

United Nations Universal Periodic Review
Mid Term Report

of the United Kingdom of Great Britain and
Northern Ireland, and the British Overseas
Territories, and Crown Dependencies

(2014)

United Nations Universal Periodic Review

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List of abbreviations

Bangkok Rules =	United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders
BOT =	British Overseas Territory ¹
BRIC =	Brazil, Russia, India, China
CAT =	United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CD =	Crown Dependency ²
CEDAW =	United Nations Convention on the Elimination of All Forms of Discrimination against Women
CPED =	United Nations International Convention for the Protection of All Persons from Enforced Disappearance
CRC =	United Nations Convention on the Rights of the Child
CRPD =	United Nations Convention on the Rights of Persons with Disabilities
ECHR =	Council of Europe European Convention for the Protection of Human Rights and Fundamental Freedoms.
ECNI =	Equality Commission for Northern Ireland ³
ECPT =	Council of Europe European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
ECtHR =	Council of Europe European Court of Human Rights
EHRC =	Equality and Human Rights Commission ⁴
ESC =	Council of Europe European Social Charter (1961)
EU =	European Union
HM =	Her Majesty's
HMP =	Her Majesty's Prison
ICC =	International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights
ICCPR =	United Nations International Covenant on Civil and Political Rights
ICCPR-OP1 =	United Nations Optional Protocol to the International Covenant on Civil and Political Rights
ICCPR-OP2 =	United Nations Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
ICERD =	United Nations International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR =	United Nations International Covenant on Economic, Social and Cultural Rights
ICESCR-OP =	United Nations Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

¹ There are fourteen British Overseas Territories, the following ten of which are permanently inhabited (see pages 45-119 of [HRI/CORE/GBR/2014](#)): Anguilla; Bermuda; Cayman Islands; Falkland Islands; Gibraltar; Montserrat; Pitcairn, Henderson, Ducie and Oeno; St Helena, Ascension, Tristan da Cunha; Turks and Caicos Islands; Virgin Islands (commonly known as the British Virgin Islands).

² There are three Crown Dependencies (see pages 119-154 of [HRI/CORE/GBR/2014](#)): the Bailiwick of Guernsey; the Bailiwick of Jersey; and the Isle of Man.

³ www.equalityni.org

⁴ <http://www.equalityhumanrights.com/>

ICRC =	International Committee of the Red Cross
ICRMW =	United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families
ILO =	International Labour Organisation
ILO 143 =	ILO Migrant Workers (Supplementary Provisions) Convention
ILO 189 =	ILO Domestic Workers Convention
Istanbul Convention =	Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence
JCHR =	UK Parliament Joint Committee on Human Rights ⁵
NGO =	Non-governmental organisation
NHRI =	National Human Rights Institutions (in the UK, they include the: EHRC; SHRC; NIHRC)
NHS =	National Health Service
NIHRC =	Northern Ireland Human Rights Commission ⁶
OP-CAT =	United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CEDAW =	United Nations Optional Protocol to the Convention on the Elimination of Discrimination against Women
OP-CRC-AC =	United Nations Optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
OP-CRC-COM =	United Nations Third Optional to the Convention on the Rights of the Child on a Communication Procedure
OP-CRC-SC =	United Nations Optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
OP-CRPD =	United Nations Optional Protocol to the Convention on the Rights of Persons with Disabilities
Paris Principles =	Principles relating to the Status of National Institutions
SHRC =	Scottish Human Rights Commission ⁷
UK =	United Kingdom
UN =	United Nations
UPR =	United Nations Universal Periodic Review
VAWG =	Violence Against Women and Girls

⁵ <http://www.parliament.uk/jchr>

⁶ <http://www.nihrc.org/>

⁷ <http://www.scottishhumanrights.com/>

Introduction

1. In its response of 17 September 2012 to the Human Rights Council's recommendations⁸ at the end of the second UPR, the UK committed to providing an update on progress on the recommendations through a mid-term report in 2014.
2. Regarding the UK's responses:
 - A recommendation that **enjoys** the support of the UK is one where the UK supports both the spirit or principle behind the recommendation and is able to implement it in practice.
 - A recommendation that **enjoys** the support of the UK **in part** is one where the UK supports the spirit or principle behind the recommendation but it is only able to implement it in part (due, for example, to legal or constitutional factors, or because the UK considers that its present efforts are sufficient).
 - A recommendation that **does not enjoy** the support of the UK is generally one where the UK is not able to commit to implementation, or where the UK rejects the assertions being made.
3. In preparing this report, the UK Government met with a wide range of external stakeholders⁹, including the NHRIs and a number of NGOs. Stakeholder events were held in: London (on 19 March and 18 September 2013); Edinburgh (on 12 June 2013, hosted by the Scottish Government); Cardiff (on 31 July 2013, hosted by the Welsh Government); and Belfast (on 16 December 2013). In addition, an online submission system, open to all members of the public and organisations, was live on the website of the Ministry of Justice between March and 1 October 2013. Approximately 125 submissions were received (the majority of them from a single organisation).

Summary of the outcome of the engagement process with the National Human Rights Institutions and with civil society organisations

4. Whilst there was a general request that the UK should take on board and implement all of the UPR recommendations, areas for particular concern included: ratification of all UN human rights instruments (particularly the CPED, and those on rights to individual petition to the UN); counter-terrorism measures (for example "stop and search"); allegations of torture by UK officials overseas; extraterritorial application of CAT; diplomatic assurances against torture; full implementation and incorporation into UK law (and extension to all BOTs and CDs) of the CEDAW and the CRC (and ratification of the OP-CRC-COM); child poverty; independence of the Children Commissioners and of the EHRC; VAWG; abortion legislation in Northern Ireland; age of criminal responsibility; corporal punishment of children; caste discrimination; inequality; gender equality; indefinite detention of migrants; hate crime (based on various grounds, including gender and disability); impact of the welfare reform.

⁸ <http://www.ohchr.org/EN/HRBodies/UPR/Pages/GBSession13.aspx> (as "Addendum 1" and "Annex 1" under "Outcome of the review").

⁹ <http://www.justice.gov.uk/human-rights/universal-periodic-review/upr-events>

5. A number of issues raised by stakeholders were not directly included in the UPR recommendations but were nonetheless of concern to NGOs. The additional issues covered, for example: the rights of older people and of victims of crime; the impact of the legal aid reforms; the Chagos Islands (part of the British Indian Ocean Territory, the UK Government's position on which remains as set out in December 2012 at the conclusion of the application to the ECtHR¹⁰); and better performance indicators on various rights.

Overview of the update on progress on the recommendations

6. The annex below provides an update on the UK progress on the UPR recommendations from 2012. For ease of reference, the UK response from September 2012 is also included. To avoid repeating the same information, references to other UK reports under various international human rights instruments are included as appropriate.
7. In the majority of cases, the UK position has not changed since September 2012, but, where available, further information is provided in order to complement, update or clarify what was previously stated.
8. In the following areas, the UK has changed its position to full support of the recommendations:
 - Recommendation 110.61 (combating caste discrimination).
 - Recommendation 110.67 (investigating allegations against the UK Armed Forces).
 - Recommendation 110.68 (investigating allegations against the UK Armed Forces).
9. It is hoped that this Mid Term Report contains sufficient information to clarify the UK's position regarding the issues raised by civil society over the course of the meetings in 2013. The following two cross-cutting issues however impact on various rights and were raised by a number of civil society groups. The UK Government's position is therefore summarised below:
 - Rights of older people. The UK remains committed to improving opportunities for older people. The initiatives taken forward by the UK Government and by the Devolved Administrations include working with international organisations, particularly the European Union and the Council of Europe, to coordinate actions to promote the rights of older people. It is however the UK position that States should be concentrating on the implementation of existing commitments, identifying genuine gaps in the current international human rights legal framework and avoiding the duplication of existing treaties.
 - Legal aid reform in England and Wales. See the UK 1st periodic report under the CRPD¹¹, the UK 7th periodic report under the ICCPR¹², and the UK response to the list of issues under the CEDAW examination¹³. The UK Government's rationale for pursuing the legal aid reform¹⁴ is

¹⁰ <https://www.gov.uk/government/news/european-court-of-human-rights-decision-on-chagossian-case>

¹¹ Page 65 of [CRPD/C/GBR/1](#)

¹² Page 136 (and following pages) of [CCPR/C/GBR/7](#)

¹³ Pages 6 and 17 of [CEDAW/C/GBR/Q/7/Add.1](#)

¹⁴ <https://www.gov.uk/government/policies/making-legal-aid-more-effective>

to make legal aid more effective including by targeting the highest priority cases. The key legislation introducing the legal aid reform is the Legal Aid, Sentencing and Punishment of Offenders Act 2012¹⁵ (LASPO). The legal aid statistics (for England and Wales) are available on the UK Government's website¹⁶. Equality and diversity information on the provision of legal aid in England and Wales is also available on the UK Government's website¹⁷. It should be noted that legal aid continues to remain available in cases involving¹⁸ amongst others: care, supervision and protection of children; special education needs; mental health and mental capacity; community care services; appeals relating to welfare benefits; victims of domestic violence and family matters; forced marriage; breach of the ECHR by a public authority; loss of home; homelessness; environmental pollution; and equality.

It is intended to introduce a residence test,¹⁹ which will require that legal aid applicants are lawfully resident on the date of application and for a 12 month continuous period in the past. This would however be subject to a number of exceptions which, amongst other things, ensure the UK observes international obligations. In addition, any person excluded from civil legal aid under the residence test would be able to apply for exceptional case funding. Exceptional case funding is available where failure to provide legal aid would breach the applicant's rights under the ECHR or EU law (or, in the light of the risk of a breach, it is appropriate to provide legal aid).

¹⁵ <http://www.legislation.gov.uk/ukpga/2012/10/contents>

¹⁶ <https://www.gov.uk/government/collections/legal-aid-statistics>

¹⁷ <https://www.gov.uk/government/publications/corporate-equality-information>

¹⁸ Schedule 1 Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

¹⁹ A matter currently before the UK courts

Annex – Response to the recommendations

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
110.1 (ICCPR-OP1 ratification)	110.1 Ratify the First Optional Protocol to the ICCPR (Estonia)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government remains to be convinced of the added practical value to people in the United Kingdom of rights of individual petition to the United Nations. The United Nations committees that consider petitions are not courts, and they cannot award damages or produce a legal ruling on the meaning of the law, whereas the United Kingdom has strong and effective laws under which individuals may seek remedies in the courts or in tribunals if they feel that their rights have been breached. In 2004, the Government acceded to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (the CEDAW OP). One of the reasons for doing so was to enable consideration, on a more empirical basis, of the merits of the right of individual petition more generally. In 2009, the UK ratified the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities. To date the UK's experience under both protocols has not provided sufficient empirical evidence to decide either way on the value of other individual complaint mechanisms. We will need further evidence, over a longer period, to establish</p>	<p>Recommendation 110.1 does not enjoy the support of the UK, but the UK will keep the issue under review.</p> <p>The UK Government remains unclear about the practical benefits of the right to individual petition to the UN, taking into account:</p> <ul style="list-style-type: none"> - The existence in the UK of a very strong legal framework (and effective remedies) for the protection of human rights and for combating discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments both at UN and regional level (see section 2 of the Core Document 2014²⁰). - The very low number of cases against the UK under the OP-CEDAW and the OP-CRPD. The statistics on the decided cases (at June 2014) are as follows: OP-CEDAW (3 cases; outcome: all inadmissible²¹); OP-CRPD (1 case; outcome: inadmissible²²). - The outcome of the cases against the UK, all declared inadmissible, and also the lack of enforceable remedies even in the situation where a violation was found. - The time and resources allocated by the

²⁰ Page 36 of [HRI/CORE/GBR/2014](#)

²¹ [CEDAW/C/38/D/10/2005](#); [CEDAW/C/37/D/11/2006](#); [CEDAW/C/53/D/38/2012](#)

²² [CRPD/C/8/D/6/2011](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		what the practical benefits are.	UK to respond to the cases, estimated in 2008 at approximately £4,000 per case (no data is readily available on the time and resources committed by the applicants).
110.2 (ICCPR and CAT - British Overseas Territories)	110.2 Accept the full implementation of the provisions of the CAT and the ICCPR in overseas territories under its control. (Islamic republic of Iran)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government’s longstanding practice in this area is to encourage the Territories to agree to the extension of UN human rights conventions that the UK has ratified, but to extend these to the Territories only when they are ready to apply them. The Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) has already been extended to all permanently inhabited Overseas Territories. The International Covenant on Civil and Political Rights (ICCPR) has been extended to all except Anguilla but the Government of Anguilla is preparing for the extension of this Covenant.</p>	<p>Recommendation 110.2 enjoys the support of the UK.</p> <p>The UK Government continues to work with the Government of Anguilla to meet the longstanding commitment of extending the ICCPR to all permanently inhabited BOTs.</p> <p>The ICCPR has already been extended to the other BOTs, and the CAT to all permanently inhabited BOTs (including Anguilla). Both the ICCPR and the CAT have also been extended to the three CDs.</p> <p>Furthermore, in 2014, the ECPT was extended to the Sovereign Base Areas of Akrotiri and Dhekelia on Cyprus, the OP-CAT was extended to the Isle of Man (at the Isle of Man’s request), and the CRC, OP-CRC-AC, and OP-CRC-SC were extended to Jersey (at Jersey’s request).</p> <p>These events confirm the trend towards the progressive extension of the main international human rights instruments to the BOTs (particularly those with permanent indigenous human populations) and to the CDs, as outlined</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			in the Core Document 2014 (sections on the BOTs and the CDs ²³).
110.3 (CAT extraterritoriality)	110.3 Recognize the extraterritorial application of the CAT, according to its jurisprudence. (Nicaragua)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The Committee Against Torture is not a judicial body and consequently neither its Reports or General Comments have the status of jurisprudence. The UK takes an Article by Article approach to the Convention Against Torture, given that there is no single jurisdictional provision.</p>	<p>Recommendation 110.3 does not enjoy the support of the UK.</p> <p>The UK Government considers the General Comments and the Reports of the UN Committee Against Torture as valuable guidance for all the States Parties to the CAT; however, it remains of the view that they do not have the status of jurisprudence and cannot extend, by interpretation, the international obligations contained in the CAT.</p> <p>The UK Government set out its position on the scope of application of the CAT in its response to the list of issues under the CAT examination in 2013²⁴. The CAT does not contain a single overarching provision determining the ambit of the entire Convention. The scope of each CAT Article must therefore be considered on its terms.</p>
110.4 (reservations)	110.4 Lift multiple reservations to international human rights treaties, including the ICESCR and the Optional	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>The United Kingdom Government regularly reviews its reservations against its International Human Rights Treaties, to ensure they continue to remain relevant. The UK's final two reservations to the UN Convention on the</p>	<p>Recommendation 110.4 enjoys the support of the UK in part.</p> <p>The policy rationale behind most UK reservations to international human rights instruments has not changed, and the UK Government is therefore not yet in a position to remove all of its reservations (although it will</p>

²³ Pages 45-119 (BOTs), and 119-154 (CDs) of [HRI/CORE/GBR/2014](http://www.unhcr.org/refugees/45-119-154)

²⁴ Pages 2-3 of [CAT/C/GBR/Q/5Add.1](http://www.unhcr.org/refugees/2-3)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	Protocols to the CRC. (Belarus)	Rights of the Child (article 22 and 37(c)) were formally removed in 2008.	continue to keep this issue under review). It should however be noted that: <ul style="list-style-type: none"> - With regard to the ICESCR, the UK is seeking to remove obsolete reservations (or clarify their non-applicability). See the UK 6th periodic report under the ICESCR²⁵. - With regard to the CRC and the OP-CRC-SC, the UK has no reservations or declarations²⁶.
110.5 (OP-CRC-COM ratification)	110.5 Consider an early ratification of the newest international human right instrument – the third Optional Protocol to the Convention on the Rights of the Child on a communication procedure. (Slovakia)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is considering the merits of the new Optional Protocol for the whole of the UK, taking account of the views of the Devolved Administrations and in light of how it will be applied in practice. The Government will consider signing the Optional Protocol when it has fully evaluated its merits for the UK.</p>	<p>Recommendation 110.5 enjoys the support of the UK, to the extent that the UK Government has considered (but has rejected at present) the ratification of the OP-CRC-COM. The UK will however continue to keep this issue under review.</p> <p>The UK Government’s position on the right to individual petition to the UN is set out in the response to recommendation 110.1. But, as outlined in the UK 5th periodic report under the CRC²⁷, the UK Government also recognises that ratifying the OP-CRC-COM might add further protection for children in respect of their rights, and it is therefore keeping the issue of the ratification of the OP-CRC-COM under review.</p>
110.6 (OP-CRC-AC)	110.6 Consider	The recommendation does not enjoy the support of the United Kingdom.	Recommendation 110.6 does not enjoy the support of the UK.

²⁵ Page 36 of [ICESCR 6th periodic report](#)

²⁶ See page 7 of [CRC/C/GBR/5](#)

²⁷ Page 7 of [CRC/C/GBR/5](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
interpretation)	<p>withdrawing its declaration to Article 1 of the Optional Protocol to the Convention on the Right of the Child on Involvement of Children in Armed Conflict, and raise the armed forces minimum recruitment age to 18 (Slovenia)</p>	<p>The UK's policy is to take all feasible measures to ensure that members of its armed forces who have not attained the age of 18 years, do not take part in hostilities. In the event of a genuine and unavoidable military need to deploy a unit or ship which includes young people under the age of 18 to an area in which hostilities are taking place, those young people would not be deployed and would be removed to a place of safety unless to do so would undermine the operational effectiveness of their ship or unit and/or put the safety of other personnel at risk.</p> <p>The minimum age for entry into the UK Armed Forces reflects the normal school leaving age of 16. Evidence of age is required, and formal written consent is required from the parents or guardians of those under 18. There is no compulsory recruitment into the UK Armed Forces, and personnel under 18 have a statutory right to discharge from the Armed Forces if they wish to leave. The UK does not consider this inconsistent with its obligations under the Optional Protocol, to which it remains firmly committed.</p> <p>The UK armed forces take their responsibilities towards all of their people extremely seriously, and are very well aware of the particular welfare needs of Service personnel, including recruits and trainees, regardless of age. The Armed Forces Covenant makes clear that</p>	<p>As reflected in the UK 5th periodic report under the CRC²⁸, the UK Government considers that its declaration under the OP-CRC-AC is still necessary, and that the current minimum recruitment age for the Armed Forces is reasonable. The following considerations should be noted:</p> <ul style="list-style-type: none"> - On the involvement of under 18 in armed conflict: <ul style="list-style-type: none"> o No service personnel under the age of 18 is knowingly deployed on any operation, outside of the UK, which would result in engagement in (or exposure to) hostilities; further, under-18 are not deployed on UN peacekeeping operations. o The OP-CRC-AC does not preclude under-18s from taking a direct part in hostilities where: there is a genuine military need to deploy their unit or ship to an area in which hostilities are taking place; and by reason of the nature and urgency of the situation, it is not practicable to withdraw them before deployment; or to do so would undermine the operational effectiveness of their ship or unit, and thereby put at risk the successful completion of the

²⁸ Page 7 and Appendix 1 of [CRC/C/GBR/5](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>special account must be taken of the needs of those under the age of 18. Commanding Officers are provided with clear policy on under-18s with respect to the law, recruitment age, deployment on operations, alcohol, smoking, gambling, adventurous training, health & safety at work, the use of weapons, armed guard duty, vulnerable recruits, levels of supervision in the training environment, the right to leave the armed forces, welfare, mentoring, contact with parents and discipline.</p>	<p>military mission and/or the safety of other personnel.</p> <ul style="list-style-type: none"> ○ Legislation (The Duty to Participate in Education or Training (Alternative Ways of Working) Regulations 2013²⁹) designed to improve educational attainment, has extended the age until which young people are required to participate in education and training. From the start of Academic Year 2013/14, young people must continue to participate in education until the end of the academic year in which they turn 17. From Summer 2015, young people must continue to participate until their 18th birthday. The training and education offered by the Armed Forces ensures that young people embarking on a military career fulfil this duty. ○ The Armed Forces Covenant³⁰ makes clear that special account must be taken of the needs of those under the age of 18. Commanding Officers are provided with clear policy on under-18s with respect to the law, recruitment age, deployment

²⁹ http://www.legislation.gov.uk/uksi/2013/1243/pdfs/uksiem_20131243_en.pdf

³⁰ <https://www.gov.uk/government/policies/fulfilling-the-commitments-of-the-armed-forces-covenant/supporting-pages/armed-forces-covenant>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>on operations, the use of weapons, armed guard duty, younger recruits, levels of supervision in the training environment, the right to leave the armed forces, welfare, mentoring, contact with parents and discipline.</p> <ul style="list-style-type: none"> - On the minimum recruitment age: <ul style="list-style-type: none"> o The minimum age for entry into the UK Armed Forces aligns with the earliest age at which young people may choose to leave full time education in the UK. o The UK must be able to recruit from the widest talent pool available in an increasingly competitive employment market in order to sustain the required manning levels for its Armed Forces; but the UK is very much aware of the different needs of every age group and strives to ensure their specific needs are met. o At recruitment, evidence of age is required, and formal written consent is required from the parents or guardians of those under 18. There is no compulsory recruitment into the UK Armed Forces, and personnel under 18 have an immediate statutory right of

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>discharge until their 18th birthday if they wish to leave. The UK does not consider this approach inconsistent with its obligations under the OP-CRC-AC to which it remains firmly committed.</p> <ul style="list-style-type: none"> ○ Overall recruitment to the Armed Forces has declined as the Armed Forces seek to adjust and balance their manpower and, in line with this, the number of under-18s recruited has reduced from 5,820 in 2008/9 to 2,460 in 2012/13.
110.7 (CRC reservations)	110.7 Withdraw its reservations to the CRC concerning detained and asylum seeking children (Islamic republic of Iran)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government formally removed its reservation to the UN Convention on the Rights of the Child in relation to refugee children (article 22) in November 2008.</p>	Recommendation 110.7 enjoys the support of the UK because, at present, the UK has no reservations or declarations on the CRC ³¹ .
110.8 (OP-CRC-AC interpretation)	110.8 Withdraw its interpretive statement on the OP to the CRC on the involvement of children in armed conflict. (Russian	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.6</p>	Recommendation 110.8 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.6.

³¹ See page 7 of [CRC/C/GBR/5](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	Federation)		
110.9 (CRC incorporation)	110.9 Incorporate fully, as a matter of urgency, the principles and provisions of the CRC into domestic law. (Slovakia)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government is fully committed to the promotion and implementation of the UN Convention on the Rights of the Child. The Convention does not itself require states to incorporate its provisions directly into domestic law. The UK's approach to ensuring it meets its obligations under the UNCRC is, accordingly, to pursue implementation by means of a combination of legislative and policy initiatives, in keeping with general practice in the UK.</p> <p>In December 2010 the UK Government gave a commitment to Parliament to give due consideration to the UNCRC when making new policy and legislation. It is also introducing new legislation to strengthen the role of the Children's Commissioner for England, so that it is able to promote and protect the rights of children in line with the UNCRC. The new legislation also includes giving the Commissioner new powers to carry out impact assessments of new policies and legislation on children's rights. Legislation is also in preparation in Scotland with a view to strengthening support for children and placing</p>	<p>Recommendation 110.9 does not enjoy the support of the UK.</p> <p>As set out in the Core Document 2014 (section 2C³²), the UK implements its international human rights obligations through appropriate legislation and administrative measures. International instruments do not, however, apply directly in UK law. At present, in the human rights context, the Human Rights Act 1998³³ gives further effect in UK law to the rights in the ECHR, and makes most of the ECHR rights directly enforceable in UK courts. The Charter of Fundamental Rights of the European Union is legally binding on the UK when acting within the scope of EU law (following the European Union (Amendment) Act 2008³⁴, and the European Communities Act 1972³⁵).</p> <p>The UK is therefore implementing the CRC through a combination of legislative and policy initiatives. The UK 5th periodic report under the CRC³⁶ sets out in detail how the CRC is being implemented across the UK. The following highlights should be noted:</p> <ul style="list-style-type: none"> - In England, the UK Government is committed to giving due consideration

³² Page 36 of the [HRI/CORE/GBR/2014](#)

³³ <http://www.legislation.gov.uk/ukpga/1998/42/contents>

³⁴ <http://www.legislation.gov.uk/ukpga/2008/7/contents>

³⁵ <http://www.legislation.gov.uk/ukpga/1972/68/contents>

³⁶ Page 8 of [CRC/C/GBR/5](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>their rights at the heart of Scotland’s devolved policies. In Wales, there is a difference in approach. In 2011 the Welsh Government introduced legislation which places a duty on Welsh Ministers to have due regard to the UNCRC and its optional protocols when making decisions about proposed new policies and or legislation. Then from May 2014 whenever they use any of their legal powers or duties.</p>	<p>to the CRC when developing new policies and legislation. For example, a formal assessment of the Children and Families Bill in 2013 (now the Children and Families Act 2014³⁷) against the CRC was carried out prior to publication; and many of the provisions of the Act enhance children’s rights.</p> <ul style="list-style-type: none"> - In Scotland, the Scottish Government believes that incorporation is best achieved on a case by case basis. The Children and Young People (Scotland) Act 2014³⁸ introduces new powers and duties which explicitly recognise the role of the CRC in influencing service planning and delivery. For example, it places a duty on Scottish Ministers to keep under consideration and take steps to further the rights of children and young people, to promote and raise awareness and understanding of the CRC and prepare reports describing this activity. - In Northern Ireland, the “Ten Year Strategy for Children and Young People”³⁹ provides the strategic direction for improving outcomes for children and young people in Northern Ireland. A “child rights indicator framework” links progress on the outcomes in the strategy

³⁷ <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

³⁸ <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

³⁹ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/children-young-people/children-and-young-people-strategy.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>directly to the implementation of the CRC⁴⁰ and informs both the development of policy and the delivery of children's services.</p> <ul style="list-style-type: none"> - In Wales, the Rights of Children and Young Persons (Wales) Measure 2011⁴¹ places a duty on Welsh Ministers to have due regard to the CRC when making decisions about proposed new policies and/or legislation. The Children's Rights Scheme in 2012 set out the arrangements to ensure ministerial compliance with the duty (including the challenge process that any person, adult or child, should follow if they believe that Welsh Ministers have not fully considered children's rights). A new Children's Rights Scheme 2014 was published in May 2014⁴². The duty to have due regard to the CRC was extended further and all Ministers will now need to have due regard to the CRC when exercising any of their Ministerial functions.
110.10 (CRC implementation)	110.10 Take all measures necessary to fully implement the CRC (France)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is fully committed to the promotion and implementation of the UN Convention on the Rights of the Child and</p>	<p>Recommendation 110.10 enjoys the support of the UK for the reasons set out in the response to recommendation 110.9.</p>

⁴⁰ Page 10 of [CRC/C/GBR/5](http://www.unhcr.org/refugees/54154211.html)

⁴¹ <http://www.legislation.gov.uk/mwa/2011/2/contents>

⁴² <http://wales.gov.uk/topics/childrenyoungpeople/rights/uncrc/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>ensures that its policies and legislation complies with it. The education, health and wellbeing of children are vital for our society and the principles and standards defined in the Convention are an important framework for our thinking.</p> <p><i>Wales</i></p> <p>In Wales, the Rights of Children and Young Persons (Wales) Measure places a duty on Welsh Ministers to have due regard to the CRC when reviewing their policies and when making decisions about proposed policies or legislation. From 1st May 2012 Welsh ministers have a duty to have regard to the CRC whenever they use any of their legal powers or duties.</p>	
<p>110.11 (ICERD interpretation)</p>	<p>110.11 Consider withdrawing its interpretative declaration on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, as recommended by the Committee on Racial Discrimination as</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK maintains its interpretation of Article 4 which it stated on signature to the Convention in 1966. The UK has a long tradition of freedom of speech which allows individuals to hold and express views which may well be contrary to those of the majority of the population, and which many may find distasteful or even offensive. This may include material produced by avowedly racist groups and successive Governments have held the view that individuals have the right to express such views so long as they are not expressed</p>	<p>Recommendation 110.11 does not enjoy the support of the UK.</p> <p>As outlined in the Core Document 2014 (section 2⁴³), the UK has a very strong legislative framework to protect individuals and communities from discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments at UN and regional level. This framework is kept under review to ensure it remains effective and appropriate in the face of new challenges.</p> <p>To reflect the seriousness of hate crime, there is</p>

⁴³ Page 36 of the [HRI/CORE/GBR/2014](http://www.unhcr.org/refugees/43)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>well as take measures aimed at eliminating racial discrimination, incitement of racial hatred (Algeria)</p>	<p>violently or do not incite violence or hatred against others, or do not otherwise breach the criminal law. The UK believes that this strikes the right balance between maintaining the right to freedom of speech and protecting individuals from violence and hatred.</p>	<p>specific legislation, such as the Racial and Religious Hatred Act 2006⁴⁴ (for England and Wales), to protect people from racist abuse and other forms of hate crime such as:</p> <ul style="list-style-type: none"> - Racially and religiously aggravated offences (which carry higher maximum sentence penalties); - Enhanced sentencing (for offences where a court is satisfied that any offence was motivated by hostility towards the victim); - Sentence starting points of 30 years imprisonment for murders that are racially or religiously aggravated (and other hate crimes) where the court is considering the seriousness of an offence.
<p>110.12 (ICERD interpretation)</p>	<p>110.12 Withdraw its reservations and interpretative statement with respect to Article 4 of the ICERD (Islamic republic of Iran)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See recommendation 110.11</p>	<p>Recommendation 110.12 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.11.</p>
<p>110.13 (CEDAW reservations)</p>	<p>110.13 Remove reservations to the CEDAW</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government reviewed its current</p>	<p>Recommendation 110.13 does not enjoy the support of the UK, but the UK continues to keep its remaining reservations under review.</p>

⁴⁴ <http://www.legislation.gov.uk/ukpga/2006/1/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	(Greece)	reservations to the Convention on the Elimination of All Forms of Discrimination Against Women ahead of submission of its 7 th Periodic Report in June 2011 and concluded that the remaining reservations remained relevant and should not be withdrawn. The UK will continue to keep its reservations to the Convention under regular review with the view to lifting or amending them wherever possible.	Following its commitment to keep its reservations to the Convention under review, the UK is currently beginning a review of its exemption statement that allows the exclusion of women from certain military posts. The review will ascertain whether women can serve in combat roles, and will conclude by the end of 2014. All other UK reservations remain relevant and cannot be withdrawn.
110.14 (ICRMW ratification)	110.14 Consider the possibility of ratifying the international Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Chile)	The recommendation does not enjoy the support of the United Kingdom. The UK has not signed or ratified the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. No EU Member State or major industrialised developed state has ratified the Convention. Within the UK, the rights of migrant workers are already protected in domestic legislation, including under the Human Rights Act 1998. We believe we have struck the right balance between the need for a firm, fair and effective immigration system and protection of the interests and rights of migrant workers and their families.	Recommendation 110.14 does not enjoy the support of the UK. The UK Government remains unconvinced of the need to ratify the ICRMW. The rights of migrant workers are protected in domestic legislation, including under the Human Rights Act 1998 and the Equality Act 2010 ⁴⁵ , complemented by the UK ratification (and implementation) of a range of international human rights instruments at both UN and regional level (see the Core Document 2014 – section 2C ⁴⁶). Furthermore, migrants who are legally working in the UK already enjoy the full protection of UK employment law. Regulatory regimes, such as those administered by the Employment Agency Standards Inspectorate and the

⁴⁵ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

⁴⁶ Page 36 of the [HRI/CORE/GBR/2014](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Gangmasters Licensing Authority, are designed to protect vulnerable workers, including those from overseas. Migrant workers are also entitled to the same protections under health and safety legislation as any other worker.</p> <p>Finally, the UK Government notes the very low number of States Parties to the ICRMW (47 out of 193); in particular, no EU Member or BRIC country, the United States or Japan have ratified the ICRMW.</p>
110.15 (ICRMW ratification)	110.15 Consider acceding to the ICRMW (Ecuador)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.14</p>	<p>Recommendation 110.15 does not enjoy the support of the UK.</p> <p>See the response to recommendation 110.14.</p>
110.16 (ICRMW and ILO 143 ratification)	110.16 Consider the possibility of ratifying the ICRMW and ILO Convention No. 143 on Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Honduras)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.14. In addition the UK has no plans to ratify ILO Convention 143, which it believes is in contrary to its immigration policy. For example, Article 8 of the Convention is contrary to UK policy in respect of those admitted for the purpose of work and then become economically inactive.</p>	<p>Recommendation 110.16 does not enjoy the support of the UK.</p> <p>On the ICRMW, see the response to recommendation 110.14.</p> <p>On ILO 143, the UK Government remains unconvinced of the need to ratify this Convention having taken into account:</p> <ul style="list-style-type: none"> - The existing legal protection in the UK of the rights of migrant workers, as outlined in the response to recommendation 110.14. - The potential conflict between ILO 143 and UK policy on immigration.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<ul style="list-style-type: none"> - The very low number of States Parties to ILO 143 (23 out of 185); and notably, none of the BRIC countries, the United States or Japan has ratified ILO 143.
110.17 (ICRMW ratification)	110.17 Protect the children and families of migrants and refugees, and accede to the ICRMW (Morocco)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.14</p>	<p>Recommendation 110.17 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.14.</p>
110.18 (ICRMW ratification)	110.18 Ratify the ICRMW/ Accede to the ICRMW (Egypt, Guatemala, Sudan)/ (Uruguay, Islamic Republic of Iran)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.14</p>	<p>Recommendation 110.18 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.14.</p>
110.19 (ICRMW ratification)	110.19 In conformity with article 77 of the ICRMW, recognize the competence of the Committee to receive and consider communications which allege violations of individual rights	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK is not party to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (see response to recommendation 110.14) and cannot therefore implement this recommendation.</p>	<p>Recommendation 110.19 does not enjoy the support of the UK because the UK is not a party to the ICRMW.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	recognized by this Convention (Uruguay)		
110.20 (CPED ratification)	110.20 Establish a timetable for signature and ratification of the International Convention for the Protection of All Persons from Enforced Disappearance, and for full recognition of the competence of the Committee on Enforced Disappearance (France)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK does not normally sign a treaty unless we are confident that our own legislation is fully compliant with its requirements. We have carried out an initial assessment of the practical implications of implementing the Convention, and identified areas of domestic law and operational policy that would need change if the UK is to comply with Convention requirements. The UK is keen to move towards signature and ratification of the Convention but the size of this undertaking will require considerable resources and parliamentary time. However, the UK is committed to making further progress on ratification by the time of its mid-term review in 2014.</p>	<p>Recommendation 110.20 does not enjoy the support of the UK.</p> <p>The UK Government continues with the work set out in the response in 2012. Evaluation of any proposed changes will be discussed in further detail at the next UK report under the UPR in 2016, or via an earlier vehicle if this is possible.</p> <p>The UK Government would like to flag the existing UK framework which protects human rights, prevents arbitrary arrests and holds national security organisations to account, in particular:</p> <ul style="list-style-type: none"> • The prohibition of torture (or inhuman or degrading treatment or punishment) and the right to liberty and security as guaranteed by the ECHR are directly enforceable in UK courts through the Human Rights Act 1998. • Extensive legislation, such as the Police and Criminal Evidence Act 1984⁴⁷, and related Codes of Practice⁴⁸, provide a statutory framework against arbitrary arrests. • The UK is also party to a range of international human rights instruments

⁴⁷ <http://www.legislation.gov.uk/ukpga/1984/60/contents>

⁴⁸ <https://www.gov.uk/police-and-criminal-evidence-act-1984-pace-codes-of-practice>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>including the ECPT, CAT and OP-CAT, which ensure that UK state detention facilities are regulated and monitored.</p> <ul style="list-style-type: none"> • The work of the security and intelligence agencies (the Security Service, Secret Intelligence Service, and Government Communications Headquarters) is subject to Ministerial, and to independent oversight by the UK Parliament (through the Intelligence and Security Committee⁴⁹), the judiciary (through the Investigatory Powers Tribunal⁵⁰), and two Commissioners (the Interception of Communications Commissioner⁵¹, and the Intelligence Services Commissioner⁵²). • In 2010, the UK Government published “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”⁵³. • UK service personnel on operations overseas are at all times subject to the law of England and Wales, and are required to act in accordance with applicable human rights law and international humanitarian law. Where it is necessary to detain individuals on

⁴⁹ <http://isc.independent.gov.uk/>

⁵⁰ <http://www.ipt-uk.com/>

⁵¹ <http://www.iocco-uk.info/>

⁵² <http://isc.intelligencecommissioners.com/default.asp>

⁵³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/62632/Consolidated_Guidance_November_2011.pdf

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			operations, as a matter of policy, the UK will ensure its international obligations are upheld.
110.21 (CPED ratification)	110.21 Work on accession to the Convention for the Protection of All Persons from Enforced Disappearance (Iraq)	The recommendation enjoys the support of the United Kingdom. See response to 110.20	Recommendation 110.21 enjoys the support of the UK. See also the response to recommendation 110.20.
110.22 (CPED ratification)	110.22 Accelerate its current efforts to sign and ratify the CPED (Japan)	The recommendation enjoys the support of the United Kingdom. See response to 110.20	Recommendation 110.22 enjoys the support of the UK. See also the response to recommendation 110.20.
110.23 (CPED ratification)	110.23 Ratify the CPED /Accede to the CPED (Uruguay)	The recommendation does not enjoy the support of the United Kingdom. See response to 110.20	Recommendation 110.23 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.20.
110.24 (CPED ratification)	110.24 Continue efforts to ratify the CPED (Argentina)	The recommendation enjoys the support of the United Kingdom. See response to 110.20	Recommendation 110.24 enjoys the support of the UK. See also the response to recommendation 110.20.
110.25 (CPED ratification)	110.25 In conformity with articles 31 and 32 of	The recommendation does not enjoy the support of the United Kingdom.	Recommendation 110.25 does not enjoy the support of the UK because the UK is not a party to the CPED.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>the CPED, recognize the competence of the respective monitoring body to receive and consider communications from individuals and States that allege that they have been victims of violations of the provisions of the Convention (Uruguay)</p>	<p>The UK is not party to the Convention on Enforced Disappearance (see response to recommendation 110.20) and cannot therefore implement this recommendation.</p>	<p>The UK framework to protect human rights, prevent arbitrary arrests and hold national security organisations to account is set out in the response to recommendation 110.20.</p>
<p>110.26 (CPED, ICCPR-OP1 and ICESCR-OP ratification)</p>	<p>110.26 Ratify the CPED, The first OP-ICCPR and OP-ICESCR (Spain)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendations 110.1 and 110.20</p>	<p>Recommendation 110.26 does not enjoy the support of the UK for the reasons set out in the response to recommendations 110.20 and 110.1.</p>
<p>110.27 (ILO 189 ratification)</p>	<p>110.27 Ratify ILO Convention No. 189 on Domestic Workers (Uruguay)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government has publicly stated in an explanatory memorandum laid before Parliament on 27th April 2012 that whilst the</p>	<p>Recommendation 110.27 does not enjoy the support of the UK.</p> <p>The UK Government remains unconvinced of the need to ratify this Convention. The UK already has in place comprehensive legislative</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		UK supports the principles behind the Domestic Workers Convention by already providing comprehensive employment and social protections to domestic workers, it does not think that ratification of the Convention is appropriate for the UK because of the burdens that implementing the health and safety provisions would impose on UK business and citizens.	and administrative measures to protect workers' rights ⁵⁴ , including on: trade union representation (and industrial action); combating discrimination, bullying and harassment at work; retirement age; employees' personal data; pregnant employees' rights; and reasonable adjustment for (and recruitment of) disabled people. The UK Government remains concerned that the implementation of ILO 189 would impose disproportionate burdens on businesses and raise issues of privacy; this could have serious social consequences. However, the UK Government supports and is committed to the principles of this Convention.
110.28 (ILO 189 and ICRMW ratification)	110.28 Consider ratifying ILO Convention 189 on Decent Work for Domestic Workers and the ICRMW (Philippines)	The recommendation does not enjoy the support of the United Kingdom. See response to recommendations 110.14 and 110.27	Recommendation 110.28 does not enjoy the support of the UK because of the reasons set out in the response to recommendation 110.27 (for ILO 189) and recommendation 110.14 (for the ICRMW).
110.29 (Istanbul Convention ratification)	110.29 Sign and ratify the Council of Europe Convention on Preventing and Combating Violence	The recommendation enjoys the support of the United Kingdom. The UK signed CAHVIO on 8th June 2012. The UK already has some of the most robust protections in the world against violence	Recommendation 110.29 enjoys the support of the UK. The UK already signed the Istanbul Convention in 2012. In the course of 2013-14, provisions were put in place to criminalise forced marriage

⁵⁴ <https://www.gov.uk/browse/employing-people/trade-unions>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	against Woman and Domestic Violence (France)	towards women and we already comply with the vast majority of the articles of CAHVIO. We do need to ensure that all articles are fully met before ratification. We are currently working within Government and with the Devolved Administrations to establish the best way to do this.	(via the Anti-Social Behaviour, Crime and Policing Act 2014 ⁵⁵). Whilst this was critical to allow the UK to ratify the Convention, the UK Government and the Devolved Administrations continue rigorously to examine whether everything necessary to ratify the Convention is being done.
110.30 (CRPD reservations)	110.30 Consider the effect and continued relevance of its remaining reservations to the Convention on the Rights of Persons with Disabilities, and consider the possibility of withdrawing them (New Zealand)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK's reservations under the CRPD are subject to periodic review. The UK last conducted a review in 2011, and decided that certain reservations remain relevant and necessary. However, as the UK's withdrawal of the reservation in respect of Article 12 shows, where reservations are no longer necessary we will remove them.</p>	<p>Recommendation 110.30 enjoys the support of the UK to the extent that the UK Government considered (but it is not withdrawing) the reservations and the declaration placed under the CRPD. The UK will continue to keep this issue under review.</p> <p>The policy rationale underlying the remaining UK reservations and the declaration under the CRPD has not changed since September 2012; therefore the UK Government is currently unable to withdraw either the reservations or the declaration.</p> <p>See also the response to recommendation 110.4.</p>
110.31 (CRPD reservations)	110.31 Withdraw reservations made upon the ratification of the CRPD (Hungary)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK's reservations under the CRPD are subject to periodic review. The UK last conducted a review in 2011, and decided that certain reservations remain relevant and necessary. However, as the UK's withdrawal of</p>	Recommendation 110.31 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.30.

⁵⁵ <http://www.legislation.gov.uk/ukpga/2014/12/part/10>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		the reservation in respect of Article 12 shows, where reservations are no longer necessary we will remove them.	
110.32 (human rights protection)	110.32 Continue to ensure that human rights principles are integrated in domestic laws (Qatar)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK already ensures rights and fundamental freedoms in the European Convention on Human Rights are and continue to be enshrined in our domestic laws. Section 19 of the Human Rights Act (Statements of Compatibility) requires a Government Minister introducing legislation to Parliament to make a statement either that in his view the provisions of the legislation are compatible with the Convention rights or that if he is unable to make such a statement he nevertheless wishes Parliament to proceed with the legislation. This approach ensures that human rights principles are central to the consideration of domestic laws.</p> <p>In addition, on 18th March 2011, in line with a commitment made in the Coalition Government's Programme for Government, the Government announced the establishment of an independent Commission to look afresh at the way rights are protected in the UK.</p> <p>The Commission's terms of reference are to</p>	<p>Recommendation 110.32 enjoys the support of the UK.</p> <p>The UK already has a very strong legal framework (and effective remedies) for the protection of human rights and for combating discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments both at UN and regional level (see the Core Document – section 2⁵⁶).</p> <p>The final report of December 2012 of the Commission on a Bill of Rights⁵⁷ cautioned that the time was not right to proceed with a Bill of Rights or with changes to the current legislative framework for human rights, largely because of the way the UK human rights framework is tied into the devolution settlements, and in view of the referendum in Scotland on the independence from the UK (which is scheduled for 18 September 2014). The UK Government agrees with this analysis.</p> <p>In Scotland, the Scottish Government continues to remain firmly committed to human rights</p>

⁵⁶ Page 36 of the [HRI/CORE/GBR/2014](http://www.hri.org/core/GBR/2014)

⁵⁷ <http://www.justice.gov.uk/about/cbr>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		investigate the creation of a UK Bill of Rights that incorporates and builds on all our obligations under the European Convention on Human Rights, to ensure that these rights continue to be enshrined in UK law, and protects and extends our liberties. The objective is to examine the operation and implementation of these obligations, and consider ways to promote a better understanding of the true scope of these obligations and liberties. The Commission has been asked to report by the end of 2012.	principles, as exemplified by Scotland's "National Action Plan for Human Rights" ⁵⁸ which was launched by the SHRC on 10 December 2013, and is designed to act as a roadmap for the realisation of human rights in Scotland. In Wales, the Welsh Government also continues to remain committed to human rights and to compliance with the ECHR, underpinned by the devolution settlement.
110.33 (detention by the armed forces)	110.33 Consider that any person detained by its armed forces is under its jurisdiction, and respect its obligations concerning the human rights of such individuals (Islamic Republic of Iran)	The recommendation does not enjoy the support of the United Kingdom. UK personnel on military operations overseas are subject to the law of England and Wales wherever in the world they operate and are required to act in accordance with applicable human rights law and the law of armed conflict. However, our position is consistent with that of the European Court of Human Rights as set out in <i>Al Skeini</i> , that: <i>'In each case the question whether exceptional circumstances exist which require and justify a finding by the court that the state was exercising jurisdiction extra territorially must be determined with reference to the particular facts'</i>	Recommendation 110.33 does not enjoy the support of the UK. UK personnel on military operations overseas are subject to the law of England and Wales, and are required to act in accordance with applicable human rights law and international humanitarian law. As set out the UK's 7 th periodic report under the ICCPR ⁵⁹ , the UK's human rights obligations are primarily territorial and the ICCPR can only have effect outside the territory of the UK in very exceptional circumstances. Similarly, the European Court of Human Rights has held that the ECHR only applies extra-territorially in exceptional circumstances. In relation to scope of application of CAT see the response to

⁵⁸ <http://www.scottishhumanrights.com/actionplan>

⁵⁹ Page 97 of [CCPR/C/GBR/7](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			recommendation 110.3. International human rights treaties however do not necessarily have the same scope of application. The UK endeavours to comply with its human rights obligations in relation to all persons detained by its armed forces.
110.34 (children in conflict)	110.34 Introduce law that will criminalize use of children in military actions (Uzbekistan)	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>As stated in the response to recommendations 110.6 and 110.8, the UK is committed to the Convention on the Rights of the Child, including the Optional Protocol on Children in Armed Conflict. Furthermore existing law makes it an offence to conscript or enlist children under the age of fifteen years into the national armed forces or use them to participate actively in hostilities. The UK is satisfied existing law and policy addresses the concerns which might underpin this recommendation.</p>	<p>Recommendation 110.34 enjoys the support of the UK in part.</p> <p>See the responses to recommendation 110.6 and 110.8.</p> <p>The current legislation and administrative measures on the minimum age for recruitment into the Armed Forces prohibit the enlistment of children under 15. The UK Government takes the view that its position remains compatible with the international obligations under the OP-CRC-AC.</p>
110.35 (export controls)	110.35 Prohibit under the law the sale of weapons to the countries where children have been or are used in military actions	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>Under UK export control law the export of arms to all destinations is prohibited, unless authorised by a licence issued by the Secretary of State for Business Innovation and Skills. Applications for licences are assessed against</p>	<p>Recommendation 110.35 does not enjoy the support of the UK.</p> <p>The UK Government considered its international obligations under the CRC and the OP-CRC-AC as well as the legislation and administrative measures controlling the export of arms⁶⁰. In particular, it considered that the</p>

⁶⁰ <https://www.gov.uk/government/collections/export-licensing-guidance--2>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	(Uzbekistan)	relevant policies, primarily the Consolidated EU and National Arms Export Licensing Criteria. The assessment against the Criteria is made for applications for export licences to any country and takes account of a range of risks, including the risk in internal repression which includes considerations of whether the arms might be used by or against children, or that children have been, or are likely to be, used in military actions in that country or region. The UK will not issue an export licence if there is a clear risk that the equipment might be used for internal repression which includes assessment of the likelihood of the exports being used to commit serious violations of human rights, or of international humanitarian law.	<p>“Consolidated EU and National Arms Export Licensing Criteria”⁶¹ also include, amongst other risks, the respect of human rights and fundamental freedoms in the country of final destination, especially where serious human rights violations have been established by the competent bodies of the UN, Council of Europe or the EU.</p> <p>In light of the above, the UK Government remains unconvinced of the need to introduce a statutory prohibition.</p>
110.36 (NHRIs and Commissioners independence)	110.36 Adopt measures necessary to ensure the independence of the Commissioners in accordance with the Paris Principles (Costa Rica)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to having a strong and effective ‘A’-rated National Human Rights Institution. The UK Government is liaising closely with the International Co-ordinating Committee and the Office of the High Commissioner for Human Rights on the implementation of our reforms, which we believe will support the Commission, ensuring its independence and safeguarding its ‘A’-rated status. This is a high priority for the UK Government. The Government also favours a strong independent Commissioner to</p>	<p>Recommendation 110.36 enjoys the support of the UK.</p> <p>The UK Government considers that it is ensuring the independence of the NHRIs and of the Commissioners monitoring specific rights, using for the latter the examples of the Children Commissioners and of the UK Information Commissioner.</p> <p><i>NHRIs</i></p> <p>The UK Government observes that the three UK NHRIs (namely the EHRC, the SHRC, and the NIHRC) are all accredited “A” status by the</p>

⁶¹ <https://www.gov.uk/government/publications/consolidated-eu-and-national-arms-export-licensing-criteria>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>represent the views and interests of children and to protect their rights. The proposed legislation for England set out in recommendation 110.38 will enhance the Commissioner’s role.</p>	<p>ICC; this means that they have all been assessed to be fully compliant with the Paris Principles, including with the criterion of independence guaranteed in the UK by the following statutes:</p> <ul style="list-style-type: none"> - for the EHRC, the Equality Act 2006, Schedule 1, Part 4, paragraph 42⁶²; - for the NIHR, the Northern Ireland Act 1998, Schedule 7, Paragraph 11⁶³; - for the SHRC, the Scottish Commission for Human Rights Act 2006, Schedule 1, paragraph 3⁶⁴. <p>Following the “Comprehensive Budget Review” of the EHRC in January 2013⁶⁵, carried out by the UK Government in partnership with the EHRC, the UK Government is satisfied that the budget is adequate for the EHRC to discharge its functions. Furthermore, the ICC was content with the EHRC “Framework Document” of May 2013⁶⁶, which sets out the relationship between the UK Government and the EHRC.</p> <p>It should also be noted that the Scottish Government continues to remain firmly committed to the independence of the UK NHRIs in general and of the SHRC in particular.</p> <p><i>Commissioners</i></p>

⁶² <http://www.legislation.gov.uk/ukpga/2006/3/schedule/1>

⁶³ <http://www.legislation.gov.uk/ukpga/1998/47/schedule/7>

⁶⁴ <http://www.legislation.gov.uk/asp/2006/16/schedule/1>

⁶⁵ <https://www.gov.uk/government/publications/comprehensive-review-of-the-equality-and-human-rights-commission-s-ehrcs-budget>

⁶⁶ <https://www.gov.uk/government/publications/ehrc-framework-document>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>The independence of the Children Commissioners is guaranteed by the following statutes:</p> <ul style="list-style-type: none"> - for the Children’s Commissioner for England, the Children Act 2004 Schedule 1, paragraph 1⁶⁷, and the Children and Families Act 2014; - for Northern Ireland’s Commissioner for Children and Young People, the Commissioner for Children and Young People (Northern Ireland) Order 2003, Schedule 2, paragraph 1⁶⁸; - for Scotland’s Commissioner for Children and Young People, the Commissioner for Children and Young People (Scotland) Act 2003, Schedule 1, paragraphs 1-2⁶⁹, and the Children and Young People (Scotland) Act 2014; - for the Children’s Commissioner for Wales (the first one to be set up in the UK), the Care Standards Act 2000, Schedule 2, paragraph 1⁷⁰. <p>The independence of the Information Commissioner is guaranteed by the Data Protection Act 1998, Schedule 5, paragraph 1⁷¹, and s.18 Freedom of Information Act 2000⁷².</p>
110.37 (EHRC)	110.37	The recommendation enjoys the support of the	Recommendation 110.37 enjoys the support of

⁶⁷ <http://www.legislation.gov.uk/ukpga/2004/31/schedule/1>

⁶⁸ <http://www.legislation.gov.uk/nisi/2003/439/schedule/2>

⁶⁹ <http://www.legislation.gov.uk/asp/2003/17/schedule/1>

⁷⁰ <http://www.legislation.gov.uk/ukpga/2000/14/schedule/2>

⁷¹ <http://www.legislation.gov.uk/ukpga/1998/29/schedule/5>

⁷² <http://www.legislation.gov.uk/ukpga/2000/36/part/I/crossheading/the-information-commissioner-and-the-information-tribunal>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
independence)	Ensure that the reform process of the Equality and Human Rights Commission does not affect its independence in conformity with the Paris Principles (Morocco)	United Kingdom. See response to recommendation 110.36	the UK for the reasons set out in the response to recommendation 110.36.
110.38 (Children’s Commissioner for England)	110.38 Introduce legislation at the earliest opportunity to give the Children’s Commissioner for England an explicit role of promoting and protecting children’s rights in line with the CRC and to make the Commissioner more independent from Government and more accountable to Parliament (Australia)	The recommendation enjoys the support of the United Kingdom. The UK Government is introducing legislation which will give the Children’s Commissioner for England an explicit role to promote and protect children’s rights and to make the commissioner more independent. The proposals are currently going through pre-legislative scrutiny with the aim of introducing a Bill early in 2013.	Recommendation 110.38 enjoys the support of the UK. The Children and Families Act 2014 gives the Children’s Commissioner for England the primary role to promote and protect children’s rights. Provisions in the previous legislation that allowed Ministers to direct the Commissioner to undertake certain activities have been removed; and the Commissioner is now able to bring matters to the direct attention of the UK Parliament, and to lay the Commissioner’s annual report before the UK Parliament directly (rather than via the UK Government). See also the response to recommendation 110.36.
110.39 (equality)	110.39 Develop appropriate policies and targeted	The recommendation enjoys the support of the United Kingdom. The UK will continue to develop policies and	Recommendation 110.39 enjoys the support of the UK. The UK has a very strong legal framework (and

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	measures in ensuring genuine equality in accordance with the recommendation of the Committee on Economic, Social and Cultural Rights (Uzbekistan)	measures to ensure equal enjoyment of economic, social and cultural rights.	effective remedies) for the protection of human rights and for combating discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments both at UN and regional level (see the Core Document 2014 – section 2 ⁷³). This framework is kept under review to ensure it remains effective and appropriate in the face of new challenges. See also the UK 6 th periodic report under the ICESCR ⁷⁴ .
110.40 (gender equality)	110.40 Continue efforts in the promotion of women rights (Indonesia)	The recommendation enjoys the support of the United Kingdom. The UK Government’s overarching approach to advancing gender equality and our determination to eliminate discrimination is set out in the cross-Government Strategy ‘ <i>Building a Fairer Britain</i> ’ published in December 2010. Since publication of the strategy, we are implementing a number of initiatives promoting gender equality which includes: <ul style="list-style-type: none"> - Working with the new Women’s Business Council to develop a firm programme of action; - Increasing the numbers of companies and voluntary sector organisations 	Recommendation 110.40 enjoys the support of the UK. The UK already has a very strong legal framework (and effective remedies) for the protection of human rights and for combating discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments both at UN and regional level (see the Core Document 2014 (section 2 ⁷⁵), and also the response to recommendation 110.29). The UK Government’s building block to promote gender equality remains the 2010 strategy “Building a Fairer Britain” ⁷⁶ (and its

⁷³ Page 36 of the [HRI/CORE/GBR/2014](#)

⁷⁴ Pages 41-44 of the [ICESCR 6th periodic report](#)

⁷⁵ Page 36 of the [HRI/CORE/GBR/2014](#)

⁷⁶ <https://www.gov.uk/government/publications/equality-strategy>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>reporting on their action to improve gender equality in the workplace.</p> <ul style="list-style-type: none"> - Rolling out new programmes to encourage business mentoring with 15,000 new mentors and to support rural women entrepreneurs with a new fund of £2m over 3 years; - Working on plans for flexible working and shared parental leave, and take forward our proposals on equal pay; - Working to increase the momentum on implementing the recommendations of Lord Davies' review on women on FTSE Boards; - Ensuring that women's businesses have fair access to finance. <p><i>Scotland</i></p> <p>The Scottish Government continues to prioritise the work to tackle gender inequality through the allocation of funding to address its consequences, such as the gender pay gap and occupational segregation. Most recently, in recognition of the disproportionate impact on women of the recession, the First Minister announced that a Women's Employment Summit, jointly organised with the Scottish Trade Union Congress, would be held in September this year and will investigate what</p>	<p>2012 progress report⁷⁷). More recent initiatives include:</p> <ul style="list-style-type: none"> - Working with the Women's Business Council⁷⁸ to implement a new UK Government action plan following the Council's report of June 2013; - Providing GBP£2m to help set up new childcare businesses; - Extending the right to request flexible working to all employees from June 2014; - Introducing a new system of shared parental leave from April 2015. - Implementing provisions of the Equality Act 2010 that make pay secrecy clauses unenforceable. - Putting in place provisions so that employment tribunals can require an employer who loses an equal pay case to carry out a pay audit. <p>In Northern Ireland, the Northern Ireland Executive⁷⁹ is progressing human rights and equality in Northern Ireland, for example through the Equality Schemes⁸⁰ which require approval by the ECNI, and which include Northern Ireland public authorities' arrangements for: assessing their compliance with the equality duties under section 75 Northern Ireland Act 1998⁸¹; assessing and</p>

⁷⁷ <https://www.gov.uk/government/publications/the-equality-strategy-building-a-fairer-britain-progress-report>

⁷⁸ <http://womensbusinesscouncil.dcms.gov.uk/>

⁷⁹ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change.htm>

⁸⁰ http://www.ofmdfmi.gov.uk/ofmdfm_equality_scheme_revised_september_2013_.pdf

⁸¹ <http://www.legislation.gov.uk/ukpga/1998/47/section/75>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>more can be done to improve the position of women in the workplace.</p> <p><i>Wales</i></p> <p>The Welsh Government is committed to the promotion of women’s rights in Wales. Funding for an all Wales Women’s Network was awarded in November 2011. The role of this network is to ensure that the issues, challenges and priorities of women in Wales are heard by Government and are then used to shape the policy agenda.</p>	<p>consulting on the likely impact of policies on the promotion of equality of opportunity; monitoring any adverse impact of policies on the promotion of equality of opportunity; publishing the results of such assessments; training staff; ensuring and assessing public access to information and services provided by the public authority. The “Gender Equality Strategy”⁸² is the overarching strategy to deliver gender equality in Northern Ireland. The current strategy runs from 2006 to 2016.</p> <p>In January 2014, following a review of the strategy, approval was granted for the development of a new strategy. This will include a new action plan to deliver the objectives of the strategy. The action plan will address the gaps in gender equality identified by the review and take account of international obligations such as those under the CEDAW.</p> <p>In Scotland, the first ever Women's Employment Summit was held in partnership with the Scottish Trade Union Congress on 12 September 2012, and the Scottish Government has taken forward a range of actions aimed at helping women to achieve their full potential in the Scottish labour market, including:</p> <ul style="list-style-type: none"> - Legislating to increase the amount of free early learning and childcare from 475 hours per year to a minimum of 600 hours per year for all 3 and 4 year olds; - Providing the 'CareerWISE' initiative with £250,000 over two years from

⁸² <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>2013, to encourage girls to consider careers in science and engineering;</p> <ul style="list-style-type: none"> - Establishing a Strategic Group on Women and Work to oversee and advise on the implementation of recommendations from the Women's Employment Summit; - Reconvening a Cross-Government Group on Occupational Segregation to drive forward improvements in this challenging area. <p>In addition, the Scottish Government has established a strategic high-level Programme Board to oversee work aimed at increasing the representation of women on Scotland's public boards. The Scottish Government supports action to tackle the causes of pay inequality, and its public sector pay policies require public bodies to ensure that pay is fair and non-discriminatory.</p> <p>In Wales, the Welsh-specific equality duties place a duty on public authorities to address gender pay and employment differences. Included within the Welsh Government's equality objectives are objectives to address pay and employment differences and to take action to address under-representation in public appointments. To this end, Welsh Ministers have agreed an Action Plan which includes working with Chairs of public boards and working with Sport Wales successfully to increase the number of women on their board and publish a case study of effective practice and lessons learnt. Funding is also provided for</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			the Women's Equality Network Wales (WEN Wales).
110.41 (child poverty)	110.41 Set out a clear pathway to meet the goal of ending child poverty in the UK by 2020 as stated in the Coalition's programme for government (Norway)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government published its first strategy to meet the goal of ending Child Poverty in the UK by 2020 in April 2011, as required by the Child Poverty Act. The strategy is being implemented through Welfare Reform and the introduction of Universal Credit; the introduction of free education for all 3 and 4 year olds and for 40% of all 2-year olds; the establishment of the Social Mobility and Child Poverty Commission; and the introduction of the Pupil Premium, among other measures.</p> <p><i>Scotland</i></p> <p>In 2011, the Scottish Government published a Child Poverty Strategy for Scotland which focuses on early intervention and is linked to related Government strategies on reducing poverty and health inequalities as well as early years education. The Scottish Government reports annually on progress towards the four UK child poverty targets and on actions under the main aims of the Strategy: maximising</p>	<p>Recommendation 110.41 enjoys the support of the UK.</p> <p>The Child Poverty Act 2010⁸³ (s.2) remains the building block for setting targets for ending child poverty in the UK by 2020.</p> <p>The UK Government published the 2014-2017 "Child Poverty Strategy" on 26 June 2014⁸⁴. The strategy outlines the actions being taken to meet the goals set in the Child Poverty Act. The strategy focuses on raising the incomes of poor children's families by helping them get into work, for example through the introduction of Universal Credit. It supports the living standards of low-income families, for example by reducing energy bills, and will raise the educational attainment of poor children, for example by giving schools £2.5 billion a year in 2014/15 through the Pupil Premium. The UK Government's Social Justice Strategy⁸⁵ focuses on tackling the causes of poverty; a progress report on this strategy was published in April 2013⁸⁶.</p> <p>In Northern Ireland, the Northern Ireland</p>

⁸³ <http://www.legislation.gov.uk/ukpga/2010/9/section/2>

⁸⁴ <https://www.gov.uk/government/publications/child-poverty-strategy-2014-to-2017>

⁸⁵ <https://www.gov.uk/government/policies/helping-to-reduce-poverty-and-improve-social-justice>

⁸⁶ <https://www.gov.uk/government/publications/social-justice-transforming-lives-one-year-on>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>household resources and improving children’s wellbeing and life chances.</p> <p><i>Wales</i></p> <p>The Welsh Government remains committed to the aim of eradicating child poverty by 2020; to ameliorating the impacts of poverty; and to tackling the long term causes of poverty. The Welsh Government’s Programme for Government sets out the key actions it is taking both to reduce poverty and to reduce the likelihood that people will become poor. The Tackling-Poverty Action Plan published in June 2012 establishes a system of collaborative working across the Welsh Government as well as its partners to tackle poverty in Wales. The Plan will provide regular updates and contain details of measurable outcomes to show progress.</p>	<p>Executive published a comprehensive strategy in 2011, “The Child Poverty Strategy”⁸⁷, to tackle child poverty and contribute to meeting the UK’s 2020 target. Regular progress reports on the roll out of the strategy are published on the Northern Ireland Executive’s website⁸⁸. In 2011, the Northern Ireland Executive introduced the “Delivering Social Change” framework⁸⁹, a new approach to tackling poverty across all ages and improve the health, well being and life opportunities of children and young people, to break the cycle of intergenerational problems. The new framework provides for a joined-up approach across Northern Ireland government departments and an investment of £27.6 million towards targeted programmes to deliver early intervention, help with literacy and numeracy, early years provision and support during transitions. The Northern Ireland Executive also asked the National Children’s Bureau to develop the “Child Poverty Outcomes Framework” to tackle child poverty, which was published in 2013⁹⁰. The Child Poverty Outcomes Framework will form the basis of a new Child Poverty Strategy, to be published shortly.</p> <p>In Scotland, the Scottish Government’s “Child Poverty Strategy for Scotland – Our approach 2014-2017”⁹¹ was published in March 2014,</p>

⁸⁷ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/poverty-and-social-inclusion.htm>

⁸⁸ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/poverty-and-social-inclusion/child-poverty.htm>

⁸⁹ <http://www.ofmdfmi.gov.uk/delivering-social-change>

⁹⁰ <http://www.ncb.org.uk/media/1076520/child-poverty-outcomes-framework-september-2013.pdf>

⁹¹ <http://www.scotland.gov.uk/Topics/People/welfare/welfarereform/tacklingpovertyinscotland/CP>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>and focuses on: maximising household resources, improving children’s wellbeing and life chances, and ensuring that children from low income households live in well-designed, sustainable places. Most recent figures show that child poverty in Scotland has fallen substantially since devolution, from 28% in 1999-00⁹² to 19% in 2012-13. The Scottish Government is also protecting household incomes through the Social Wage. This includes free personal care for the elderly, abolition of tuition fees, scrapping of bridge tolls and prescription charges, free eye examinations, freezing of council tax, concessionary bus passes and increasing the provision of free nursery education. In addition, the Scottish Government is committed to supporting the Scottish Living Wage (new rate £7.65 p/h as of 1 April 2014), protecting the pay of the lowest earners the Scottish Government have direct responsibility for through the public sector pay policy and encouraging employers in the public, private and third sector in Scotland to do likewise.</p> <p>In Wales, the Welsh Government launched “Building Resilient Communities - Taking Forward the Tackling Poverty Action Plan” on 3 July 2013⁹³. This plan includes measurable objectives and a clear vision on what the Welsh Government is doing to tackle poverty to meet the 2020 targets. The Action Plan focuses on</p>

⁹² <http://www.scotland.gov.uk/Resource/0044/00445863.pdf>

⁹³ <http://wales.gov.uk/topics/people-and-communities/tacklingpoverty/publications/taking-forward-tack-pov-plan/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			three main areas: preventing poverty (by reducing inequalities for example in educational attainment); getting people into work by improving employability and increasing skills; and mitigating the effects of poverty (including a focus on health and access to services). The Welsh Government is closely monitoring the roll out of the plan and a progress report will be published in 2014.
110.42 (welfare, rights)	110.42 Continue efforts in enhancing the welfare of all segments of society and protect their rights (Nepal)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to enhancing the welfare of all segments of society through a number of initiatives. For example, the Government’s cross-Government Equality Strategy ‘Building a Fairer Britain’, published in December 2010 which sets out the Government’s commitment to tackling the barriers to equal opportunities and social mobility. In addition, the UK has in place extensive equalities and human rights legislation, for example the Equality Act 2010 and the Human Rights Act 1998.</p>	<p>Recommendation 110.42 enjoys the support of the UK.</p> <p><i>Welfare</i></p> <p>The UK Government is reforming the welfare system in order to make it simpler and to increase the incentives to encourage people on benefits to start paid work (or to increase their hours of paid work)⁹⁴. The main legislation introducing the changes is the Welfare Reform Act 2012⁹⁵; the Impact Assessments⁹⁶, including the Equality Impact Assessments⁹⁷, on this legislation are publicly available on the UK Government’s website.</p> <p>Amongst the measures being introduced is Universal Credit, a new single system of means-tested support for working-age people who are in or out of work. Support for housing costs, children and childcare costs are integrated in the new benefit. It also provides additions for</p>

⁹⁴ <https://www.gov.uk/government/policies/simplifying-the-welfare-system-and-making-sure-work-pays>

⁹⁵ <http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted> .

⁹⁶ <https://www.gov.uk/government/collections/welfare-reform-act-2012-impact-assessments>

⁹⁷ <https://www.gov.uk/government/collections/welfare-reform-act-2012-equality-impact-assessments>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>people with disabilities and for carers. Through schemes like the Work Programme, launched on 10 June 2011 and now in place nationally, the UK Government is providing more personalised back to work support for those at risk of long term unemployment. Work Programme providers are free to design support based on individual and local need.</p> <p>Since 8 April 2013, a Personal Independence Payment (PIP) is progressively being introduced to support disabled people; PIP is a non-means-tested, non-taxable cash benefit that claimants can spend in a way that best suits them, and is payable to people whether they are in or out of work.</p> <p>In Northern Ireland, a Welfare Reform Bill⁹⁸ is being considered by the Northern Ireland Assembly.</p> <p>In Scotland, the Scottish Government measures its success through a National Performance Framework⁹⁹, which covers, amongst others, the enjoyment of the rights to health, education and housing. Specific national indicators mark progress and highlight where further work is needed. Equality, fairness and social justice are at the heart of the Scottish Government's vision and it is providing over £60 million from the Equality budget during 2012-15 to support and develop the infrastructure and key organisations and projects to advance equality across</p>

⁹⁸ <http://www.nidirect.gov.uk/changes-to-benefits-welfare-reform>

⁹⁹ <http://www.scotland.gov.uk/About/Performance/purposestratobjis>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Scotland, and to support equality work and the capacity of communities to promote equality and to engage in policy making. In relation to the Equality Act 2010, further “specific duties” were made by Scottish Ministers in May 2012 to enable the better performance of the equality duty in the Act. The package of duties provides a robust and proportionate framework to assist in the delivery of improved outcomes for people in Scotland and they run with the grain of public service reform.</p> <p>In Wales, following the Equality Act 2010, the Welsh Government legislated to bring in specific equality duties as set out in the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011¹⁰⁰. The Welsh-specific equality duties place responsibilities on the public sector, including on: engagement; equality impact assessments; pay differences; procurement and equality; and employment information across all protected groups. Public authorities in Wales published their equality objectives and their Strategic Equality Plans in April 2012, which clearly laid out the actions the public sector is taking to improve the lives and wellbeing of its citizens. The Welsh Government’s annual report on equality was published in December 2013¹⁰¹.</p> <p><i>Human rights protection</i></p>

¹⁰⁰ <http://www.legislation.gov.uk/wsi/2011/1064/contents/made>

¹⁰¹ <http://wales.gov.uk/topics/equality/publications/equality-annual-report-12-13/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			The UK has a very strong legal framework (and effective remedies) for the protection of human rights and for combating discrimination, namely the Human Rights Act 1998 and the Equality Act 2010, complemented by the UK ratification (and implementation) of a range of international human rights instruments both at UN and regional level (see the Core Document 2014 – section 2 ¹⁰²).
110.43 (multiculturalism)	110.43 Intensify its efforts to promote multiculturalism at all levels (Pakistan)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p><i>Creating the Conditions for Integration</i>, published in February 2012, sets out the UK Government's approach to integrated communities based around common ground, responsibility, empowerment and participation, social mobility and consistent challenge to extremism and intolerance. This new approach marks a move away from previous policies which have sometimes encouraged difference at the expense of what we share in common. The Government's new approach to integration therefore focuses on celebrating what we have in common and promoting the shared values and shared commitments which underpin and strengthen our national identity.</p> <p>The Government is supporting a number of locally led projects which encourage links and dialogue between people from different faith</p>	<p>Recommendation 110.43 enjoys the support of the UK.</p> <p>The UK Government's document "Creating the Conditions for Integration"¹⁰³ of February 2012 continues to be the building block setting out the UK Government's approach to integration. The UK Government is currently supporting over 30 practical projects¹⁰⁴ which demonstrate positive or pioneering ideas and create the conditions for people to live successfully alongside each other. The UK Government aims to create a modern and inclusive national identity where everyone can celebrate national achievements, and therefore also supports national projects in which everyone can participate. A number of projects aim to provide opportunities for young people, particularly those from deprived backgrounds, to participate in community and economic life and to mix with those different themselves through sport or</p>

¹⁰² Page 36 of the [HRI/CORE/GBR/2014](https://www.unhcr.org/refugees/49794000.html)

¹⁰³ <https://www.gov.uk/government/publications/creating-the-conditions-for-a-more-integrated-society>

¹⁰⁴ <https://www.gov.uk/government/policies/bringing-people-together-in-strong-united-communities>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>and cultural backgrounds, including 'A Year of Service,' a programme which encourages faith communities to come together to serve the wider community; and a nationwide community music day which offers the opportunity for communities to come together through musical performances.</p> <p><i>Scotland</i></p> <p>The Scottish Government has taken a range of measures to deliver race equality and better outcomes for Scotland's minority ethnic and faith communities. The £20 million of funding provided since 2008 to organisations to organisations and projects working on the ground supports this, along with the strong relations the Scottish Government have developed with a range of communities and intermediary bodies.</p> <p><i>Wales</i></p> <p>The Welsh Government is committed to promoting race equality and has established the Wales Race Forum. The Forum will help the Welsh Government to understand the key issues and barriers within BME communities and will enable the Welsh Government to engage on an ongoing basis rather than just consulting on</p>	<p>other activities. Examples of other integration projects include a programme to promote volunteering amongst faith groups; projects to highlight the contributions and sacrifices of Commonwealth soldiers during the First World War and a programme to monitor anti-Muslim hate incidents.</p> <p>In Northern Ireland, the Northern Ireland Executive launched in May 2013 the “Together: Building a United Community” strategy¹⁰⁵, aimed at improving community relations in Northern Ireland including by focusing on children and young people (for example, by creating shared educational campuses) and the community (for example, by creating new shared neighbourhood developments, and by reducing interface barriers). Comprehensive housing initiatives are also in place to promote community cohesion and good relations through housing¹⁰⁶. It is also consulting on a new racial equality strategy – a “Sense of Belonging” – which is aimed at tackling racial inequalities and promoting good race relations. The strategy will be published later in 2014 and programmes of work to implement it will follow. Additionally, the Office of the First Minister and Deputy First Minister is providing funding of over £1m per annum to encourage organisations working to promote integration.</p>

¹⁰⁵ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/good-relations/together-building-a-united-community.htm>

¹⁰⁶ <http://www.nihe.gov.uk/index/community.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		specific issues.	<p>In Scotland¹⁰⁷, the Scottish Government is developing a new approach to race equality in Scotland (“Equal for All. Better for All”), working in partnership with key race equality stakeholders, and building on the “Race Equality Statement 2008”. The discussion paper details four priority areas: poverty and employment; discrimination and hate crime; representation in public life; and strong, resilient communities.</p> <p>From 2012-15, the Scottish Government is providing over £8 million from its equality budget to organisations working to address race equality in Scotland.</p> <p>The Scottish Government is committed to advancing the integration of Roma communities and improving conditions for Gypsy/Travellers through research, planning and financial support. It is working to develop an overarching strategy and action plan for Gypsy/Travellers which builds on existing work and draws on the recommendations of recent inquiries undertaken by the Scottish Parliament’s Equal Opportunities Committee. A strategy for integration of refugees, the “New Scots: Integrating Refugees in Scotland’s Communities”¹⁰⁸, was published in December 2013. The Scottish Government will also provide £2.81 million for the period 2012-15 to organisations working with refugees and asylum</p>

¹⁰⁷ <http://www.scotland.gov.uk/Topics/People>

¹⁰⁸ <http://www.scotland.gov.uk/Publications/2013/12/4581>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>seekers in Scotland (the £2.81 million is included in the £8 million mentioned above).</p> <p>In Wales¹⁰⁹, the Welsh Government has an ongoing community cohesion strategy, “Getting on Together”¹¹⁰, which was launched in 2009 and is now in phase two of delivery, to promote social inclusion and tolerance. Funding of £5million supported the strategy, which included over 650 projects across Wales between 2009- 2012. Phase two of delivery is focussed on how support can be provided through the Equality Act 2010 to promote good relations. The Welsh Government also funded Regional Community Cohesion Officer Posts across all 22 local authority areas. Additional funding has been agreed to extend the Posts to 2016 and to deliver a national Community Cohesion Work Programme. The Welsh Government has established a Wales Race Forum, to engage and understand the key issues and barriers facing BME (black and minority ethnic) communities in Wales, and a Faith Communities Forum, bringing together representatives of different faith groups to discuss key inter-faith issues.</p> <p>The Welsh Government has also continued to fund the Wales Migration Partnership to ensure a more strategic, co-ordinated and effective approach is taken to support the inclusion of migrants, their families and communities in all</p>

¹⁰⁹ <http://wales.gov.uk/topics/people-and-communities/?lang=en>

¹¹⁰ <http://wales.gov.uk/statistics-and-research/evaluation-getting-together-community-cohesion-strategy-wales/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			aspects of Welsh society. In December 2012, the Wales Migration Partnership hosted Wales' first ever national conference on migration aimed at setting out the challenges associated with increasing migration and diversity.
110.44 (human rights protection)	110.44 Take further measures for the promotion and protection of human rights, including those of migrants (Nepal)	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>The UK accepts the recommendation to protect the rights of migrants and has in place extensive human rights and equalities legislation (for example, the Human Rights Act 1998 and the Equality Act 2010) which affords protection of the rights of those on its territory. In addition, migrants who are legally working on the territory of the United Kingdom enjoy the full protection of UK employment law and its policies on the admission of migrant workers are designed to ensure that those sponsoring the admission of such workers comply with their responsibilities under employment law. The UK also has in place regulatory regimes, such as those administered by the Employment Agencies Standards Inspectorate and the Gangmasters Licensing Authority which are designed to protect the interests of vulnerable workers, including those come from overseas. The relevant UK authorities do make information available to migrants concerning their rights as well as their responsibilities. However, the UK Government does not accept that it needs to take further measures, including legislation, in this area.</p>	<p>Recommendation 110.44 enjoys the support of the UK in part, for the reasons set out in the response to recommendation 110.14 (on the rights of migrant workers) and recommendation 110.32 (on the UK framework to protect human rights and to combat discrimination).</p> <p>See also the response to recommendation 110.43.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p><i>Scotland</i></p> <p>The Scottish Government works closely with, and provides funding to, the Scottish Refugee Council, a strategic partner in this area, to ensure those seeking asylum and refugee protection in Scotland are welcomed and supported.</p> <p><i>Wales</i></p> <p>The Welsh Government has responsibility to migrants resident in Wales under its health, education, social services functions and through its community cohesion agenda. The Welsh Government funds The Wales Migrant Partnership to ensure a more strategic, co-ordinated and effective approach is taken to supporting the successful inclusion of migrants, their families and communities in all aspects of Welsh society.</p> <p>Also see recommendations 110.108 and 110.110</p>	
<p>110.45 (human rights protection – British Overseas Territories)</p>	<p>110.45 Continue to support overseas territories to abide with basic human rights protection for all (Trinidad and</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK and the Territories share a common agenda to promote respect for human rights and tackle discrimination. The UK Government expects the Territories to abide by the same</p>	<p>Recommendation 110.45 enjoys the support of the UK.</p> <p>The UK and the BOTs remain committed to promoting respect for human rights and tackling discrimination. At the Overseas Territories Joint Ministerial Council in November 2013¹¹¹, for</p>

¹¹¹ <https://www.gov.uk/government/publications/overseas-territories-joint-ministerial-council-communique--2>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	Tobago)	basic standards of human rights as the UK. Territory Governments, with support from the UK, are doing a great deal of work to look after vulnerable members of society and to tackle discrimination.	example, the UK and the Territories' Governments committed to working together to fulfil their commitment progressively to extend the main UN human rights instruments to the BOTs, where these have not been extended already (see the Core Document 2014 – section on the BOTs ¹¹²). See also the response to recommendation 110.2.
110.46 (monitoring the implementation of UN recommendations, human rights action plan)	110.46 Adopt and implement a concrete plan of action realizing recommendations of treaty bodies and UN human rights mechanisms, and international human rights obligations (Islamic Republic of Iran)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government believes consultation with civil society is a vital part of the Universal Periodic Review (UPR) process and other human rights treaty mechanisms. The Ministry of Justice, as the department with responsibility for domestic human rights policy, is consulting across the UK Government, with the Devolved Administrations and civil society to determine the best approach to developing a framework for monitoring implementation of the UPR recommendations that enjoy the support of the UK and observations from treaty monitoring bodies the UK is party to.</p> <p><i>Scotland</i></p> <p>The Scottish Government has had initial discussions with the Scottish Human Rights Commission regarding their call for a Scottish Human Rights Action Plan. The Scottish</p>	<p>Recommendation 110.46 enjoys the support of the UK.</p> <p>The monitoring of (and the response to) UN recommendations to the UK is coordinated by the lead Government Department on the particular UN human rights instrument, closely liaising with the Devolved Administration and, where relevant, the BOTs and the CDs. In preparing the response to UN recommendations, civil society organisations and the NHRIs are regularly engaged. For example, in preparing this UPR Mid Term Report and also the UK 6th periodic report under the ICESCR, the UK Government sought comments from various organisations, including the NHRIs and NGOs. Stakeholder events were held in London, Edinburgh (hosted by the Scottish Government), Cardiff (hosted by the Welsh Government) and Belfast. An online submission system (on the website of the Ministry of Justice) was also opened to allow the wider public and organisations to submit</p>

¹¹² Pages 45-119 of the [HRI/CORE/GBR/2014](http://www.unhcr.org/refugees/pdf/HRI_CORE_GBR_2014.pdf)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		Government is supportive of an action plan in principle, and are considering further how they might engage further with this initiative.	<p>comments.</p> <p>However, the UK Government has no plans to establish a national human rights action plan covering the UK, the BOTs and the CDs. The development and management of such a plan would have implications in the context of the devolution process as well as in the relationship between the UK, the BOTs and the CDs. The UK Government does, however, already have specific plans for tackling areas of concern, for example on combating violence against women and girls¹¹³, and on business and human rights¹¹⁴.</p> <p>Human rights promotion and implementation is further strengthened at devolved level. In Scotland, the Scottish Government's "National Performance Framework"¹¹⁵ and "Scotland's National Action Plan for Human Rights"¹¹⁶ represent strong examples of Scotland's commitment to human rights. In Wales, the Welsh Government engages with stakeholders for expert advice and support when reporting on human rights.</p>
110.47 (response rate to Human Rights Council special	110.47 Improve the response rate of the UK to the	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK cooperates fully with Special</p>	<p>Recommendation 110.47 enjoys the support of the UK.</p> <p>The UK continues to cooperate fully with the</p>

¹¹³ <https://www.gov.uk/government/publications/a-call-to-end-violence-against-women-and-girls-action-plan-2014>

¹¹⁴ <https://www.gov.uk/government/publications/bhr-action-plan>

¹¹⁵ <http://www.scotland.gov.uk/About/Performance/Strategic-Objectives>

¹¹⁶ <http://www.scottishhumanrights.com/actionplan>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
procedures)	communications from the Human Rights Council mechanisms (Hungary)	Procedures of the Human Rights Council, and encourages others to do likewise. Our response rate to communications is already positive, but we are always willing to look at ways to improve. For example, one step we are looking into is keeping a log of all communications received so that we can accurately report on our response rate at our mid-term review.	<p>Special Procedures of the Human Rights Council, and, since March 2001¹¹⁷, has in fact accepted the standing invitation to all UN thematic special procedures. Since September 2012, the UK was visited by the:</p> <ul style="list-style-type: none"> - UN Working of Experts on People of African descent (1-5 October 2012). The UK response to the visit report is <u>publicly available</u>. - UN Special Rapporteur on Freedom of Association and Assembly (14-23 January 2013). The UK response to the visit report is <u>publicly available</u>. - UN Special Rapporteur on Adequate Housing (29 August - 11 September 2013). The UK response to the visit report is <u>publicly available</u>. - UN Special Rapporteur on Violence Against Women, its Causes and Consequences (31 March - 15 April 2014). The UK response to the visit report will be published in due course. <p>See also the response to recommendation 110.46.</p>
110.48 (ECtHR judgments implementation, EU accession to the ECHR)	110.48 On the basis of the UK's commitment to the rule of law, comply with the rulings of the European Court of	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK is committed to the European Convention on Human Rights and to honouring its obligations under the Convention. As underlined in the latest annual report published</p>	<p>Recommendation 110.48 enjoys the support of the UK.</p> <p><i>ECHR</i></p> <p>The UK continues to comply with its international obligations under the ECHR, but</p>

¹¹⁷ <http://www.ohchr.org/EN/HRBodies/SP/Pages/Invitations.aspx#uk>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>Human Rights on the cases concerning the United Kingdom, as well as promote the participation and cooperation of the European Union and its Member States with the Court (Mexico)</p>	<p>by the Committee of Ministers of the Council of Europe covering 2011¹¹⁸, the UK’s overall record on the implementation of judgments continues to be a strong one. At 31 December 2011, according to the statistics in the annual report, the UK was responsible for a relatively low number of pending cases before the Committee of Ministers (40 cases), representing 0.37% of the overall total.</p> <p>Generally, the UK’s approach to the implementation of judgments has been timely and effective and the action taken to address issues highlighted by the ECtHR has usually been shown to be effective. At the same time, the UK recognises there will always be some particularly sensitive and difficult areas in which progress towards implementation will not be as rapid as in other cases. This is a consequence of the complexity of the issues raised in such cases</p> <p>During its Chairmanship of the Council of Europe from November 2011 to May 2012, the UK took an active lead to deliver a substantial package of reform to the Court, set out in the Brighton Declaration. The net effect of the measures in the Declaration should be that more cases are resolved at the national level, which should mean that fewer cases are considered by the Court. Fewer cases should mean that the</p>	<p>the speed of implementation of the ECtHR judgments may vary, depending on the complexity of the issues involved. The UK Government’s report of October 2013 on the implementation of the judgments of the ECtHR is <u>publicly available</u>.</p> <p>In summary, at 31 December 2012, the UK was responsible for 39 pending judgments (approximately 0.35% of the total) before the Council of Europe Committee of Ministers, which oversees the implementation of the ECtHR judgments.</p> <p>The Council of Europe 7th Annual Report of the Committee of Ministers on “Supervision of the execution of judgments and decisions of the European Court of Human Rights” dated March 2014 is also <u>publicly available</u>. This report confirms a continuing decrease in the number of pending judgments for which the UK is responsible (from 39 to 27 at 31 December 2013, approximately 0.24% of the total).</p> <p>It should also be noted that the number of applications to the ECtHR against the UK is also falling. According to the latest statistics¹¹⁹ from the Council of Europe, at 1 April 2014, there were 1,583 applications against the UK (down from 2,517 at 1 January 2014, and approximately 1.65% of the total number of</p>

¹¹⁸ The Committee of Ministers 5th annual report *Supervision of the execution of judgments of the European Court of Human Rights*, published in April 2012 and covering the year 2011: http://www.coe.int/t/dghl/monitoring/execution/Documents/Publications_en.asp

¹¹⁹ Council of Europe Secretariat of the Committee of Ministers, *Statistics of the European Court of Human Rights on case-management survey (01/01-31/03 2014), case by country and Brighton backlog by country at 01/04/2014*, DD(2014)494, 15 April 2014.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Court is able to focus more on the important cases and do so more quickly.</p> <p>This work should promote the participation and cooperation of all of the High Contracting Parties to the European Convention on Human Rights with the Court and not just be limited to the European Union Member States.</p>	<p>applications to the Court).</p> <p>The Scottish Government also remains fully committed to complying with and implementing rulings from the ECtHR where they apply to Scotland, and appreciates the role of the Court as a key institution in ensuring that human rights are observed and implemented across the Council of Europe.</p> <p><i>EU accession to the ECHR</i></p> <p>The terms of accession are currently being negotiated between the EU and the Council of Europe. The UK actively participates in these discussions. A draft accession agreement from April 2013 is <u>publicly available</u>.</p>
<p>110.49 (equality and non-discrimination)</p>	<p>110.49 Review national legislation to ensure equality and non-discrimination (Egypt)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>This recommendation has already been implemented. Following a thorough review, the Equality Act 2010 recently replaced all previous anti-discrimination laws with a single Act. The Act also strengthened protection in some situations. The Act covers nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p>	<p>Recommendation 110.49 enjoys the support of the UK.</p> <p>The UK legal framework to protect human rights and to combat discrimination is set out in general terms in the Core Document 2014 (section 2D¹²¹). In particular, s.19 Human Rights Act 1998 requires a UK Government Minister introducing legislation to the UK Parliament to make a statement either that in his/her view the provisions of the legislation are compatible with the ECHR (including Article 14 ECHR which prohibits discrimination on any ground in the enjoyment of the ECHR rights),</p>

¹²¹ Page 39 of the [HRI/CORE/GBR/2014](http://www.hri.org/core/GBR/2014)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>The Act also contains the public sector Equality Duty which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.</p> <p><i>Wales</i></p> <p>The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011¹²⁰ require appropriate arrangements to be put in place for assessing the equality impact of policies and practices. As with all public authorities in Wales, the Welsh Government is required to carry out equality impact assessments across all of the protected characteristics. Part of this is about assessing the impact that policies and actions may have on the people of Wales.</p>	<p>or that, if the Minister is unable to make such a statement, the Minister nevertheless wishes the UK Parliament to proceed with the legislation. Furthermore, under s.29 Scotland Act 1998¹²², s.6 Northern Ireland Act 1998¹²³, and s.94 Government of Wales Act 2006¹²⁴, the Devolved Administrations cannot adopt legislation which is incompatible with the ECHR rights (thus including Article 14 ECHR). This approach ensures that human rights principles, including combating discrimination, are central to the consideration of domestic laws across the UK whilst preserving the constitutional principle of parliamentary supremacy of the UK Parliament.</p> <p>The UK Government set up an independent Review of the Public Sector Equality Duty in 2012 to examine whether the Duty is operating as intended. The Review reported on 6 September 2013 with recommendations to help public bodies to improve the way they implement the legislation. The UK Government's response, published on the same day¹²⁵, welcomed the report and endorsed the recommendations which were aimed at the EHRC, public bodies, contractors and the UK Government. These are now being followed up, including the Review's recommendation that the Public Sector Equality Duty should be</p>

¹²⁰ The National Assembly for Wales has legislative competence over equal opportunities in respect of public bodies exercising devolved functions in Wales. Under the Equality Act 2010 Welsh Ministers also have regulation making powers to impose specific public sector equality duties on public authorities in Wales.

¹²² <http://www.legislation.gov.uk/ukpga/1998/46/section/29>

¹²³ <http://www.legislation.gov.uk/ukpga/1998/47/section/6>

¹²⁴ <http://www.legislation.gov.uk/ukpga/2006/32/section/94>

¹²⁵ <https://www.gov.uk/government/publications/the-independent-steering-groups-report-of-the-public-sector-equality-duty-psed-review-and-government-response>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>evaluated again in 2016.</p> <p>In Northern Ireland, the Northern Ireland Executive¹²⁶ is progressing human rights and equality for example through the Equality Schemes¹²⁷ which require approval by the ECNI, and which include Northern Ireland public authorities' arrangements for: assessing their compliance with the equality duties under s.75 Northern Ireland Act 1998¹²⁸; assessing and consulting on the likely impact of policies on the promotion of equality of opportunity; monitoring any adverse impact of policies on the promotion of equality of opportunity; publishing the results of such assessments; training staff; ensuring and assessing public access to information and services provided by the public authority. The Office of the First Minister and Deputy First Minister is also working with the NIHRC to deliver training to civil servants on obligations under the Human Rights Act 1998, the UN and other treaties that the UK has ratified.</p> <p>In Scotland, through The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012¹²⁹, the Scottish Government implements the public sector equality duty (PSED) in the Equality Act 2010, which is supporting work to identify unlawful discrimination and encourage the promotion of equality across Scotland.</p>

¹²⁶ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change.htm>

¹²⁷ http://www.ofmdfmi.gov.uk/ofmdfm_equality_scheme_revised_september_2013.pdf

¹²⁸ <http://www.legislation.gov.uk/ukpga/1998/47/section/75>

¹²⁹ <http://www.legislation.gov.uk/ssi/2012/162/contents/made>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Scottish authorities are under a duty to assess and review their policies and practices against the requirements of the PSED.</p> <p>In Wales, through The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011¹³⁰, the Welsh Government remains committed to assessing its decisions for equality impacts, in order to meet the duties set out in the Welsh Specific Equality Duties, and to ensure that its decisions promote equality of opportunity for protected groups, prevent discrimination and to foster good relations between groups. As with all public authorities in Wales, the Welsh Government is required to carry out equality impact assessments of its decisions, policies and practices across all of the protected characteristics.</p> <p>Furthermore, the Welsh Government's "Strategic Equality Plan"¹³¹, published in 2012, has eight outcome-focused equality objectives. The objectives are based on robust evidence including from extensive and ongoing engagement with organisations and individuals. Unlike under previous equality duties, public authorities in Wales need to say why an action needs to be taken, the desired outcome, what is going to be delivered, by when and how it will be achieved. Objectives include: a focus on tackling hate crime; addressing ethnic, gender and disability employment and pay differences; improving advice services for those with</p>

¹³⁰ <http://www.legislation.gov.uk/wsi/2011/1064/contents/made>

¹³¹ <http://wales.gov.uk/topics/equality/equalityactatwork/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>protected characteristics; tackling under-representation of protected groups on public appointments; improving access to key public services, in particular health, housing and social services and reducing the number of young people not in education, employment or training with a particular focus on ethnicity, disability and gender.</p> <p>Finally, the Welsh Government published a “Framework for Action for Independent Living”¹³² to promote disabled people’s right to live independently and exercise choice and control in their daily lives.</p>
<p>110.50 (equality and non-discrimination)</p>	<p>110.50 Continue stepping up its efforts in tackling discrimination and inequality for all its citizens (Indonesia)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government’s vision for equality is set out in the cross Government Equality Strategy ‘<i>Building a Fairer Britain</i>’ published in December 2010. The strategy sets out the government’s commitment to tackling discrimination and removing the barriers to equal opportunities and social mobility. Current priorities include: maximising women’s contribution; changing culture and removing barriers; and promoting simplification, reform and support.</p> <p><i>Wales</i></p>	<p>Recommendation 110.50 enjoys the support of the UK for the reasons set out in the response to recommendation 110.49.</p>

¹³² <http://wales.gov.uk/topics/equality/rightsequality/disability/framework-for-action/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>The Welsh Government Strategic Equality Plan was published in 2012¹³³. It has outcome-focused equality objectives which put the spotlight on the practical differences we need to make to people's lives. Objectives are based on the robust evidence that Welsh public bodies (including the Welsh Government itself) have gathered, and on engagement with organisations and individuals. Unlike previous equality duties, public authorities need to say why an action needs to be taken, the desired outcome, what is going to be delivered, by when and how it will be achieved.</p>	
<p>110.51 (non-discrimination and combating VAWG)</p>	<p>110.51 Continue efforts to combat discrimination on any ground and violence against women and girls (Cuba)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK submitted its seventh Periodic Report to the UN Convention of the Elimination of all forms of Discrimination against Women (CEDAW) in June 2011. The Violence Against Women and Girls Action Plan also specifically commits the UK to strongly support the ratification of CEDAW and to lobby for the full implementation of the Convention.</p> <p><i>Scotland</i></p> <p>The Scottish Government has been recognised internationally for the focus it has given to</p>	<p>Recommendation 110.51 enjoys the support of the UK.</p> <p>See also the response to recommendation 110.29.</p> <p>The UK's efforts to combat VAWG are summarised in the UK 7th periodic report under the CEDAW¹³⁴ (and the UK response to the list of issues under the CEDAW examination in July 2013¹³⁵), the UK 7th periodic report under the ICCPR¹³⁶, and the UK response to the list of issues under the CAT (Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) examination¹³⁷. In June 2014, the UK Government also hosted the</p>

¹³³ <http://wales.gov.uk/topics/equality/equalityactatwork/?lang=en>

¹³⁴ Page 49 (and following pages) of [CEDAW/C/GBR/7](#)

¹³⁵ Page 11 (and following pages) of [CEDAW/C/GBR/Q/7/Add.1](#)

¹³⁶ Page 79 (and following pages) of [CCPR/C/GBR/7](#)

¹³⁷ Page 7 (and following pages) of [CAT/C/GBR/Q/5Add.1](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>addressing violence against women. The Scottish Government’s violence against women strategy ‘<i>Safer Lives, Changed Lives</i>’ is currently being refreshed to give a sharper focus on the prevention and early intervention, data and outcome measurement and the impact on minority ethnic women.</p> <p><i>Wales</i></p> <p>The Welsh Government wants Wales to be a self confident, prosperous, healthy nation and society which is fair to all. The Welsh Government has made it clear that domestic abuse, sexual harassment, rape, forced marriage, trafficking, honour crimes and female genital mutilation are completely unacceptable. The Welsh Government’s approach is set out in ‘Right to be Safe’ – its strategy for tackling violence against women (see response to recommendation 110.69)</p>	<p>“Global Summit to End Sexual Violence in Conflict”¹³⁸, which brought together various NGOs and foreign governments to: challenge the culture of impunity for sexual violence in conflict; take steps to reduce the dangers women face in conflict zones; increase the support for survivors of sexual violence; and change attitudes towards rape in war.</p> <p>In December 2013, the UK Government implemented a new “Code of Practice for Victims of Crime”¹³⁹ which outlines that victims of domestic violence are entitled to receive enhanced services and support from criminal justice agencies, as they are victims of the most serious crime.</p> <p>On 8 March 2014, the UK Government updated its Action Plan “A Call to End Violence against Women and Girls”¹⁴⁰ which sets out details of the progress made and the emerging challenges in combating VAWG. The Action Plan is guided by four key principles: prevention; provision of services for victims; partnership working; and risk reduction and improved justice outcomes. The UK Government has ring-fenced nearly £40 million until 2015 for specialist local support services and national helplines. Recent activities include: introduction of two new stalking offences; extension of the definition of domestic violence and abuse to include 16/17 year olds and coercive control;</p>

¹³⁸ <https://www.gov.uk/government/news/global-summit-to-end-sexual-violence-in-conflict-latest-updates>

¹³⁹ <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

¹⁴⁰ <https://www.gov.uk/government/publications/a-call-to-end-violence-against-women-and-girls-action-plan-2014>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>national prevention campaigns to encourage teenagers to rethink their views about rape, consent, violence and abuse within their relationships; national roll out of Domestic Violence Protection Orders and the Domestic Violence Disclosure Scheme (in England and Wales).</p> <p>In Northern Ireland, key measures to support and protect victims of domestic and sexual violence and abuse include:</p> <ul style="list-style-type: none"> • The “Rowan Sexual Assault Referral Centre” (SARC), for all people who have been sexually assaulted or raped. The centre opened to police referrals in May 2013, and to third party and self referrals in September 2013. Up until June 2014, there have been 500 referrals to the SARC, of which 42% are under the age of 18. • A “Regional Directory of Services” was published in March 2010 and updated in 2013. This directory details all existing services available for children and adults across the voluntary and statutory sectors. • An anti-rape campaign specifically targeting students in further and higher education was re-launched in September 2010 to reinforce the message that non-consensual sex is a crime, and to raise awareness of how alcohol can impact judgement. • Work is ongoing on the commissioning of advocacy services for high risk

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>victims of domestic violence and for victims of sexual violence and abuse.</p> <ul style="list-style-type: none"> • The establishment in January 2010 of “Multi-Agency Risk Assessment Conferencing” (MARAC) across Northern Ireland. Since then, over 6,700 high risk victims of domestic violence have had safety plans put in place to protect them – plans which have included almost 9,000 children. • In December 2011, a scheme allowing victims of domestic violence to access legal aid quickly was made permanent. <p>A new “Strategy on Domestic and Sexual Violence and Abuse” is under development and will be published in 2015. This new strategy will replace the existing separate strategies, “Tackling Violence at Home” and ‘Tackling Sexual Violence and Abuse”, an their associated Action Plans¹⁴¹. It is intended that the new strategy will respond to the needs of all victims/survivors of domestic and sexual violence and abuse, regardless of their age, gender, sexual orientation, religion, ethnicity, socio-economic circumstances or disability. The priorities identified within the new strategy are centred on five key themes: driving change; prevention and early intervention; delivering change; and support, protection and justice. Implementation of the priorities will be managed and overseen by a regional strategy group, supported by a number of stakeholder-led sub-groups.</p>

¹⁴¹ <http://www.dhsspsni.gov.uk/dv-publications>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>In Scotland, tackling VAWG is a top priority for the Scottish Government, which is committed to reducing and eventually eradicating it. The Scottish Government committed £34.5m in total to tackle domestic abuse and other forms of violence against women for the period of 2012-15, and continues to work closely with key partners such as Police Scotland, Local Authorities, NHS Boards and voluntary sector organisations to ensure that perpetrators are held to account, and that victims and their children have the services they require. Through collaborative work underpinned by financial commitment, the Scottish Government continues to implement the “Safer Lives, Changed Lives” approach. On 25 June 2014, the Scottish Government published “Equally Safe: Scotland’s strategy for preventing and eradicating violence against women and girls”¹⁴².</p> <p>In Wales, the Welsh Government continues to deliver the actions identified in the “Right to be Safe”¹⁴³ strategy, and carried out a public consultation (which closed in February 2013) on specific legislation on combating violence against women, domestic abuse and sexual violence. Major achievements on combating VAWG include for example: the provision of £4.3 million to support effective “Violence against Women and Domestic Abuse”</p>

¹⁴² <http://www.scotland.gov.uk/Publications/2014/06/7483>

¹⁴³ <http://wales.gov.uk/topics/people-and-communities/safety/domestic-abuse/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			(VAWDA) services to victims across Wales; engaging with around 300 service users and service providers; improving the sharing of intelligence on human trafficking incidents in Wales; creating a route map for service providers so they know how to respond to occurrences of human trafficking; running three successful publicity campaigns; continuing to progress implementation of the “10,000 Safer Lives” ¹⁴⁴ project to improve the multi-agency service provided to victims of domestic abuse.
110.52 (gender equality)	110.52 Give priority attention to the questions of gender equality and discrimination against women (Uzbekistan)	The recommendation enjoys the support of the United Kingdom. See response to recommendation 110.40	Recommendation 110.52 enjoys the support of the UK for the reasons set out in the response to recommendation 110.40.
110.53 (non-discrimination)	110.53 Take effective measure to eliminate discrimination on the grounds of race, religion and nationality and to guarantee the rights of Muslims, Roma people and migrant	The recommendation enjoys the support of the United Kingdom. The Equality Act 2010 provides extensive protection from discrimination, harassment and victimisation because of a person’s race (which includes their colour, nationality or ethnic or national origins) and religion or belief (which includes a lack of religion or belief), as well as their age, disability, gender reassignment, marriage or civil partnership status, pregnancy	Recommendation 110.53 enjoys the support of the UK. As outlined in the Core Document 2014 (section 2 ¹⁴⁶), the UK has a very strong legislative framework to protect individuals and communities from discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments at United Nations and regional level. This framework is kept under

¹⁴⁴ <http://wales.gov.uk/topics/improvingservices/pslg/nwp/effectservices/10ksaferlivesreport/?lang=en>

¹⁴⁶ Page 36 of the [HRI/CORE/GBR/2014](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>workers (China)</p>	<p>or maternity, sex, and sexual orientation. The Act also includes a public sector Equality Duty which requires public bodies to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different groups when carrying out their activities. This legislation protects all individuals, including Muslims, Roma and migrants.</p> <p><i>Scotland</i></p> <p>See response to recommendation 110.40</p> <p><i>Wales</i></p> <p>The Welsh Government has numerous measures in place to eliminate discrimination and ensure that continued dialogue is in place through mechanisms such as specific equality duties (under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011)¹⁴⁵, the Faith Communities Forum, the Race Forum, and our Community Cohesion Strategy.</p>	<p>review to ensure it remains effective and appropriate in the face of new challenges.</p> <p>In Northern Ireland, the Northern Ireland Executive is consulting on a new racial equality strategy – “A Sense of Belonging” – which is aimed at tackling discrimination, race and hatred. Amongst other things, it is consulting on whether the existing legislation needs to be strengthened. The strategy will be published later in 2014, and programmes of work to implement it will follow.</p> <p>In Scotland, the Scottish Government values diverse ethnic communities, the contribution they make and the important role they play in enriching Scotland socially, culturally and economically. While measures taken to address these issues operate for the most part within the existing UK-wide legislative framework, the Scottish Government took a range of measures to enhance race equality for Scotland’s minority, ethnic and faith communities. The Scottish Government is developing a new approach to race equality in Scotland (“Equal for All. Better for All”), working in partnership with key race equality stakeholders, and building on the “Race Equality Statement 2008”¹⁴⁷. The discussion paper details four priority areas: poverty and employment; discrimination and hate crime; representation in public life; and</p>

¹⁴⁵ The National Assembly for Wales has legislative competence over equal opportunities in respect of public bodies exercising devolved functions in Wales. Under the Equality Act 2010 Welsh Ministers also have regulation making powers to impose specific public sector equality duties on public authorities in Wales.

¹⁴⁷ <http://www.scotland.gov.uk/Topics/People/Equality/18934/RaceEqualityStatement>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>strong, resilient communities., The Scottish Government is providing over £8 million in race equality funding from 2012–15 to organisations and projects working on the ground. A campaign to raise awareness about hate crime, including racism, was launched in February 2014 to empower those who experience or witness crime based on prejudice to report all incidents to Police Scotland.</p> <p>A new Equality website was launched in July 2014.</p> <p>In Wales, the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 require public authorities to take prescribed steps to show that they are meeting the general equality duty. These include ensuring appropriate arrangements are put in place for assessing the equality impact of policies and practices. This work is supported through the ongoing engagement with the Faith Communities Forum, the Wales Race Forum, and the Welsh Government Budget Advisory Group for Equality (BAGE), which has been established to assist in the ongoing development and improvement of the Equality Impact Assessment of the Welsh Government Budget. This contributes to ensuring that Welsh Government’s spending plans and budget allocations advance equality and encourage good relations. These goals are further supported by the Welsh Government’s “Community Cohesion Strategy”¹⁴⁸ and through</p>

¹⁴⁸ <http://wales.gov.uk/topics/people-and-communities/communitycohesion/publications/strategy/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>the “Tackling Hate Crimes and Incidents: A Framework for Action”¹⁴⁹.</p> <p>See also the responses to recommendations 110.43, 110.49 and 110.90.</p>
<p>110.54 (“stop and search”)</p>	<p>110.54 Take further steps to address ethnic profiling in practice (Greece)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The Police and Criminal Evidence Act (PACE) Code of Practice A makes clear that powers to stop and search must be used fairly, responsibly with respect for people being searched and without unlawful discrimination against any person based on the grounds of the ‘protected characteristics.’ Under Code A, police forces must monitor and supervise the use of stop and search powers – any apparent disproportionate use of the powers in relation to specific sections of the community should be identified and investigated.</p> <p>Additionally, the Government is working closely with the Association of Chief Police Officers and the Equality and Human Rights Commission to identify, examine and address any disproportionality.</p>	<p>Recommendation 110.54 does not enjoy the support of the UK.</p> <p>The non-discrimination and equality framework within the UK is as set out in the Core Document 2014 (section 3 “Information on non-discrimination and equality and effective remedies”¹⁵⁰). See also the UK 7th periodic report under the ICCPR¹⁵¹, the UK response to the list of issues under the CEDAW examination¹⁵², the UK follow up information of 2 January 2013 under the ICERD¹⁵³, and the UK Government’s response of November 2013¹⁵⁴ to the annual report of the Independent Reviewer of Terrorism Legislation.</p> <p>The data on charges and convictions following terrorism-related arrest show that, statistically, there are no significant differences in the proportions of people charged, sentence length, or seriousness of offence between Muslim offenders and offenders of other or no religion. Statutory guidance for the police makes clear</p>

¹⁴⁹ <http://wales.gov.uk/topics/equality/inclusivepolicy/impactassessments/hatecrimeseia/?lang=en>

¹⁵⁰ Page 43 of the [HRI/CORE/GBR/2014](http://www.hri.org/docs/HRI_CORE_GBR_2014.pdf)

¹⁵¹ Page 62 (and following pages) of [CCPR/C/GBR/7](http://www.hri.org/docs/CCPR_C_GBR_7.pdf)

¹⁵² Page 2 (and following pages) of [CEDAW/C/GBR/Q/7/Add.1](http://www.hri.org/docs/CEDAW_C_GBR_Q_7_Add.1.pdf)

¹⁵³ Pages 4-6 of [CERD/C/GBR/CO/18-20/Add.1](http://www.hri.org/docs/CERD_C_GBR_CO_18-20_Add.1.pdf)

¹⁵⁴ <http://www.official-documents.gov.uk/document/cm87/8745/8745.pdf>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>that a person's race, religion or belief cannot be considered as reasonable grounds for suspicion of the person being a terrorist and should never be considered as a reason to stop and search¹⁵⁵ or arrest¹⁵⁶ a person. Guidance¹⁵⁷ is provided in the Code of practice (England, Wales and Scotland) for the exercise of stop and search powers under sections 43 and 43A of the Terrorism Act 2000.</p> <p>Statistics on the operation of police powers under the Terrorism Act 2000 (including "stop and search") are regularly updated on the UK Government's website¹⁵⁸.</p>
110.55 ("stop and search")	110.55 Revise the policies that involve racial and ethnic profiling such as "stop and search" practice (Brazil)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See response to recommendation 110.54</p>	<p>Recommendation 110.55 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.54.</p>
110.56 ("stop and search")	110.56 Investigate allegations that stop and search orders disproportionately fall on persons	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.54. Under code A, police forces must monitor and supervise the use of stop and search powers –</p>	<p>Recommendation 110.56 enjoys the support of the UK in part.</p> <p>See the response to recommendation 110.54.</p> <p>The following main bodies oversee the police</p>

¹⁵⁵ <https://www.gov.uk/government/publications/pace-code-a-2013>

¹⁵⁶ <https://www.gov.uk/government/publications/pace-code-g-2012>

¹⁵⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/243477/9780108511677.pdf

¹⁵⁸ <https://www.gov.uk/government/collections/operation-of-police-powers-under-the-terrorism-act-2000>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	belonging to ethnic, religious and other minorities and introduce adequate safeguards in this regard (Austria)	any apparent disproportionate use of the powers in relation to specific sections of the community should be identified and investigated. In addition, any individual who feels aggrieved at the way that the police have used their powers, including stop and search powers, can complain to the Independent Police Complaints Commission, who are entirely independent of the police service.	complaint systems in the UK: <ul style="list-style-type: none"> • The “Police and Crime Commissioners”¹⁵⁹, and “Independent Police Complaints Commission”¹⁶⁰, in England and Wales. • The “Northern Ireland Policing Board”¹⁶¹, and the “Office of the Police Ombudsman for Northern Ireland”¹⁶², in Northern Ireland. • The “Scottish Police Authority”¹⁶³, “Crown Office & Procurator Fiscal Service”¹⁶⁴, and “Police Investigations & Review Commissioners”¹⁶⁵, in Scotland.
110.57 (“stop and search”)	110.57 That the law enforcement authorities put an end to stop and search practices based on religious and ethnic profiling (Pakistan)	The recommendation does not enjoy the support of the United Kingdom. See response to recommendation 110.54	Recommendation 110.57 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.54.
110.58 (anti-terrorism measures)	110.58 Put an end to the use of religious	The recommendation enjoys the support of the United Kingdom in part.	Recommendation 110.58 enjoys the support of the UK in part for the reasons set out in the responses to recommendations 110.54 and

¹⁵⁹ <https://www.gov.uk/police-and-crime-commissioners>

¹⁶⁰ <http://www.ipcc.gov.uk/>

¹⁶¹ <http://www.nipolicingboard.org.uk/>

¹⁶² <http://www.policeombudsman.org/>

¹⁶³ <http://www.spa.police.uk/>

¹⁶⁴ <http://www.copfs.gov.uk/>

¹⁶⁵ <http://pirc.scotland.gov.uk/>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	profiling in combating terrorism by inserting legal safeguards against abuse and the deliberate targeting of certain religious groups (Malaysia)	The UK rejects the suggestion in the recommendation of deliberate targeting of certain religious groups. The UK has robust anti-discrimination laws and the statutory guidance for the police makes clear that a person's race, religion or belief cannot be considered as reasonable grounds for suspicion of the person being a terrorist and should never be considered as a reason to stop and search or arrest a person.	110.56. Furthermore, the "Independent Reviewer of Terrorism Legislation" ¹⁶⁶ regularly reviews the UK's anti-terrorism legislation and makes recommendations to the UK Government.
110.59 (combating racial discrimination)	110.59 Take all appropriate measures to combat prejudices and negative stereotypes, which may result in racial discrimination or incitement to racial hatred (Turkey)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to ensuring that everyone has the freedom to live their lives free from fear of targeted hostility or harassment on the grounds of their race or religion. It has made clear that this type of behaviour is unacceptable in a civilised society, and that those who commit these offences will be punished.</p> <p>In March, the Government published <i>Challenge it, Report it, Stop it</i>, setting out its plan to tackle hate crime (in England) over the next three years. The plan brings together the work of a wide range of Departments and agencies to prevent hate crime happening in the first place; increase reporting and victims' access to support; and improve the operational response</p>	<p>Recommendation 110.59 enjoys the support of the UK.</p> <p>In England and Wales, the "Challenge it, Report it, Stop it" action plan remains the main building block to combat hate crime¹⁶⁸. In May 2014, the UK Government published its progress report setting out achievements since the plan was published in March 2012. The report also highlights emerging issues or issues that have continued to evolve and what the UK Government will do to tackle them¹⁶⁹.</p> <p>Hate crime statistics, covering police recorded hate crimes, crime survey findings and court proceedings and convictions were published in December 2013 and are available on the UK Government's website¹⁷⁰. Projects supported by the UK Government include: working with the Anne Frank Trust whose work in schools educates young people about the dangers of</p>

¹⁶⁶ <https://terrorismlegislationreviewer.independent.gov.uk/>

¹⁶⁸ <https://www.gov.uk/government/policies/reducing-and-preventing-crime--2/supporting-pages/hate-crime>

¹⁶⁹ <https://www.gov.uk/government/publications/hate-crime-action-plan-challenge-it-report-it-stop-it>

¹⁷⁰ <https://www.gov.uk/government/publications/an-overview-of-hate-crime-in-england-and-wales>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>to hate crimes.</p> <p>The UK government is already supporting a number of local and national projects which seek to combat prejudice and negative stereotypes, including working with the Society of Editors to develop a guide for moderators of on-line content. The Government also supports ‘<i>True Vision</i>’, a police-led online facility and information resource launched February 2011, which also allows victims of hate crime to report incidents online. The UK Government is also supporting the work of Faith Matters’ Measuring anti-Muslim Attacks (MAMA) project.</p> <p><i>Wales</i></p> <p>The Welsh Government’s Community Cohesion Strategy¹⁶⁷ is focussed on the need to create resilient and inclusive communities in areas including housing, communication, learning, equalities and social inclusion and tackling extremism.</p>	<p>prejudice and hatred if they are allowed to go unchallenged; working with the charity “Show Racism the Red Card”, which works with young people to empower them to challenge racism; and it also supports two cross-government working groups to address anti-Muslim hatred and anti-Semitism.</p> <p>In Northern Ireland, in May 2013 the Northern Ireland Executive launched the “Together: Building a United Community” strategy¹⁷¹, aimed at improving community relations in Northern Ireland including by focusing on children and young people (for example, by creating shared educational campuses) and the community (for example, by creating new shared neighbourhood developments, and by reducing interface barriers).</p> <p>The Northern Ireland Executive is also consulting on a new racial equality strategy – “A Sense of Belonging” – which is aimed at tackling discrimination, race and hatred. The Northern Ireland Executive is seeking views on whether the existing legislation needs to be strengthened. The strategy will be published later in 2014, and programmes of work to implement it will follow. The Northern Ireland Executive is also working on tackling race hate through interdepartmental work and is developing a set of initiatives to tackle a spike in reports of race hate in Belfast. Additionally, the Office of the First Minister and Deputy First</p>

¹⁶⁷ <http://wales.gov.uk/topics/housingandcommunity/communitycohesion/publications/strategy/?lang=en>

¹⁷¹ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/good-relations/together-building-a-united-community.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Minister is providing funding of over £1m per annum to encourage organisations working to promote integration.</p> <p>In Scotland, the Scottish Government will publish a discussion paper on its refreshed approach to race equality. A campaign to raise awareness about hate crime, including racism, was launched on 24 February 2014. In 2009 the Scottish Government supported legislative change to strengthen the criminal law in dealing with hate crime, and current data collection in Scotland includes a variety of statistics relating to hate crime. This encompasses statistics about people convicted in court for "aggravated" crimes, including hate crimes relating the protected characteristics of race, religion, disability, sexual orientation and gender reassignment. The Scottish Government is working with key partners to develop a campaign to raise awareness about the nature of hate crime and to encourage reporting.</p> <p>In Wales, the Welsh Government launched "Tackling Hate Crimes and Incidents: A Framework for Action" in May 2014¹⁷², following a period of consultation where 120 responses were received. The Framework aims to tackle hostility and prejudice across the protected characteristics of race, religion, disability, sexual orientation and gender reassignment. It identifies how the Welsh Government can work with partners across three</p>

¹⁷² <http://wales.gov.uk/topics/equality/rightsequality/hate-crime/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>key objectives on prevention, supporting victims and increasing the multi-agency response. The Welsh Government underpinned the development of the framework with evidence from a three year study with the victims of hate crime in Wales (the “All Wales Hate Crime Research Project”).</p> <p>Outside of the recorded strands of hate crimes, the Welsh Government has also extended the scope of the Framework to include alternative subcultures, older people, cyber-hate, mate crime and far right hate.</p> <p>See also the response to recommendations 110.53 and 110.90.</p>
<p>110.60 (monitoring hate crime)</p>	<p>110.60 Implement ECRI’s recommendation to continue to monitor hate crimes and to work with the community to increase understanding of the impact of such offences, and to pursue efforts to improve the police gathering of evidence of racist motivations (Turkey)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to addressing the under-reporting of hate crime, and working with communities to build victim confidence to come forward and report incidents. To demonstrate this, a specific commitment to improve the recording of all hate crimes was included in the Coalition Programme for Government and a further action to develop a better understanding of hate crime is a key part of the Government’s action plan.</p> <p>All criminal justice agencies use a common definition of hate crime and monitor five specific strands, which include disability, gender-identity, race, religion or belief and</p>	<p>Recommendation 110.60 enjoys the support of the UK for the reasons set out in recommendation 110.59.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>sexual orientation. The police also pull together hate crime information and intelligence to ensure that any emerging trends of hostility are detected early. The intelligence from regional police forces is fed into a National Community Tension Team, who produce data returns and analytical information to provide the police with threat assessments.</p> <p>We now have a growing body of published official data on the prevalence of hate crime in the UK, including from the police and other criminal justice agencies, and two national household survey's, one focusing on crime and the other on disability. Not only does this data gives us a better picture of the scale of the problem, it also highlights the impact that being a victim of hate crime can have on a person's wellbeing.</p> <p>The UK Government works closely with an Independent Advisory Group who provide expert advice on hate crime and hold the Government to account against its commitments. The Group includes representatives covering each of the five monitored 'strands', as well as people who have been victims of hate crime. The Government also supports a number of cross-Government Working Groups that focus on tackling specific strands of hate crime. These include community representatives who contribute to and have oversight of initiatives to tackle hate crime.</p>	
110.61 (combating	110.61	The recommendation does not enjoy the support	Recommendation 110.61 enjoys the support of

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
caste discrimination)	Put in practice a national strategy to eliminate discrimination against caste, through the immediate adoption of the Equality Law of 2010 that prohibits such discrimination, in conformity with its international human rights obligations, including CERD's General Recommendation 29 and recommendations of the Special Rapporteur on Contemporary Forms of Racism (Nicaragua)	of the United Kingdom. The UK Government are currently considering the evidence available to them, such as the report by the National Institute for Economic and Social Research (NIESR), together with the correspondence and representations put forward by both those who want the Government to legislate and those who are opposed to such legislation being introduced before reaching any conclusion on whether or not to prohibit caste discrimination as a specific aspect of race discrimination under the Equality Act 2010.	the UK. The UK Government intends to introduce legislation to make caste discrimination unlawful, as a specific aspect of race discrimination under s.9(5) Equality Act 2010 ¹⁷³ . A public consultation process on the detail of the prospective legislation is expected later in 2014 ¹⁷⁴ .
110.62 (addressing the gender pay gap)	110.62 Adopt Government policies and legislation to	The recommendation enjoys the support of the United Kingdom. The UK government favours a non-legislative	Recommendation 110.62 enjoys the support of the UK. The UK Government's strategy to overcome

¹⁷³ <http://www.legislation.gov.uk/ukpga/2010/15/section/9>

¹⁷⁴ <https://www.gov.uk/government/publications/caste-discrimination-legislation-timetable>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>address the pay gap between men and women (Sudan)</p>	<p>approach to tackling this issue. On 14 September 2011 we launched a new voluntary framework for gender equality reporting with Eversheds, BT, Tesco and the CBI. The "Think, Act, Report" framework asks private and voluntary sector employers to help tackle the pay gap through greater transparency on pay and other issues.</p> <p><i>Scotland</i></p> <p>See response to recommendation 110.40</p> <p><i>Wales</i></p> <p>Under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011, the Wales Specific Equality Duties contain a separate duty in respect of gender pay difference. Public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly, why they have not done so. They must put this information in an action plan along with any policy or policies that relates to the need to address gender pay difference.</p>	<p>gender inequalities was set out in the "Building a Fairer Britain"¹⁷⁵ paper in December 2010. Progress reports on its implementation have been published since then¹⁷⁶. The "Think, Act, Report" framework¹⁷⁷ remains the building block for encouraging gender equality in the workplace (a progress report was published in December 2013¹⁷⁸). Approximately 2.1 millions employees now work for organisations that are signed up to "Think, Act, Report". In addition, provisions are being put in place so that employment tribunals can require an employer who loses an equal pay case to carry out a pay audit, and the UK Government also implemented the provisions in the Equality Act 2010 that make pay secrecy clauses unenforceable.</p> <p>In Wales, the Welsh Government's "Strategic Equality Plan"¹⁷⁹ was published in 2012 alongside those of other listed Welsh Public Sector organisations. The Welsh Programme for Government contains a commitment to implement the new specific equality duties requiring employers to identify the root causes of the gender pay gap in their organisation and take action to address them. Objective 2 of the Strategic Equality Plan focuses on working with partners to identify and address the causes of the gender, ethnicity and disability pay and</p>

¹⁷⁵ <https://www.gov.uk/government/publications/equality-strategy>

¹⁷⁶ <https://www.gov.uk/government/publications/the-equality-strategy-building-a-fairer-britain-progress-report>

¹⁷⁷ <https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/think-act-report>

¹⁷⁸ <https://www.gov.uk/government/publications/think-act-report-two-years-on>

¹⁷⁹ <http://wales.gov.uk/topics/equality/equalityactatwork/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>employment differences. Regulation 9 of the The Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011¹⁸⁰ requires public authorities to collect information on the number of men and women employed broken down by job, grade, pay, contract type and working pattern. Regulation 11(3)¹⁸¹ in respect of gender pay difference means that public authorities that identify a gender pay difference must either set a gender pay equality objective to address the cause or causes of the pay difference or explain publicly, why they have not done so. They must put this information in an action plan along with any policy or policies that relate to the need to address gender pay difference.</p> <p>See also the response to recommendation 110.40.</p>
<p>110.63 (addressing the gender pay gap)</p>	<p>110.63 Consider policies and legal provisions to encourage equal pay practices (India)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>See response to recommendation 110.62 and recommendation 110.40.</p> <p><i>Scotland</i></p> <p>See response to recommendation 110.40.</p> <p><i>Wales</i></p> <p>See response to recommendation 110.62.</p>	<p>Recommendation 110.63 enjoys the support of the UK for the reasons set out in the response to recommendations 110.40 and 110.62.</p>

¹⁸⁰ <http://www.legislation.gov.uk/wsi/2011/1064/regulation/9/made>

¹⁸¹ <http://www.legislation.gov.uk/wsi/2011/1064/regulation/11/made>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
110.64 (addressing the gender pay gap)	110.64 Take measures to address the existing wage gap between men and women (Algeria)	The recommendation enjoys the support of the United Kingdom. See response to recommendation 110.62 and recommendation 110.40.	Recommendation 110.64 enjoys the support of the UK for the reasons set out in the response to recommendations 110.40 and 110.62.
110.65 (addressing the gender pay gap)	110.65 Revitalize endeavours intended for eradication of the wage gap between men and women that has reportedly stalled (Ukraine)	The recommendation enjoys the support of the United Kingdom. See response to recommendation 110.62 and recommendation 110.40. <i>Scotland</i> See response to recommendation 110.40. <i>Wales</i> See response to recommendation 110.62.	Recommendation 110.65 enjoys the support of the UK for the reasons set out in the response to recommendations 110.40 and 110.62.
110.66 (combating discrimination)	110.66 Consider	The recommendation enjoys the support of the United Kingdom in part ¹⁸² .	Recommendation 110.66 enjoys the support of the UK in part for the reasons set out in the

¹⁸² In offering partial support to this recommendation it should be noted that the UK Government considers that the Equality Act 2010 provides sufficient, extensive protection from discrimination and therefore rejects any assertion that our current efforts are insufficient or fall short of good practice. However, as is done with all new legislation, the Government has committed to reviewing the Act in 2015 to ensure that it is operating as intended. Consideration of the effectiveness of policies in combating discrimination forms part of that review.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>strengthening policies to combat discrimination in all areas, notably in employment and education (Morocco)</p>	<p>In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The act also strengthened protection in some situations. The Act covers nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>The education provisions of the Equality Act 2010 already offer strong protection for school pupils against discrimination and inequalities in education. This is further supported by the public sector Equality Duty which requires all publicly funded schools to have due regard to eliminating discrimination, promoting equality of opportunity and fostering good relations, and for them to demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p>	<p>response to recommendation 110.49. No major changes to the legal framework to protect human rights and to combat discrimination are envisaged in the UK, apart from what stated in the response to recommendation 110.61 with respect to caste discrimination.</p> <p>In Wales, on 12 January 2011, the Welsh Government published the “Youth Engagement and Employment Action Plan 2011-2015”¹⁸³. The Action Plan outlines the Welsh Government’s approach to preventing children and young people from disengaging from learning, and to supporting them with entry into the labour market. In October 2013, the Welsh Government also launched the “Youth Engagement and Progression Framework Implementation Plan”¹⁸⁴, which was developed around the needs of young people, strengthening the accountability of different agencies in the system for delivering better outcomes for young people.</p>

¹⁸³ <http://wales.gov.uk/topics/educationandskills/publications/guidance/yeeap/?lang=en>

¹⁸⁴ <http://wales.gov.uk/topics/educationandskills/skillsandtraining/youthengagement/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>In offering partial support to this recommendation it should be noted that, the UK Government considers that the Equality Act 2010 provides sufficient, extensive protection from discrimination and therefore rejects any assertion that our current efforts are insufficient or fall short of good practice. However, as is done with all new legislation, the Government has committed to reviewing the Act in 2015 to ensure that it is operating as intended. Consideration of the effectiveness of policies in combating discrimination forms part of that review.</p> <p><i>Scotland</i></p> <p>The Scottish Government have taken a distinctive approach to implementing the public sector equality duty in the Equality Act (2010), which is already supporting work to identify unlawful discrimination and encourage the promotion of equality across Scotland.</p> <p><i>Wales</i></p> <p>See response to recommendation 110.50. Equality objectives include reducing the numbers of young people not in education, employment or training. This is a long-term aim and measurable progress will be made against this objective by 2016.</p>	

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
<p>110.67 (investigating allegations against the UK Armed Forces)</p>	<p>110.67 Ensure that inquiries are carried out immediately, independently, and transparently in cases where members of the armed forces are suspected of having committed acts of torture, particularly in the context of their service abroad (Switzerland)</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>UK Armed Forces personnel are not free to act with impunity: they act in accordance with international laws as well as mandated rules of engagement and the Armed Forces Act 2006. The Service Justice System is separate and universally deployable to ensure that any allegation of criminal conduct by a member of the Armed Forces on duty can be properly investigated and tried, no matter where the crime is committed or who the victim may be.</p> <p>The use of torture is specifically banned by the rules and regulations under which our Armed Forces and all government officials operate. Military chiefs and the responsible politicians condemn all acts of abuse, and treat allegations of wrongdoing extremely seriously. All substantive allegations are investigated; there are robust mechanisms in-place to ensure that investigations are complete and transparent.</p> <p>In respect of our counter terrorism operations, the UK not only acts in accordance with our</p>	<p>Recommendation 110.67 enjoys the support of the UK.</p> <p>See the UK 5th periodic report under the CAT¹⁸⁵, the UK response to the list of issues under the CAT examination in 2013¹⁸⁶, the UK follow up information of May 2014 under the CAT¹⁸⁷, and the UK 7th periodic report under the ICCPR¹⁸⁸.</p> <p>As previously reported, UK Armed Forces personnel deployed on operations are not free to act with impunity; they are required to act in accordance with applicable international and domestic law, including the Armed Forces Act 2006¹⁸⁹. Accordingly, in any part of the world, where it is alleged that a member of the UK Armed Forces has committed a service offence or where there are circumstances which indicate that a member of the UK Armed Forces might have done so, an investigation will be conducted which may result in a prosecution before a service court pursuant to the Armed Forces Act 2006.</p> <p>Furthermore, torture continues to be a crime</p>

¹⁸⁵ Pages 28, 75 (and following pages) of [CAT/C/GBR/5](#)

¹⁸⁶ Pages 2-4, 16-21 of [CAT/C/GBR/Q/5Add.1](#)

¹⁸⁷ Page 4 of [CAT/C/GBR/CO/5/Add.1](#)

¹⁸⁸ Page 97 of [CCPR/C/GBR/7](#)

¹⁸⁹ <http://www.legislation.gov.uk/ukpga/2006/52/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>domestic human rights obligations but has also developed the Overseas Security and Justice Assistance guidance on human rights to seek to ensure that security and justice work we do overseas strengthens compliance with international human rights standards. The UK Government can and do follow a policy reporting perpetrators of human rights violations to authorities overseas whenever possible.</p> <p>The Government stands firmly against torture and cruel, inhuman and degrading treatment or punishment. We do not condone it, nor do we ask others to do it on our behalf. The Government has published “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”, so that we can be clear as possible about the standards under which the intelligence agencies and armed forces operate.</p> <p>While the overwhelming majority of our military personnel conducted themselves with decency and honour in Iraq, we accept there may have been occasional lapses in what was a very violent conflict. The Secretary of State for</p>	<p>under UK law; this applies to all members of the UK Armed Forces wherever they are. All substantive allegations are investigated through robust statutory mechanisms that are in place to ensure that investigations are conducted in an effective, independent and transparent manner.</p> <p>Apart from the “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”¹⁹⁰ and the outcome of the Baha Mousa inquiry¹⁹¹ referred to in the previous response (this was followed on 27 March 2014 by a Written Ministerial Statement about the implementation of the recommendations made by Sir William Gage¹⁹²), the UK Government also published the report of the “Detainee Inquiry” on 19 December 2013¹⁹³.</p> <p>With regard to the “Iraq Historic Allegations Team” (IHAT¹⁹⁴), in the 2013 High Court judgment in <i>Ali Zaki Mousa (2)</i>¹⁹⁵, the Court held that the IHAT was independent of the chain of command of those military personnel against whom allegations were being levelled. As a result, the Court said that IHAT met the ECHR requirements of independence, and that</p>

¹⁹⁰ <https://www.gov.uk/government/publications/uk-involvement-with-detainees-in-overseas-counter-terrorism-operations>

¹⁹¹ <http://www.bahamousainquiry.org/>

¹⁹² <http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140327-wms0001.htm#14032777001854>

¹⁹³ <http://www.detaineeinquiry.org.uk/>

¹⁹⁴ <https://www.gov.uk/government/groups/iraq-historic-allegations-team-ihat>

¹⁹⁵ [2013] EWHC 1412 (Admin)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Defence established the Iraq Historic Allegations Team (IHAT) in 2010 to investigate these allegations. We have not ruled out a public inquiry at some point in the future, should serious and systemic issues emerge from IHAT's investigations that would justify it.</p> <p>However, we have made improvements already in many areas of concern. Doctrine and military training are kept under constant review. We are implementing recommendations from internal reviews of detainee handling and from the Public Inquiry into the death of Baha Mousa whilst in UK custody in Iraq in 2003 which are available at: http://www.bahamousainquiry.org/. We have in place mechanisms which will permit us to continue learning lessons as they emerge from the ongoing investigations.</p> <p>Detention operations in Afghanistan are a very different business than they were in Iraq. There is now much better training of personnel prior to deployment and detention safeguards and oversight mechanisms have been enhanced considerably. But we are not complacent. We recognise that when personnel operate under stressful and dangerous conditions then there will always be the potential for a small proportion to commit offences. However, any substantive allegation is investigated and, if there is evidence that an offence has been committed, cases are dealt with appropriately within the Service Justice System.</p> <p>The UK engages constructively with all UN</p>	<p>it was fully capable of discharging the obligations on the Secretary of State for Defence to conduct a criminal investigation into the allegations in nearly 150 cases that have been formally presented to him. These cases allege breaches of the claimants' rights under Article 2 or 3 of the ECHR. The Court also ordered a public examination (similar to a coroner's inquest) into certain cases of alleged unlawful killing where this is necessary to discharge fully the investigative obligation under the ECHR; a retired High Court judge has been appointed to undertake a coronial-style fatality investigation into the circumstances of two deaths, with further cases to follow.</p> <p>The Ministry of Defence is committed to a continuous process of review and improvement in relation to military operations overseas. To this end, it has put in place a robust process for identifying, reviewing, and correcting areas where doctrine, policy and training have been insufficient to prevent practices or individual conduct that breach its obligations under international humanitarian law. The Ministry of Defence also has in place a number of governance mechanisms to provide assurance that the changes made are working and that the issues identified do not reoccur. This includes periodic inspections of detention facilities and practices by the Provost Marshal (Army). In addition, the Army Inspector, who is independent from the chain of command, has carried out two in-depth reviews (in 2010 and in 2012) of detention; in both cases an external</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		human rights mechanisms, and would certainly cooperate accordingly if any particular UN body contacted us with concerns within their mandate. The results of any public inquiries are made available to all and could be accessed by any UN human rights mechanism.	expert joined the review team to provide external assurance. The High Court ruling of October 2013 acknowledged the Ministry of Defence's conscientious approach in this area and the extensive work that has already been undertaken following the recommendations made by Sir William Gage in the report of his findings in the Baha Mousa Inquiry.
110.68 (investigating allegations against the UK Armed Forces)	110.68 Along with the Special Procedures, investigate allegations of the systematic use of torture by British soldiers vis-à-vis detainees outside the country, and inform the results of these investigations to the UN human rights mechanisms, including the Human Rights Committee, Human Rights Council and its mechanisms (Belarus)	The recommendation enjoys the support of the United Kingdom in part. See response to recommendation 110.67	Recommendation 110.68 enjoys the support of the UK for the reasons set out in the response to recommendations 110.47 and 110.67.
110.69 (combating VAWG)	110.69 Adopt a national strategy to combat all forms of violence against women and	The recommendation enjoys the support of the United Kingdom. On 25 th November 2010, the UK Government published its first Strategy to end all forms of	Recommendation 110.69 enjoys the support of the UK for the reasons set out in the response to recommendation 110.51.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>girls (Brazil)</p>	<p>violence against women and girls. A detailed range of 88 supporting actions was published on 8th March 2011. The updated Action Plan was launched on 8th March 2012. More than half the original actions have been completed, with a further 100 actions to be delivered, with more emphasis on the importance of prevention.</p> <p><i>Scotland</i></p> <p>See response to recommendation 110.51</p> <p><i>Wales</i></p> <p>The ‘<i>Right to be Safe</i>’ is the Welsh Government’s six year strategy for tackling all forms of violence against women. Violence against women constitutes a serious violation of the human rights of women and girls and is a major obstacle to the achievement of equality between women and men. Achievements and developments against the ‘<i>Right to be Safe</i>’ Implementation Plan in 2011-12 include: Providing £4.366 million funding to deliver effective Violence Against Women and Domestic Abuse (VAWDA) services to victims across Wales; Three publicity campaigns focused on domestic abuse, sexual violence against women and the impact of domestic abuse on children; Recruiting Wales’s first Anti Human Trafficking co-ordinator; and establishing the 10,000 Safer Lives project, which focuses on tackling domestic abuse.</p>	

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
110.70 (combating VAWG)	110.70 Continue making progress in implementing the Action Plan on violence against women and girls (Colombia)	The recommendation enjoys the support of the United Kingdom. See recommendation 110.69	Recommendation 110.70 enjoys the support of the UK for the reasons set out in the response to recommendation 110.51.
110.71 (combating VAWG)	110.71 Take more effective measures to combat all forms of violence against women and girls and to ensure that the perpetrators of violence are taken to justice and punished (Malaysia)	The recommendation enjoys the support of the United Kingdom. See recommendation 110.69 and to note that the Violence Against Women and Girls Action Plan also includes the criminal justice steps the UK Government will be taking forward. <i>Wales</i> The Welsh Government's Legislative Programme includes a Bill to end Violence Against Women and Domestic Abuse - a line in the sand in tackling the enduring culture that leads to this issue. It will seek to complement existing law, focusing on the social issues within the elements of prevention, protection and support.	Recommendation 110.71 enjoys the support of the UK for the reasons set out in the response to recommendation 110.51.
110.72 (combating human trafficking)	110.72 Increase efforts to combat trafficking in persons, particularly to protect women and	The recommendation enjoys the support of the United Kingdom. The UK Government is increasing its efforts to combat trafficking in persons through the UK Government's human trafficking strategy and in	Recommendation 110.72 enjoys the support of the UK. The UK is a party to the Council of Europe Convention on Action against Trafficking in Human Beings. The first evaluation report of

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	children (Spain)	implementing the EU Directive on trafficking in human beings. This is done in partnership with the Devolved Administrations and others.	<p>the UK under this Convention, inclusive of the UK comments, from September 2012 is publicly available¹⁹⁶ and sets out the measures taken by the UK to combat human trafficking. The National Referral Mechanism¹⁹⁷ continues to operate across the UK as the building block of the UK Government strategy to combat human trafficking. The National Referral Mechanism is currently being reviewed to ensure that it is working as effectively as possible and provides access to the support victims need. More recent measures include: the publication in October 2013 of a leaflet outlining the support available across the UK for victims of human trafficking¹⁹⁸; guidance from October 2013 for frontline staff in England and Wales to help them identify and help potential victims of human trafficking¹⁹⁹; and the introduction in June 2014²⁰⁰ of a Modern Slavery Bill, partly aimed at consolidating existing human trafficking and slavery offences. An inter-departmental ministerial group on modern slavery, which comprises ministers from each constituent part of the UK, provides annual updates on the UK progress in combating human trafficking and modern slavery²⁰¹.</p> <p>In Northern Ireland, a Human Trafficking and</p>

¹⁹⁶ GRETA(2012)6

¹⁹⁷ <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/national-referral-mechanism>

¹⁹⁸ <https://www.gov.uk/government/publications/support-for-victims-of-human-trafficking>

¹⁹⁹ <https://www.gov.uk/government/publications/victims-of-human-trafficking>

²⁰⁰ <http://services.parliament.uk/bills/2014-15/modernslavery.html>

²⁰¹ <https://www.gov.uk/government/collections/human-trafficking-inter-departmental-ministerial-group-annual-reports>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Exploitation (Further Provisions and Support for Victims) Bill is currently being considered by the Northern Ireland Assembly. In January-April 2014²⁰², a consultation on measures to strengthen Northern Ireland’s response to human trafficking and slavery also took place. All child victims of trafficking are entitled to the full range of services afforded to children under The Children (Northern Ireland) Order 1995²⁰³. The Northern Ireland’s Department of Health, Social Services and Public Safety (DHSSPS) and the Police Service of Northern Ireland (PSNI) jointly issued guidance, “Working Arrangements for the Welfare and Safeguarding of Child Victims of Human Trafficking”²⁰⁴, in February 2011. This guidance sets out the actions to be taken by the PSNI and Health and Social Care (HSC) Trusts in relation to lone or unaccompanied children, children in the care of an unsuitable adult and children who are recovered during police operations where there is reasonable cause to believe that the child may have been the victim of trafficking. The guidance is consistent with existing child protection (and looked after) children guidance and is aligned with the principles of the CRC. HSC Trusts regularly report the numbers of separated/unaccompanied children and young people who come to their attention and the outcomes for these children and young people.</p>

²⁰² <http://www.dojni.gov.uk/index/public-consultations/current-consultations/human-trafficking-and-slavery-strengthening-northern-irelands-response.pdf>

²⁰³ <http://www.legislation.gov.uk/nisi/1995/755/contents>

²⁰⁴ http://www.dhsspsni.gov.uk/oss_working_arrangements_for_the_welfare_safeguarding_of_child_victims_of_human_trafficking.pdf

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>In October 2012, the DHSSPS and the Northern Ireland’s Department of Justice launched “Guidance on Working Arrangements for the Welfare and Protection of Adult Victims of Human Trafficking”²⁰⁵.</p> <p>The Northern Ireland’s Minister of Justice is working with the sponsor of the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill to bring forward further legislative changes to strengthen Northern Ireland’s response to human trafficking and slavery. Furthermore, the Department of Justice in Northern Ireland is a partner in the development of the REACH awareness campaign, which is being led by the Department of Justice and Equality in the Republic of Ireland. This is a EU-funded project to tackle demand for the services of women and girls trafficked for sexual exploitation.</p> <p>Finally, a “Human Trafficking and Exploitation Action Plan for Northern Ireland”²⁰⁶ has been published for 2014/15. The action plan was developed around the following three strategic aims:</p> <ul style="list-style-type: none"> • Strengthening law enforcement; • Protecting and supporting victims; and • Preventing human trafficking and exploitation. <p>In Scotland, combating trafficking in human</p>

²⁰⁵ <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/working-arrangements-for-the-welfare-protection-of-adult-victims-of-human-trafficking-oct-2012.pdf>

²⁰⁶ <http://www.dojni.gov.uk/index/publications/publication-categories/pubs-policing-community-safety/community-safety/organised-crime/northern-ireland-human-trafficking-and-slavery-action-plan-2014-15.pdf>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>beings is a high priority for the Scottish Government and it continues to work with the UK and Northern Ireland Governments to tackle the crime. Following the Human Trafficking Summit, hosted by the Cabinet Secretary for Justice, in October 2012, Scottish Ministers have been working with other agencies to strengthen Scotland's response to human trafficking. During 2013, Police Scotland published, with Scottish Government support, an awareness raising leaflet to assist public and private sector organisations in spotting the signs of potential human trafficking, how to report concerns and details of agencies available to provide support to potential victims. In March 2014 Scottish Ministers confirmed that dedicated Scottish legislation on human trafficking will be introduced during this parliamentary session. The Bill will consolidate and strengthen existing criminal law against trafficking, enhance the status of and support for the victims of trafficking; and require relevant agencies to work with the Scottish Government to develop and implement a Scottish Anti-Trafficking Strategy.</p> <p>In Wales, the Welsh Government also recognises that tackling human trafficking requires co-ordinated action across the UK. The Welsh Government delivered its Programme for Government's commitment to appoint an "Anti Human Trafficking Coordinator" (AHTC) to: improve information available on the level of human trafficking in Wales; and raise awareness of the issue and how to fight it.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>The achievements following the appointment of the AHTC include: working with the Association of Chief Police Officers Cymru and the Crown Prosecution Service to produce an Anti Human Trafficking route map for Investigating and Senior Investigating Officers; awareness raising sessions delivered to 2,000 front line staff across Wales, and also through an ongoing media campaign; establishing the Wales Anti Human Trafficking Leadership Group to give strategic leadership in tackling human trafficking in Wales; arranging for the National Referral Mechanism statistics to be disaggregated.</p>
<p>110.73 (combating human trafficking)</p>	<p>110.73 Continue making progress in applying the strategy on trafficking in persons adopted in July 2011 (Columbia)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government continues to make progress in implementing its strategy on tackling human trafficking which it published in July 2011.</p>	<p>Recommendation 110.73 enjoys the support of the UK for the reasons set out in the response to recommendation 110.72.</p>
<p>110.74 (combating human trafficking, and Istanbul Convention ratification)</p>	<p>110.74 Implement the EU Directive on trafficking in human beings by April 2013 and sign the Council of Europe Convention</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government will implement the EU Directive on trafficking in human beings by April 2013. (Also see recommendation 110.29 on the Convention on Preventing and Combating Violence Against Women and</p>	<p>Recommendation 110.74 enjoys the support of the UK for the reasons set out in the response to recommendations 110.29 and 110.72.</p> <p>The UK completed the implementation of EU <u>Directive 2011/36/EU</u> (on preventing and combating trafficking in human beings and protecting its victims) in April 2013, including</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>on Preventing and Combating Violence Against Women and Domestic Violence (Australia)</p>	<p>Domestic Violence).</p> <p><i>Scotland</i></p> <p>The Scottish Government are committed to tackling the abhorrent crime of human trafficking through partnership working with the UK Government and others, and have both changed the law and provided resources to meet European standards and assist enforcement and prosecution. The Scottish Government are supportive of opting into and implementing the EU Directive on trafficking in human beings.</p> <p><i>Wales</i></p> <p>The Welsh Government is committed to working together with the UK Government in order to tackle trafficking.</p>	<p>through primary legislation (such as ss.109-110 Protection of Freedoms Act 2012²⁰⁷, and s.46 Criminal Justice and Licensing (Scotland) Act 2010²⁰⁸).</p> <p>In Northern Ireland, the Northern Ireland Executive considers that it is compliant with the EU Directive on trafficking in human beings. The Criminal Justice (Northern Ireland) Act 2013²⁰⁹ included new measures to tackle human trafficking. It brought Northern Ireland's criminal law into line with the EU Directive on human trafficking, creating new offences and addressing the international dimension of human trafficking. It has also ensured that human trafficking offences in Northern Ireland can now be tried on indictment only, and as such, can be referred to the Court of Appeal by the Director of Public Prosecutions if a sentence is considered to be unduly lenient. Furthermore, arrangements are in place for supporting victims and potential victims of human trafficking in Northern Ireland; these arrangements comply with and in some cases go beyond the requirements of the EU Directive. The support provided to potential adult victims of human trafficking includes sign-posting to independent legal advice and advice on compensation. The Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill contains a</p>

²⁰⁷ <http://www.legislation.gov.uk/ukpga/2012/9/part/7/crossheading/trafficking-people-for-exploitation>

²⁰⁸ <http://www.legislation.gov.uk/asp/2010/13/part/2/crossheading/people-trafficking>

²⁰⁹ <http://www.legislation.gov.uk/nia/2013/7/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			provision which will put support provided by the Department of Justice to potential adult victims of human trafficking on a statutory footing.
110.75 (combating human trafficking)	110.75 Standardize anti-trafficking responses across the UK insofar as possible given the devolution of law enforcement powers, and appoint a rapporteur in each devolved authority to make critical assessments and improve the UK's overall anti-trafficking response (United States of America)	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>As the recommendation recognises, it is not possible to standardise anti-trafficking responses across the UK. Immigration policy is the responsibility of the UK Government, but justice and policing policy is devolved. The UK Government has announced that the Inter-Departmental Ministerial Group on Human Trafficking will be the UK's equivalent national rapporteur mechanism to comply with the EU Directive on trafficking in human beings. Ministers from the Scottish and Welsh Governments and the Northern Ireland Executive attend the Inter-Departmental Ministerial Group on Human Trafficking and officials from the Devolved Administrations are represented on the Human Trafficking Strategy Board. It is therefore not appropriate to appoint individual rapporteurs in the Devolved Administrations.</p>	<p>Recommendation 110.75 enjoys the support of the UK in part.</p> <p>Whilst acknowledging the need to combat human trafficking across the UK in a coordinated manner, the UK Government continues to consider the appointment of individual rapporteurs in the Devolved Administrations to be inappropriate in the context of the devolution arrangements (as set out in general terms in the Core Document 2014 – section 1B²¹⁰), and also unnecessary given the existence of the Inter-Departmental Ministerial Group on Modern Slavery and the National Referral Mechanism referred to in the response to recommendation 110.72.</p>
110.76 (combating human trafficking)	110.76 Take all measures to ensure that all trafficked people are able to access	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>In the UK, there is a range of support for victims of trafficking including an ability to</p>	<p>Recommendation 110.76 enjoys the support of the UK in part.</p> <p>The National Referral Mechanism (cited in the response to recommendation 110.72) continues</p>

²¹⁰ Page 33 of the [HRI/CORE/GBR/2014](http://www.unhcr.org/refugees/pdf/HRI-CORE-GBR-2014.pdf)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>the support and services they are entitled to, including free legal aid and access to their right to compensation (Greece)</p>	<p>seek compensation. In addition certain civil legal aid services are available to those individuals who have been confirmed as a victim of trafficking following a conclusive grounds decision through the National Referral Mechanism or where there has been a reasonable grounds decision and there has not been a conclusive determination to date that the individual is not a victim.</p>	<p>to set out best practice in supporting victims of human trafficking²¹¹. The National Referral Mechanism is currently being reviewed to ensure that it is working as effectively as possible and provides access to the support victims need.</p> <p>Paragraph 32 (“Victims of trafficking in human beings”), Schedule 1, Part 1, Legal Aid, Sentencing and Punishment of Offenders Act 2012²¹², addresses the provision of civil legal aid to victims of human trafficking.</p> <p>In December 2013, the UK Government implemented a new “Code of Practice for Victims of Crime”²¹³ which outlines that victims of human trafficking are entitled to receive enhanced services and support from criminal justice agencies, as they are victims of the most serious crime.</p> <p>In March 2014, the UK Government issued guidance on the Criminal Injuries Compensation Scheme and how it applies to victims of human trafficking²¹⁴, covering England, Scotland and Wales. A parallel scheme is in place in Northern Ireland²¹⁵.</p> <p>See also the response to recommendation</p>

²¹¹ <http://www.nationalcrimeagency.gov.uk/about-us/what-we-do/specialist-capabilities/uk-human-trafficking-centre/best-practice-guide>

²¹² <http://www.legislation.gov.uk/ukpga/2012/10/schedule/1>

²¹³ <https://www.gov.uk/government/publications/the-code-of-practice-for-victims-of-crime>

²¹⁴ <https://www.gov.uk/government/publications/victims-of-human-trafficking-and-the-criminal-injuries-compensation-scheme>

²¹⁵ <http://www.nidirect.gov.uk/index/information-and-services/crime-justice-and-the-law/victims-and-witnesses-of-crime/information-for-potential-adult-victims-of-human-trafficking.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			110.72.
110.77 (abortion legislation in Northern Ireland)	110.77 Ensure by legislative and other measures that women in Northern Ireland are entitled to safe and legal abortion on equal basis with women living in other parts of the United Kingdom (Finland)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The law in Northern Ireland is different from the legislation which provides for abortion in Great Britain. The legislative position has been different in the separate jurisdictions for many years, and any changes to the law in this area are a matter for the Northern Ireland Assembly and Executive.</p>	<p>Recommendation 110.77 does not enjoy the support of the UK.</p> <p>Abortion law in Northern Ireland is governed by the Offences Against the Person Act 1861²¹⁶, the Criminal Justice Act (Northern Ireland) 1945²¹⁷ and case law; the latter²¹⁸ has in fact established that it is lawful to perform an abortion in Northern Ireland where: it is necessary to preserve the life of the woman, or; there is a risk of real and serious adverse effect on the woman's physical or mental health, which is either long-term or permanent (see also the UK 7th periodic report under the CEDAW²¹⁹, and the UK response to the list of issues under the CEDAW examination²²⁰).</p> <p>Health policy and criminal law are transferred matters, thus within the full legislative competence of the Northern Ireland Executive (for an overview of the devolution arrangements within the UK, please see section 1B "Constitutional, political and legal structure of the State" of the Core Document 2014²²¹). In July 2013, the Northern Ireland Department for</p>

²¹⁶ <http://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents>

²¹⁷ <http://www.legislation.gov.uk/apni/1945/15/contents>

²¹⁸ R v Bourne [1939] 1 KB 687 and see also the summary of the law in *Family Planning Association of Northern Ireland v Minister for Health Social Services and Public Safety* (2004) NICA 37.

²¹⁹ Page 39 of [CEDAW/C/GBR/7](#)

²²⁰ Page 25-26 of [CEDAW/C/GBR/Q/7/Add.1](#)

²²¹ Page 33 of the [HRI/CORE/GBR/2014](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			Health, Social Services and Public Safety consulted ²²² on a guidance on the termination of pregnancy in Northern Ireland. The assessment of responses to the public consultation on termination of pregnancy guidance is complete and it is expected that a revised document will be issued in 2014.
110.78 (corporal punishment of children)	110.78 Reconsider its position about the continued legality of corporal punishment of children (Sweden)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>Keeping children safe is a top priority for the UK Government, which is absolutely clear that no child should be subjected to violence or abuse. The law in the UK only permits physical punishment of children in very limited circumstances. Corporal punishment is unlawful in state and full-time independent schools, in nursery and childminding settings, children's homes and secure establishments. In any setting, an assault on a child that results in injuries that are more than transient or trifling would normally be charged as an assault occasioning actual or grievous bodily harm. Where that is the case, the assault cannot be defended on the basis that it is reasonable punishment. Research shows that fewer parents now use physical punishment, and we hope that trend continues. We encourage the provision of evidence-based parenting programmes as they promote alternatives to physical punishment to</p>	<p>Recommendation 110.78 does not enjoy the support of the UK.</p> <p>The UK position on corporal punishment of children is summarised in the UK 5th periodic report under the CAT²²³, the UK 7th periodic report under the ICCPR²²⁴, and the UK 5th periodic report under the CRC²²⁵.</p> <p>In summary, the UK has clear laws that deal with violence towards children, regardless of the setting in which it may take place and regardless of who administers it. The UK's view is that a mild smack does not constitute violence and that parents should not be criminalised for giving a mild smack to their child. The UK therefore remains of the view that it is not in breach of the CRC with regard to physical punishment of children, and believes that the UK is compliant with Articles 19 and 37 CRC in relation to abuse and violence towards children.</p> <p>All schools in England, Northern Ireland,</p>

²²² <http://www.dhsspsni.gov.uk/showconsultations?txtid=62187>

²²³ Page 98 (and following pages) of [CAT/C/GBR/5](#)

²²⁴ Page 98 of [CCPR/C/GBR/7](#)

²²⁵ Page 21 of [CRC/C/GBR/5](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>manage children's behaviour.</p> <p>The UK Government does not accept that it is in breach of the UNCRC with regard to physical punishment; and believe that UK is compliant with Articles 19 and 37 in relation to abuse and violence towards children.</p>	<p>Scotland, and Wales are banned by law from using any form of corporal punishment. There are some unregistered independent settings, providing part-time education, that are not covered by this ban. However, work is underway to develop a code of practice which will send a clear message about the expected standards that all settings should meet, and to highlight that assault of children is unlawful in any setting. Physical punishment has also been banned in child minding, other early years provision, local authority foster care and children's homes, either by statute or through codes of conduct. The UK is taking a variety of action to promote positive parenting and caring relationships. Examples are included in Northern Ireland's "Families Matter Strategy", Scotland's "National Parenting Strategy" and the "Help at Hand; A Positive Approach to Parenting publication" in Wales.</p> <p>In Scotland, the Scottish Government has no plans to change its approach, which protects children and also avoids criminalising parents for actions such as light smacking. The Scottish Government does not support smacking as a way of disciplining children and will continue to promote reasonable alternatives. In Scotland, it is already illegal to punish children by shaking, hitting them on the head and by using a belt, cane, slipper, wooden spoon or other implement. In addition, if a court were looking into the physical punishment a child had received, it would consider: the child's age; what was done to the child; for what reason and</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>what the circumstances were; the duration of the punishment and the frequency; how it affected the child (physically and mentally); and other issues personal to the child, such as their sex and state of health.</p> <p>In Wales, the Welsh Government “Programme for Government” contains a commitment to: “Work to make physical punishment of children and young people unacceptable through the promotion of positive alternatives”.</p> <p>The Welsh Government has commissioned qualitative research to gain a better understanding of parenting practices, what influences parental decisions to use different discipline techniques and parental attitudes to physical punishment. The Welsh Government continues its investment in the “Flying Start” and “Families First” programmes²²⁶ which actively support parents to parent positively, without resorting to physical punishment.</p>
<p>110.79 (corporal punishment of children)</p>	<p>110.79 Take measures to ensure the freedom of children from physical punishment in accordance with the Convention on the Rights of the Child (Norway)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>See recommendation 110.78</p>	<p>Recommendation 110.79 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.78.</p>

²²⁶ <http://wales.gov.uk/topics/childrenyoungpeople/parenting/help/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
110.80 (corporal punishment of children)	110.80 Introduce a ban on all corporal punishment of children as recommended by the CRC and other treaty bodies (Finland)	The recommendation does not enjoy the support of the United Kingdom. See recommendation 110.78	Recommendation 110.80 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.78.
110.81 (pre-trial detention)	110.81 Strengthen guarantees for detained persons, and not to extend but to shorten the length of time of pre-trial detention (Islamic Republic of Iran)	The recommendation does not enjoy the support of the United Kingdom. A suspect who has been charged with an indictable offence has a right to bail under the Bail Act 1976, but may be remanded in custody where one or more ‘exceptions to bail’ are present. The most important of these are that there are substantial grounds for believing that if released on bail the defendant would: fail to return to court; commit an offence; or interfere with witnesses or otherwise obstruct the course of justice. The period for which a defendant who is remanded in custody may be detained is governed by custody time limits which limit the time which may elapse between first appearance and start of trial to 56 (or in certain cases 70) days for cases being tried summarily,	Recommendation 110.81 does not enjoy the support of the UK. See the UK 5 th periodic report under the CAT ²²⁷ , the UK response to the list of issues under the CAT examination in 2013 ²²⁸ , and the UK 7 th periodic report under the ICCPR ²²⁹ . Prisoners in the UK are already guaranteed a number of basic rights, including, for example, access to a lawyer and healthcare. Those in police custody are informed of their rights through, for example, the “Notice of Rights and Entitlements” ²³⁰ in England and Wales, and the “Letter of rights” ²³¹ in Scotland. Detention conditions across the UK are regularly monitored by the UK National Preventive Mechanism ²³² , established under the OP-CAT. As a State Party to the ECPT, the UK also receives visits from the Council of Europe

²²⁷ Pages 36, 90 and 119, and following pages of [CAT/C/GBR/5](#)

²²⁸ Page 5 of [CAT/C/GBR/Q/5Add.1](#)

²²⁹ Pages 110 and 117 (and following pages) of [CCPR/C/GBR/7](#)

²³⁰ <https://www.gov.uk/notice-of-rights-and-entitlements-a-persons-rights-in-police-detention>

²³¹ <http://www.scotland.gov.uk/Topics/Justice/legal/criminalprocedure/letterofrights>

²³² <http://www.justiceinspectrates.gov.uk/hmiprison/national-preventative-mechanism/#.U5ciWFMuLSN>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>and to a total of 182 days for cases tried on indictment. The limits may be extended by the court on application, provided there is a good and sufficient cause for so doing and that the prosecution has shown all due diligence and expedition. When the custody time limit expires, the defendant must be released on bail.</p> <p><i>Scotland</i></p> <p>Strict limitations on pre-trial detention have been a long-standing feature of the law of Scotland. Those accused of an offence tried under summary procedure (in the lower courts and without a jury) may be held for a maximum period of 40 days. In more serious cases, tried before the higher courts, the maximum period of pre-trial detention is 110 or 140 days, depending on which court hears the case. These detention periods are already short by international standards. The importance of bringing fully prepared cases to court as quickly as possible has been a guiding principle in previous and ongoing reforms to the criminal justice system in Scotland.</p>	<p>European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (the UK responses to the Committee’s visit reports are usually published on the Council of Europe’s website²³³).</p> <p>The Protection of Freedoms Act 2012²³⁴ reduced the maximum period that a terrorist suspect could be detained, before being charged or released, from 28 to 14 days.</p> <p>The UK Government also introduced measures in October 2013²³⁵ to ensure that 17 year olds in custody are treated the same way as children. They must be provided with an “Appropriate Adult” to enhance their welfare, and have a parent or legal guardian informed of their status as a detained person.</p> <p>In Scotland, previous and ongoing reforms to the criminal justice system are designed to bring fully prepared cases to court as quickly as possible. In terms of additional guarantees, the Scottish Government plans to consider new safeguards for child and vulnerable adult suspects being questioned by the police (currently being taken forward in draft legislation). The Criminal Justice (Scotland) Bill, currently before Parliament, extends the time that an accused can be remanded in custody pending trial from 110 to 140 days, following a recommendation of the Bowen</p>

²³³ <http://www.cpt.coe.int/en/states/gbr.htm>

²³⁴ <http://www.legislation.gov.uk/ukpga/2012/9/part/4/crossheading/precharge-detention-of-terrorist-suspects/enacted>

²³⁵ <https://www.gov.uk/government/news/changes-made-to-police-custody-rules>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Review of Sheriff and Jury Procedure. This is in order to accommodate more communication and preparation between the prosecution and defence prior to a trial, with a view to avoiding trials being postponed. The Bill also includes provision that seeks to ensure suspects are not unnecessarily or disproportionately held in police custody. This includes the introduction of investigative liberation, whereby police are able to release a person from custody for a set period of time whilst they carry out further investigations. The Scottish Government has also established a right to essential information for suspects in criminal proceedings (including a right to interpretation and translation), and has created a "letter of rights" in a range of languages explaining their rights to persons in custody..</p> <p>See also the response to recommendation 110.83.</p>
<p>110.82 (legal advice whilst in detention)</p>	<p>110.82 Ensure realization of the right of detainees to the legal assistance immediately after being taken into detention without exception (Russian</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>In non-terrorism cases in England and Wales, there is a right to consult a solicitor privately at any time following arrest and entry into police custody (see section 58 of the Police and Criminal Evidence Act 1984, and the accompanying code of practice Code C). On detention at a police station, the detainee must</p>	<p>Recommendation 110.82 enjoys the support of the UK in part.</p> <p>A High Court judgement²³⁶ in November 2013 confirmed that individuals detained for examination under Schedule 7 to the Terrorism Act 2000²³⁷, whether at a port or police station, have the right to consult a solicitor in private, in person and at any time during the period of detention. The UK Government clarified in the</p>

²³⁶ [\[2013\] EWHC 3397 \(Admin\)](#)

²³⁷ <http://www.legislation.gov.uk/ukpga/2000/11/schedule/7>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>Federation)</p>	<p>be informed of that right and asked whether they wish to exercise it. If they ask to speak to a solicitor, they must be allowed to do so as soon as practicable unless, exceptionally in serious cases, a senior police officer authorises this to be delayed on limited grounds, on the basis that providing immediate access would lead to serious adverse consequences including injury to persons and interference with or harm to evidence or the escape of other suspects. The delay may not in any case be for more than 36 hours or after the person has been charged whichever is sooner.</p> <p>Schedule 8 to the Terrorism Act 2000 and PACE Code H apply to persons arrested under section 41 of the Act and provide for similar rights to those provided to individuals arrested under PACE. These include the right to consult a solicitor privately and as soon as reasonably practicable and the right not to be held incommunicado. Schedule 8 also provides that the right to access legal advice may be delayed where there is reason to believe that its immediate provision will lead to a number of consequences. These include interference with the gathering of information about the commission, preparation or instigation of acts of terrorism, or tipping off others who may have been involved in an act of terrorism. Any such delay must be authorised by a senior police officer and may not in any case be</p>	<p>Anti-Social Behaviour, Crime and Policing Act 2014²³⁸ that any person examined under Schedule 7 for more than one hour has the right to access legal advice at any time during their examination. Where a person has requested a consultation with a solicitor, then questioning of the person may not continue until such times as the person has consulted with their solicitor unless to delay the questioning would prejudice the purpose of the examination.</p> <p>In addition, the right to consult with a solicitor may be delayed under Schedule 8 of the Terrorism Act 2000²³⁹ where there is reason to believe that its immediate provision will lead to a number of consequences, including interference with the gathering of information about the commission, preparation or instigation of acts of terrorism, or tipping off others who may have been involved in an act of terrorism. Any such delay must be authorised by a senior police officer and may not in any case be delayed beyond 48 hours. It should also be noted that, exceptionally, a direction may be made under Schedule 8 providing that consultation with a solicitor must take place in the sight and hearing of a “qualified officer”.</p>

²³⁸ <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

²³⁹ <http://www.legislation.gov.uk/ukpga/2000/11/schedule/8>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>delayed beyond 48 hours. Note also that exceptionally, a direction may be made under Schedule 8 providing that consultation with a solicitor must take place in the sight and hearing of a “qualified officer”.</p> <p><i>Scotland</i></p> <p>In Scotland, an immediate right of access to a lawyer in non-terrorist cases was established by the Criminal Procedure (Legal Assistance, Detention and Appeals) (Scotland) Act 2010. In non-terrorist cases, the period of pre-charge detention in Scotland is limited to 12 hours under the legislation. This period can be extended a further 12 hours by a senior police officer in certain circumstances related to the investigation.</p>	
<p>110.83 (closed material procedures)</p>	<p>110.83 Continue efforts to ensure that “secret evidence” is only used in cases where there is a serious and immediate threat to public security and ensure independent and effective judicial oversight (Austria)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>Work in response to this recommendation is already being taken forward through the Justice and Security Bill. Currently, closed material procedures (CMPs) are available in an extremely limited number of contexts in the UK, but the courts have found that in certain circumstances they can be fairer than fully open and transparent proceedings, particularly in circumstances where a claim might fail if relevant sensitive information could not be taken into account. The Justice and Security</p>	<p>Recommendation 110.83 enjoys the support of the UK.</p> <p>The Justice and Security Act 2013²⁴⁰ empowers senior courts to apply a “closed material procedure” (CMP) in civil cases involving sensitive material, the disclosure of which would be damaging to national security. The process contains various judicial safeguards, including:</p> <ul style="list-style-type: none"> • That the judge will be able to grant an application for a CMP declaration from any party, not just the government, and order one of his/her own motion.

²⁴⁰ <http://www.legislation.gov.uk/ukpga/2013/18/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Bill will make CMPs available in other civil proceedings, but only where open disclosure of relevant material would damage national security. Judges will decide whether a CMP is needed, and how each individual piece of evidence should be dealt with. In practice, nothing in these proposals will enable evidence which is heard in open court under present arrangements to be heard in secret in future.</p> <p><i>Scotland</i></p> <p>Scotland implemented measures covering disclosure of information to the defence by means of the Criminal Justice and Licensing (Scotland) Act 2010. All consideration of "secret evidence" is dealt with by a judicially managed process involving special counsel.</p>	<ul style="list-style-type: none"> • That the claimants will be able to apply to the judge for a CMP for material they do not hold themselves. • That the judge has the explicit power to revoke a declaration at any point in the proceedings if he/she does not believe its continuation to be in the interests of the fair and effective administration of justice in the proceedings. • That the judge will be required to conduct a formal review of his/her decision to grant a CMP declaration once the disclosure of material has taken place in open and closed sessions, to determine whether a declaration is still in the interests of the effective and fair administration of justice in the proceedings. If it is not, the judge must revoke the declaration, as a result of which there will be no CMP in those proceedings. The review will be conducted on all the material put before the court up to that point, not just on the subsection of material that may be presented at the original application for a declaration. • That the judge will only be able to grant a declaration to enable an application for a CMP if one is in the interests of the fair and effective administration of justice in the case. • That the judge must be satisfied that the government has considered whether to make a claim for "public interest immunity" before making an application

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>for a CMP as one of the tests to be met before a CMP could be granted.</p> <p>Furthermore, ss.12²⁴¹ and 13²⁴² Justice and Security Act 2013 require respectively a factual report on the operation of CMPs under the Act to be laid before the UK Parliament every year, and a five year review on the operation of CMPs under the Act to be carried out and presented in a report to the UK Parliament in 2018.</p> <p>In Scotland, the Scottish Government implemented the recommended practice in the disclosure (of information to the defence) regime set out in the Criminal Justice and Licensing (Scotland) Act 2010²⁴³. The disclosure of information is dealt with by a judicially managed process.</p>
110.84 (Detainee Inquiry)	110.84 Begin an independent investigation of all cases of arbitrary detention denounced due to UK's implication in the program of	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>In July 2010, the Prime Minister announced a series of measures in order to try and draw a line under the serious allegations that had been made about the role the UK has played in the treatment of detainees held by other countries. We have published Consolidated Guidance</p>	<p>Recommendation 110.84 enjoys the support of the UK.</p> <p>See the response to recommendation 110.67, the UK 5th periodic report under the CAT²⁴⁴, the UK response to the list of issues under the CAT examination in 2013²⁴⁵, the UK follow up information of May 2014 under the CAT²⁴⁶, and the UK 7th periodic report under the ICCPR²⁴⁷.</p>

²⁴¹ <http://www.legislation.gov.uk/ukpga/2013/18/section/12>

²⁴² <http://www.legislation.gov.uk/ukpga/2013/18/section/13>

²⁴³ <http://www.legislation.gov.uk/asp/2010/13/part/6>

²⁴⁴ Pages 8 (and following pages), 28-29 of [CAT/C/GBR/5](#)

²⁴⁵ Pages 4, 16-17, 18-21 of [CAT/C/GBR/Q/5Add.1](#)

²⁴⁶ Page 3 of [CAT/C/GBR/CO/5/Add.1](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>secret detention led by the United States (Nicaragua)</p>	<p>which provides clear directions for intelligence officers and service personnel dealing with foreign liaison services regarding detainees held overseas. The Government also established the Detainee Inquiry to investigate whether Britain was implicated in the improper treatment or rendition of detainees held by other countries that may have occurred in the aftermath of 9/11. Although a decision has since been taken to draw this Inquiry to a conclusion while the Metropolitan Police Service carry out related criminal investigations, the Inquiry Chair, Sir Peter Gibson has provided the Government as requested with a report on its preparatory work to date, highlighting particular themes or issues which might be the subject of further examination. The Government is now looking carefully at its contents and is committed to publishing as much of this interim report as possible. In his statement to the House on 18 January 2012, the Justice Secretary said that the UK Government remained committed to drawing a line under these issues and fully intends to hold an independent, judge-led inquiry once it is possible to do so and all related police investigations have been completed. In the debate that followed, the Justice Secretary said that the Government now had more time, although it did not want it, to consider the reservations some NGOs had raised about the Gibson Inquiry's approach.</p>	<p>The UK Government published the report²⁴⁸ of the Detainee Inquiry on 19 December 2013. The UK Government has asked the “Intelligence and Security Committee”²⁴⁹ of the UK Parliament to inquire into the themes and issues identified in the report, take further evidence, and report to the UK Government and to the UK Parliament on the outcome of their inquiry.</p> <p>Related police investigations remain ongoing.</p>

²⁴⁷ Pages 96, 120 of [CCPR/C/GBR/7](http://www.ccrpr.org.uk/CCPR/C/GBR/7)

²⁴⁸ http://www.detaineeinquiry.org.uk/wp-content/uploads/2013/12/35100_Trafalgar-Text-accessible.pdf

²⁴⁹ <http://isc.independent.gov.uk/>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>However, the Government will not look at the question of terms of reference and protocols for a new Inquiry until we reach the point that one can be set up. In the meantime, relevant government departments and agencies are co-operating fully with the police investigations.</p>	
<p>110.85 (ICRC access to prisons)</p>	<p>110.85 Facilitate the ICRC access to prisons (Islamic republic of Iran)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The ICRC already have a well established visit programme to UK detention facilities in Afghanistan, which are the only facilities that currently fall within their mandate. Should there be any further requirement for such facilities, we would, as a matter of course, cooperate fully with the ICRC.</p>	<p>Recommendation 110.85 enjoys the support of the UK.</p> <p>The UK Government continues to cooperate with the “International Committee of the Red Cross” (ICRC).</p> <p>As set out in the response to recommendation 110.81, it should also be noted that detention conditions across the UK are regularly monitored by the UK National Preventive Mechanism, established under the OP-CAT. As a State Party to the ECPT, the UK also receives visits from the Council of Europe European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.</p> <p>In Scotland, the Scottish Government is in the process of abolishing the current system of prison visiting committees and replacing them with prison monitors under the auspices of the Chief Inspector of Prisons for Scotland. A number of organisations in Scotland, including the SHRC, also form part of the UK National Preventive Mechanism.</p>
<p>110.86 (reducing</p>	<p>110.86</p>	<p>The recommendation enjoys the support of the</p>	<p>Recommendation 110.86 enjoys the support of</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
prison overcrowding)	Take measures to reduce prison overcrowding and improve conditions for detainees (Russian Federation)	<p>United Kingdom.</p> <p>The UK Government remains committed to providing safe, decent and secure places for those in custody. Each establishment has a Certified Normal Accommodation (CNA), which is the uncrowded capacity of the establishment. CNA represents the good, decent standard of accommodation that NOMS aspires to provide all prisoners.</p> <p>Each establishment also has an Operational Capacity. This is the total number of prisoners an establishment can safely hold, including crowding. This is carefully set by senior prison managers on the basis of operational judgement and experience and takes account control, security and the proper operation of the planned regime.</p> <p><i>Scotland</i></p> <p>Also see response to recommendation 110.87</p>	<p>the UK.</p> <p>With regard to the independent monitoring of detention conditions across the UK, see the response to recommendation 110.85.</p> <p>In England and Wales, the number of prisoners held in crowded conditions in prisons is at its lowest point since 2001/02, falling from a peak of 25.3% in 2007/08 to 22.9% in 2013/14.</p> <p>In the longer-term, a new prison in Wrexham to be built by 2017 will provide another 2,000 prison places. Prior to that, an additional 2,000 places will come onstream by April 2015, including 1,250 places in purpose-build modern accommodation at existing prisons.</p> <p>The UK Government’s strategy “Transforming Rehabilitation”²⁵⁰ aims at reducing reoffending, thus prison overcrowding, by: extending statutory rehabilitation, through the Offender Rehabilitation Act 2014²⁵¹, to all 50,000 of the most prolific group of re-offenders (offenders sentenced to less than 12 months in custody) who currently receive no statutory support on release; fundamentally changing the organisation of the prison estate, in order to put in place a “through the prison gate” resettlement service, meaning most offenders are given continuous support by one provider from custody into the community; opening up the</p>

²⁵⁰ <https://www.gov.uk/government/publications/transforming-rehabilitation-a-strategy-for-reform>

²⁵¹ <http://www.legislation.gov.uk/ukpga/2014/11/section/4/enacted>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>market to a diverse range of new rehabilitation providers; introducing new payment incentives for market providers to focus on reforming offenders; introducing a new national public sector probation service, working to protect the public and building upon the expertise and professionalism which are already in place. Statistics on reoffending in England and Wales are regularly updated on the UK Government's website²⁵²; there has been a reduction in reoffending (of offenders on court orders under probation supervision) of 6.05% in 2012/13 compared to 2007/08.</p> <p>In Scotland, the Scottish Government continues to invest in a fit-for-purpose prison estate. Following the opening of HMP Low Moss in early 2012, HMP Shotts was rebuilt and reopened in October 2012, and a further new prison, HMP & YOI (Young Offender Institution) Grampian, opened in March 2014, to replace the aging facilities at HMP Aberdeen and HMP Peterhead. The Community Payback Order and the presumption against short sentences have now been in force for over 3½ years and have been successful in reducing the number of individuals being sentenced to short periods of imprisonment.</p>
110.87 (reducing prison overcrowding, and alternative	110.87 Take concrete steps to further reduce overcrowding of	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to</p>	<p>Recommendation 110.87 enjoys the support of the UK.</p> <p>See the response to recommendation 110.86.</p>

²⁵² <https://www.gov.uk/government/collections/reoffending-statistics>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
sentencing for young offenders)	prisons, including through the increased application of alternative sentencing for juvenile offenders (Austria)	<p>modernising the custodial estate with 2,500 efficient and good quality places being delivered in 2012, at two new purpose-built prisons, HMP Thameside and HMP Oakwood. Since 2010 we have closed over 800 old and inefficient prison places and reduced crowding in private sector prisons by over 400 places.</p> <p>This sits alongside plans to introduce more effective sentencing and rehabilitation policies to break the destructive cycle of crime. Plans for reforming sentencing, if successfully implemented, are expected to stabilise the prison population over the next four years.</p> <p>There is a discrete juvenile justice system in operation in England and Wales that includes specialised youth Courts, youth custodial establishments and Youth Offending Teams who work with and supervise young people who have offended. Where criminal offences are committed by juveniles there are a range of out-of-court disposals that can be used as an alternative to prosecution in court if this is in the public interest. Disposals such as warnings and youth conditional cautions allow rehabilitative and reparative activities to take place without prosecution. Restorative Justice approaches are used as an alternative to the juvenile justice system and in addition to formal</p>	<p>In England and Wales, there is a youth justice system²⁵³ that includes a specialised Youth Court, youth custodial establishments and Youth Offending Teams who work with and supervise young people who have offended. Where criminal offences are committed by children and young people aged 10-17, there are a range of formal and informal out-of-court disposals that can be used as an alternative to prosecution in court. Formal disposals include youth cautions and youth conditional cautions which may be given for any offence where the young offender admits an offence, and there is sufficient evidence for a realistic prospect of a conviction, but it is not in the public interest to prosecute. Within youth conditional cautions, there are conditions attached that require young people to put things right or seek help for their behaviour; the conditions' aims include rehabilitation, reparation and/or punishment. "Restorative Justice"²⁵⁴ approaches can take place at all stages of the youth justice system, including out of court and post sentence, though they are not an alternative to the formal criminal justice system.</p> <p>Custody for young people aged 10-17 years old remains an option of last resort and should be used only for the most serious and persistent offenders. For example, courts are required by</p>

²⁵³ <https://www.gov.uk/government/publications/national-standards-for-youth-justice-services>

²⁵⁴ <https://www.gov.uk/government/collections/restorative-justice-action-plan>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>disposals and court sentences.</p> <p>Custody for juveniles remains an option of last resort and should be used only for the most serious and persistent offenders. For example courts are required by statute to consider a youth rehabilitation order with a high intensity requirement as a specified alternative to custody when the custody threshold is reached for an under 18. If they still consider custody is warranted then they must explain in open court why a youth rehabilitation order is not appropriate.</p> <p><i>Scotland</i></p> <p>The Scottish Government continues to invest in a fit-for-purpose prison estate as well as introducing a range of reforms to help reduce the prison population and reoffending. As an alternative to custody, the Scottish Government has introduced the Community Payback Order as well as presumption against sentences of 3 months or less, and are working closely with key partners through a joint working group which seeks to deliver continued improvement in this area.</p>	<p>the Criminal Justice and Immigration Act 2008²⁵⁵ to consider a Youth Rehabilitation Order with intensive fostering or intensive supervision and surveillance as a specified alternative to custody, when the custody threshold is reached for an under 18. If they still consider custody is warranted, then courts must explain in open court why a youth rehabilitation order is not appropriate.</p> <p>The average (under 18) population of young people in custody²⁵⁶ in 2012/13 was 1,544, a reduction of 21% on the previous year. Provisional figures for 2013/14 show that the average population of young people in custody was 1,233. Overall crime and proven offending by young people also fell during this period. In the 12 months ending December 2013: 6.5% of all young offenders sentenced received a custodial sentence; 66% received a community sentence (of which 55% received a Referral Order and 44% received a Youth Rehabilitation Order – the two most common types of youth community sentence); while 27% received a first-tier penalty (fine, discharge or otherwise dealt with). The average length of time a young person spent in youth custody in 2012/13 was 85 days. The average length of time that a sentenced young offender spent in custody (i.e. excluding remands) in 2012/13 was 125 days, though some will have continued to serve their sentence in the adult prison estate after turning</p>

²⁵⁵ <http://www.legislation.gov.uk/ukpga/2008/4/section/1>

²⁵⁶ <https://www.gov.uk/government/collections/youth-justice-annual-statistics>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>18. The average length of time a young person spent in custody on remand was 45 days in 2012/13.</p> <p>In Scotland, the Scottish Government is championing the use of the “whole system” approach which aims to achieve positive outcomes for young people by helping various statutory and non-statutory bodies to work together to prevent and reduce offending by children and young people. This has seen a marked reduction in the number of juvenile offenders receiving custodial sentences.</p> <p>In Wales, the Welsh Government’s “Youth Crime Prevention Fund” supports projects, like TRIAGE, aimed at diverting young people away from crime and anti-social behaviour. TRIAGE focuses on restorative justice and is offered at the point of first arrest for a minor offence and delivered by Media Academy Cardiff, in partnership with South Wales Police. The project covers up to 600 children and young people a year.</p>
<p>110.88 (Bangkok Rules incorporation)</p>	<p>110.88 Consider incorporating the UN Rules for the Treatment of Women Prisoners and Non-Custodial</p>	<p>The recommendation enjoys the support of the United Kingdom²⁵⁷.</p> <p>Following Baroness Corston’s Review of Women with Particular Vulnerabilities in the Criminal Justice System in 2007, the United Nations Rules for the Treatment of Women</p>	<p>Recommendation 110.88 enjoys the support of the UK.</p> <p>The UK Government commissioned²⁵⁸ a “Women’s Custodial Estate Review” in January 2013. The report was published on 25 October 2013 and recommended that the women’s</p>

²⁵⁷ The UK interprets “incorporating” as meaning policy of women prisoners being in line with the “Bangkok Rules”.

²⁵⁸ <https://www.gov.uk/government/publications/a-new-approach-to-managing-female-offenders>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>Measures for Women Offenders, otherwise known as the “Bangkok Rules“ as part of its policy on the treatment of women prisoners (Thailand)</p>	<p>Prisoners and Non-Custodial Measures for Women Offenders (the “Bangkok Rules”) are very much in line with current government policy on women offenders in England and Wales.</p> <p><i>Scotland</i></p> <p>The Scottish Government recently commissioned an expert Commission on Women Offenders to examine how to improve the outcomes for women offenders in the criminal justice system. The Scottish Government are working with justice partners to take forward the recommendations and in doing so are considering the ‘Bangkok Rules’ as part of the policy development in this area.</p>	<p>prison estate be reconfigured to ensure that women are held closer to home with access to the right interventions and with opportunities for meaningful resettlement. The UK Government is implementing these reforms which will ensure that female prisoners will be better placed to maintain contact with their families and children and gain the skills for them to find employment on release. These changes sit alongside the “Transforming Rehabilitation” reforms (see the response to recommendation 110.86) whereby all women’s prisons are to become resettlement prisons. In recognition of the specific needs of female offenders, the UK Government developed a different operating model for “through the gate” services under these reforms, and anticipates that the vast majority of women in custody will have their resettlement needs met by their home “Community Rehabilitation Company”. Under the reforms, every offender leaving prison will be given tailored support for at least 12 months aimed at supporting successful community reintegration and rehabilitation. Women are overrepresented amongst those serving short sentences when compared to the overall offending population so will benefit particularly from this element of the reforms.</p> <p>In Scotland, in relation to female offenders, Scotland has established standards for treatment in a custodial and non-custodial setting which comply with the broad principles set out in the Bangkok Rules. The Scottish Government continues to improve the outcomes for women</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>offenders in the criminal justice system, and commissioned an independent expert “Commission on Women Offenders”²⁵⁹ to examine how to improve these and make recommendations in this regard. The Scottish Government largely accepted these recommendations and is working with justice partners to take these forward.</p> <p>In Wales, the Welsh Government enhances delivery of the above reforms, for example by supporting the development of the Integrated Offender Management Cymru’s “Women Offender Pathfinder”, aimed at managing women offenders under a “whole system” approach from first contact with the police onwards.</p>
<p>110.89 (reintegration of offenders)</p>	<p>110.89 Improve programs for social reintegration of detainees (Nicaragua)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>In England and Wales the National Offender Management Service provides a range of programmes and initiatives to support the reintegration of offenders into society on their release from prison. We regard our work in this area as best practice and we continue to identify opportunities for improvement wherever they occur. Since the introduction of offender management in custody, offenders sentenced to 12 months or more (who will be supervised by probation on their release) are supported</p>	<p>Recommendation 110.89 enjoys the support of the UK.</p> <p>See the response to recommendation 110.86.</p> <p>In England and Wales, the “Transforming Rehabilitation” strategy, referred to in the response to recommendation 110.86, was introduced. As part of this strategy:</p> <ul style="list-style-type: none"> • Offenders released on licence will be supervised either by the National Probation Service or, in low/medium risk cases, Community Rehabilitation Companies²⁶⁰, for the purposes of public

²⁵⁹ <http://www.scotland.gov.uk/About/Review/commissiononwomenoffenders>

²⁶⁰ <https://www.gov.uk/government/collections/national-probation-service-and-crc-location-maps>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>through their sentence by an offender manager or offender supervisor from the probation or prison service. This involves assessing their needs and risks of reoffending, planning the things to work towards in their sentence to reduce their risks and needs, and reviewing their progress through the sentence. A critical part of this process is planning for release, to ensure that measures are put in place to support their effective reintegration, including addressing housing need, employment and access to services such as drugs and alcohol services. Offenders released on licence will be supervised by the probation service, for the purposes of public protection, rehabilitation and effective resettlement into the community.</p> <p>An example of a practical resource that offenders can access while in custody is the Focusing on Resettlement (FOR) programme. This is a brief cognitive motivational intervention specifically developed to tackle the significant reoffending rates associated with shorter term prisoners. The aim of the FOR programme is to reduce re-offending by:</p> <ul style="list-style-type: none"> Increasing offenders' motivation to set their own 'agenda for change' as they prepare for release and increase their engagement with services providing assistance with resettlement. <p><i>Scotland</i></p> <p>The Scottish Government are undertaking an ongoing process of review and proactive improvement to adult community justice</p>	<p>protection, rehabilitation and effective resettlement into the community. Community Rehabilitation Companies will be working on a "Payment by Results" principle, where they will only benefit financially where there is evidenced reduction in reoffending for their cohort of offenders.</p> <ul style="list-style-type: none"> • A minimum period of 12 months on licence/supervision for all offenders sentenced to custody, including those sentenced to less than 12 months, will apply. This means that all offenders are supported through their sentence, which includes assessing their needs and risks of reoffending, planning the interventions required to reduce their risks and needs, and reviewing their progress through the sentence. A critical part of this process for custodial cases is planning for release, to ensure that measures are put in place to support their effective reintegration, including addressing housing need, employment and access to services such as drugs and alcohol services. The introduction of the Community Rehabilitation Companies is expected to further enhance the provision and impact of these services. <p>In Scotland, in relation to reintegration of detainees, we have already identified reducing reoffending as a principle where proactive improvement could make a significant contribution to reducing crime, improving</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>services. The Scottish Government are taking forward a three year Reducing Reoffending Programme 2012-15, which will include thorough examination of the funding, structures and performance management for the delivery of such services, and the establishment of new, improved structures and processes as necessary. A separate project will analyse the management of offenders' transition from custody to community, and deliver improvements to the processes and services available to all prison leavers, with a particular focus on those completing short-term sentences. We will also take action to deliver improved conditions and treatment for women offenders, responding to the recommendations of an independent, expert Commission.</p>	<p>public life, and reducing the prison population. With that aim, we are undertaking an ongoing process of review and proactive improvement to adult community justice services. Under the second three year iteration of the Reducing Reoffending Programme 2012-15, this work will include thorough examination of the funding, structures and performance management for the delivery of such services, and the establishment of new, improved structures and processes as necessary. A separate project will analyse the management of offenders' transition from custody to community, and deliver improvements to the processes and services available to all prison leavers, with a particular focus on those completing short-term sentences.</p> <p>In Wales, the Welsh Government enhances the resettlement of prisoners including by supporting the development of the Integrated Offender Management Cymru's, a multi-agency approach to managing those offenders who have been identified as causing most damage to local communities.</p>
110.90 (combating discrimination)	110.90 Take more effective measures to ensure that the perpetrators of acts of discrimination, hate crimes and xenophobia are adequately deterred	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK has in place one of the strongest legislative frameworks in the world to protect communities from hostility, violence and bigotry.</p> <p>A number of laws to deal with those who incite</p>	<p>Recommendation 110.90 enjoys the support of the UK for the reasons set out in the response to recommendations 110.11, 110.59 and 110.60.</p> <p>In July 2013, the National Offender Management Service published its "Hate Crime Practice Framework", which sets out what is expected of staff in probation and prisons in dealing with offenders convicted of hate crime.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>and sanctioned (Malaysia)</p>	<p>hatred and violence already exist. This includes specific offences of stirring up hatred on the grounds of race, religion and sexual orientation. To reflect the seriousness of hate crime, the courts also have powers to increase the sentence for any offence aggravated by hostility towards a person based on their disability, race, religion, or sexual orientation and they have not hesitated to use these general powers to reflect these aggravating factors when sentencing.</p> <p>In addition to the specific offences of stirring up hatred, there are also separate offences for racially and religiously aggravated crimes under the Crime and Disorder Act 1998. These offences carry higher maximum penalties than the basic offence equivalents and the Act also places a duty on courts to treat more seriously any offence shown to be racially or religiously aggravated. Specific legislation for offences committed at football matches also exist, including for racist chanting and football banning orders for those who stir up hatred.</p> <p>The Government recognises the importance of ensuring legislation protects all victims of hate crime and that those who commit these offences are dealt with effectively. Within its plan to tackle hate crime, the Government has committed to a number of actions, which include amending and reviewing specific legislation relating to hate crime and producing a framework covering prisons and probation</p>	<p>The Law Commission on behalf of the UK Government examined the case for extending existing hate crime legislation to other forms of hate crimes. The report from the Commission's exercise was published in May 2014²⁶¹ and sets out its findings and recommendations for the UK Government. The UK Government will carefully consider the findings and respond to the Law Commission in due course.</p> <p>In Scotland, in 2009 the Scottish Government supported legislative change to strengthen the criminal law in dealing with hate crime, and current data collection in Scotland includes a variety of statistics relating to hate crime. This encompasses statistics about people convicted in court for "aggravated" crimes, including hate crimes relating the protected characteristics of race, religion, disability, sexual orientation and gender reassignment. A campaign to raise awareness about hate crime, including racism, ran earlier in 2014, and was successful in reaching a wide audience.</p>

²⁶¹ <http://lawcommission.justice.gov.uk/publications/2730.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>services to assist staff in identifying, assessing, intervening and managing people involved in hate related offending.</p> <p><i>Scotland</i></p> <p>In Scotland, the Offences (Aggravated by Prejudice) (Scotland) Act 2009 strengthens the criminal law in dealing with hate crime.</p>	
<p>110.91 (monitoring hate crime)</p>	<p>110.91 Strengthen data collection and maintain disaggregated data to better understand the scale and severity of hate crimes towards women, immigrants, religious minorities, persons with disabilities, and children (United States of America)</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>As set out in response to recommendation 110.60 above, the UK understands the importance of strengthening its data collection and has already committed to improving the recording of hate crimes, and developing a better understanding of the scale and severity of the problem in order to ensure that resources are allocated appropriately.</p> <p>As a first step, this year we published analysis of data on the extent of and perceptions towards hate crime from the 2009/10 and 2010/11 British Crime Survey (BCS). The BCS asks people about their experiences of crime in the last 12 months, which are used to estimate levels of crime in England and Wales. As part of the BCS all victims are asked if they believe that the incident was a hate crime motivated by seven different strands, including the five strands that are monitored by criminal justice agencies and then by age and gender. The data demonstrates the contrast between victims who</p>	<p>Recommendation 110.91 enjoys the support of the UK in part for the reasons set out in the response to recommendations 110.11, 110.59 and 110.60.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>have experienced crime and those incidents that are reported to the police, and underlines the importance of our efforts to build victims' confidence to come forward.</p> <p>At present published data on the nature of hate crime is not disaggregated further beyond the seven strands set out in response to recommendation 110.60, and does not include children under the age of 16 years. However, information gathered from incidents reported to police forces can also be used to identify trends and inform policing decisions.</p> <p>We will continue to work with the relevant agencies to consider any other steps that could be taken to improve the collection of data relating to hate crime.</p> <p><i>Scotland</i></p> <p>In Scotland, data collect includes a variety of statistics about the number of convictions for aggravated crimes, including hate crimes relating to certain protected characteristics including religion, disability and sexuality.</p> <p><i>Wales</i></p> <p>The All Wales Hate Crime Research Project which is being led by Cardiff University and Race Equality First has received a three year Big Lottery Grant to undertake groundbreaking research which focuses on hate crime and hate related incidents across all recognised equality</p>	

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		strands (age, disability, gender, race, religion and belief, sexual orientation and transgender status). The project aims to generate robust data on the prevalence, nature and impact of hate crime across Wales and to enhance communications, capacity building activities and information sharing about good practice in addressing hate crime.	
110.92 (Northern Ireland Historical Enquiries Team)	110.92 Encourage the devolved government of Northern Ireland to increase resources and personnel available to the Historical Enquiries Team (United States of America)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The allocation of resources to the Historical Enquiries Team is a matter for the devolved administration in Northern Ireland.</p>	<p>Recommendation 110.92 does not enjoy the support of the UK.</p> <p>See the the UK 5th periodic report under the CAT²⁶², the UK response to the list of issues under the CAT examination in 2013²⁶³, and the UK follow up information of May 2014 under the CAT²⁶⁴.</p> <p>The allocation of resources to the Northern Ireland Historical Enquiries Team remains a matter for the Northern Ireland Executive. At the request of the Police Service of Northern Ireland (PSNI), the Northern Ireland Historical Enquiries Team was the subject of an inspection by HM Inspectorate of Constabulary in 2012. The inspection's report is publicly available since July 2013²⁶⁵. The response of the Northern Ireland Executive is also published²⁶⁶ and reflects the PSNI's acceptance of the recommendations contained in the report.</p>

²⁶² Page 30 of [CAT/C/GBR/5](#)

²⁶³ Pages 15 of [CAT/C/GBR/Q/5Add.1](#)

²⁶⁴ Page 7 of [CAT/C/GBR/CO/5/Add.1](#)

²⁶⁵ <http://www.hmic.gov.uk/publication/hmic-inspection-of-the-historical-enquiries-team/>

²⁶⁶ <http://www.northernireland.gov.uk/index/media-centre/news-departments/news-doj/news-doj-july-2013/news-doj-030713-justice-minister-responds.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			The implementation of these recommendations is being taken forward by the PSNI and the Northern Ireland Policing Board.
<p>110.93 (investigating the death of an Angolan national)</p>	<p>110.93 Publish the conclusions of the inquiry into the death of an Angolan national during a deportation procedure in October 2010 (Angola)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government deeply regrets the death of Mr Mubenga.</p> <p>The circumstances surrounding Mr Mubenga’s death are currently the subject of investigations by the Prisons and Probation Ombudsman and the coroner. The Prisons and Probation Ombudsman will publish their anonymised report into the death of Mr Mubenga after the inquest into his death has concluded. The inquest will be held in public and the judgment made publicly available.</p>	<p>Recommendation 110.93 enjoys the support of the UK.</p> <p>See the the UK response to the list of issues under the CAT examination in 2013²⁶⁷.</p> <p>The jury in the inquest into the death of Mr Mubenga found that unreasonable force was used which the guards would have known to have caused harm if not serious harm.</p> <p>The Crown Prosecution Service announced on 20 March 2014 that they were bringing charges of manslaughter against the three guards who escorted Mr Mubenga during his removal.</p> <p>The Coroner issued a Rule 43 report (now known as a “Prevention of Future Deaths” report) on 1 August 2013²⁶⁸; this had six recommendations, five were for the UK Government (the remaining recommendation was for the airline company).</p> <p>The independent Prisons and Probation Ombudsman for England and Wales published its report on 20 May 2014²⁶⁹.</p>

²⁶⁷ Pages 6-7, 33 of [CAT/C/GBR/Q/5Add.1](#)

²⁶⁸ <http://iapdeathsincustody.independent.gov.uk/wp-content/uploads/2013/12/Rule-43-Report-Jimmy-Mubenga.pdf>

²⁶⁹ http://www.ppo.gov.uk/docs/117-10-Brook_House12-10-2010-death-of-a-male-detainee-in-hospital.pdf

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
<p>110.94 (minimum age of criminal responsibility, and detention of young offenders)</p>	<p>110.94 Consider the possibility of raising the minimum criminal age and refrain from the practice of keeping children in custody (Belarus)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government believes that children are old enough to differentiate between bad behaviour and serious wrong-doing at age 10. However we accept that prosecution is not always the most appropriate response to youth offending and the majority of offences committed by children (aged 10-14) are addressed using out of court disposals and robust intervention to prevent the re-offending. Setting the age of criminal responsibility at age 10 in England and Wales allows frontline services to intervene early and robustly, preventing further offending and helping young people develop a sense of personal responsibility for their behaviour.</p> <p>Also see response to recommendation 110.87 on alternatives to custody for juvenile offenders.</p> <p><i>Scotland</i></p> <p>No child in Scotland under the age of 12 may be prosecuted for an offence. Nor can an older child be prosecuted for an offence committed when he or she was under 12. The law on prosecution of minors was last revised by the Criminal Justice and Licensing (Scotland) Act</p>	<p>Recommendation 110.94 does not enjoy the support of the UK.</p> <p>The UK position on the minimum age of criminal responsibility is summarised in the UK 5th periodic report under the CAT²⁷⁰, and, more recently, the UK 5th periodic report under the CRC²⁷¹.</p> <p>In summary, the position of the UK Government in relation to the age of criminal responsibility in England and Wales has not changed since September 2012. The UK Government believes that children aged 10 are able to differentiate between bad behaviour and serious wrongdoing and it is right that they should be held to account for their actions. However, the UK Government also believes that custody for under-18s should be an option of last resort (see, for example, the response to recommendation 110.87).</p> <p>In Scotland, in addition to what was reported in September 2012, the Scottish Government confirmed that the age 16-21 population within Scottish prisons decreased by 8% (sentenced) and 1% (remand) over 2011-12.</p> <p>In Wales, the Welsh Government has responsibility for policies in relation to issues such as education and health. A green paper²⁷²</p>

²⁷⁰ Page 96 (and following pages) of [CAT/C/GBR/5](#)

²⁷¹ Page 55 of [CRC/C/GBR/5](#)

²⁷² <http://wales.gov.uk/about/cabinet/cabinetstatements/2013/Greenpaperyouthjustice/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		(2010). Scottish Ministers have committed to give fresh consideration to the age of criminal responsibility with a view to bringing forward further potential legislative changes during the current session of the Scottish Parliament (2011-16). On the issue of custody, the Criminal Justice and Licensing (Scotland) Act 2011 introduced provisions to end the very rare practice of remanding 14 and 15 year olds in prison. Accordingly, no legal mechanism exists for the courts to either remand or sentence a young person under age 16 to custody in prison.	proposed what actions can be taken to improve the services in Wales to meet the needs of children and young people who are at risk of entering (or are already in) the youth justice system. The consultation sought the views of how to strengthen the services which Welsh Ministers have direct responsibility for.
110.95 (minimum age of criminal responsibility)	110.95 Consider the possibility of raising the age of criminal responsibility for minors (Chile)	The recommendation does not enjoy the support of the United Kingdom. See response to recommendation 110.94.	Recommendation 110.95 does not enjoy the support of the UK for the reasons set out in the response to recommendation 110.94.
110.96 (detention of primary carers)	110.96 Ensure that the best interests of the child are taken into account when arresting, detaining, sentencing or considering early release for a sole or primary carer of the child, bearing in	The recommendation enjoys the support of the United Kingdom. The Children Act 2004 provides a statutory framework in both England and Wales, requiring public bodies to make arrangements to safeguard and promote the welfare of children. The importance of supporting the children of offenders, both for their own sake and to prevent intergenerational crime, is recognised. Both prison and probation	Recommendation 110.96 enjoys the support of the UK. In addition to the response in September 2012, it should be noted that the UK Government is introducing a new operating model for probation services in England and Wales ²⁷³ . This sees a new National Probation Service ²⁷⁴ , as an arm of the National Offender Management Service, assuming responsibility for Bail Services, Court Work and Assessment and all

²⁷³ <http://www.justice.gov.uk/transforming-rehabilitation>

²⁷⁴ <https://www.gov.uk/government/organisations/national-probation-service>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>mind that visits of a parent in prison are primarily a right of the child rather than a privilege of the prisoner that can be withdrawn as a disciplinary measure (Slovakia)</p>	<p>providers have duties under the Act, associated with either the child’s right to contact with parents who are held in custody or with the safeguarding and wellbeing of children with whom they have contact. The National Offender Management Service (NOMS) service specifications set the minimum standards for Probation Trusts in delivery of Bail Services, Court Work and Assessment and all pre-sentence reports require that information relating to risk and safeguarding of children is recorded and communicated to the relevant agencies. There is an expectation that Probation Trust staff in courts, or when preparing reports, consider the parental or caring responsibilities of the offender and the impact of any sentencing proposals or advice given to the court.</p> <p>Prison Rules require prisons to actively encourage prisoners to maintain outside contacts and meaningful family ties. Visits are seen as crucial to sustaining relationships with partners and children and help prisoners maintain links with the community. Un-convicted and convicted prisoners have a statutory right to a determined number of visits per month. However, if there are legal restrictions pertaining to access to children, safeguarding measures will be taken. NOMS provides the Assisted Prison Visits Scheme (APV) to provide financial help with travel expenses to prisoners’ close relatives, children and escort to qualifying children where the visitor is on a low income. Governing</p>	<p>pre-sentence reports. The safeguards described in the response of September 2012 for England and Wales will continue to apply under the new probation structure.</p> <p>With regard to sentencing, it should be noted that sentencing is a matter for the independent judiciary. Sentencing guidelines are clear that the gender of an offender is irrelevant for sentencing purposes but also make clear that there are mitigating factors that the court should consider, including where the offender is the sole or primary carer for dependent relatives.</p> <p>In Scotland, it is an operational matter for the police to determine appropriate action during and following the removal of a parent into police custody. The welfare of the child is of paramount importance and in some cases there will be a need for a multi-agency approach, involving the police, social work and childcare professionals to carefully consider the child’s needs, any views expressed by the child, and, if required, consider and put in place suitable measures in order to protect the child. On the issue of sentencing, the Scottish Government’s position is that it is for the courts to decide on the most appropriate sentence, within the overall legal framework, in all cases. The complete independence of the judiciary in making sentencing decisions is at the heart of the criminal justice system in Scotland and it is appropriate that sentencing decisions are entirely a matter for the judge, who hears all the facts and circumstances surrounding the offence and the offender, and takes into account any</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Governors and Directors of Contracted Prisons must ensure that the APV scheme is widely advertised in: visitors centres, visit and/or waiting rooms and in the prison library. Prisoner induction programmes or similar must provide basic information about the APV scheme</p> <p><i>Scotland</i></p> <p>In Scotland, the welfare of the Child of a parent in the criminal justice system is of paramount importance and in some cases, there will be a need for a multi-agency approach, involving the police, social work and childcare professionals to carefully consider the child’s needs, any views expressed by the child, and if required, consider and put in place suitable measures in order to protect the child.</p>	<p>factors which they consider to be relevant before reaching a view on whether a custodial sentence or non-custodial sentence should be imposed.</p>
<p>110.97 (Leveson Inquiry)</p>	<p>110.97 Publish the recommendations of the Leveson Inquiry on the establishment of a regulatory regime for ethical media (Angola)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The Leveson Inquiry has examined the ‘culture, practices and ethics of the media’. In particular, Lord Justice Leveson has looked at the relationship of the press with: i) the public; ii) the police; and iii) politicians.</p> <p>The Inquiry will now make recommendations on the future of press regulation and governance consistent with maintaining</p>	<p>Recommendation 110.97 enjoys the support of the UK.</p> <p>Lord Justice Leveson’s report was published in November 2012²⁷⁵ and made a number of recommendations for a more effective system of independent press self-regulation. In October 2013, the Privy Council granted the “Royal Charter on Self-Regulation of the Press”²⁷⁶. The Royal Charter does not make any changes to the way in which the Press investigates stories or publishes them; it simply creates a framework</p>

²⁷⁵ <https://www.gov.uk/government/publications/leveson-inquiry-report-into-the-culture-practices-and-ethics-of-the-press>

²⁷⁶ <https://www.gov.uk/government/publications/leveson-report-cross-party-royal-charter>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>freedom of the press and ensuring the highest ethical and professional standards. We expect that the recommendations will be published in autumn 2012.</p>	<p>for a new system of redress (s.34 Crime and Courts Act 2013²⁷⁷ provides statutory basis to the awards of exemplary damages against publishers of news-related material who are found liable and who are not members of an approved press regulator).</p> <p>In Scotland, press regulation is a devolved matter and, in April 2013, the Scottish Parliament unanimously endorsed the Scottish Government working with the UK Government in developing a UK-wide Royal Charter for press regulation that implements the recommendations of the Leveson Inquiry.</p>
<p>110.98 (combating privacy breaches)</p>	<p>110.98 Adopt necessary actions to prevent impunity and further violations of privacy committed by private media companies such as News Corporation, through hacking into telephone communications, e-mails, and voicemails (Ecuador)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is clear about the vital importance of a free press and media that is able to challenge and hold Government and others to account. We recognise, however, that some parts of the press have not observed the press self-regulatory code and indeed in some cases have not obeyed the law. It is these issues that the Leveson Inquiry was established to address and it will be for Lord Leveson's Inquiry to make specific recommendations on the future of press regulation.</p> <p>The Inquiry is independent of Government, and we would not want to pre-judge what the Inquiry's recommendations might be. However,</p>	<p>Recommendation 110.98 enjoys the support of the UK for the reasons set out in the response to recommendation 110.97.</p>

²⁷⁷ <http://www.legislation.gov.uk/ukpga/2013/22/part/2/crossheading/publishers-of-newsrelated-material-damages-and-costs>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>we will examine the recommendations in detail and will carefully consider any necessary measures to ensure that an effective free press can thrive whilst ensuring appropriate safeguards for the public.</p> <p>Also see recommendation 110.97</p>	
<p>110.99 (combating forced marriages)</p>	<p>110.99 Assess the impact of the minimum age limit for overseas spouses or fiancés on the prevention of forced marriage and review its policy in this regard (Slovenia)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>On 28 November 2011, the minimum age requirement for applicants and sponsors of spouse visas reverted to 18. This change to the Immigration Rules was made in order to comply with a recent Supreme Court determination that the previous age requirement (21 years) was unlawful.</p>	<p>Recommendation 110.99 does not enjoy the support of the UK.</p> <p>Statistics on forced marriage are available on the UK Government's website²⁷⁸. It is difficult to quantify the impact of the minimum age requirement for spouse visas because the age of the victims of forced marriage is not always known.</p> <p>In Scotland, the Scottish Government continues to support any measures which make forced marriage more difficult. The Scottish Government believes that everyone in Scotland, who is eligible to marry or enter into a civil partnership, has a right to do so freely and without coercion. There was cross party support for the introduction of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011²⁷⁹, which provides civil remedies for those at risk of forced marriage and those who have already been forced into marriage. Courts can tailor the terms of the Protection Order according to the specific needs of the victim.</p>

²⁷⁸ <https://www.gov.uk/forced-marriage>

²⁷⁹ <http://www.legislation.gov.uk/asp/2011/15/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>Breach of an order is a criminal offence punishable by a fine of up to £10,000 or up to two years imprisonment. The Scottish Government developed an implementation strategy to help maximise the impact of the Act by, for example:</p> <ul style="list-style-type: none"> • Producing and issuing statutory and practitioner guidance to support organisations to standardise their response to cases of forced marriage and advise them of their obligations under the legislation; • Supporting a programme of multi-agency training to assist organisations in identifying forced marriage and supporting those affected; • Working with key partners (including police, and the voluntary sector) to develop and to use all appropriate opportunities to inform, in a sensitive manner, rights and responsibilities in relation to forced marriage, promoting individual rights and informed choice. <p>From 30 September 2014, forcing a person into marriage will be a criminal offence in Scotland. Criminalising forced marriage will give an additional layer of protection for some of Scotland's most vulnerable people and will ensure consistency of protection across the UK. Those who are convicted can face up to 7 years in prison.</p>
110.100 (defamation legislation)	110.100 Need to avoid the impact of the draft	The recommendation enjoys the support of the United Kingdom.	Recommendation 110.100 enjoys the support of the UK.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	Defamation Bill, presented in March 2011, which restricts practicing of the freedom of opinion and expression (Iraq)	Following consultation and pre-legislative scrutiny on a Draft Bill, the Defamation Bill is currently in passage through the UK Parliament. The Bill reflects the Government's view that the law needs to be rebalanced to secure more effective protection for freedom of speech and to stop the threat of long and costly libel proceedings being used to stifle responsible investigative reporting and scientific and academic debate. At the same time, it is also important that people who have been defamed are not left without effective remedies where their reputation has been seriously harmed. The core aim of the Bill is to get the balance right, so that free speech is not unjustifiably impeded by actual or threatened libel proceedings, while ensuring that people who have been libelled are able to protect their reputation. With this in mind, the Bill contains a range of measures to support freedom of expression.	The Defamation Act 2013 ²⁸⁰ reforms the law of defamation in England and Wales to provide more effective protection for freedom of speech while ensuring that people who have been defamed are not left without effective remedies where their reputation has been seriously harmed. The UK Government upholds the core principle of freedom of expression, recognising the invaluable role a free press plays in the cultural and democratic life of the UK. On that basis, the UK Government does not interfere with what the press publishes, as long as the press abides by the law of the land.
110.101 (welfare reforms)	110.101 Provide more resources for reforming the welfare system in order to make it better able to tackle poverty and	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is reforming the welfare system through, among other measures, the introduction of Universal Credit (UC). UC will be clearer and simpler for claimants to understand, and will ensure that work always</p>	<p>Recommendation 110.101 enjoys the support of the UK.</p> <p>See the UK 32nd report under the ESC²⁸¹, and the UK 6th periodic report under the ICESCR²⁸² (particularly the responses to paragraphs 20, 28, 29, and 42 of the Concluding Observations, and the update under Article 2).</p>

²⁸⁰ <http://www.legislation.gov.uk/ukpga/2013/26/contents>

²⁸¹ Pages 101 (and following pages) and 124 (and following pages) of [RAP/Cha/GBR/32\(2013\)](#)

²⁸² Pages 15, 22-23, 24, 37 and 41-44 of [ICESCR 6th periodic report](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>worklessness, and reduce negative impact on social vulnerable groups (Vietnam)</p>	<p>pays.</p> <p>Through schemes like the Work Programme, we are providing more personalised back to work support for those at risk of long term unemployment.</p> <p>We are also working to ensure that support for those who are unable to work, for example because of a disability, is better targeted and more sustainable in the long term, and that those who might be able to return to work in the near future are supported to do so.</p> <p>In addition, through early intervention and a focus on tackling the causes of poverty, rather than the symptoms, the new Social Justice Strategy aims to empower those with the most severe and multiple disadvantages to make lasting changes to their lives.</p> <p><i>Scotland</i></p> <p>The Scottish Government agrees with the broad principles of the UK Government's welfare reforms plans, but recognises that work is not appropriate for everyone and that sufficient support should be available to those who need it. The Scottish Government agrees that welfare reform should take account of the needs of the poorest and most vulnerable people in</p>	<p>The Welfare Reform Act 2012²⁸³ remains the building block of the UK Government's welfare reform agenda, including the introduction of Universal Credit referred to in the response in September 2012. Since 8 April 2013, a Personal Independence Payment (PIP) is progressively being introduced to support disabled people; PIP is a non-means-tested, non-taxable cash benefit that claimants can spend in a way that best suits them, and is payable to people whether they are in or out of work. The Government's Social Justice Strategy²⁸⁴ focuses on tackling the causes of poverty; a progress report on this strategy was published in April 2013²⁸⁵.</p> <p>In Scotland, the Scottish Government supports the principle that the welfare system should be simpler, but remains concerned about the impact of the UK Government's welfare reforms in Scotland and will continue to press for safeguards for those more in need.</p> <p>In Wales, the Welsh Government agrees with the principle of simplifying the benefit system but recognises that it will not be appropriate for everyone to work, and that provision should therefore be made for those who are unable to work.</p>

²⁸³ <http://www.legislation.gov.uk/ukpga/2012/5/contents>

²⁸⁴ <https://www.gov.uk/government/policies/helping-to-reduce-poverty-and-improve-social-justice>

²⁸⁵ <https://www.gov.uk/government/publications/social-justice-transforming-lives-one-year-on>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		society.	
110.102 (addressing inequalities)	110.102 Strengthen measures aimed at reducing serious inequalities in access to health, education and employment, which still exist despite the adoption of the Equality Act (Spain)	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The act also strengthened protection in some situations. The Act covers nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p> <p>The education provisions of the Equality Act 2010 already offer strong protection for school pupils against discrimination and inequalities in education.</p> <p>This is further supported by the public sector</p>	<p>Recommendation 110.102 does not enjoy the support of the UK.</p> <p>As outlined in the Core Document 2014 (section 2²⁸⁶), the UK already has a very strong legislative framework to protect individuals and communities from discrimination, complemented by the UK ratification (and implementation) of a range of international human rights instruments at UN and regional level. This framework is kept under review to ensure it remains effective and appropriate in the face of new challenges.</p> <p>Furthermore, the UK 5th periodic report under the CRC²⁸⁷ and the UK 6th periodic report under the ICESCR²⁸⁸ provide an overview of the measures taken to promote access to (and remove inequalities in) respectively education, and health and employment.</p> <p>In Wales, the Welsh Government’s “Strategic Equality Plan”²⁸⁹ contains detailed actions to address inequalities in access to health, education and employment. Objective 2 specifically focuses on identifying and addressing causes of gender, ethnicity and disability pay and employment differences with actions targeted at early years provision and improving the educational attainment and</p>

²⁸⁶ Page 36 of the [HRI/CORE/GBR/2014](#)

²⁸⁷ Pages 32 and 42 of [CRC/C/GBR/5](#)

²⁸⁸ Page 46 of [ICESCR 6th periodic report](#)

²⁸⁹ <http://wales.gov.uk/topics/equality/equalityactatwork/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Equality Duty which requires all publicly funded schools and hospitals to have due regard to eliminating discrimination, promoting equality of opportunity and fostering good relations and that they demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p> <p>In addition, on 12 June 2012 the Government announced that it is to ban age discrimination in the provision of goods, facilities and services. This means that from October 2012 age discrimination will be banned, for example, in the provision of healthcare.</p> <p>The UK Government considers that the Equality Act 2010 provides sufficient, extensive protection from discrimination. However, as is done with all new legislation, the Government has committed to reviewing the Act in 2015 to ensure that it is operating as intended.</p> <p><i>Wales</i></p> <p>See response to recommendation 110.50. Equality objectives within the Strategic Equality Plan include reducing the numbers of young people not in education, employment or training; and putting the needs of service users at the heart of delivery in key public services, in particular health, housing and social services.</p>	<p>aspirations of protected groups. Tackling barriers to employment for lone parents and women also form part of the actions in this objective.</p> <p>Objective 3 focuses on reducing the number of young people who are not in education, employment or training (NEET). Within this objective, there is an emphasis on data collection which will be used to formulate actions aimed at reducing the over representation of certain protected groups amongst those who are NEET.</p> <p>Objective 6 is part of an effort to develop a citizen centred approach to public services by putting the needs of service users at the heart of public service delivery including the health sector.</p>
110.103 (enjoyment of economic, social	110.103 Guarantee the enjoyment of	The recommendation enjoys the support of the United Kingdom.	Recommendation 110.103 enjoys the support of the UK.

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
and cultural rights)	economic, social and cultural rights, particularly health, education and adequate housing (Cuba)	<p>The UK already takes effective action towards the realisation of economic, social and cultural rights, in line with the ICESCR. For example in regards to Health, The Health and Social Care Act 2012 established the first ever specific legal duties on health inequalities which include consideration of the need to reduce inequalities in access to health services and the outcomes achieved. In regards to education the UK Government is committed to developing policies that raise attainment for all children and close the gap between those facing disadvantage and their peers. In addition, the Government is committed to ensuring that all people have access to adequate housing. The Government's Housing Strategy for England recognises that housing is crucial for social mobility, health and wellbeing. It is designed to meet the housing needs of the country, now and in the future.</p> <p><i>Scotland</i></p> <p>The Scottish Government's purpose is to focus public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. The Scottish Government measures success through a National Performance Framework, which working towards outcomes relevant to the enjoyment of rights to health, education and housing. These include working to ensure that Scots live longer</p>	<p>See the UK 6th periodic report under the ICESCR²⁹¹ for an overview of the UK progress in realising economic, social and cultural rights.</p> <p>See also the response to recommendation 110.42.</p>

²⁹¹ [ICESCR 6th periodic report](#)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>and healthier lives, that young people are successful learners, that Scots are better educated and that Scots live in well designed, sustainable places. These outcomes are measured through specific national indicators which provide us with information on where we are achieving success and where more still needs to be done.</p> <p><i>Wales</i></p> <p>The Welsh Government's Programme for Government²⁹⁰ sets out what it is going to do to improve the lives of the people of Wales. This includes its plan of action for 21st century healthcare, helping everyone to reach their potential, reduce inequality, and improve economic and social well-being and ensuring that people have high quality, warm, secure and energy efficient homes to live in.</p>	
<p>110.104 (access to safe drinking water and sanitation)</p>	<p>110.104 Recognize the right of access to safe drinking water and sanitation in line with GA resolution 64/292 and HRC resolution 18/1, as well as CESC recommendations recognizing the</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK recognises the right to water and a right to sanitation as elements of the right to an adequate standard of living in Article 11 of the International Covenant on Economic, Social and Cultural Rights. The right to water entitles everyone to sufficient, affordable, safe water for drinking, cooking and personal hygiene. The right to sanitation, which the UK recognised in</p>	<p>Recommendation 110.104 enjoys the support of the UK.</p> <p>In December 2013, the UK acceded to the UN Convention on the Law of the Non-Navigational Uses of International Watercourses.</p> <p>In England, the “Water for Life”²⁹² White Paper from 2011 remains the UK Government’s building block for ensuring a continued and secure supply of drinking water and effective</p>

²⁹⁰ <http://wales.gov.uk/about/programmeforgov/?lang=en>

²⁹² <https://www.gov.uk/government/publications/water-for-life>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	right to sanitation as an integral part of the human right of access to safe drinking water (Spain)	<p>June 2012, entitles everyone to a system for the treatment and disposal or re-use of human sewage and associated hygiene. The right to water and the right to sanitation are not free-standing rights or rights under customary international law.</p> <p><i>Scotland</i></p> <p>The Water Resources (Scotland) Bill and the Scotland's Hydro Nation agenda both promote action on water and sanitation issues. Scotland's Hydro Nation approach of developing the value of our water resources domestically and through international development work such as the Climate Justice Fund is a strong supporting contribution to the water and sanitation resolutions.</p>	<p>sanitation.</p> <p>The Water Act 2014²⁹³ will help to ensure a continued and secure supply of drinking water and effective sanitation.</p> <p>In Wales, the Welsh Government provides the strategic direction for water policy in Wales²⁹⁴, framed within a complex set of regulatory and operational responsibilities, underpinned by the Welsh Government's endorsement of the principle of sustainable development. The Welsh Government's focus is on: ensuring access to safe drinking water; maintaining water and sewage services at an affordable price; and, compliance with statutory obligations on water quality.</p>
110.105 (access to safe drinking water)	110.105 Fully recognize the human right to safe drinking (Germany)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>See recommendation 110.104 (The UK recognised that the German delegation ran out of time and that the recommendation should be interpreted as 'Fully recognise the human right to safe drinking water and sanitation').</p>	Recommendation 110.105 enjoys the support of the UK for the reasons set out in the response to recommendation 110.104.
110.106 (equality in education)	110.106 Adopt a strategy so that children of vulnerable groups	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is committed to</p>	<p>Recommendation 110.106 enjoys the support of the UK.</p> <p>The UK remains determined to address</p>

²⁹³ <http://www.legislation.gov.uk/ukpga/2014/21/contents/enacted>

²⁹⁴ <http://wales.gov.uk/topics/environmentcountryside/epq/waterflooding/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>are not excluded from the education system (Costa Rica)</p>	<p>developing policies that raise attainment for all children and close the gap between those facing disadvantage and their peers. Under the Equality Act 2010, in England the Department for Education has a legal duty to publish information to demonstrate compliance with the Public Sector Equality Duty of that Act; and the objectives under which we plan to foster fairness. The objectives confirm that we will ‘ensure that all children gain the knowledge they need to prepare them for adult life, through a reformed National Curriculum and more robust academic and vocational qualifications up to the age of 19. We shall be looking in particular for evidence of attainment of children with special educational needs, and those from minority ethnic communities that are currently under achieving. We shall support young women and young men to make informed choices, not limited by stereotypical thinking, by introducing a new duty on schools to secure access to independent and impartial careers guidance on the full range of post-16 education and training options’. We monitor progress through a range of evidence gathering mechanisms, including OFSTED and other published reports.</p> <p><i>Scotland</i></p>	<p>inequality in its school system and narrow the attainment gap between disadvantaged pupils and their peers.</p> <p>In England, the number of children permanently excluded from school fell by 36% between 2007/8 and 2011/12. A new approach to tackling inequality involves moving away from treating people as groups or “equality strands” who get special provision. Instead the focus is on creating fairness and opportunities for everyone. This includes targeting resource (some £2.5 billion a year by 2014/15) through: the Pupil Premium²⁹⁵, to help break the link between family background and educational achievement and requiring schools to publish details each year of how they are using the Pupil Premium and the impact it is having; and measures to improve literacy and numeracy and the quality of teaching.</p> <p>Additional initiatives include:</p> <ul style="list-style-type: none"> • Overhauling the “Special Educational Needs” system, through the Children and Families Act 2014²⁹⁶, so that children’s needs are identified and addressed early. • Improving the quality of education in schools, including by introducing a new, more rigorous curriculum²⁹⁷ and qualifications; and we are reforming vocational education. To help ensure

²⁹⁵ <https://www.gov.uk/pupil-premium-information-for-schools-and-alternative-provision-settings>

²⁹⁶ <http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

²⁹⁷ <https://www.gov.uk/government/collections/national-curriculum>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>The Scottish Government are committed to ensuring that all children and young people are able to make the most of the educational opportunities available to them to reach their potential. To achieve this, the Scottish Government are committed to supporting the implementation of the provisions of the Equality Act 2010 which require schools to proactively prevent direct and indirect discrimination in relation to protected characteristics. In addition, we recognise that vulnerable children and young people may require support to enable them to realise their full potential. The Additional Support for Learning legislation provides the framework for children and young people who need additional support, for any reason, short or long term, to receive it to overcome barriers to their learning. Scottish education authorities must identify, provide for and keep under review the additional support needs for all children and young people for whose education they are responsible. The framework includes provisions for planning for learning, with support from other agencies, including health and social work services.</p> <p><i>Wales</i></p> <p>The Welsh Government begins from the position that children’s educational interests are best served by attendance at school and we take steps to support children of vulnerable groups</p>	<p>every young person has the opportunity to gain skills and qualifications that help them progress to higher education, work and adult life, the age for participation in some form of education or training was raised to 17 in 2013. This will rise to 18 in 2015.</p> <p>In Northern Ireland, the Northern Ireland Executive has in place the strategy “A ten year strategy for children and young people in Northern Ireland 2006-2016”²⁹⁸, which includes measures to address exclusion in schools. The following initiatives should also be noted:</p> <ul style="list-style-type: none"> • The revised curriculum, which has been taught to all pupils of compulsory school age in grant-aided schools in this jurisdiction since 2009/10, incorporates an “Access Statement”, which specifically explains that the curriculum can be adapted to suit the different needs of children. The purpose of this is to ensure equality of opportunity and access for all. It also provides teachers with more flexibility to allow them to adapt teaching strategies to meet the needs of individual pupils. • The “Post-14 Curriculum” allows pupils to choose from a broad and balanced curriculum which meets their needs, interests and aspirations and reflects the needs of the economy. • Through the careers strategy, the

²⁹⁸ <http://www.ofmdfmi.gov.uk/index/equality-and-strategy/equality-human-rights-social-change/children-young-people/children-and-young-people-strategy.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>within schools. Where it is not possible to support a child at school, or families choose not to send their children to mainstream schools, we provide additional support, for example through specialist units, home tuition and the operation of education welfare services.</p>	<p>Northern Ireland Executive aims to promote social inclusion, challenge stereotypes and promote equality of opportunity by raising the aspirations of disadvantaged groups and supporting them in accessing opportunities that might otherwise be denied.</p> <ul style="list-style-type: none"> • Young people who face additional barriers are supported to achieve their full potential. For example, newcomer pupils receive support from the regional “Inclusion and Diversity Service”, Travellers’ children and their parents are assisted by the “Traveller Education Support Service”, and “Looked After Children” (those in the care of a Trust) are supported through their “Personal Education Plans”. • The introduction of the Special Educational Needs and Disability (Northern Ireland) Order 2005²⁹⁹ strengthened the right to an ordinary education for children with special educational needs. The Order placed new duties on education and library boards and schools, including: <ul style="list-style-type: none"> ○ A duty not to treat pupils who have a disability less favourably. ○ To make reasonable adjustments so that pupils who have a disability are not put at a substantial disadvantage. ○ To plan and make progress in

²⁹⁹ <http://www.legislation.gov.uk/nisi/2005/1117/contents>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>increasing accessibility to schools' premises, and in improving the ways in which information is provided to pupils with a disability.</p> <p>In Scotland, the Scottish Government is committed to ensuring all children make the most of their learning. Through Curriculum for Excellence, every child and young person is entitled to expect a broad general education, including well planned experiences and outcomes across all the curriculum areas from early years through to S3 stage. In addition, the Education (Additional Support for Learning) (Scotland) Act 2004³⁰⁰ (as amended) is the framework for the provision of support for learning in Scotland and is key to delivering our ambition that all children and young people access the learning opportunities which are available to them, so that they can realise their full potential, in learning, in work, and in life. Major developments since September 2012 include the enactment of the Children and Young People (Scotland) Act 2014³⁰¹ which covers, amongst other areas: children's rights; investigations by the Commissioner for Children and Young People in Scotland; and children services. Parents and young people have a series of rights relating to assessment, planning and appeal. Scottish legislation allows schools to exclude pupils, either temporarily or</p>

³⁰⁰ <http://www.legislation.gov.uk/asp/2004/4/contents>

³⁰¹ <http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>permanently, where it is felt that allowing the pupil to continue would be detrimental to order and discipline in the school. However, during periods of temporary exclusion and following a permanent exclusion from a school, the education authority retains a legal obligation to provide education in some form. When considering the decision to exclude, schools are encouraged to explore alternatives and take account of the individual circumstances in each case.</p> <p>In Wales³⁰², the Welsh Government’s aim is that schools should be inclusive environments which support vulnerable learners, learners from deprived backgrounds and those with additional needs to achieve their potential. Educational provision is founded on the principle that children and young people should be in school, ready and receptive to learning and benefitting from appropriate curriculum provision. Major initiatives include:</p> <ul style="list-style-type: none"> • A programme of reform of the legislative framework for “special educational needs” (SEN). It will replace the current framework for the assessment and planning of provision for children with SEN with a simpler, more person-centred and integrated system. • Introducing a school counselling service

³⁰² <http://wales.gov.uk/topics/educationandskills/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			<p>open to all pupils in secondary schools.</p> <ul style="list-style-type: none"> Introducing a new “Pupil Deprivation Grant”³⁰³ significantly to improve outcomes for learners in deprived areas. <p>Furthermore, Wales currently has around 40 “Pupil Referral Units” which are intended to provide short term placements for children who may be at risk of being excluded from mainstream education. Pupils who are placed in the units are often those who face significant educational and social disadvantages. Finally, the Education Welfare Service in Wales provides support to schools, pupils and parents to ensure regular attendance and address problems relating to absenteeism.</p>
<p>110.107 (rights of migrant workers)</p>	<p>110.107 Raise awareness campaign about rights of migrants and against racial discrimination (Costa Rica)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK has in place extensive human rights and equalities legislation (for example, the Human Rights Act 1998 and the Equality Act 2010) which affords protection of the rights of those on its territory, including migrants. In addition, the Government's Equality Strategy 'Building a Fairer Britain' aims to create fairness and opportunities for everyone, including those from ethnic minorities. The UK’s Equality and Human Rights Commission has a statutory remit to promote and monitor human rights, and to protect, enforce and promote equality, including race equality.</p>	<p>Recommendation 110.107 enjoys the support of the UK.</p> <p>As set out in the response to recommendation 110.14, the rights of migrant workers are protected in domestic legislation, including under the Human Rights Act 1998 and the Equality Act 2010, complemented by the UK ratification (and implementation) of a range of international human rights instruments at both UN and regional level (see the Core Document 2014 – section 2C³⁰⁴). Furthermore, migrants who are legally working in the UK enjoy the full protection of UK employment law. Regulatory regimes, such as those administered by the Employment Agency Standards</p>

³⁰³ <http://wales.gov.uk/topics/educationandskills/publications/guidance/school-effectiveness-grant-2013-2015/?lang=en>

³⁰⁴ Page 36 of the [HRI/CORE/GBR/2014](http://www.hri.org/core/GBR/2014)

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>There is also an advice and support service to help individuals in England, Scotland and Wales who have problems with discrimination</p>	<p>Inspectorate and the Gangmasters Licensing Authority³⁰⁵, are designed to protect vulnerable workers, including those from overseas. Migrant workers are also entitled to the same protections under health and safety legislation as any other worker.</p> <p>The general framework within which human rights, including for migrant workers, are promoted in the UK is set out in the Core Document 2014 (section 2E³⁰⁶).</p> <p>In Wales, since 2010 the Welsh Government published “Understanding Wales”³⁰⁷, a leaflet with basic information for migrants entering Wales. The Welsh Government is committed to promoting race equality, and has established the Wales Race Forum³⁰⁸, bringing together representatives from the main race organizations from across Wales, and helping the Welsh Government to understand (and engage on) the key issues and challenges for “Black and Minority Ethnic” (BME) communities.</p> <p>The Welsh Government also commissioned a review of advice services (including specialist discrimination advice) in Wales. The review reported in May 2013 and one of its recommendations is that there is a need to develop an all-Wales service to provide discrimination advice. The recommendations</p>

³⁰⁵ <http://gla.defra.gov.uk/>

³⁰⁶ Page 41 of the [HRI/CORE/GBR/2014](http://hri/core/gbr/2014)

³⁰⁷ <http://wales.gov.uk/topics/people-and-communities/communitycohesion/migrants/publications/undwales/?lang=en>

³⁰⁸ <http://wales.gov.uk/topics/equality/rightsequality/race/walesraceforum/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			from the review are currently being taken forward by the Welsh Government.
110.108 (rights of migrant workers)	110.108 Strengthen governmental measures to guarantee the effective implementation of the human rights of migrants in accordance with the existing international instruments in this area (Paraguay)	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.44 and 110.107</p>	<p>Recommendation 110.108 enjoys the support of the UK in part for the reasons set out in the response to recommendation 110.107.</p> <p>See also the response to recommendation 110.14.</p>
110.109 (Overseas Domestic Worker Visa)	110.109 Retain the Overseas Domestic Worker visa as a measure to safeguard against abuses of migrant workers (Thailand)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government has retained the route for Overseas Domestic Workers (ODWs) and in doing so have introduced measures to reduce the likelihood of abuse occurring in the UK. ODWs can only accompany visitors to the UK for a maximum period of six months and we have introduced more stringent entry requirements for those who are eligible to come here including requiring applicants to provide more evidence of their existing employer/employee relationship of a minimum</p>	<p>Recommendation 110.109 enjoys the support of the UK.</p> <p>Eligibility for a domestic workers in a private household visa, after 5 April 2012, is set out on the UK Government's website³⁰⁹, largely reflecting the information provided in September 2012.</p>

³⁰⁹ <https://www.gov.uk/domestic-workers-in-a-private-household-visa/eligibility>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>of 12 months as well as a written contract providing their conditions of employment in the UK. In addition, every ODW is provided with information about their rights in the UK when they apply for their visa. As well as the enhanced pre-entry checks, further mechanisms are also available to protect ODWs within the UK. They are regarded as workers, not visitors and as such, they continue to be entitled to the protections of UK employment law, including access to an Employment Tribunal and ODWs who believe they are a victim of crime may make a complaint to the police. The National Referral Mechanism (NRM) for the identification and support of victims of trafficking is available to all ODWs who believe they are victim of crime of trafficking.</p>	
<p>110.110 (rights of migrant workers)</p>	<p>110.110 Strengthen national and local policies and measures to protect migrants, especially foreign workers (Vietnam)</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.44 and 110.108</p>	<p>Recommendation 110.110 enjoys the support of the UK in part for the reasons set out in the response to recommendations 110.14 and 110.107.</p> <p>See also the response to recommendation 110.43.</p>
<p>110.111 (detention of migrants)</p>	<p>110.111 Continue adopting measures to prevent cases of indefinite detention of migrants, and</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>UK Government policy on the use of immigration detention complies fully with Article 5 of the European Convention on</p>	<p>Recommendation 110.111 enjoys the support of the UK in part.</p> <p>The UK position on the detention of migrants remains as set out in September 2012. Immigration statistics to the UK, including on</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>guarantee all their rights (Chile)</p>	<p>Human Rights. In addition, there is a presumption in favour of temporary admission or release and, wherever possible, alternatives to detention are used. Detention is used sparingly and for the shortest time necessary.</p> <p>Immigration detention is most usually appropriate in the following circumstances: initially, whilst a person's identity and basis of claim is being established; where there is reason to believe that a person will fail to comply with the conditions of temporary admission or release; as part of a fast-track asylum process; or to effect removal from the UK.</p> <p>Immigration detention must not only be based on one of the statutory powers in UK legislation but must also accord with the limitations implied by domestic and European case law. Immigration detention in the UK takes place within a clear legal framework, which includes appropriate safeguards for detained persons. Detained persons may apply to a chief immigration officer or an immigration judge for release on bail, and may at any time challenge the lawfulness of their detention through the processes of judicial review or habeas corpus. Information on how to obtain legal advice is provided to all detained persons; regular legal advice surgeries are provided in all immigration removal centres; and detained persons are able to qualify for free legal aid.</p>	<p>detention of migrants, are publicly available on the UK Government's website³¹⁰.</p>

³¹⁰ <https://www.gov.uk/government/collections/migration-statistics>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>Although there is no fixed time limit on immigration detention under UK law or policy it operates in line with the established principle that it must not be unduly prolonged and must last for no longer than is reasonably necessary for the purpose for which it was authorised. The UK Government considers that the introduction of a fixed time limit on immigration detention would be inappropriate: any such limit would be arbitrary, taking no account of an individual's circumstances, and would serve only to encourage individuals to frustrate and delay immigration and asylum processes in order to reach the point at which they would have to be released.</p>	
<p>110.112 (detention of migrants)</p>	<p>110.112 Adopt necessary measures to prevent indefinite detention of migrants, and provide all legal safeguards to detained migrants (Honduras)</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.111</p>	<p>Recommendation 110.112 enjoys the support of the UK in part for the reasons set out in recommendation 110.111.</p>
<p>110.113 (detention of migrants)</p>	<p>110.113 Adopt necessary measures to avoid criminalization of irregular migration, de-facto indefinite detention without the provision of all</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.111</p>	<p>Recommendation 110.113 enjoys the support of the UK in part for the reasons set out in recommendation 110.111.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>legal safeguards for undocumented migrants and asylum seekers (Ecuador)</p>		
<p>110.114 (detention of migrants)</p>	<p>110.114 In line with the British Government commitment to the universality of human rights, prohibit the indefinite detention of migrants, seek alternatives to their detention and ensure that such detention is for the shortest possible duration (Mexico)</p>	<p>The recommendation enjoys the support of the United Kingdom in part.</p> <p>See response to recommendation 110.111</p>	<p>Recommendation 110.114 enjoys the support of the UK in part for the reasons set out in recommendation 110.111.</p>
<p>110.115 (detention of asylum seekers)</p>	<p>110.115 Take necessary measures to avoid any use of detention of asylum seekers during the process of determining their refugee status (Argentina)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The majority of those claiming asylum in the UK will not routinely be detained whilst their asylum claim is being processed. However, the United Kingdom takes the view that in limited circumstances, as laid out in published detention policy, detention of applicants will be appropriate.</p> <p>The Detained Fast Track process applies to a</p>	<p>Recommendation 110.115 does not enjoy the support of the UK.</p> <p>The UK position on the detention of asylum seekers whilst their claim is being processed remains as set out in September 2012.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>minority of asylum applicants, but is a central part of the United Kingdom's overall asylum system. It enables the applications to be concluded fairly, promptly and with certainty, to the benefit of applicants and the system as a whole. It applies only where a quick decision on the asylum application can be made, and so the detention involved for the consideration of the claim will be for a short period. Full procedural and judicial safeguards apply to ensure fairness. The principle of detained fast track processes has been found to be lawful in domestic courts and at the ECtHR (at the Grand Chamber).</p>	
<p>110.116 (protection of minorities)</p>	<p>110.116 Establish immediate means of redress and protection of ethnic religious minorities and migrants, in particular Muslims (Islamic Republic of Iran)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK has already implemented this recommendation. In October 2010 the new Equality Act 2010 came into force, which replaced all existing equality legislation with a single Act. The Act also strengthened protection in some situations. The Act covers nine protected characteristics including both race and religion or belief.</p> <p>The Equality Act prohibits direct and indirect discrimination, harassment, victimisation. It prohibits unfair treatment in the workplace, when providing goods, facilities and services, when exercising public functions, in the disposal and management of premises, in education and by associations (such as private clubs).</p>	<p>Recommendation 110.116 enjoys the support of the UK for the reasons set out in the response to recommendations 110.32, 110.44, 110.49, and 110.59.</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>This is further supported by the public sector equality duty which sets out that all public bodies must have due regard to eliminating discrimination, promoting equality and fostering good relations and must demonstrate how they are doing this through publication of equality objectives and supporting equality information.</p> <p>See also responses to recommendation 110.90 and 110.91 on hate crime</p> <p><i>Scotland</i></p> <p>See response to recommendations 110.90 and 110.91</p>	
<p>110.117 (Roma and Travellers)</p>	<p>110.117 Share best practices of tackling the situation of the Roma and Traveller people through the EU Framework for National Roma Integration Strategies adopted in 2011 (Hungary)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK has a strong and well-established legal framework to combat discrimination and hate crime. This protects all individuals, including Roma and Travellers, from racial and other forms of discrimination, and racially motivated crime. The UK plays a full and constructive part in international forums concerned with Roma, including those in the EU. The UK fully supported the EU Council Conclusions on Roma agreed at the Employment and Social Affairs Council in May 2011.</p> <p>We are committed to working with our European partners to improve the social and</p>	<p>Recommendation 110.117 enjoys the support of the UK.</p> <p>See the response to recommendations 110.32, 110.43, 110.44, 110.49, and 110.59.</p> <p>The UK remains an active participant in the Council of Europe’s Committee of Experts on Roma and in the European Commission’s network of Roma Contact Points which are forums for the exchange of good practice between European States. The UK also took part in Council of Europe thematic groups looking at anti-Roma hate crime, inclusive education of Roma, and Travellers’ sites. The UK also works bilaterally with other European states through its embassies in central and</p>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>economic situation of Roma, including by sharing best practice, while recognising that the primary responsibility for this lies with national governments themselves, who need to design their policies according to the size and specific circumstances of their Roma and Traveller communities.</p> <p>The UK Government and the Devolved administrations continue to work together in this area to ensure that all parts of the UK are effectively represented.</p>	<p>eastern Europe to exchange good practice on Roma inclusion.</p> <p>In England, a cross-government Ministerial Working Group looks at ways to reduce and tackle inequalities experienced by Gypsy/Travellers (in April 2012 the Ministerial Working Group published a progress report³¹¹ setting out 28 commitments from across the UK Government to address these inequalities).</p> <p>In Scotland, the Scottish Government is committed to advancing the integration of Roma communities and improving conditions for Gypsy/Travellers through research, planning and financial support. It is working to develop a strategic overview and action plan for Gypsy/Travellers, which builds on existing work and draws on the recommendations of recent inquiries undertaken by the Scottish Parliament's Equal Opportunities Committee. Planning for this work includes consultation with a range of stakeholder groups representing the issues of Gypsy/Travellers and other groups travelling to and within Scotland, including migrant Roma.</p> <p>In Wales, the Welsh Government was the first UK administration to launch a Gypsy and Travellers framework, entitled "Travelling to a Better Future"³¹², in September 2011. The first progress update against objectives in the</p>

³¹¹ <https://www.gov.uk/government/publications/reducing-inequalities-for-gypsies-and-travellers-progress-report>

³¹² <http://wales.gov.uk/topics/people-and-communities/communitycohesion/publications/travellingtoabetterfuture/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
			Framework was published in November 2013 ³¹³ .
110.118 (anti-terrorism measures)	110.118 Ensure full adherence to its international human rights obligations in its overseas counter-terrorism operations and set up comprehensive legislative and implementation frameworks for the identification, investigation, prosecution, and punishment of perpetrators of various human rights violations (Egypt)	The recommendation enjoys the support of the United Kingdom in part. See response to recommendation 110.67	Recommendation 110.118 enjoys the support of the UK in part for the reasons set out in the response to recommendation 110.67.
110.119 (anti-terrorism measures)	110.119 Continue to ensure that its terrorism prevention legislation and measures comply with the international	The recommendation enjoys the support of the United Kingdom. The UK considers that its Counter-Terrorism prevention legislation complies with its international human rights obligations.	Recommendation 110.119 enjoys the support of the UK. The UK Government continues to consider that UK anti-terrorism legislation and measures comply with the UK's international human rights obligations.

³¹³ <http://wales.gov.uk/docs/dsjlg/publications/equality/131105gypsy-trav-framework-en.pdf>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	human rights standards (Japan)		<p>Anti-terrorism legislation is regularly reviewed by the “Independent Reviewer of Terrorism Legislation”³¹⁴ (who can make recommendations to the UK Government), and is also kept under scrutiny by the UK Parliament mainly through the JCHR.</p> <p>It should also be noted that under the Human Rights Act 1998:</p> <ul style="list-style-type: none"> • All legislation must be interpreted and given effect, as far as possible, compatibly with the ECHR; where it is not possible to do so, senior courts can quash secondary legislation or issue a “Declaration of Incompatibility”³¹⁵ of primary legislation. Only 2 (out of 28 (up to October 2013)) Declarations of Incompatibility related to anti-terrorism legislation: in one case, the UK Parliament repealed the provisions at issue; in the other case, the Declaration itself was overturned by the Court of Appeal. • It is unlawful for a public authority to act incompatibly with the ECHR rights, except when acting under an Act of the UK Parliament.
110.120 (anti-terrorism measures)	110.120 Continue to review all counter-terrorism legislation	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK keeps its counter-terrorism legislation</p>	<p>Recommendation 110.120 enjoys the support of the UK for the reasons set out in the response of September 2012 and in recommendation 110.119.</p>

³¹⁴ <https://terrorismlegislationreviewer.independent.gov.uk/>

³¹⁵ Page 43 (and following pages) of https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/252680/human-rights-judgments-2012-13.pdf

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	and ensure that it complies with the highest human rights standards (Norway)	under regular review through a variety of mechanisms to ensure that they remain necessary and proportionate. A recent example of such a review was the review completed in 2011 of the most sensitive counter-terrorism and security powers. This has resulted in a number of significant changes to the powers. The statutory reviewer of terrorism legislation reviews the UK's counter-terrorism legislation on a regular basis and the UK Government carefully considers the resulting public recommendations.	
110.121 (anti-terrorism measures)	110.121 Steadily review the implementation of its new system of terrorism prevention and investigation to ensure the effectiveness in practice of safeguards against abuse and the deliberate targeting of certain ethnic groups (Netherlands)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The new Terrorism Prevention and Investigation Measures legislation is subject to regular review, both by the statutory review of terrorism legislation and through the extensive judicial scrutiny of the use of the powers. Deliberate targeting of certain ethnic groups would contravene the European Convention on Human Rights and the UK's extensive discrimination laws.</p>	<p>Recommendation 110.121 enjoys the support of the UK.</p> <p>See the response to recommendation 110.119.</p> <p>The latest statistics on the use of "Terrorism Prevention and Investigation Measures" (TPIM) were provided to the UK Parliament on 12 June 2014³¹⁶. One TPIM notice is in force as of 11 July 2014.</p>
110.122 (diplomatic assurances)	110.122 Abandon the policy of using diplomatic	The recommendation does not enjoy the support of the United Kingdom.	Recommendation 110.122 does not enjoy the support of the UK for the reasons given in the response of September 2012.

³¹⁶ <https://www.gov.uk/government/speeches/terrorism-prevention-and-investigation-measures-1-march-2014-to-31-may-2014>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>assurances concerning torture and other ill-treatment as a means to avoid exposing persons to the risk of such human rights violations during any type of involuntary transfer to the territory or the custody of another State (Nicaragua)</p>	<p>The UK Government believes that its primary responsibility is to ensure the national security of its citizens and will consider all the available options for dealing with the threat posed by terrorism.</p> <p>The UK believes that it should be able to deport foreign nationals who threaten national security to countries where there are verifiable guarantees that they will not be tortured.</p> <p>The UK courts along with the European Court of Human Rights found the use of diplomatic assurances to be an appropriate and legal option in safeguarding the well-being of individuals we deport. We will not deport any individual where there is a real risk that their human rights will be infringed.</p>	<p>Information on the “Memoranda of Understanding on Deportations with Assurances” between the UK and other countries (namely, Ethiopia, Jordan, Lebanon, Morocco and Algeria) is publicly available on the UK Government’s website³¹⁷.</p> <p>In November 2013³¹⁸, the UK Government asked the Independent Reviewer of Terrorism Legislation to review the framework of the UK’s Deportation with Assurances policy to make recommendations on how the policy might be strengthened or improved, with particular emphasis on its legal aspects. The report on this review is tentatively expected by the end of 2014.</p>
<p>110.123 (detention of terrorism suspects)</p>	<p>110.123 Legislate to restrict the detention of terror suspects without charge and ensure legality of such detention, including through action by the judicial system (Russian Federation)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK considers that the legislative framework for the detention of terrorist suspects before they are released or charged is necessary and proportionate. It has strong statutory judicial safeguards and is compliant with our domestic and international legal obligations. The UK Government has, through the Protection of Freedoms Act 2012, reduced the maximum period that a terrorist suspect can be detained from 28 to 14 days. The compatibility</p>	<p>Recommendation 110.123 enjoys the support of the UK.</p> <p>See the response to recommendation 110.81.</p>

³¹⁷ <https://www.gov.uk/government/collections/memoranda-of-understanding-on-deportations-with-assurances>

³¹⁸ <https://www.gov.uk/government/publications/independent-review-of-deportation-with-assurances-terms-of-reference>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		of Schedule 8 of the Terrorism Act 2000 with the ECHR was recently upheld in the Sultan Sher ³¹⁹ and Colin Duffy ³²⁰ court cases.	
110.124 (anti-terrorism measures)	110.124 Cooperate with United Nations and other international and regional mechanisms with a view to guaranteeing that the legal and administrative measures adopted to combat terrorism respect the enjoyment of human rights and fundamental freedoms (Russian Federation)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK engages fully with the UN and other bodies in international efforts to combat terrorism, and encourages others to do the same. The UK is confident that our counter terrorism legislation and practices comply with, and often exceed, international human rights standards. But we would, and do, engage constructively if any international or regional organisation expresses concerns about our domestic legislation.</p>	<p>Recommendation 110.124 enjoys the support of the UK.</p> <p>Since September 2012, the UK:</p> <ul style="list-style-type: none"> • Submitted its 7th periodic report under the ICCPR³²¹. • Responded to the list of issues under the CAT examination in 2013³²², and completed the examination process in May 2013. • Submitted follow up information in May 2014 under the CAT³²³. • Submitted its response³²⁴ under the ECPT to the two visits carried out in 2012. • Extended the ECPT to the Sovereign Base Areas of Akrotiri and Dhekelia on Cyprus. • Extended the OP-CAT to the Isle of Man (at the Isle of Man's request).
110.125 (anti-terrorism measures)	110.125 Commit to investigating	The recommendation enjoys the support of the United Kingdom.	Recommendation 110.125 enjoys the support of the UK.

³¹⁹ <http://www.bailii.org/ew/cases/EWHC/Admin/2010/1859.html>

³²⁰ <http://www.bailii.org/nie/cases/NIHC/QB/2011/16.html>

³²¹ [CCPR/C/GBR/7](http://www.cpt.coe.int/en/states/gbr.htm)

³²² [CAT/C/GBR/Q/5/Add.1](http://www.cpt.coe.int/en/states/gbr.htm)

³²³ [CAT/C/GBR/CO/5/Add.1](http://www.cpt.coe.int/en/states/gbr.htm)

³²⁴ <http://www.cpt.coe.int/en/states/gbr.htm>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	<p>individuals suspected of involvement in terrorism-related activities and, where sufficient evidence exists, to prosecuting them in the ordinary criminal courts, and in conformity with international fair standards (Norway)</p>	<p>Prosecution is regarded as the fairest and most effective way to deal with terrorists. The UK's Counter-Terrorism Strategy, known as CONTEST, emphasises the importance of seeking ways to enhance our ability to prosecute suspected terrorists. The UK has, for example, commenced in July 2012 the post-charge questioning powers in the Counter-Terrorism Act 2008 which may assist prosecutors. As for all of the UK's counter-terrorism powers, there are robust safeguards to ensure that they are only used where necessary and proportionate and in accordance with our international human rights obligations.</p>	<p>In April 2014³²⁵, the UK Government published its annual report on the counter-terrorism strategy, CONTEST. The report is clear that conviction in a court is the most effective way to stop terrorists. It is only in a very small number of cases, where a prosecution is not possible, that other powers established by law (such as the "Terrorist Prevention and Investigation Measures" or TPIM), are used to disrupt terrorist activity. One TPIM notice is in force as of 11 July 2014, whereas 23 people were prosecuted for terrorism-related offences in the year ending 31 December 2013.</p>
<p>110.126 (Detainee Inquiry)</p>	<p>110.126 Investigate all cases of violations of human rights in all counter-terrorism settings related to lengthy secret detentions, extraordinary renditions, and the possible application of torture against individuals, and bring those responsible of such violations to justice (Belarus)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>See recommendation 110.84</p>	<p>Recommendation 110.126 enjoys the support of the UK for the reasons set out in the response to recommendations 110.67 and 110.84.</p>

³²⁵ <https://www.gov.uk/government/collections/contest>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
<p>110.127 (detention of terrorism suspects)</p>	<p>110.127 Apply, without exception, the time limit for detention of persons suspected of terrorism stipulated in the Protection of Freedoms Bill, including cases of administrative detention in emergency situations (Switzerland)</p>	<p>The recommendation does not enjoy the support of the United Kingdom.</p> <p>The UK Government considers that its legislative framework for the detention of terrorist suspects before they are released or charged is necessary and proportionate. It has strong statutory judicial safeguards and is compliant with our domestic and international legal obligations. The UK Government has, through the Protection of Freedoms Act 2012, reduced the maximum period that a terrorist suspect can be detained from 28 to 14 days. The UK's review of counter-terrorism and security powers that reported in January 2011 found that there may be rare cases where a longer period of detention than 14 days may be required and those cases may have significant repercussions for national security. For that reason, emergency legislation extending the period of pre-charge detention to 28 days is available in order to deal with an exceptional scenario when more than 14 days is required. Parliament would have to agree to pass the emergency legislation before it could be used and, as for all pre-charge detention, it would be a matter for the courts to decide whether extended detention was necessary and proportionate.</p>	<p>Recommendation 110.127 does not enjoy the support of the UK for the reasons set out in September 2012.</p> <p>It should be noted that, in the year ending on 31 December 2013³²⁶, all detainees in custody under s.41 Terrorism Act 2000 (to which the 14 days period of pre-charge detention applies) were dealt with within 8 days, with 33% detained for less than a day.</p>
<p>110.128 (detention of terrorism suspects)</p>	<p>110.128 Ensure that all persons detained, also in terrorism-</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK considers that the legislative</p>	<p>Recommendation 110.128 enjoys the support of the UK for the reasons set out in the response to recommendation 110.82.</p>

³²⁶ <https://www.gov.uk/government/publications/operation-of-police-powers-under-the-terrorism-act-2000-quarterly-update-to-december-2013>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
	related cases, have access to legal counsel and are duly informed about the charges that are brought against them (Austria)	framework for the detention of terrorist suspects before they are released or charged has strong safeguards, including ensuring that suspects have access to legal advice and that the suspect is told what offences they are suspected of committing. The compatibility of Schedule 8 of the Terrorism Act 2000 with the ECHR was recently upheld in the Sultan Sher and Colin Duffy court cases.	On 31 July 2014, provisions contained in the Anti-social Behaviour, Crime and Policing Act 2014 are expected to be brought into legal force, which will ensure that those who are detained for examination under port and border controls contained in Schedule 7 to the Terrorism Act 2000 are able to access legal advice.
110.129 (official development assistance)	110.129 Continue its financial commitment to international development through its overseas development assistance programmes (Trinidad and Tobago)	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK Government is strongly committed to international development. We have set out how we will meet our target of spending 0.7% of gross national income on overseas development assistance from December 2013 - the first G8 country to do so. The UK will also enshrine in law a duty to meet the 0.7% target in 2013 and in each subsequent calendar year.</p> <p><i>Scotland</i></p> <p>The Scottish Government continue to support international development which is evidenced through its £9 million International Development Fund. Since the launch of its refreshed International Development Policy in 2008, the Scottish Government have focused its</p>	<p>Recommendation 110.129 enjoys the support of the UK.</p> <p>The 2014 UK budget³²⁷ confirmed that the UK Government will continue to aim to spend 0.7% of the UK's Gross National Income (GNI) on Official Development Assistance (ODA) in 2014. In 2012³²⁸, the ratio ODA/GNI was 0.56 (equivalent to £8,766 million). The countries that receive UK ODA are listed on the UK Government's website³²⁹. In 2013, the provisional assessment of ODA/GNI³³⁰ shows that the UK spent 0.72% (equivalent to £11,437 million).</p> <p>In Scotland, the Scottish Government remains committed to international development in the form of the International Development Fund³³¹ (IDF) whose budget was doubled from £4.5 million to £9 million between 2007 and 2012.</p>

³²⁷ <https://www.gov.uk/government/publications/budget-2014-documents>

³²⁸ <https://www.gov.uk/government/publications/statistics-on-international-development-2013-tables>

³²⁹ <http://devtracker.dfid.gov.uk/>

³³⁰ <https://www.gov.uk/government/publications/provisional-uk-official-development-assistance-as-a-proportion-of-gross-national-income-2013>

³³¹ <http://www.scotland.gov.uk/Topics/International/int-dev>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>development programmes to be more strategic and sustainable, and to encourage close partnership working to meet the needs and priorities of developing countries. All its work across its priority countries is clearly focused on the key objective of poverty alleviation and the achievement of the Millennium Development Goals and must adhere to the principles of the Paris Declaration on Aid Effectiveness.</p> <p><i>Wales</i></p> <p>The Welsh Government, through its £900,000 Wales for Africa programme, seeks to encourage more people in Wales to make an increasingly effective contribution to international development. This spending is recorded and reported by the UK Government as a part of official UK ODA.</p>	<p>In addition to what was reported in September 2012, it should be noted that the Scottish Government focuses its funding on Scottish NGOs to work in partnership with organisations in the developing world on priority areas (such as Malawi), particularly those where Scotland has specific skills and expertise, such as education, health and renewable energy. The IDF is also targeted at countries that have a long standing historical connection with Scotland.</p> <p>In Wales, the Welsh Government remains committed to the £900,000 “Wales for Africa programme”³³².</p>
<p>110.130 (official development assistance)</p>	<p>110.130 Consider contributing to the objective of mainstreaming the right to development in its ODA programmes and policies (Bangladesh)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK directly supports fulfilment of the right to development through our support on a range of civil, political, social and economic rights – for example, supporting millions of children (particularly girls) through primary and secondary school; providing people with access to clean water and sanitation; saving lives of children and of women in childbirth and</p>	<p>Recommendation 110.130 enjoys the support of the UK for the reasons set out in the response in September 2012 and also in the response to recommendation 110.129.</p>

³³² <http://wales.gov.uk/topics/sustainabledevelopment/walesforafrica/?lang=en>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		<p>preventing diseases; and helping people (particularly women) prosper through rights to land. The UK also supports the enabling environment in which states can realise their obligations and enabling all citizens to claim their rights – for example, through supporting open and accountable government, and enabling people to hold decision makers to account.</p> <p><i>Scotland</i></p> <p>See response to recommendation 110.129</p> <p><i>Wales</i></p> <p>See response to recommendation 110.129</p>	
<p>110.131 (overseas development)</p>	<p>110.131 Play an effective role to operationalize the right to development at the international level (Pakistan)</p>	<p>The recommendation enjoys the support of the United Kingdom.</p> <p>The UK remains fully committed to supporting development and to realising the Millennium Development Goals. We directly support fulfilment of human rights through 28 priority country programmes. While recognising that the primary responsibility for the promotion and protection of all human rights, including the right to development, lies with the State, we will continue our efforts to ensure the right to development is properly operationalised at the international level.</p> <p><i>Scotland</i></p>	<p>Recommendation 110.131 enjoys the support of the UK.</p> <p>The UK is one of the co-chairs of the UN “High Level Panel on the Post 2015 Development Agenda”, which produced a report on tackling poverty worldwide after the target date of 2015 of the UN Millennium Development Goals.</p> <p>The UK Government’s “Human Rights and Democracy Report 2013”³³³ summarises the main initiatives undertaken by the UK in 2013 to promote human rights (both civil and political rights, and economic, social and cultural rights) overseas, which the UK consider the building block for the progressive realisation</p>

³³³ <https://www.gov.uk/government/publications/human-rights-and-democracy-report-2013/human-rights-and-democracy-report-2013>

Reference	UPR Recommendations	UK position in September 2012	Update (July 2014)
		See response to recommendation 110.129	of the right to development. The UK also continues to engage with the UN “Working Group on the Right to Development” and with the UN “High Level Task Force on the implementation of the right to development”.
110.132	110.132 Set up a mechanism to carry out the repatriation of funds of illicit origin and illegally acquired assets to their countries of origin and to ensure cooperation with the requesting states (Egypt)	The UK believes that this recommendation falls outside the ambit of the Universal Periodic Review, which was developed to review States’ fulfilment of their obligations under international human rights treaties, human rights standards and voluntary commitments on human rights.	No further comments.