.<sup>208</sup>

## **11. Minorities and indigenous peoples**

124. Lead Gate (LG) stated that the Gypsy and Irish Traveller people remained amongst the most disadvantaged communities because inter alia of the lack of legal recognition of their traditional way of life.<sup>209</sup> The National Federation of Gypsy Liaison Groups (NFGLG) stated that the “planning law” must recognise traditional nomadic rights.<sup>210</sup>

125. René Cassin (RC) called for adequate culturally appropriate sites for Gypsy and Irish Traveller people and the reinstatement of the duty on local councils to provide such sites.<sup>211</sup>

126. JS 8 stated that the Welsh Government published “Travelling to a Better Future - a Framework for Action” to address the inequalities and social exclusion of Gypsy and Travellers.<sup>212</sup> AdEd Knowledge Company LLP (AKC) recommended a similar policy by England, Scotland and Northern Ireland.<sup>213</sup>

127. Article 12 in Scotland (Article 12) stated that certain media agencies deliberately criminalised the Gypsy/Roma/Traveller communities.<sup>214</sup>

128. The Irish Traveller Movement in Britain (ITMB) stated that the educational measures introduced by the United Kingdom Government will negatively impact Gypsy and Traveller pupils.<sup>215</sup>

## **12. Migrants, refugees and asylum-seekers**

129. JS 1 stated that since the Review, there has been a significant increase in immigration detention of adults.<sup>216</sup>

130. The Gatwick Detainees Welfare Group (GDWF) stated that the system of immigration detention was fundamentally flawed, with United Kingdom Border Agency (UKBA) making poor and unlawful decisions.<sup>217</sup> JS 3 stated that these decisions were based on crude and formulaic ‘credibility’ tests.<sup>218</sup> Christian Solidarity Worldwide (CSW) stated that applicants had the burden of demonstrating a well-founded fear of persecution and of proving their credibility.<sup>219</sup>

131. The Scottish Transgender Alliance (STA) stated that the asylum process did not uphold the rights of LGBT asylum seekers.<sup>220</sup> National Coalition of Anti-Deportation Campaigns (NCADC) stated that the reasons for refusal of asylum claims in cases of LGBT individuals reflected homophobia and a culture of disbelief.<sup>221</sup>

132. OCC referred to recommendation 25 and stated that although Yarl's Wood immigration removal centre for children has been closed, children were still detained while awaiting deportation or removal.<sup>222</sup>

133. JS 1 stated that vulnerable adults<sup>223</sup> were routinely detained.<sup>224</sup> The amendment of UKBA's operational policy guidance, in August 2010, has adopted the presumption of detaining vulnerable people, provided their specific vulnerability can be satisfactorily managed.<sup>225</sup>

134. CoE-Commissioner noted the absence of a precise legal framework regarding the Detained Fast Track asylum process (DFT) and recommended legislation in compliance with ECHR.<sup>226</sup>

135. Detention Action (DA) stated that the DFT was intended for "straight forward" asylum claims.<sup>227</sup> FT stated that there were multiple problems with the DFT, including in the selection of appropriate cases.<sup>228</sup> Yarl's Wood Befrienders (YWB) stated that the DFT was inappropriately used in the complex cases of women.<sup>229</sup>

136. JS 10 stated that although UKBA's new guidance for caseworkers<sup>230</sup> contained *inter alia* references to the principles of the CRC, they were yet to be realised in practice.<sup>231</sup>

137. JS 3 stated that drastic cuts to legal aid meant that asylum-seekers faced Home Office officials, lawyers and tribunal judges without representation or advice.<sup>232</sup>

138. Sahir House (SH) stated that destitution was used by the United Kingdom as a means of forcibly removing and returning asylum seekers to their country of origin.<sup>233</sup> Stillhumanstillhere (SHSH) called for measures which included the granting of asylum seekers permission to work.<sup>234</sup>

139. The Equal Rights Trust (ERT) stated there was no mechanism in place to identify stateless persons.<sup>235</sup>

### **13. Human rights and counter-terrorism**

140. AI referred to recommendation 6<sup>236</sup> and stated that despite review, counter-terrorism legislation and policy failed to comply with human rights.<sup>237</sup>

141. JS 12 stated that the amendments to the Terrorism Act 2000 did not go far enough to ensure compliance with human rights standards.<sup>238</sup> As a consequence of the ECtHR judgment in *Gillan and Quinton*<sup>239</sup>, stop and search practices without a reasonable suspicion, pursuant to Section 44, was suspended.<sup>240</sup> However, Section 47(a) in the Terrorism Act 2000 (Remedial) Order 2011 enabled stop and search activities to continue without a reasonable suspicion, provided specified criteria was satisfied.<sup>241</sup> Examining Officers in ports and airports were also empowered to stop, question and/or detain people, without reasonable suspicion.<sup>242</sup>

142. JS 12 stated that ethnic profiling was a feature of the stop and search practices.<sup>243</sup> IHRC stated that the police targeted people who were perceived to be Muslim.<sup>244</sup> CoE-ECRI stated that stop and search practices disproportionately affected Black and minority communities.<sup>245</sup>

143. AI stated that under the deportations with assurances programme, terrorist suspects may be transferred to states that practiced torture. Undertakings given by those states

cannot eliminate the real risks of torture.<sup>246</sup> Redress stated that post-deportation monitoring was an inadequate safeguard.<sup>247</sup>

144. AI stated that the duration of pre-charge detention for suspects of terrorism-related offences was still lengthy despite its reduction from 28 days to 14 days.<sup>248</sup>

145. CoE-CPT stated that persons detained under terrorism legislation should be physically brought before a magistrate when an extension of their detention was being requested; instead of the hearing being conducted via video-link.<sup>249</sup>

#### 14. Situation in or in relation to specific regions or territories

146. CoE-CPT made comments and recommendations on issues which included arrest and treatment of detainees and prisoners in Bailiwick of Guernsey and Bailiwick of Jersey.<sup>250</sup>

#### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). (One asterisk denotes a national human rights institution with “A” status)

<sup>2</sup> NIHRC stated that it reviewed the adequacy and effectiveness of measures undertaken by the Government of the United Kingdom and Northern Ireland Executive to promote and protect human rights, specifically within Northern Ireland. (NIHRC, p. 1, para. 1)

<sup>3</sup> United Nations General Assembly, Human Rights Council, Eighth session, *Report of the Working Group on the Universal Periodic Review, United Kingdom of Great Britain and Northern Ireland*, U.N. Doc. A/HRC/8/25, 23 May 2008 (A/HRC/8/25), para. 56.

<sup>4</sup> A/HRC/8/25, para. 56.

<sup>5</sup> A/HRC/8/25, para. 56.

<sup>6</sup> A/HRC/8/25, para. 56.

<sup>7</sup> A/HRC/8/25, para. 56.

<sup>8</sup> A/HRC/8/25, para. 56.

<sup>9</sup> A/HRC/8/25, para. 56.

<sup>10</sup> The declaration attached to art. 1 of the OP-CRC on Involvement of Children in Armed Conflict reads:

“The United Kingdom of Great Britain and Northern Ireland will take all feasible measures to ensure that members of its armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

The United Kingdom understands that article 1 of the Optional Protocol would not exclude the deployment of members of its armed forces under the age of 18 to take a direct part in hostilities where:

- a) there is a genuine military need to deploy their unit or ship to an area in which hostilities are taking place; and
- b) by reason of the nature and urgency of the situation:-
  - i) it is not practicable to withdraw such persons before deployment; or
  - ii) to do so would undermine the operational effectiveness of their ship or unit, and thereby put at risk the successful completion of the military mission and/or the safety of other personnel.” (See NIHRC, p. 1, para. 7, fn. 9)

<sup>11</sup> The interpretative declaration states, “[T]he United Kingdom wishes to state its understanding of certain articles in the Convention. It interprets article 4 as requiring a party to the Convention to adopt further legislative measures in the fields covered by sub-paragraphs (a), (b) and (c) of that article only in so far as it may consider with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of the Convention (in particular the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association) that some legislative addition to or variation of existing law and practice in

- those fields is necessary for the attainment of the end specified in the earlier part of article 4” (*See* NIHRC, p. 2, para.117, fn. 13).
- <sup>12</sup> NIHRC, pp. 1-2, paras. 7-14; *See also* EHRC, p. 1, para. 1; EHRC, p. 2, para. 2; EHRC made recommendations (p. 2, para. 2); SHRC, p. 2, para. 4.
- <sup>13</sup> NIHRC, pp. 1-2, paras. 7-14; *See also* EHRC, p. 1, para. 1; EHRC, p. 2, para. 2; EHRC made recommendations (p. 2, para. 2); SHRC, p. 2, para. 4.
- <sup>14</sup> A/HRC/8/25, para. 56.
- <sup>15</sup> NIHRC, p. 1, para. 6.
- <sup>16</sup> SHRC, pp. 2-3, paras. 7, 8.
- <sup>17</sup> “This submission includes the EHRC independent assessment of human rights in England, Wales and Scotland” (*See* EHRC, Cover Page).
- <sup>18</sup> EHRC, p. 2, para. 5.
- <sup>19</sup> EHRC, p. 3, para. 7; EHRC made recommendations (p. 3, para. 7).
- <sup>20</sup> SHRC, p. 4, para. 9
- <sup>21</sup> (A/HRC/8/25), para. 56.
- <sup>22</sup> NIHRC, p. 4, para. 28.
- <sup>23</sup> NIHRC, p. 4, para. 30.
- <sup>24</sup> NIHRC, p. 4 para. 29; EHRC, p. 5, para. 10; EHRC made recommendations (p. 5, para. 10); CoE-CPT, CPT/Inf (2009) 30, p. 39, para. 79.
- <sup>25</sup> EHRC, p. 6, para. 12; EHRC made a recommendation (p. 6, para. 12).
- <sup>26</sup> EHRC, p. 6, para. 12; EHRC made recommendations (p. 6, para. 12); *See also* SHRC, p. 7, paras. 24, 25. SHRC made a recommendation (p. 7, para. 25).
- <sup>27</sup> EHRC, p. 7, para. 14; EHRC made a recommendation (p. 7, para. 14) *See also* AU, p. 6, paras. 7.1, 7.2.
- <sup>28</sup> EHRC, p. 8, para. 14. EHRC made a recommendation (p. 8, para. 14); *See also* CRAE, p. 4, para. 22; JS 9, p. 8, para. 34; Justice, p. 5, para. 26; JWY, p. 4. JWY stated that according to the Government’s Equality Impact Assessment, the cuts in legal aid will potentially impact a greater proportion of women, Black, Asian and minority ethnic people, as well as ill or disabled people (p. 4).
- <sup>29</sup> EHRC, p. 9, para. 17; *See also* JS 13, p. 10, para. 36; Justice, p. 4, paras. 20 – 23.
- <sup>30</sup> EHRC, p. 9, para. 18.
- <sup>31</sup> EHRC, p. 9, para. 19; EHRC made a recommendation (p. 9, para. 19).
- <sup>32</sup> SHRC, p. 8, para. 29. SHRC made a recommendation (p. 8, para. 29).
- <sup>33</sup> EHRC, p. 11, para. 24. EHRC made recommendations. (p. 11, para. 24).
- <sup>34</sup> A/HRC/8/25, para. 56.
- <sup>35</sup> A/HRC/8/25, para. 56.
- <sup>36</sup> World Programme for Human Rights Education, established by the United Nations General Assembly’s resolution 59/113 (10 December 2004). The first phase (2005-2009) focused on human rights education in the primary and secondary school systems. The second phase (2010-2014) focuses on human rights education for higher education and on human rights training programmes for teachers and educators, civil servants, law enforcement officials and military personnel (NIHRC, p. 2, para. 15, fn. 25).
- <sup>37</sup> NIHRC, p. 2, para. 15.
- <sup>38</sup> A/HRC/8/25, para. 56.
- <sup>39</sup> NIHRC, p. 2, paras. 18, 19.
- <sup>40</sup> A/HRC/8/25, para. 56.
- <sup>41</sup> A/HRC/8/25, para. 56.
- <sup>42</sup> NIHRC, p. 3, para. 24; *See also* AI, p. 4; Redress, p. 4, para. 8; Justice, p. 4, para. 15.
- <sup>43</sup> A/HRC/8/25, para. 56.
- <sup>44</sup> A/HRC/8/25, para. 56.
- <sup>45</sup> A/HRC/8/25, para. 56.
- <sup>46</sup> NIHRC, p. 3, para. 27.
- <sup>47</sup> SHRC, p. 7, para. 23. SHRC made a recommendation (p. 7, para. 23).
- <sup>48</sup> A/HRC/8/25, para. 56.
- <sup>49</sup> A/HRC/8/25, para. 56.
- <sup>50</sup> A/HRC/8/25, para. 56.
- <sup>51</sup> NIHRC, p. 4, para. 32.

<sup>52</sup> NIHRC, p. 4, para. 35.

<sup>53</sup> A/HRC/8/25, para. 56.

<sup>54</sup> A/HRC/8/25, para. 56.

<sup>55</sup> A/HRC/8/25, para. 56.

<sup>56</sup> A/HRC/8/25, para. 56.

<sup>57</sup> NIHRC, p. 5, para. 37.

<sup>58</sup> A/HRC/8/25, para. 56.

<sup>59</sup> NIHRC, p. 5, paras. 42-44.

<sup>60</sup> SHRC, p. 6, para. 16.

<sup>61</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CPED	International Convention for the Protection of All Persons from Enforced Disappearances
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance
UDHR	Universal Declaration of Human Rights

<sup>62</sup> A/HRC/8/25, para. 56.

<sup>63</sup> A/HRC/8/25, para. 56.

<sup>64</sup> JS 10, p. 2, para. 4.

<sup>65</sup> SC, p. 2, para. 5. SC made a recommendation, p. 2, para. 6.

<sup>66</sup> CSI, p. 2, paras. 4, 5, and p. 3, para. 12. CSI made recommendations (p. 3); *See also* OCC, p. 4, para. 2.13, JS 13, p. 1, para. 6; JS 13, P. 1, para. 6; WVUK, p. 4, para. 3.1.1; CPTI, pp. 2 – 3, paras. 18 – 21.

<sup>67</sup> JS 9, p. 2, paras. 4 – 7. JS 9 made a recommendation (p. 3); *See also* CRAE, p. 6, para. 31.

<sup>68</sup> JS 6, pp. 3 – 4, paras. 4, 11.

<sup>69</sup> Redress, 7, para. 20. Redress made recommendations (p. 7).

<sup>70</sup> CRAE reported on the state of children's rights in England (CRAE, p. 19).

<sup>71</sup> *See also* JS 13, p. 1, para. 6; JS 7, p. 7.

<sup>72</sup> CRAE, p. 11, para. 55.

<sup>73</sup> JS 13, p. 1, para. 6.

<sup>74</sup> JS 12 stated that this Act provided an exceptional response to anticipated violence and allowed for police to search any person or vehicle for weapons in an area where serious violence is reasonably anticipated (p. 6, para. 26).

<sup>75</sup> JS 12, p. 6, para. 26.

- <sup>76</sup> CoE-ECRI, CRI (2010) 4, p. 11, paras. 1 – 3.
- <sup>77</sup> JS8, p. 2, para. 3; JS 10, p. 3, para. 8.
- <sup>78</sup> JS 8, p. 4, para. 12, 16; *See also* SC , p. 2, para. 9.
- <sup>79</sup> JS 9, p. 2, para. 8.
- <sup>80</sup> JS 8, pp. 4 – 5, paras. 17 – 20; *See also* CCW, p. 3, para. 3.3.2; SC p. 2, para. 10.
- <sup>81</sup> JS 10, p. 4, para. 11. JS 10 made recommendations (p. 4); *See also* SC p. 3, para. 13.
- <sup>82</sup> CPTI, p. 4, para. 17.
- <sup>83</sup> AI, p. 2.
- <sup>84</sup> AI, p. 2.
- <sup>85</sup> FT, p. 2, para. 4,
- <sup>86</sup> JS 8, p. 3, para. 5. JS 8 made recommendations (p. 3); JS 10, p. 2, para. 5. JS 10 made recommendations (p. 3)); JWY, p. 1; CCW, p. 2, paras. 3.1.2 – 3.1.6; SC p. 4, para. 19; JS 9, p. 5, para. 19. JS 9 made recommendations (p. 5); RC, pp. 3- 4, paras. 3 – 9. RC made recommendations (p. 3); LS, p. 5, paras. 24, 25; JS 13, p. 5, para. 18.
- <sup>87</sup> LS, p. 5, paras. 24, 25; *See also* SHRC, pp. 2-3, para. 5.
- <sup>88</sup> JS 13, p. 5, para. 18.
- <sup>89</sup> The OCC stated that it’s “submission will focus upon children’s rights in England and, in relation to non-devolved issues, other relevant parts of the United Kingdom” (p. 2, para. 1.1).
- <sup>90</sup> OCC, p. 2, para. 2.29.
- <sup>91</sup> JS 14 stated that the The Belfast (Good Friday) of 1998 was signed by the Irish and United Kingdom governments along with Northern Ireland political parties (p. 4, para. 2).
- <sup>92</sup> CAJ, p. 4, para. 3; JS 13, p. 2, para. 2.
- <sup>93</sup> BIRW, p. 5, para. 14, AI, p. 2.
- <sup>94</sup> SC, p. 4, para. 13; *See also* JS 8, p. 5, paras. 23, 24. JS 8 made recommendations (p. 6.); JS 10, pp. 4 – 5, para. 5.
- <sup>95</sup> CCW, p. 4, paras. 3.4.2 – 3.4.4.
- <sup>96</sup> OCC, p. 3, para. 2.9.
- <sup>97</sup> JS 8, pp. 7 – 8, paras. 33 – 36. JS 8 made a recommendation (p. 8).
- <sup>98</sup> AI, p. 2; *See also* IHRB, p. 4.
- <sup>99</sup> IHRB, pp. 2 – 3; IHRB made recommendations (pp. 4 - 5).
- <sup>100</sup> JS 11, pp. 4 – 5, paras. 6 – 10.
- <sup>101</sup> The following abbreviation have been used for this document:  
CRPD Committee on the Rights of Persons with Disabilities
- <sup>102</sup> JS 9, p. 2, para. 7.
- <sup>103</sup> CoE-ECRI, CRI (2010) 4, p. 8.
- <sup>104</sup> JS 13, p. 11, paras. 40, 41.
- <sup>105</sup> JS 9, p. 4, paras. 14, 17.
- <sup>106</sup> CCW, p. 3, paras. 3.2.2 – 3.2.3; *See also* OCC, p. 2, para. 2.3. OCC made a recommendation (p. 2, para. 2.3); CRAE, p. 5, para. 24.)
- <sup>107</sup> AMIS, p. 9.
- <sup>108</sup> UKJCW, p. 3.
- <sup>109</sup> JS 5, p. 2, paras. 6, 11
- <sup>110</sup> JS 5, p. 1, paras. 4, 5. JS 5 made recommendations. (pp. 4 – 5, paras. 21 - 24). JS 5 stated that United Nations bodies have on a number of occasions addressed the issue of caste discrimination, calling for the United Kingdom to prohibit such discrimination through legislation. (pp. 2-3, paras. 12 – 17).
- <sup>111</sup> ODVV, para. 19. ODVV made recommendations (paras. 29, 30).
- <sup>112</sup> JS 7, p. 6; JS 7 raised additional concerns (p. 7); *See also* Redress, p. 3, para. 14; FT p. 3, para. 8. FT made a recommendations, p. 3, paras. 9, 11.
- <sup>113</sup> REDRESS referred to “*Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Relating to Detainees.*” (p. 3, para. 6).
- <sup>114</sup> Redress, p. 3, paras. 6, 7. Redress made recommendations (p. 7).
- <sup>115</sup> Redress, p. 5, para. 13. ,
- <sup>116</sup> Redress, p. 6, para. 17.
- <sup>117</sup> BIRW, p. 4, para. 13.
- <sup>118</sup> CoE-CPT, CPT/Inf (2009) 30, p. 15, para. 12.



- 119 AMIS, p. 3.
- 120 AMIS, p. 5.
- 121 A/HRC/8/25, para. 56.
- 122 A/HRC/8/25, para. 56.
- 123 A/HRC/8/25, para. 56.
- 124 A/HRC/8/25, para. 56.
- 125 United Nations General Assembly, Human Rights Council, Eighth session, *Report of the Working Group on the Universal Periodic Review, United Kingdom of Great Britain and Northern Ireland*, U.N. Doc. A/HRC/8/25, 23 May 2008 (Review).
- 126 GIEACPC, p. 2, paras. 1.1 – 1.3.
- 127 GIEACPC, p. 2, para. 2.1.
- 128 CoE-Comm, CommDH(2008)28, p. 1, CoE-Comm made a recommendation (p. 12, para. 53).
- 129 JS 8, pp. 11- 12, paras. 53 – 58. JS 8 made recommendations (p. 12); JS 10, p. 6, paras. 16 – 18. JS 10 made a recommendation (p. 6).
- 130 GIEACPC, p. 3, paras. 2.3, 2.4.
- 131 WVUK, p. 4, paras. 2.3.1, 2.3.2. WVUK made recommendations (p. 5, paras. 3.5.1 – 3.5.4)
- 132 UKJCW, p. 13. UKJCW made recommendations (p. 15).
- 133 CoE-CPT, CPT/Inf (2009) 30, p. 16, para. 14.
- 134 WIP, p. 4.
- 135 HLPR, p. 2. HLPR made a recommendation (p. 2).
- 136 BIRW, p. 3, para. 9.
- 137 BIRW, p. 3, para. 9.
- 138 SCLD, p. 8, para. 14.
- 139 PP, p. 4, para. 15. PP cited examples of cases where violence against women has been dealt with inappropriately in both systems (pp. 4 – 5). PP made recommendations (pp. 5 – 6).
- 140 PP stated that the NRM was a creature of policy (p. 2).
- 141 ASI, p. 2.
- 142 ODVV, para. 8. ODVV made recommendations (paras. 25 - 28). ODVV stated that the conditions for care and protection were that that victims must be over the age of 18; involved in prostitution within 3 months of referral; willing to cooperate in the prosecution of their traffickers; and must have been trafficked into the United Kingdom from abroad (para. 8).
- 143 BIRW p. 1, para. 1.
- 144 BIRW stated that in 2001 the UK and Irish governments agreed in the Weston Park Agreement to ask an international judicial figure to study six cases of alleged collusion, including that of Patrick Finucane and agreed that, if this person recommended a public inquiry, an inquiry would be held. (BIRW, p. 2, para. 8.)
- 145 BIRW, p. 2, para. 8; *See also* CAJ p. 6, paras. 8, 9.
- 146 SCID, pp. 1-2.
- 147 CoE-ECRI, CRI (2010) 4, p. 21, paras. 50- 51.
- 148 Justice, p. 2, para. 4.
- 149 HLPR, p. 2.
- 150 LS stated that the Leveson Inquiry is a public inquiry set up by the Prime Minister on 6 July 2011 to look into issues arising from the News International phone hacking scandal (p. 8, para. 51).
- 151 LS, pp.8, 9, paras. 51, 55, 56.
- 152 CCW, p. 6, para. 4.3.5.
- 153 JS 7 referred to Hassockfield, Medway, Oakhill and Rainsbrook (p. 3).
- 154 JS 7, pp. 3 – 4.
- 155 HLPR, p. 2.
- 156 OCC, p. 8, para. 4.9. OCC made a recommendation (p. 8, para. 4. 9); *See also* JS 7, p. 4; CRAE, p. 5, para. 50; CCW, p. 6, para. 4.3.4)
- 157 BIRW, p. 5, para. 15.
- 158 HRCS, p. 9.
- 159 WIP, p. 2.
- 160 STA, para. 13. STA made a recommendation (p. 14).
- 161 IHRC, p. 5.
- 162 OT, p. 2, para. 10.

- 163 PEN, para. 6.
- 164 Article 19, para. 5.
- 165 Article 19, para. 7.
- 166 Article 19, paras. 21, 22. Article 19 made recommendations (para. 29).
- 167 Engender stated that it was a women's organisation based in Scotland (p. 1).
- 168 Engender, p. 4.
- 169 JRF, p. 5, para. 6. 2.
- 170 IHRB, p. 3.
- 171 Kalayaan, para. 9.
- 172 Kalayaan referred to "Draft ILO Multilateral Framework on Labour Migration Non binding principles and guidelines for a rights- based approach to labour migration, Geneva, 31 Oct- 2 Nov 2005. Annex II 'Examples of best practise, VI Prevention of and protection against abusive migration practises', pt 82" (para. 14).
- 173 Kalayaan, paras. 27, 29; Kalayaan made other proposals ( paras. 27 – 30).
- 174 CoE-ECSR, pp. 5 – 7.
- 175 *See* CCW, p. 7. The reference to recommendation 11 was in error. From the language used, it was evident that CCW intended to refer to recommendation 16.
- 176 CCW, p. 7; JS 8 stated that there were 3.5 million children growing up in poverty in the United Kingdom (after housing costs) with 1.6 million children living in severe poverty (13% of all children) (p. 8, para. 38); *See also* OCC, p. 6, para. 4.4; JS 13, p. 10, para. 39; SC, p. 5, paras. 30 – 37.
- 177 CCW, p. 8.
- 178 JS 8, pp. 8 - 9, paras. 41, 42.
- 179 JS 8, p. 9, para. 46. JS 8 made recommendations (pp. 9 - 10).
- 180 CCW, p. 7, para. 4.4.4.
- 181 The Scottish Government (2011) Child Poverty Strategy.
- 182 Engender, p. 5. Engender made a recommendation ( p. 5).
- 183 JS 6, p. 5, para. 16. *See* JS 6, pp. 5 – 6, paras. 17 – 19, 24 and 25 for information on the health risks to women. JS 6 made recommendations (paras. 30 – 33); *See also* UKJCW, p. 7.
- 184 JS 10, p. 8, paras. 26, 27. JS 10 made a recommendation (p. 8).
- 185 SCFS, p. 13, para. 4.8.5.
- 186 AK, p. 4, para. 4.2.1
- 187 AU, p. 3, para. 4.1.1.
- 188 STA, para. 8. STA made a recommendation (para. 9).
- 189 SC, p. 6, paras. 39 – 42.
- 190 JS 10, p. 5, paras. 14, 15. JS 10 stated that training for teachers and support staff in mainstream schools on additional support for learning, equalities and inclusion was inadequate. Only five local authorities provided mandatory training on equalities and inclusion, and none provided mandatory training on specific learning disability topics such as autism or dyslexia. (p. 5, paras. 14, 15). JS 10 made a recommendation (p. 5)
- 191 SCFS, p. 7, para. 4.7.3.
- 192 SCFS, p. 7, para. 4.7.4.
- 193 JS 13, p.10, para. 37.
- 194 SY, p. 1, para. 4. SY made recommendations (p. 2, para. 8).
- 195 CRAE, p. 7, paras. 39, 40.
- 196 CRAE, p. 12, para. 62.
- 197 JS 9, p. 7, para. 31. JS 9 made recommendations (p. 8).
- 198 SCLD, p. 8, para. 15.
- 199 SCFS, p. 3, para. 3.3
- 200 SAMH, p. 4, para. 4.10.
- 201 SAMH, p. 2, para. 3.2.
- 202 JS 13, pp. 8 – 9, paras. 31 – 33; *See also* SCLD, p. 7, para. 13; JS 9, p. 3, para. 12. JS 9 made recommendations (p. 4); CoE-ECRI, p.18, paras. 29 – 31
- 203 DP, para. 11.
- 204 DP, paras. 3, 4.
- 205 SCLD stated that this was "[t]his is a toilet which is fully accessible and includes the right equipment as well as enough space for the person and their carers or support workers." (p. 4, para. 8).

- 206 SCLD, p. 4, para. 8.
- 207 Mencap, p. 6. Mencap made recommendations (pp. 3, 5, 6).
- 208 SCFS, p. 4, para. 4.1.2.
- 209 LG, p. 1. *See also* CRAE, p. 5, para. 26.
- 210 NFGLG, p. 4. *See also* CoE-ECRI, CRI (2010) 4, p. 8.
- 211 RC, p. 5, para. 10; *See also* JS 13, p. 9, para. 13.
- 212 JS 8, p. 10, para. 51. JS 8 made recommendations (p. 11).
- 213 AKC, p. 5, para. 7. c.
- 214 Article 12, paras. 7, 8.
- 215 ITMB, p. 6, para. 3.2; *See also* CRAE, p. 5, para. 26.
- 216 JS 1, p. 3, para. 3.1.
- 217 GDWF, para. 14. GDWF made recommendations (para. 15); *See also* AILG who stated that determination of asylum claims from the Bajuni were prejudicial and violated their rights of non-discrimination and equality before the law. ( p. 8, paras. 28, 29). AILG made recommendations (p. 7, paras. 24 – 27).
- 218 JS 3, para. 8; *See also* SH, p. 1.
- 219 CSW p. 3, para. 16.
- 220 STA, para. 5, STA made recommendations (paras. 6, 7).
- 221 NCADC, para. 3; *See also* STA, para. 5).
- 222 OCC, p. 6, para. 4.2; *See also* JS 1, p. 3, para. 3.3; JS 4, para. 13; JS 7, p. 5, SH, pp. 2 – 3.
- 223 JS 1 stated that vulnerable adults included people who have survived torture, pregnant women, disabled people, the elderly, those suffering from mental illness or with serious medical conditions. (p. 5, para. 48)
- 224 JS 1, p. 5, para. 4. 8; *See also* JS 4, para. 8.
- 225 JS 1, pp. 5-6, paras. 4.10 – 4.13. JS 1 made a recommendation (p. 6, para. 4.15).
- 226 CoE-Commissioner, CommDH(2008)23, p. 6, paras. 21, 24.
- 227 DA, para. 19. DA made recommendations (p. 8); *See also* RC, p. 6, paras. 12 – 17)
- 228 FT, p. 4, paras. 15, 16.
- 229 YWB, paras.1 - 3; *See also* HRW, p. 4
- 230 JS 10 p. 9, para. 29. JS 10 referred to “Processing Asylum Applications from a Child, UKBA (2011)”.
- 231 JS 10, p. 9, paras. 29, 30. JS 10 made recommendations (p. 9).
- 232 JS 3, para. 8; *See also* SH, p. 1; CSW p. 3, para. 15.
- 233 SH, p. 3; *See also* JS 3, paras. 9, 10, 11; JS 3 made recommendations (paras. 30 - 36); JS 7, pp. 5 – 6; FT, p. 4, para. 18; FT made recommendations (p. 4, para. 17).
- 234 SHSH, p. 4, para. 5.2; *See also* FT, p. 7, paras. 31 – 34; SH, p. 4.
- 235 ERT, p. 3, para. 7
- 236 A/HRC/8/25, para. 56.
- 237 AI, p. 3; *See also* HRA, p. 1; JS 12, p. 3, para. 12.
- 238 JS 12, p. 2, para. 6.
- 239 ECtHR, *Gillan and Quinton v. the United Kingdom*, Application no. 4158/05, judgment of January 12, 2010.
- 240 JS 12, p. 4, paras. 15, 16; *See also* (BIRW, p. 3, para. 10; HRW, p. 3. HRW made recommendations (p. 5); IHRC, p. 3.
- 241 JS 12, p. 4, para. 12. JS 12 made recommendations (p. 9, para. 30); NIHRC, p. 3, para. 21; NIHRC made recommendations (p. 3, paras. 21, 23).
- 242 JS 12, p. 5, para. 20; JS 12 made recommendations (p. 9, para. 30).
- 243 JS 12, p. 2, para. 6.
- 244 IHRC, p. 4; *See also* EHRC, p. 4, para. 8; EHRC made recommendations (p. 4, para. 8)
- 245 CoE-ECRI, CRI (2010) 4, p. 8.
- 246 AI, p. 3; *See also* HRW, p. 1.
- 247 Redress, pp. 4 – 5, paras. 10, 11. Redress made recommendations (p. 7).
- 248 AI, p. 3; *See also* HRW, p. 2; JS 7, p. 2; Justice p. 2, para. 3.
- 249 CPT, p. 13, para. 9.
- 250 CoE- CPT : CPT/Inf (2010) 35) ; CPT/Inf (2010) 37.