

**Universal Periodic Review**

**United Kingdom, British Overseas Territories and Crown Dependencies**

**National Report**

**5 August 2022**

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## I. Introduction

1. The UK welcomes the 4<sup>th</sup> UPR of its human rights record. The UPR is a constructive process for States to learn from and to help each other in protecting human rights and fundamental freedoms. The UK remains fully committed to the UPR and the UN treaty reporting system as well as to promoting human rights internationally. Since the last UPR dialogue in May 2017, the UK has submitted reports and responses to the relevant UN Treaty Committees as follows: its response to the List of Issues under the International Covenant on Civil and Political Rights, its 7<sup>th</sup> Periodic Report under the International Covenant on Economic, Social and Cultural Rights along with its updated Common Core Document, and its One-Year on Report under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2020). We have also welcomed members of the UN's Sub-committee for the Prevention of Torture (SPT) who visited the UK in September 2019. The SPT report<sup>1</sup> and the UK's response<sup>2</sup> are both available online.

## II. Methodology and consultation process

2. This report complements the periodic reports submitted by the UK since 2017 and provides a snapshot of the key developments since the 2017 UPR and the subsequent Mid-Term Report. The report covers activity across the United Kingdom, Overseas Territories and Crown Dependencies. It includes contributions from UK Government departments on reserved matters which the UK Government leads on for all of the UK and on activity specific to England, the Devolved Administrations (DAs) and activity in devolved areas in Scotland, Wales and Northern Ireland, the Overseas Territories (OTs) and the Crown Dependencies (CDs). This report covers the main themes into which the 2017 recommendations were grouped. A separate annex lists the current UK position in respect of the UPR recommendations from 2017 using a simplified classification of either "supported" or "noted" for each recommendation.

3. In early 2022, the UK Government, alongside the DAs, held eight virtual stakeholder events to inform the preparation of this report. These events were attended by individuals from a broad range of civil society organisations.

## III. General framework for the protection and promotion of human rights and for combating discrimination

### Acceptance of international human rights norms

4. The UK Government is committed to protecting and respecting human rights and has a longstanding tradition of ensuring rights and liberties are protected domestically and of fulfilling our international human rights obligations. The UK has ratified 7 of the 9 UN human rights treaties, and has put in place a combination of policies and legislation to give effect to the rights contained within them.

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<sup>1</sup><https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsmVzSwVG0032ehxbx5kI7IG2fsiFxBWzM3NdiZeN5Ma9idf1nG1tL92US2htWaTh8WYZpMHNIYkJPMMQKt8BXkeltO22ljG3Ldp0sj%2bvvi6>

<sup>2</sup> [The UK's response to the Subcommittee on the Prevention of Torture and Other Cruel Inhuman or Degrading Treatment or Punishment's visit report from October 2020. \(publishing.service.gov.uk\)](#)

5. With regard to the United Nations Convention for the Protection of All Persons from Enforced Disappearance (UNCPPED), the UK Government believes that current domestic framework already prevents arbitrary arrests, prohibits torture and degrading treatment, and holds the Security and Intelligence Agencies to account. Similarly, with regards to the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UNCRMW), the UK Government considers that the rights of migrant workers and their families are already protected in domestic legislation through the UK Borders Act 2007. Furthermore, the Modern Slavery Act 2018 combats slavery, human trafficking, and provides protection to victims. The UK Government therefore has no current plans to ratify these conventions.

6. On 21 July 2022 the UK ratified the Istanbul Convention, signalling our strong commitment to tackling violence against women and girls.

7. The Scottish Government is committed to the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into domestic Scottish law. In 2020, the UNCRC and the Optional Protocols on the Involvement of Children in Armed Conflict and the Sale of Children, Child Prostitution and Child Pornography were extended to Guernsey and Alderney<sup>3</sup>. In September 2017, the States Assembly in Jersey voted unanimously to approve a proposition<sup>4</sup> calling for consideration to be given to the incorporation of the UNCRC. The Isle of Man is working with the UK Government to extend the ratification of the two Optional Protocols to the UNCRC to the Isle of Man. With regards to the Overseas Territories, the UNCRC has been extended to St Helena, and Gibraltar will be seeking extension of this convention.

8. In 2017 the United Nations Convention on the Elimination of Discrimination Against Women was extended to Bermuda and St Helena, and in 2021 it was extended to Jersey.

9. The UK continues to consider its position on accepting the right of individual petition to the UN, beyond UNCEDAW and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and believes that effective domestic laws already exist whereby individuals can seek enforceable remedies if their rights have been breached.

### Legal framework for the protection and promotion of human rights and for combating discrimination at the national level

10. The UK Government was elected with a manifesto commitment to ‘update the Human Rights Act... to ensure there is a proper balance between the rights of individuals, our vital national security and effective government’. The Bill of Rights was introduced to Parliament on 22 June 2022<sup>5</sup> and marks the next step in the development of the UK’s enduring commitment to human rights and liberty under the rule of law. It will replace the Human Rights Act 1998 and continue to give further effect into UK law the rights contained in the European Convention on Human Rights (ECHR), with a remedy for a breach of a Convention right available in UK courts. This update to the UK’s human rights framework will strike a proper balance of rights and responsibilities, individual liberty and the

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<sup>3</sup> CRC extension [CN.522.2020-Eng.pdf \(un.org\)](#)

CRC OP Armed Conflict extension [CN.523.2020-Eng.pdf \(un.org\)](#)

CRC OP Sale of Children extension [CN.524.2020-Eng.pdf \(un.org\)](#)

<sup>4</sup> [P.63/2017: United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees](#)

<sup>5</sup> <https://www.gov.uk/government/publications/bill-of-rights-bill-documents>

public interest. The Bill of Rights will strengthen freedom of expression and empower UK courts to apply human rights in a UK context. It will ensure the balance between our domestic institutions is right in that UK courts will no longer alter legislation contrary to Parliament's intent.

11. The UK Government is firmly committed to the provision in the Belfast (Good Friday) Agreement for a Bill of Rights in Northern Ireland. Consensus, including between the Northern Ireland parties, is needed before any agreement can be reached on what such a Bill of Rights should include.

## IV. Achievements, best practices, challenges, and constraints

### A. Equality and Discrimination

12. The UK Government takes a coordinated approach to tackling all forms of discrimination on the basis of the protected characteristics.

#### Tackling Hate Crime

13. Crime, including hate crimes are completely unacceptable. The UK Government is clear that victims should be supported and that those who commit these attacks should feel the full force of the law.

14. The UK Government takes hate crime very seriously; the Hate Crime Action Plan (Action Against Hate: The UK Government's plan for tackling hate crime)<sup>6</sup> was published in 2016 and refreshed in October 2018. The Plan improved the response to all forms of hate crime.

15. The Law Commission (the statutory independent body that keeps the law of England and Wales under review) published its comprehensive review of hate crime laws in December 2021. This review examined the coverage and approach of existing hate crime legislation. The UK Government is now considering its proposals. The Online Safety Bill, currently before the UK Parliament, will make technology companies accountable to an independent regulator to keep their users safe across the country. It will enshrine safeguards for free speech in law.

16. On 23 December 2021, the Scottish Government published a report on the implementation of the actions set out in the *Tackling Prejudice and Building Connected Communities Action Plan*.<sup>7</sup> The report shows progress in a number of key areas, such as raising awareness of hate crime and encouraging reporting and ensuring the availability of better and more robust data and evidence on the characteristics of hate crime in Scotland. The Scottish Government will also shortly begin work with key delivery partners to develop a new hate crime strategy, for publication in 2022, and will also support the implementation of the *Hate Crime and Public Order (Scotland) Act 2021*,<sup>8</sup> which will modernise, consolidate and extend existing hate crime legislation.

17. The Welsh Government funds the National Hate Crime Report and Support Centre,<sup>9</sup> run by Victim Support Cymru, to provide free, confidential support and advocacy to all victims of hate crime. This support is available 24 hours a day, 7 days a week. Support is provided over the telephone, face-to-face, or virtually.

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<sup>6</sup> <https://www.gov.uk/government/publications/hate-crime-action-plan-2016>

<sup>7</sup> [Tackling Prejudice and Building Connected Communities Action Group - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/tackling-prejudice-and-building-connected-communities-action-plan-2021/pages/11.aspx)

<sup>8</sup> <https://www.legislation.gov.uk/asp/2021/14/contents/enacted>

<sup>9</sup> <https://gov.wales/hate-hurts-wales>

## Ethnic Minorities

18. In October 2017 the UK Government launched the Race Disparity Audit to publicise Government data about race disparities, alongside the launch of the Ethnicity Facts and Figures website.<sup>10</sup> The website has been welcomed internationally for its open and data-driven approach to highlighting disparities.

19. In response to the Audit's findings, the Government has taken action to better understand disparities in criminal justice, employment, mental health and education. In 2020, the UK Government established the independent Commission on Race and Ethnic Disparities to review disparities in the UK, with a particular focus on education, health, employment and criminal justice. On 31 March 2021 the Commission published its independent report.<sup>11</sup> The UK Government's response, *Inclusive Britain*,<sup>12</sup> was published 17 March 2022 and sets out an action plan for building a fairer and more inclusive society. It proposes over 70 actions to improve the lives and experiences of individuals across the country.

20. In 2019-2021, the Scottish Government allocated over £2.6million to fund organisations working to advance race equality. In March 2016, it established the *Race Equality Framework for Scotland 2016-30*<sup>13</sup> (REF), which sets out the vision for race equality in Scotland. In March 2021 it published the final report of its three year *Race Equality Action Plan*.<sup>14</sup> In September 2021 the Scottish Government published its *Immediate Priorities Plan*, which focused on delivering an equal and anti-racist recovery from COVID-19 for minority ethnic Scots.<sup>15</sup> The Scottish Government is also developing an ethnicity pay gap strategy, to be published later in 2022, to support and encourage employers to identify disparities in pay and experience among minority ethnic communities in the workplace. It will also encourage employers to take an active anti-racist approach.

21. The Welsh Government published its *Anti-Racist Wales Action Plan*<sup>16</sup> on 7 June 2022. The Plan was co-produced with black, Asian and Ethnic Minority communities, and other key race stakeholders. It aims to achieve an anti-racist Wales by 2030 and calls for zero tolerance of racism in all its guises.

22. The Isle of Man passed the Equality Act in 2017. It provides comprehensive protection from discrimination on a wide range of grounds. Guernsey is working to introduce legislation to protect people from discrimination on various grounds including race, which will improve compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

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<sup>10</sup> [Ethnicity facts and figures – GOV.UK \(ethnicity-facts-figures.service.gov.uk\)](https://www.ethnicity-facts-figures.service.gov.uk)

<sup>11</sup> [Commission on Race and Ethnic Disparities – Commission on Race and Ethnic Disparities: The Report – March 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/98421/commission-on-race-and-ethnic-disparities-report-march-2021.pdf)

<sup>12</sup> <https://www.gov.uk/government/publications/inclusive-britain-action-plan-government-response-to-the-commission-on-race-and-ethnic-disparities>

<sup>13</sup> <https://www.gov.scot/publications/race-equality-framework-scotland-2016-2030/>

<sup>14</sup> <https://www.gov.scot/publications/race-equality-action-plan-final-report/>

<sup>15</sup> <https://www.gov.scot/publications/immediate-priorities-plan-race-equality-scotland/>

<sup>16</sup> <https://gov.wales/anti-racist-wales-action-plan>

## Gender Equality

23. The UK is recognised as a global leader on gender and equalities and is committed not only to ensuring the protection of women and girls from violence, but also to achieving equality for women and girls across all sectors of society.

### Labour Market

24. The UK gender pay gap has narrowed by approximately a quarter in the last ten years. Organisations with over 250 staff members in England, Scotland and Wales must now comply with regulations on gender pay gap reporting and must publish annually data on mean gender pay gap; median gender pay gap; mean and median gender bonus gap; proportions of male and female employees that received a bonus; and salary quartiles.

25. In July 2021, as part of the strategy to tackle Violence Against Women and Girls (see below), the UK Government committed to a new package of measures to strengthen protections for those affected by harassment at work. This includes commitments to introduce a new duty on employers to prevent sexual harassment in the workplace, support the Equality and Human Rights Commission to develop a statutory Code of Practice on workplace harassment, and prepare new guidance for employers on preventing sexual harassment in the workplace.

26. The Scottish Government committed in the 2018-19 Programme for Government<sup>17</sup> to support 2,000 women who have had a career break with their return to the workplace. The 2021-22 programme is providing £2million to fund twelve projects supporting up to 1,500 women in their transition back to the workplace.<sup>18</sup> Furthermore, in March 2019, the Scottish Government published *A fairer Scotland for women: gender pay gap action plan*,<sup>19</sup> setting out actions to address the gender pay gap, by looking at the drivers and influences on the gender pay gap at each stage of a woman's life. An updated report was published in March 2021 to ensure the plan still effectively supported women through and beyond the pandemic.<sup>20</sup>

### Combatting Violence Against Women and Girls (VAWG)

27. Since it published the first Call to End Violence Against Women and Girls in 2010, the UK Government has made significant progress to combat VAWG. It has introduced new offences for controlling or coercive behaviour, so-called 'revenge porn', 'upskirting' and failure to protect from Female Genital Mutilation (FGM).

28. The UK has also raised the maximum penalties for stalking and harassment; ended the automatic early release of violent and sexual offenders from prison; introduced new civil orders for stalking, preventing sexual harm, and FGM to better protect victims and those at risk; introduced a mandatory duty for frontline professionals to report cases of FGM in children to the police; and strengthened the tools available to frontline professionals - including putting in place a range of statutory guidance, training and online resources. In 2020 we published the UK Strategy on tackling

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<sup>17</sup> [Delivering for today, investing for tomorrow: the Government's programme for Scotland 2018-2019 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/delivering-for-today-investing-for-tomorrow-the-governments-programme-for-scotland-2018-2019/gov.scot/)

<sup>18</sup> [Up to £2m funding for Women Returners Programme | Skills Development Scotland](https://www.gov.scot/publications/up-to-2m-funding-for-women-returners-programme/skills-development-scotland/)

<sup>19</sup> <https://www.gov.scot/publications/fairer-scotland-women-gender-pay-gap-action-plan/>

<sup>20</sup> <https://www.gov.scot/publications/gender-pay-gap-action-plan-annual-report/>

sexual exploitation, abuse and sexual harassment (SEAH) in the aid sector<sup>21</sup> and will continue to use our convening power to improve standards, identify perpetrators and support survivors and victims.

29. The Domestic Abuse Act 2021 will strengthen protections for victims of abuse, whilst also ensuring perpetrators feel the full force of the law. Measures introduced by the Act include:

- a statutory definition of domestic abuse to ensure it is properly understood by professionals across policing and law enforcement, health, housing, social care and education;
- establishing a Domestic Abuse Commissioner in law to provide accountability to the public and Ministers on failures within statutory service provision and poor practice in services; and
- new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders, which will help prevent perpetrators from contacting their victims, as well as requiring them to take positive and responsible steps to change their behaviour.

30. The UK Government has also released two major complementary strategies: the Tackling VAWG Strategy 2021 and Tackling Domestic Abuse Plan 2022. It has also published an updated version of the National Statement of Expectations, an updated Supporting Male Victims position statement and responded to all Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) recommendations, including making VAWG a part of the Strategic Policing Requirement.

31. Building on this progress, in 2022 the UK Government plans to publish Domestic Abuse Act 2021 Statutory Guidance and a new Victims' Funding Strategy, which will deliver cross government coordination of funding for victims' services, including those for sexual violence victims.

32. The Scottish Government established an independent Working Group to specifically look at misogyny in Scotland and to explore whether there should be a standalone offence to tackle misogynistic conduct, and whether the characteristic of sex should be added to the hate crime legislative framework.<sup>22</sup> The Working Group's Report was published in March 2022 and the Scottish Government published its response to its report<sup>23</sup> in April 2022, in which it states its intention to consult on draft legislation in advance of introducing a Bill.

33. In Wales, the implementation of The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 (the VAWDASV Act) has led to increased training, stronger guidance, practice change and clear strategic direction throughout Welsh public services, all impacting on the lives of those affected. The Welsh Government also published its first National Strategy on VAWDASV for 2016-2021<sup>24</sup> and published a Delivery Framework (2018-2021),<sup>25</sup> which sets out how the Government will meet commitments made in the National Strategy.

34. In Jersey, the 2018 Sexual Offences (Jersey) Law, provides greater protection and a clearer pathway to justice. The law updates and clarifies the definition of a number of sexual offences

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<sup>21</sup> [UK strategy: safeguarding against sexual exploitation and abuse and sexual harassment within the aid sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/uk-strategy-safeguarding-against-sexual-exploitation-and-abuse-and-sexual-harassment-within-the-aid-sector)

<sup>22</sup> <https://www.gov.scot/groups/misogyny-and-criminal-justice-in-scotland-working-group/>

<sup>23</sup> [Misogyny and Criminal Justice Working Group recommendations: response - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/misogyny-and-criminal-justice-working-group-recommendations-response/pages/12/index.html)

<sup>24</sup> <https://gov.wales/sites/default/files/publications/2019-06/national-strategy-2016-to-2021.pdf>

<sup>25</sup> [gen-ld11671-e.pdf \(senedd.wales\)](https://gov.wales/sites/default/files/publications/2019-06/national-strategy-2016-to-2021.pdf#gen-ld11671-e.pdf)



including up-skirting and FGM and provides clarity on consent by defining what consent is in statute for the first time and specifies a number of non-consensual offences.

35. In the Cayman Islands, the Stalking Act (2018), which will be reviewed and amended in 2022, has provided protection and remedies in cases involving stalking and established an investigative complaints procedure into allegations of stalking.

### Women's Healthcare

36. The UK Government is responsible for healthcare in England and is embarking on the first Women's Health Strategy for England, marking a reset in the way in which women's health is examined. To ensure the Strategy reflects what women identify as priorities, we launched a 14-week Call for Evidence in March 2021 to gather women's experiences and views regarding their healthcare needs, the results of which were published in April 2022.<sup>26</sup> The full Strategy will be published later this year.

37. In 2021 the Scottish Government launched the Women's Health Plan<sup>27</sup> which aims to improve health outcomes and services for women and girls in Scotland. It sets out how the Scottish Government intends to reduce inequalities, so all women enjoy the best possible health throughout their lives. The Welsh Government continues to provide funding to local authorities to provide free period products within schools and communities. Funding is also provided to Further Education colleges for the same purpose. The funding, amounting to over £3.3million, remains at the same level as in previous years, demonstrating the continued commitment to period dignity.

38. The UK Government has taken a number of steps towards reforming abortion law in Northern Ireland. The *Northern Ireland (Executive Formation etc) Act 2019* (NIEF) placed a duty on the UK Government to reform Northern Ireland's abortion law. The legislative changes resulted in the immediate decriminalisation of abortion through the repeal of sections 58 and 59 of the *Offences Against the Person Act 1861* (OAPA), which came into effect on 22 October 2019. Any police investigations or prosecutions currently underway at that time, in respect of the above sections of the OAPA, may not be carried out or continued.

39. The UK Government introduced the *Abortion (Northern Ireland) (No.2) Regulations 2020*, to govern the conditions for access to abortion services in Northern Ireland, which are set out in the 2018 Report of UN Committee on the Elimination of Discrimination Against Women report,<sup>28</sup> as required by section 9 of the NIEF Act. The UK Government also introduced the *Abortion (Northern Ireland) Regulations 2021*, which gives the Secretary of State for Northern Ireland a power to direct the Northern Ireland administrations to commission abortion services, consistent with the conditions set out in the 2020 Regulations. On 22 July 2021, the UK Government issued a direction to the Northern Ireland Executive, to make abortion services available by no later than 31 March 2022.

40. The UK Government made further regulations in May 2022 to remove all barriers to the Northern Ireland's Department of Health's commissioning and funding of abortion services. The Northern Ireland Department of Health should drive forward the commissioning of services without further delay. If it does not commission and fund abortion services, the Secretary of State will intervene.

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<sup>26</sup> [Results of the 'Women's Health – Let's talk about it' survey - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/womens-health-let-talk-about-it-survey)

<sup>27</sup> <https://www.gov.scot/publications/womens-health-plan/>

<sup>28</sup> [CEDAW/C/OP.8/GBR/1 \(ohchr.org\)](https://www.ohchr.org/en/hrbodies/cedaw/c/OP.8/GBR/1)

## Disability

41. The UK Government is committed to supporting people with disabilities and health conditions, including helping them into work. It is working closely with the devolved administrations in Scotland, Wales and Northern Ireland towards this. The UK Government has dedicated more than £1.1billion to disability employment support for the period from 2022-23 to 2024-25 across the country. This includes funding for the provision of the continuation of schemes that assist those with disabilities to enter or remain within the workforce, as well as £156million of funding focussed on additional work coaches, who support people with disabilities into suitable employment. The Disability Confident scheme<sup>29</sup> supports the UK Government's commitment to reduce the disability employment gap, and gives employers throughout the UK the knowledge, skills, and confidence they need to attract, recruit, retain and progress disabled people in the workplace. Through Access to Work, disabled people across the UK can benefit from grants worth up to £62,900 to contribute to the cost of in-work support; including specialist equipment needed to support them to do their job. The UK Government understands that transparency on the recruitment, retention and promotion of disabled people brings many benefits in creating inclusive workplace environments and is currently consulting on workforce reporting on disability for large employers. We will publish the outcome and next steps later in 2022.

42. In July 2021, the UK Government published the *Shaping Future Support: The Health and Disability Green Paper*<sup>30</sup> which explores how the benefits system can better meet the needs of claimants now and in the future by improving claimant experience of our services, enabling independent living and improving employment outcomes. The UK Government plans to respond to the Green Paper consultation with the upcoming Health and Disability White Paper later this year.

43. The Discrimination (Disability) (Jersey) Regulations 2018 now include disability as a protected characteristic, providing individuals with the right to take a complaint to the Employment and Discrimination Tribunal when they believe they have experienced discrimination in a wide range of areas including: recruitment, employment, and education. Guernsey is working to introduce legislation to protect people from discrimination on the ground of disability, and the *Disability & Inclusion Strategy Programme*<sup>31</sup> includes a work stream on supported and mainstream employment to assist disabled islanders into work.

## Economic, Social and Cultural rights

44. Under the Care Act 2014, local authorities have the responsibility to ensure a diverse range of high-quality, sustainable care and support services is provided for people with disabilities, as they are best placed to understand the needs of their local population. The UK Government's ten-year reform vision puts people at the centre of social care, aiming to ensure that people have the choice, control and support they need to live independent lives, and can access high-quality care and support. The Government has launched a public call for evidence to support the development of a new cross government ten-year plan for mental health. The public's views on a wide range of questions, from prevention through to acute mental health care are being sought. This is a key part of our commitment to 'level up' and improve unequal outcomes and life chances across the country.

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<sup>29</sup> [Disability Confident employer scheme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/disability-confident-employer-scheme)

<sup>30</sup> [Shaping future support: the health and disability green paper - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/shaping-future-support-the-health-and-disability-green-paper)

<sup>31</sup> [Disability and Inclusion - States of Guernsey \(gov.gg\)](https://www.gov.gg/disability-and-inclusion)

45. The Disability Equality Forum continues to provide an opportunity for stakeholders to advise the Welsh Government on the key issues that affect disabled people in Wales. In light of the testimony from the Disability Equality Forum and other data about the impact of COVID-19 on disabled people, the Minister for Social Justice (Welsh Government) commissioned Forum members to examine this issue. The resulting report 'Locked Out: Liberating disabled people's lives and rights in Wales beyond COVID-19'<sup>32</sup> was published on 2 July 2021 alongside the Welsh Government's response. The First Minister has established a Minister-led Taskforce to take forward work to address the inequalities highlighted by the report and oversee the implementation of actions in conjunction with partners across the public, private and voluntary sectors.

46. The Scottish Government published their *Learning/Intellectual Disabilities and Autism: Towards Transformation Plan* in March 2021,<sup>33</sup> to identify actions needed to shape supports, services and attitudes to ensure that the human rights of autistic people and people with learning/intellectual disabilities are respected and protected and that they are empowered to live their lives, the same as everyone else.

## LGBT

47. The UK Government introduced same-sex marriage in England & Wales in 2013 and introduced regulations for the provision of opposite-sex civil partnerships in 2019. The UK Government also legislated to introduce both same-sex marriage and opposite-sex civil partnerships in Northern Ireland, under the powers in Section 8 of the Northern Ireland (Executive Formation etc) Act 2019.<sup>34</sup>

48. The Scottish Government continues to implement the recommendations of the LGBT Inclusive Education Working Group. Furthermore, for the period 2021 to 2024, funding of over £3million through the Equality and Human Rights Fund has been provided to organisations working to promote LGBT equality in Scotland. This provides support for a range of initiatives, including work to address hate crime, support around the commitment to reform gender recognition legislation, an LGBT helpline, and a project to inform work on equality for intersex people. The Scottish Government has established an Expert Advisory Group to Ban Conversion which held its inaugural meeting on 31 March 2022. The Group will explore both legislative and non-legislative measures to end conversion practices.

49. The Welsh Government is developing a robust and cross-cutting LGBT Action Plan to strengthen protections for LGBT people, promote equality for all and coordinate ambitious actions across government and beyond. The Hate Crime in Schools Project aims to equip pupils in over 150 schools with critical thinking skills to enable them to identify misinformation and hateful narratives.

50. The UK Government has now delivered on all of its commitments relating to the legalisation of same-sex marriage and opposite-sex civil in Northern Ireland. For example, following the introduction of the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019,<sup>35</sup> in January 2020, same-sex married couples in Northern Ireland now have access to the equivalent legal relationships and relevant rights, benefits and

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<sup>32</sup> [Supporting disabled people after COVID-19: How COVID-19 has affected disabled people in Wales and what Welsh Government are doing to support them.](#)

<sup>33</sup> <https://www.gov.scot/publications/learning-intellectual-disability-autism-towards-transformation/>

<sup>34</sup> [Northern Ireland \(Executive Formation etc\) Act 2019 \(legislation.gov.uk\)](#)

<sup>35</sup> [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(legislation.gov.uk\)](#)

entitlements as the rest of the UK. Under the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020,<sup>36</sup> same-sex civil partnerships can now be converted into a marriage, within a 3-year period.

51. Same sex marriage has been lawful in Guernsey since 2017<sup>37</sup>. Discrimination on the basis of sexual orientation is prohibited in St Helena and same sex marriage has been legal there since 2017.

## B. Business and Human Rights

### Impact on Human Rights

52. The UK Government is fully committed to implementing the UN Guiding Principles (UNGPs) on Business and Human Rights and was the first country to produce a National Action Plan (NAP) in response to these. The NAP reflects actions taken by the UK Government in helping businesses operating domestically and abroad to fulfil their responsibilities to respect human rights. A progress update was published in 2020.<sup>38</sup>

53. The UK ratified the Convention on the Organisation for Economic Co-operation and Development (OECD), and is committed to promoting the OECD Guidelines; a set of voluntary principles and standards on responsible business practices, including human rights, labour standards and environment. The UK National Contact Point was set up to promote the OECD Guidelines, and also runs a non-judicial complaint mechanism to assess companies' alleged non-observance of the Guidelines and offers a platform for mediation and conciliation. Many cases have resulted in a change of company policy to bring them in line with the Guidelines. This complaints mechanism has ensured that UK businesses understand and apply internationally recognised standards on human rights in their operations and supply chains.

54. The Scottish Government is working to implement the UNGPs and has established a Steering Group for the development of a National Action Plan. The Scottish Government encourages Scottish-based companies to adopt ethical business practices, conduct appropriate due diligence on their business partners, and be aware of local business conditions in export markets. To support this, businesses have access to the UK Government's *Overseas Business Risk Service*,<sup>39</sup> which provides analysis on overseas markets to exporters, including on potential risks such as human rights breaches, bribery and corruption and criminal activity.

### Arms Trade

55. With regards to arms exports, the UK Government takes its responsibilities seriously, and rigorously assesses every application on a case-by-case basis against the Strategic Export Licensing Criteria.<sup>40</sup> These Criteria provide a thorough risk assessment framework for assessing export licence applications and require consideration of the impact of providing arms equipment. The Written

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<sup>36</sup> [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(legislation.gov.uk\)](#)

<sup>37</sup> [Same-Sex Marriage \(Guernsey\) Law, 2016 \(Consolidated text\) \(guernseylegalresources.gg\)](#)

<sup>38</sup> [UK National Action Plan on implementing the UN Guiding Principles on Business and Human Rights: progress update, May 2020 - GOV.UK \(www.gov.uk\)](#)

<sup>39</sup> <https://www.gov.uk/government/collections/overseas-business-risk>

<sup>40</sup> [Written statements - Written questions, answers and statements - UK Parliament](#)

Ministerial Statement (8 December 2021),<sup>41</sup> sets out the assessment Criteria to be applied to licence applications for exports of controlled goods. It sets out new measures to address shortcomings of the Military End-Use control<sup>42</sup> by permitting the UK Government to control items intended for use by the military, paramilitary, security forces or police forces of a destination which is subject to an arms embargo. This applies to items whose export could have an adverse effect on national security, or peace in the UK or an ally State, or facilitate violations of human rights.

## Modern Slavery and Human Trafficking

56. The Government is committed to tackling the heinous crimes of modern slavery, ensuring that victims are provided with the support they need to begin rebuilding their lives and that those responsible are prosecuted. Under the UK G7 Presidency, Trade Ministers acknowledged trade policy as one of the important tools in a comprehensive approach to prevent, identify, and eliminate forced labour in global supply chains, and committed to working towards its eradication.<sup>43</sup>

57. The UK Government published the world's first governmental Modern Slavery Statement<sup>44</sup> on 26 March 2020, setting out steps taken to tackle modern slavery in government procurement and supply chains. In November 2021, all individual UK ministerial government departments published their first annual departmental modern slavery statements. On 24 March 2021, the Government announced a review of the 2014 Modern Slavery Strategy. A revised strategy will allow us to build on the considerable progress we have made to date, adapt our approach to the evolving nature of these terrible crimes and continue our international leadership in tackling modern slavery. We expect the strategy to be published in the coming months.

58. The Welsh Government also developed the *Code of Practice - Ethical Employment in Supply Chains*, to ensure public sector organisations were taking steps to reduce the risks of modern slavery and exploitation in their supply chains. The Code sets out 12 commitments which include addressing unethical and unlawful practices such as false self-employment, and unfair use of zero-hours contracts. Since its publication in 2017, over 400 organisations have signed up to the Code.

59. The UK is investing in research into what works to prevent slavery, as well as assessing risks of modern slavery in policy development, to ensure that opportunities for exploitation are minimised. In 2020-21 we continued to support the Modern Slavery Policy and Evidence Centre, which is receiving £10million investment to transform the evidence base underpinning our policy response to modern slavery. The Centre commissions new and innovative research to enhance the evidence base and improve understanding of this rapidly evolving threat, targeting resources to key risks and vulnerabilities.

60. The UK's Modern Slavery Act (MSA) 2015 requires UK businesses with a turnover of £36million or more to publish a statement on the steps they have taken to prevent modern slavery in their operations and supply chains, for each financial year.<sup>45</sup> In January 2021, the Government announced plans to introduce financial penalties for organisations who fail to publish annual modern slavery statements. Building on these commitments, in March 2021 the UK Government

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<sup>41</sup> <https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449>

<sup>42</sup> Military End-Use control refer to export of otherwise non-controlled items which are intended for use as components in, or production equipment for, military equipment in an embargoed destination

<sup>43</sup> <https://www.gov.uk/government/news/g7-trade-ministers-statement-on-forced-labour-annex-a>

<sup>44</sup> [UK Government Modern Slavery Statement \(publishing.service.gov.uk\)](https://www.gov.uk/government/publications/uk-government-modern-slavery-statement)

<sup>45</sup> [Modern Slavery Act 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2015/30)

launched an online GOV.UK registry for modern slavery statements.<sup>46</sup> Since the launch, over 7,800 statements have been submitted covering over 26,000 organisations. In future, it will be mandatory for relevant organisations to submit their statement to the registry.

61. The UK Government is committed to ensuring victims of modern slavery and/or human trafficking are identified and provided with the support they need to begin rebuilding their lives through the National Referral Mechanism (NRM). The NRM ensures that victims are safeguarded and supported based on their individual recovery need, with a focus on making good use of existing mainstream services. Furthermore, the five-year Government funded Modern Slavery Victim Care Contract, delivered by The Salvation Army, went live on 4 January 2021, and delivers a needs-based service, aligned to the requirements of individual victims.

62. There has been a continued uplift in operational activity over the last year to tackle modern slavery, involving a range of law enforcement agencies. The number of live police operations has increased since the Modern Slavery Act became law, from 188 police operations in December 2016 to at least 4,388 in May 2022. We have invested an additional £1.4million in policing in 2022/23 on top of core policing funding, under the Modern Slavery and Organised Immigration Crime Programme to support the police in improving the response to modern slavery and links to organised immigration crime as well as driving forward work to increase modern slavery prosecutions. The UK Government also works closely with criminal justice partners, to ensure more criminals are successfully prosecuted, and with the Gangmasters and Labour Abuse Authority to stop those exploiting vulnerable workers through forced labour.

## C. Conditions of Detention

### Prisons

63. In England and Wales, the UK Government has committed to deliver 20,000 additional prison places by the mid-2020s. The new design has a focus on purposeful activity, including 16 classrooms per prison to help prisoners gain qualifications, and 500 workshop places per prison. This will equip offenders with skills for the future, making them more employable and less likely to reoffend.

64. There has also been a substantial increase in capital maintenance investment to improve deteriorating conditions in the England and Wales prison estate. This investment will deliver fire safety upgrades to around 30,000 prison places by the end of 2024-25, replace dilapidated temporary accommodation with new improved modular units, deliver major refurbishments to accommodation, and renew critical assets such as windows, electrical, heating and sanitary systems. Contracted Facilities Management providers have been successful in keeping critical assets in working order in addition to ensuring that approximately 10,000 cells each year are returned to use quickly following vandalism.

65. From November 2018, a Challenge, Support and Intervention Plan process was mandated by the UK Government across the England and Wales adult prison estate to improve identification and management of those who pose a higher risk of being violent. The prison service has further developed a Risk Identification toolkit to assist staff in their understanding of safety risk factors, including those that are more prevalent on arrival, as well as those that may manifest and develop during a prisoner's time in custody. Debt, particularly drug-related debt, is a significant driver of violence across the estate. The UK prison service was the first to introduce mandatory drug tests

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<sup>46</sup> [Find modern slavery statements - GOV.UK \(modern-slavery-statement-registry.service.gov.uk\)](https://www.gov.uk/modern-slavery-statement-registry)

for new psychoactive substances (PS) and have made it a criminal offence to possess PS in prison. More than 300 sniffer dogs have been trained specifically for detection of PS. Establishments are supported to set up Incentivised Substance Free Living areas to enable prisoners who can demonstrate they are not misusing drugs to receive intensive support to better meet their needs. Prisons continue working closely with the National Health Service to strengthen the delivery of substance misuse services.

66. Guidance from the National Health Service, academic research, inpatient mental health services and information from prisoner focus groups was used to develop guidance for staff on supporting someone who is self-harming within the England and Wales prison estate. For example, the Safety Support Skills training package includes modules on suicide and self-harm, and a revised version of the Assessment, Care in Custody and Teamwork case management approach, provides an improved focus on identifying and addressing risks, triggers and protective factors. The UK Government continues to award an annual grant to the Samaritans-supported Listeners scheme,<sup>47</sup> which trains selected prisoners to provide emotional support to fellow prisoners. Further funding has been provided to develop a support service, providing additional support to prisons in the period following a self-inflicted death, in order to reduce the risk of further such deaths.

67. Throughout the COVID-19 pandemic, prison operations in England and Wales have been guided by public health advice and practice; in particular a comprehensive COVID-19 testing programme for staff and prisoners has been rolled out, alongside non-pharmaceutical interventions and population management controls to prevent and manage outbreaks. Additionally, innovative wastewater analysis has been conducted across parts of the estate to test the capability for early detection of COVID-19. Prisoners have had access to COVID-19 vaccines and boosters at the same time as the wider population, in support of the 'principle of equivalence' for prison healthcare. More generally, prison regime reform is being supported by ensuring that the new regime models have a focus on health and wellbeing and that this is informed by a strong Occupational Therapy evidence base drawing on National Health Service expertise.

68. The Scottish Government is responsible for the Scottish prison system. The Scottish Prison Service (SPS) monitors its population and where areas of pressure occur, decisions are made to transfer individuals between establishments. Consultation on bail and release from custody arrangements in Scotland ran between 15 November 2021 and 7 February 2022. The consultation sought views on the formalisation of executive release powers, future use of Home Detention Curfew, the use of electronic monitoring as well as simplifying the legal framework around decisions relating to bail and remand.

69. HM Inspectorate of Prisons for Scotland published revised Standards for Inspecting and Monitoring Prisons in Scotland in May 2018.<sup>48</sup> The revised Standards make clearer the Inspectorate's human rights-based approach to inspection and monitoring of Scotland's prisons. The SPS has been taking forward the priorities for modernising the Scottish prison estate. This includes the new female custodial estate and the replacement prisons for HMP Inverness and HMP Barlinnie, with anticipated operational dates of 2022, 2024 and 2026 respectively.

70. The SPS's Annual Report and Accounts 2020-21<sup>49</sup> show that there have been reductions in all types of assaults in Scottish prisons. This includes reductions in both 'Serious Prisoner on Staff assaults' and in 'Minor and No Injury Prisoner on Staff' assaults. There have also been reductions in

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<sup>47</sup> [The Listener scheme | How we can help | Samaritans](#)

<sup>48</sup> <https://www.prisoninspectorscotland.gov.uk/standards>

<sup>49</sup> <http://www.sps.gov.uk/Corporate/Publications/Publication-8014.aspx>

'Serious Prisoner on Prisoner Assaults' which reduced 2020-21 to 67 in comparison to 112 incidents in 2019-20.

71. The SPS is developing a new Health and Wellbeing Strategy that recognises the increasing complexities and underlying health conditions of prison populations in comparison to the wider population and will provide the overarching framework for all health-related strategies. The SPS is also developing a Strategy for working with women in custody. This will set out plans for practice, tools and services that are gender specific, and trauma informed, matched to the specific needs and characteristics of women in custody. It will also cover support to improve women's mental and physical health and wellbeing and recovery from addictions.

72. HM Prisons Anguilla ensures that the Mandela rules, particularly those relating to prisoner healthcare are strictly followed. Similarly, in St Helena efforts have been made to improve general cell conditions, and there are plans to build new prisons that will conform to UK standards.

#### Military settings

73. The UK continues to make every effort to investigate, or support investigations by partner agencies, into any allegations of misconduct by UK military personnel promptly and effectively. The UK Government has gone to significant lengths to ensure that allegations stemming from operations in Iraq, Afghanistan and elsewhere in the world have been investigated fully and lessons learned. The UK Government has also conducted two external reviews of the Service Justice System – the Lyons Review<sup>50</sup> and Henriques Review<sup>51</sup> – to ensure that the Service Justice System has the most up to date skills and processes in place and remains fit for purpose.

### D. Poverty and Welfare

74. The UK Government is committed to a sustainable, long-term approach to tackling poverty. The latest published data shows that in 2020-21, there were 1.2 million fewer people in absolute poverty, including 200,000 children, before housing costs, compared to 2009-10. The UK Government's approach is based on clear evidence that employment, particularly full-time employment, substantially reduces the risks of poverty. The latest statistics for in-work poverty show that in 2019-20, where both parents worked full-time, there was only a 3% chance of children living in poverty (absolute, before housing costs), compared with 42% where one or more parents in a couple was in part-time work. In the UK there are 1.3million job vacancies, the UK Government's expanded, multi-billion-pound Plan for Jobs is helping more people to find work and boost their wages. In March 2022, there were almost 1 million fewer workless households and almost 540,000 fewer children in workless households compared to 2010.

75. The UK has a strong welfare system. In 2022-23 the UK Government is spending over £254 billion through the welfare system (UK) including £108 billion on people of working age (across England, Scotland and Wales), £134 billion on Pensioners. The UK Government is providing £37 billion worth of Cost-of-Living support in 2022/23 including a £650 payment, made in two instalments, for people on a qualifying means-tested benefit. Also included is an additional £500 million to help households across the UK with the cost of essentials bringing the total funding for this

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<sup>50</sup> <https://www.gov.uk/government/publications/service-justice-system-review>

<sup>51</sup> <https://www.gov.uk/government/publications/sir-richard-henriques-review-report-on-strengthening-the-service-justice-system>



type of support to £1.5 billion since October 2021. In England, this funding will be delivered from October through the Household Support Fund which is already providing £421million of support between April and September 2022. The devolved administrations will receive a further £79 million through the Barnett formula.<sup>52</sup>

76. The UK Government is bound by law<sup>53</sup> to complete an annual review of benefit and pension rates to determine whether they have retained their value in relation to the general level of prices or, in some cases, earnings. In April 2020, working age benefits were increased by the Consumer Price Index (CPI) of 1.7%. In April 2021, there was a further CPI increase of 0.5% and in 2022-23, benefits increased by 3.1%. The cost of up-rating benefits for working age people in 2022/23 is estimated to be £2.6 billion.

77. The UK Government is making sure work pays, allowing low-income working households on Universal Credit to keep more of what they earn by reducing the Universal Credit taper rate from 63% to 55% and increasing Universal Credit work allowances by £500 a year – meaning around 1.7 million families in the UK will keep an average of £1,000 extra a year.

78. The Scottish Government and the Convention of Scottish Local Authorities (COSLA) published the *Ending Destitution Together* strategy<sup>54</sup> in March 2021. The strategy aims to improve support for people at risk of destitution because they are subject to a No Recourse to Public Funds (NRPF) condition. The principles of prevention, partnership and personalisation inform the strategy's approach, and it sets out a range of actions in the areas of essential needs; advice and advocacy; and inclusion.

79. The Welsh Government's Programme for Government sets out its commitment to 'protect, re-build and develop our services for vulnerable people' and improve outcomes for low-income households. This includes continuing support for the flagship Flying Start programme,<sup>55</sup> and additional funding for childcare where parents are in education and training. For 2022-23, the Welsh Government has allocated £3.9million to support action which tackles the root causes of food poverty and increases activity which addresses food insecurity.

80. On 14 February 2022, the Welsh Government announced a package of support worth more than £330million, to help Welsh households manage the cost-of-living crisis. This will help fund a cost-of-living payment for all households which receive support from the Council Tax Reduction Scheme. The funding will ensure that our Winter Fuel Support Scheme, a £51.7million package of funding to help low-income households meet the pressures on living costs in winter, can be extended for a further year to run again next winter. This is in conjunction with the plan to tackle fuel poverty 2021-2035,<sup>56</sup> published in March 2021.

81. The Wales Delivery Plan for Financial Wellbeing,<sup>57</sup> for those most in need and vulnerable groups, will be the focus of delivery between 2021-23. A review phase between 2023-2024 has been built in to ensure that, throughout its 10-year lifespan, deliverables in the Plan remain flexible and relevant.

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<sup>52</sup> <https://www.gov.uk/government/publications/devolved-administration-funding-and-the-barnett-formula/devolved-administration-funding-and-the-barnett-formula>

<sup>53</sup> [Social Security Administration Act 1992 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1992/16/section-1)

<sup>54</sup> <https://www.gov.scot/publications/ending-destitution-together/>

<sup>55</sup> [Flying Start Health Programme Guidance \(gov.wales\)](https://www.gov.wales/flying-start-health-programme-guidance)

<sup>56</sup> [Tackling fuel poverty 2021 to 2035 \[HTML\] | GOV.WALES](https://www.gov.wales/tackling-fuel-poverty-2021-to-2035)

<sup>57</sup> [Delivery Plan for Wales | The Money and Pensions Service](https://www.gov.wales/delivery-plan-for-wales)

82. In Jersey, Income Support has replaced many of the benefits previously paid through States' Departments and the Parish Welfare system, and is delivered from a central location, with one application form and a means-test based on household income. Income Support is available to permanent residents of the Island. Additionally, the latest minimum wage increases, which took effect from 1 January 2022, will see minimum wage rates rising from £8.32 to £9.22. Lastly, the Employment Forum will undertake a fundamental review of the Employment Law framework, with particular emphasis on the level of employee protections to ensure that employees are treated fairly and appropriately, and a review of the operation of zero-hours contracts.

83. In 2018, Guernsey amended its social welfare system, including replacing its supplementary benefit scheme and rent rebate scheme with an income support scheme. Separately, the Guernsey's parliament agreed a medium-term plan for increasing the rate of the minimum wage to 60% of median earnings (based on a 40-hour working week) over a five-year period.

#### Mitigating the impacts of poverty on children

84. The UK is fully committed to safeguarding children against the impacts of poverty and has implemented various policies to combat this and facilitate social mobility amongst the most disadvantaged families. In England, for example, around 1.7million pupils are currently eligible for free school meals under the benefits-based criteria, saving families around £400 per year. The Government is also investing over £200 million a year, for the next three years in our Holiday Activities and Food programme – providing free school holiday club places with enriching activities and healthy meals for children who receive free school meals. The UK Government provides a range of financial support for students in England in addition to free meals, to enable them to participate and stay in further education, including bursaries to help with the cost of travel, books, and equipment, in addition to support for childcare and residential costs.

85. School pupils from economically disadvantaged backgrounds in England attract additional funding through the core school funding, to help schools to raise their attainment levels and support social mobility. In 2022-23, each economically disadvantaged school pupil attracts approximately £2,000 additional funding. The Government also provides 'disadvantage' funding to institutions through the national funding formula to attract, retain and support disadvantaged students between the ages of 16 and 19.

86. In Wales, the Children and Families (Wales) Measure 2010 provides the legislative framework for tackling child poverty. It places a duty on Welsh Ministers and named public bodies to publish a Child Poverty Strategy which sets out objectives for tackling child poverty and the actions they will take to achieve the objectives. The objectives of the 2015 Child Poverty Strategy are to reduce the number of children living in workless households, increase the skills of parents and young people, reducing inequalities in education, health and economic outcomes, create a strong economy and labour market and action to increase household income.

87. In Scotland, the Child Poverty (Scotland) Act 2017<sup>58</sup> demonstrates the Scottish Government's ambition to tackle child poverty, requiring Scottish Ministers to publish Tackling Child Poverty Delivery Plans<sup>59</sup> outlining actions to drive progress against the targets set. The Act also commits Scottish Ministers to publishing annual progress reports towards meeting the child poverty targets and implementing the Delivery Plan. The most recent annual report highlights that in 2020-21,<sup>60</sup> the

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<sup>58</sup> <https://www.legislation.gov.uk/asp/2017/6/contents/enacted>

<sup>59</sup> <https://www.gov.scot/publications/child-chance-tackling-child-poverty-delivery-plan-2018-22/>

<sup>60</sup> <https://www.gov.scot/publications/tackling-child-poverty-third-year-progress-report-2020-2021/>

Scottish Government invested around £2.5billion to support low-income households. The Scottish Government has also introduced a wide range of additional support to protect people and communities, including expanding universal provision of free school meals during school term-time and funding provision in lieu of free school meals during school holidays for families in receipt of eligible qualifying benefits.

88. Savings generated from changes to Guernsey's benefits system have been redirected to fund specific children's services, including subsidised GP and nurse consultations and Emergency Department visits and a free annual dental check-up.

## E. Children's Rights

### UN Convention on the Rights of the Child (UNCRC)

89. The UK Government strongly supports the principles laid out in the UNCRC. The UK's existing domestic legislation gives effect to the UNCRC and safeguards the rights of children. We have acted to strengthen and enhance primary legislation, such as the Children's Acts of 1989 and 2004, secondary legislation and statutory guidance, to promote children's welfare. Section 11 of the 2004 Act places duties on a range of organisations, including local authorities, the police and health services to ensure their functions are discharged with regard to the need to safeguard the welfare of children. Statutory guidance to Directors of Children's Services requires them to have regard to the general principles of the UNCRC and ensure that children and young people are involved in the development and delivery of local services.

90. The Children and Young People (Scotland) Act 2014<sup>61</sup> requires Ministers to report to the Scottish Parliament every three years on progress to give better effect to the principles of the UNCRC and their plans for the subsequent three-year period. The latest action plan,<sup>62</sup> includes building the capacity for public authorities to take a child rights-based approach in the design and delivery of services and ensuring that Scottish society as a whole is aware of and understands the UNCRC.

### Tackling child exploitation and abuse

91. The UK Government is firmly committed to tackling all forms of child sexual exploitation and abuse. Our approach to tackling this complex and evolving threat is underpinned by the Government's Tackling Child Sexual Abuse Strategy,<sup>63</sup> which focuses on supporting frontline professionals in education, social care and health, and working with industry and law enforcement partners and wider criminal justice system to confront child sexual abuse, bring offenders to justice, and provide support to victims and survivors.

92. In England, in 2019-2022, the UK Government has funded a £2 million Tackling Child Exploitation Support Programme to improve local areas' strategic responses to harms outside the home including child sexual and child criminal exploitation. In 2021-22, £1.5 million was provided through the Covid Regional Recovery Fund to support seven regions to trial new approaches to safeguarding adolescents from child criminal exploitation.

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<sup>61</sup> <https://www.legislation.gov.uk/asp/2014/8/contents/enacted>

<sup>62</sup> <https://www.gov.scot/publications/progressing-human-rights-children-scotland-action-plan-2021-2024/>

<sup>63</sup> [Tackling Child Sexual Abuse Strategy 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/90442/tackling-child-sexual-abuse-strategy-2021.pdf)

93. On 1 September 2020, the UK Government made Relationships, Sex and Health (RSHE) Education compulsory subjects for all schools. The new RSHE curriculum has a clear focus on healthy, respectful relationships and ensuring pupils understand topics such as grooming, sexual exploitation and domestic abuse, including coercive and controlling behaviour.

94. The UK is recognized as a global leader in tackling child sexual exploitation and abuse, and continues to collaborate closely with international partners to establish common global standards and build international capacity to combat this threat. This includes ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) in 2018.

95. Scotland and Wales have outlawed the use of any form of physical punishment on children, and from April 2020, smacking children has been banned in Jersey.

96. In the Isle of Man, the Safeguarding Act 2018 established a Safeguarding Board to support the safeguarding of children and vulnerable adults and created a duty to promote such safeguarding.

97. In Anguilla there have been numerous developments in the strengthening of children's rights, including the passage of legislations such as the Child Protection Action 2018.<sup>64</sup> In the Pitcairn Islands, a 2017 review of child safeguarding practices found that there was a much-improved awareness of child safety concerns among the community.

## F. Other Human Rights Areas

### Human Rights Training of Public Officials

98. The Code for Crown Prosecutors provides that "prosecutors must apply the principles of the ECHR... at each stage of a case". Legal guidance is published online to assist Crown Prosecutors in applying the Code when exercising prosecutorial discretion in their decision making. The guidance ensures that decisions are fair, transparent, and consistent. It has been drafted to comply with international and national obligations placed on the Crown Prosecution Service (CPS) in England as a public authority. The guidance also applies relevant provisions of the ECHR and is used to inform and supplement training provided to CPS prosecutors.

99. The College of Policing sets and maintains training standards for policing and published a Code of Ethics in 2014,<sup>65</sup> which includes equality and diversity among the standards of professional behaviour in the police. The Code is currently being refreshed. The College's foundation training for all those entering the police service includes substantial coverage of police ethics and equalities. The UK Government has funded the College of Policing to develop a National Police Leadership Centre to create a strong professional framework and standards in policing leadership at all levels.

100. In Scotland, following the recommendations from the Policing - complaints handling, investigations and misconduct issues: independent review,<sup>66</sup> a Strategic Oversight Board has been set up to mainstream equality, diversity and inclusion throughout Police Scotland, in all aspects of planning and delivery. The board also ensures that Police Scotland's statutory obligations under the Equality Act 2010 are fulfilled. An Independent Review Group has also been established to support

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<sup>64</sup> [PART I \(cepal.org\)](https://www.cepal.org)

<sup>65</sup> [code\\_of\\_ethics.pdf \(college.police.uk\)](https://www.college.police.uk/code_of_ethics.pdf)

<sup>66</sup> [Policing - complaints handling, investigations and misconduct issues: independent review - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2020/04/20200401_policing-complaints-handling-investigations-and-misconduct-issues-independent-review/)

Police Scotland to deliver sustainable improvement to Equality, Diversity and Inclusion outcomes across the service. A report on findings and progress towards the outcomes is expected in September 2022.

101. Human Rights Training has been in place for Civil Servants & Public Servants of the Cayman Islands since 2012, covering topics such as equality and non-discrimination, prohibition of torture and children's rights.

#### Human Rights and Counterterrorism

102. The UK Government continues to consider that its terrorism legislation and measures comply with the UK's international human rights obligations. The UK is committed to ensuring that its counter-terrorism legislative framework continues to apply to all members of the public without regard to their race, ethnic background or religion, and does not target individuals or groups on this basis. For example, an Equality Statement<sup>67</sup> was published for the Counter-Terrorism and Sentencing Act 2021, considering the potential effects of the proposals according to the nine protected characteristics under the Equality Act 2010<sup>68</sup>. It concluded that the measures are unlikely to result in indirect discrimination because they do not put people with protected characteristics at a disproportionate disadvantage.

103. The UK Government has various mechanisms by which the use and impact of counter-terrorism legislation is kept under review. Primary legislation in the UK Parliament is routinely subject to post-legislative scrutiny, which analyses how the laws have worked in practice since coming into force. For example, in 2021 the UK Government published a memorandum<sup>69</sup> to the Home Affairs Select Committee on post-legislative scrutiny of the Counter-Terrorism and Security Act 2015. Furthermore, the UK Government is required by the Terrorism Act 2006 to appoint an Independent Reviewer of Terrorism Legislation (IRTL), currently Jonathan Hall QC, to ensure that counter-terrorism legislation is effective, fair and proportionate. This helps to provide transparency, inform public and political debate, and maintain public and Parliamentary confidence in the exercise of counter-terrorism powers. To allow the IRTL to perform their duties they have full access to highly sensitive government information relating to counter-terrorism and staff and operational partners working in this area. The Government is required to publish and lay before Parliament the IRTL's annual reports and recommendations and provide a full Government response. In their annual report on the Terrorism Acts in 2019, the IRTL commented that their 'overall assessment is that the legislation is well understood, and conscientiously deployed'.<sup>70</sup>

#### Response to the Covid-19 Pandemic

104. In response to the Covid-19 pandemic, the UK Government put in place a variety of measures to protect lives and livelihoods. Where aspects of the response related to reserved matters the UK Government response was for the whole of the UK, and where the aspects related to devolved matters the UK Government response related to England, with the Devolved Administrations responsible for these aspects of the response in Scotland, Wales and Northern Ireland. The UK Government and the Devolved Administrations worked closely together throughout the response to facilitate a coordinated response wherever possible.

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<sup>67</sup> [cts-equality-statement.pdf \(publishing.service.gov.uk\)](#)

<sup>68</sup> [Equality Act 2010 \(legislation.gov.uk\)](#)

<sup>69</sup> [Memorandum to the Home Affairs Committee \(publishing.service.gov.uk\)](#)

<sup>70</sup> [The Terrorism Acts in 2019 - GOV.UK \(www.gov.uk\)](#)

105. The UK Government led procurement of the Covid vaccination for the whole of the UK, working closely with the Devolved Administrations on vaccine delivery in Scotland, Wales and Northern Ireland. In England vaccination against Covid-19 was undertaken with explicit consideration of mitigating inequalities, such as offering vaccination without an NHS Number for the homeless and refugees. In its efforts to combat disparities in outcomes for ethnic minority groups during the Covid-19 pandemic, the UK Government took a number of steps to drive up vaccination rates among these groups, including investing over £46million in a nationwide army of vaccine ambassadors and Community Vaccine Champions assisting 60 local authorities with the lowest uptake rates<sup>71</sup>. This was part of a wider review of the disproportionate impact of COVID-19 on ethnic minorities led by the Minister for Equalities, Kemi Badenoch MP. Backed by award-winning research, the four reports from this review improved the government's understanding of the key risk factors driving this disproportionality and helped to shape the government's response.

106. In England, the UK Government has tried to minimise the impacts of the pandemic on children as far as possible. For example, over 1.95 million laptops and tablets have been provided to disadvantaged children and young people as part of a £520million government investment to support access to remote education and online social care services. The UK Government also provided support for over 130,000 families in England to get online through uplifts in mobile data and 4G wireless routers. This included partnering with the UK's leading mobile operators to provide free data to help over 33,000 disadvantaged children get online and delivering over 100,000 4G wireless routers for pupils without connection at home. Funding was also provided to support schools and Further Education providers in England, in providing internet access for disadvantaged pupils whose face-to-face education was disrupted due to COVID-19.

107. Since the beginning of the Covid 19 pandemic, the UK Government has committed over £180million on recovery programmes to improve early language provision and train early years staff in England, including training practitioners to support parents with home learning. Progress with the Pupil Premium, a programme aiming to tackle the challenges faced by disadvantaged pupils and improve their achievement at school, was significantly dampened by the pandemic. To tackle this, the Government announced the Recovery Premium; a new one-off grant worth over £300million for state-funded schools in 2021-22 to help schools to support the most disadvantaged pupils. The Government has announced an additional £1billion for a Recovery Premium in 2022-23 and 2023-24.

#### Other achievements

108. The UK Government is delivering the biggest catch-up programme in the NHS's history, so that everyone can get the care they deserve. The new Health and Social Care Levy, along with an increase to the rates of dividend tax, will raise around £13 billion per year for spending on health and social care across the UK. Funding from the Levy, on top of the historic long-term NHS settlement announced in 2018, means that the NHS resource budget in England will increase to £162.6bn in 2024-25, up from £123.7bn in 2019-20.

109. The Government also plans to spend over £8bn in the three years from 2022-23 to 2024-25 to support elective recovery in NHS England and has also committed to a £5.9bn investment in NHS England capital over three years, to provide new beds, equipment and technology.

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<sup>71</sup> [Community Champions to give COVID-19 vaccine advice and boost take up - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/community-champions-to-give-covid-19-vaccine-advice-and-boost-take-up)