



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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## Committee against Torture

### List of issues prior to submission of the seventh periodic report of United Kingdom of Great Britain and Northern Ireland\*\*

#### Specific information on the implementation of articles 1–16 of the Convention, including with regard to the Committee’s previous recommendations

##### Issues identified for follow-up in the previous concluding observations

1. In its previous concluding observations,<sup>1</sup> the Committee requested the State party to provide information on the follow-up to the Committee’s recommendations on the sexual abuse of children in detention, accountability for any torture and ill-treatment committed by personnel of the United Kingdom of Great Britain and Northern Ireland in Iraq from 2003 to 2009, and accountability for conflict-related violations in Northern Ireland (paras. 19, 33 and 41 (a) and (d)–(f)). Noting that replies concerning the information sought by the Committee were provided on 21 August 2020,<sup>2</sup> and with reference to the letter dated 4 September 2020 from the Committee’s Rapporteur for follow-up to concluding observations, the Committee considers that the recommendations included in paragraphs 19 and 41 (a) and (d)–(f) of the previous concluding observations have been partially implemented. The recommendation in paragraph 33 has not yet been implemented.

##### Article 2<sup>3</sup>

2. Taking note of the Committee’s previous concluding observations,<sup>4</sup> please provide information on the steps taken to incorporate all the provisions of the Convention into the State party’s legislation. Please also provide examples of cases, if any, in which provisions of the Convention were used as an aid to interpret domestic law by the courts. Please provide information on the measures taken to ensure that any legislative changes do not erode the level of legal protections afforded to the prohibition of torture and other ill-treatment

\* Reissued for technical reasons on 7 July 2022.

\*\* Adopted by the Committee at its seventy-third session (19 April–13 May 2022).

<sup>1</sup> CAT/C/GBR/CO/6, para. 66.

<sup>2</sup> See CAT/C/GBR/FCO/6.

<sup>3</sup> The issues raised under article 2 could also touch on issues raised under other articles of the Convention, including article 16. As stated in paragraph 3 of the Committee’s general comment No. 2 (2007) on the implementation of article 2, the obligation to prevent torture in article 2 is wide-ranging. The obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment under article 16 (1) are indivisible, interdependent and interrelated. The obligation to prevent ill-treatment in practice overlaps with and is largely congruent with the obligation to prevent torture. In practice, the definitional threshold between ill-treatment and torture is often not clear. See also chapter V of the same general comment.

<sup>4</sup> CAT/C/GBR/CO/6, paras. 8–9.



currently provided by the Human Rights Act 1998.<sup>5</sup> Please also provide information on the measures taken to repeal section 134 (4) and (5) of the Criminal Justice Act 1988.<sup>6</sup> Please indicate what steps are being taken to draw up a Bill of Rights for Northern Ireland.<sup>7</sup> With regard to the Committee's previous concluding observations,<sup>8</sup> please provide updated information on any changes in the State party's position on the extraterritorial application of the Convention.

3. With respect to the Committee's previous concluding observations,<sup>9</sup> please provide information on the review of 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" and on measures taken to ensure compliance with the Convention. In this regard, please indicate the steps taken to: eliminate the possibility of the State party's personnel seeking assurances from foreign State agents that individuals in their custody will not be subjected to torture or ill-treatment when a serious risk exists that they will be subjected to such treatment; and require intelligence agencies and armed forces to cease interviewing or seeking intelligence from detainees in the custody of foreign security and intelligence services in all cases where there is a risk of torture or ill-treatment. Please also provide information on the measures taken to monitor the application of the consolidated guidance in practice. Please specify whether other public bodies and government officials are required to adhere to the consolidated guidance.<sup>10</sup>

4. With reference to the Committee's previous concluding observations,<sup>11</sup> please provide information on the legislative and other measures taken to set out the mandate and powers of the secretariat and members of the United Kingdom national preventive mechanism, as well as to guarantee their operational independence.<sup>12</sup> Please also provide information on the concrete steps taken to ensure that the mechanism, in particular its secretariat and member bodies, is allocated sufficient financial and human resources to allow it to discharge its preventive mandate independently and effectively.<sup>13</sup> Please explain how the State party is planning to ensure a robust independent coordination among its component bodies.<sup>14</sup> Please indicate the measures taken to allow the mechanism to conduct unannounced visits to all places of deprivation of liberty under de jure or de facto control of the State party, including military detention facilities in overseas territories and Crown dependencies.<sup>15</sup> Please include information on the mechanism's activities and achievements with respect to the prevention of torture and ill-treatment during the period under review. In this regard, please also include information about the steps taken by the State party in response to the recommendations made by the mechanism.

5. Bearing in mind the Committee's previous concluding observations,<sup>16</sup> please describe the measures taken to address low prosecution and conviction rates for domestic abuse and sexual violence and to ensure that all cases of gender-based violence, especially those involving actions or omissions by State authorities or other entities that engage the international responsibility of the State party under the Convention, are thoroughly investigated; that the alleged perpetrators are prosecuted and, if convicted, punished appropriately; and that the victims or their families receive redress, including adequate compensation. Please include statistical data, disaggregated by the age and ethnicity or nationality of the victims, on the number of complaints of gender-based violence and the investigations, prosecutions, convictions and sentences resulting from those complaints since the consideration of the State party's previous periodic report. Please also indicate the steps

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<sup>5</sup> Ibid., paras. 10–11.

<sup>6</sup> Ibid., paras. 12–13.

<sup>7</sup> [CCPR/C/GBR/QPR/8](#), para. 3.

<sup>8</sup> [CAT/C/GBR/CO/6](#), paras. 30–31.

<sup>9</sup> Ibid., paras. 36–37.

<sup>10</sup> [CCPR/C/GBR/QPR/8](#), para. 14.

<sup>11</sup> [CAT/C/GBR/CO/6](#), paras. 16–17.

<sup>12</sup> [CAT/OP/GBR/ROSP/1](#), paras. 24–29.

<sup>13</sup> Ibid., paras. 44–47.

<sup>14</sup> Ibid., paras. 27 and 52.

<sup>15</sup> Ibid., paras. 30–34.

<sup>16</sup> [CAT/C/GBR/CO/6](#), paras. 56–57.

taken to revise police practices that deter migrant women from seeking protection from the authorities in cases where they have been subjected to or are at risk of gender-based violence. Please further provide information on the efforts made to ensure that the provision of increased funding for refuges, specialist domestic abuse services and rape support centres results in all women who are victims of gender-based violence in the State party having access to the necessary support and services.

6. With regard to the Committee's previous concluding observations,<sup>17</sup> please provide information on further efforts made to prosecute and punish those responsible for trafficking in persons and to provide effective remedies to victims. Please include statistical data, disaggregated by the age, sex and ethnicity or nationality of the victims, on the number of complaints of trafficking in persons and the investigations, prosecutions, convictions and sentences resulting from those complaints since the consideration of the State party's previous periodic report. Please also provide information on the provision of redress to victims of trafficking, including data on the number of persons who benefited from protection and support measures for victims in the reporting period. In particular, please indicate what the situation is with respect to the availability of specialist care and support for child victims of trafficking. Please indicate the measures taken to enhance the training of the national referral mechanism's personnel, law enforcement officers, prison guards, border staff and other first responders on the identification of potential victims of trafficking in persons and modern slavery, and to develop specialized training programmes for support workers and those providing foster care. Furthermore, please comment on information before the Committee that the identification of victims of trafficking relies heavily on self-disclosure by victims and that the two-stage approach used by the national referral mechanism requires a standard of proof that hinders such identification.<sup>18</sup>

### Article 3

7. Further to the Committee's previous concluding observations,<sup>19</sup> please provide information on measures taken to review the application of the standard of proof in asylum decisions, including with respect to Home Office caseworkers' evaluation of medical evidence of past torture, particularly with regard to negative determinations on applications for asylum from nationals of Afghanistan and Sri Lanka. Please also indicate whether the State party is planning to amend section 94 (4) of the Nationality, Immigration and Asylum Act 2002, under which was established a list of countries considered safe for the purposes of certifying asylum claims as "clearly unfounded" and with respect to which appeals of a negative decision must be brought from outside the United Kingdom. Please clarify whether any steps have been taken to remove Ukraine from the list of safe countries for return of asylum seekers, particularly in light of recent developments. Furthermore, please provide information on the measures taken to review the Nationality and Borders Bill to ensure full compliance with the State party's obligations under international human rights and refugee law, including in relation to the protection of victims of torture or ill-treatment, trafficking in persons and contemporary forms of slavery.<sup>20</sup>

8. Please provide information on the number of asylum applications received during the period under review, the number of successful applications and the number of asylum seekers whose applications were accepted because they had been tortured or might be tortured if returned to their country of origin. Please include information, disaggregated by sex, age and country of origin or receiving country, on the number of persons who have been returned, extradited or expelled since the consideration of the State party's previous periodic report. Please provide details of the grounds on which they were sent back, including the list of countries to which individuals were returned. Please also provide updated information on any appeals that have been made and their outcome, and indicate whether such appeals have a suspensive effect. Please provide detailed information on the measures taken to identify vulnerable persons seeking asylum in the State party, including victims of torture or ill-

<sup>17</sup> Ibid., paras. 58–59.

<sup>18</sup> CCPR/C/GBR/QPR/8, para. 17.

<sup>19</sup> CAT/C/GBR/CO/6, paras. 52–53.

<sup>20</sup> See communications GBR 3/2022 and GBR 11/2021. All communications mentioned in the present document are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

treatment, trauma or trafficking, and to ensure that their specific needs are taken into consideration and addressed in a timely manner. Furthermore, please indicate the number of returns, extraditions and expulsions carried out by the State party during the reporting period on the basis of the acceptance of diplomatic assurances or the equivalent thereof, as well as any instances in which the State party has offered such diplomatic assurances or guarantees. Please provide information on the measures taken to ensure appropriate, effective and independent monitoring of individuals after extradition, expulsion or return to other countries pursuant to assurance agreements.<sup>21</sup>

#### Articles 5–9

9. With reference to the Committee's previous concluding observations,<sup>22</sup> please provide information on the measures taken by the State party to strengthen its ability to exercise universal jurisdiction over perpetrators of torture present on its territory, including by creating a specialized unit within the Metropolitan Police and the Crown Prosecution Service. Please also provide information on the State party's policy on granting special mission immunity, and indicate the measures taken to ensure that the State party does not grant immunity to individuals alleged to have committed torture. Please inform the Committee of any extradition treaties concluded with other States parties and indicate whether the offences referred to in article 4 of the Convention are included as extraditable offences in such treaties. Please describe the legislative and administrative measures taken by the State party to ensure that the Convention may be invoked as a legal basis for extradition in respect of the offences referred to in article 4 of the Convention when it receives an extradition request from a State with which it has no extradition agreement or treaty. Please indicate what measures have been adopted by the State party to comply with its obligation to extradite or prosecute (*aut dedere aut judicare*). Please clarify what treaties or agreements on mutual legal and judicial assistance the State party has entered into, and whether such treaties or agreements have led in practice to the transfer of any evidence in connection with prosecutions concerning torture or ill-treatment. Please provide examples.

#### Article 10

10. With regard to the Committee's previous concluding observations,<sup>23</sup> please provide updated information on educational programmes developed by the State party to ensure that all public officials, in particular law enforcement officials, military personnel, prison staff, border guards and medical personnel employed in prisons, are fully aware of the provisions of the Convention and the absolute prohibition of torture, and know that breaches will not be tolerated and will be investigated and that any offenders will be prosecuted. Please also provide details of the training programmes for police officers and other law enforcement officials on non-coercive investigation techniques. Please provide information on the training programmes for judges, prosecutors, forensic doctors and medical personnel dealing with detained persons on detecting and documenting the physical and psychological sequelae of torture, including whether they contain specific training with regard to the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol).<sup>24</sup> Furthermore, please indicate whether the State party has developed a methodology to assess the effectiveness of training and educational programmes in reducing the number of cases of torture and ill-treatment and in ensuring the identification, documentation and investigation of these acts, as well as the prosecution of those responsible. If so, please provide information on the methodology. Please indicate the measures taken to ensure that any cooperation and/or support that the State party may provide under bilateral or regional migration agreements is consistent with the purposes of the Convention. In this regard, please describe the steps taken to establish an effective mechanism for monitoring the implementation of cooperation projects in Libya. Lastly, please indicate the measures taken to give effect to the provisions of article 10 (2) of the Convention.

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<sup>21</sup> CCPR/C/GBR/QPR/8, para. 18.

<sup>22</sup> CAT/C/GBR/CO/6, paras. 48–49.

<sup>23</sup> Ibid., paras. 26–27 and 37 (b).

<sup>24</sup> CAT/OP/GBR/ROSP/1, paras. 67–71.

## Article 11

11. Please describe the procedures in place for ensuring compliance with article 11 of the Convention and provide information on any interrogation rules, instructions, methods and practices or arrangements for custody, in particular those that may have been introduced or updated since the consideration of the State party's previous periodic report. Please indicate the frequency with which they are reviewed. Please also provide information on the measures taken to monitor and prevent ethnic and religious profiling by law enforcement officials.<sup>25</sup>

12. Taking note of the Committee's previous concluding observations,<sup>26</sup> please describe the measures taken by the State party to reduce prison overcrowding and improve the material conditions in all places of detention,<sup>27</sup> including any measures to increase the use of alternatives to imprisonment both before and after trial. Please provide information on concrete measures taken to address concerns about deficiencies in access to appropriate health care, including mental health care, in places of detention.<sup>28</sup> Please also indicate the steps taken to ensure that persons in pretrial detention are segregated from convicted persons and are subject to separate treatment, in conformity with their status as unconvicted persons.<sup>29</sup> Moreover, please provide statistical data, disaggregated by sex, age and ethnic origin or nationality, on the number of pretrial detainees and convicted prisoners and the occupancy rate of all places of detention. Please indicate further steps taken to address the causes of the overrepresentation of persons from ethnic minorities in the criminal justice system.<sup>30</sup> Please provide information on the State party's efforts to meet the specific needs of women and children in detention. Please also indicate whether protocols are in place to meet the requirements of other groups of prisoners with particular needs, such as persons with disabilities, older persons and lesbian, gay, bisexual, transgender and intersex persons.

13. Please comment on reports of the prolonged use of segregation in prisons, including of prisoners with severe mental health conditions, and indicate whether the State party has taken measures to bring its legislation and practice on solitary confinement into line with international standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).<sup>31</sup> Please include data on the use of solitary confinement and other isolation or segregation regimes during the period under review and indicate their duration. Please also comment on reports of increasing levels of violence and of use of force and restraint in a number of places of detention, and describe the steps taken to ensure that force is only used in accordance with the law and is strictly necessary and proportionate.<sup>32</sup> Lastly, please provide information on any new legislation or measures that have been adopted relating to the application of means of restraint to persons deprived of their liberty, particularly in health-care and detention settings.

14. With regard to the Committee's previous concluding observations,<sup>33</sup> please provide information on the measures taken to ensure that all instances of death in custody are promptly and impartially investigated by an independent entity. Please also provide statistical data regarding deaths in custody during the period under review, disaggregated by place of detention; the sex, age, and ethnicity or nationality of the deceased person; and the cause of death. Please include information on the results of the investigations into those deaths and on the measures taken to prevent similar cases occurring in the future. Please indicate whether relatives received compensation in these cases. Furthermore, please report on the effectiveness of the State party's preventive strategies in reducing suicide and self-harm by those in custody.<sup>34</sup> Lastly, please describe the steps taken to reduce the incidence of inter-prisoner violence in penitentiary institutions, including efforts to recruit and train a sufficient number of prison personnel and investigate all incidents of violence while ensuring that

<sup>25</sup> CCPR/C/GBR/QPR/8, para. 8.

<sup>26</sup> CAT/C/GBR/CO/6, paras. 20–21.

<sup>27</sup> CAT/OP/GBR/ROSP/1, paras. 61–63, 80–82 and 95–96.

<sup>28</sup> Ibid., paras. 72–73, 75, 77, 85, 100–101 and 103.

<sup>29</sup> Ibid., paras. 59–60.

<sup>30</sup> Ibid., paras. 64–66.

<sup>31</sup> Ibid., paras. 74, 76 and 86–92.

<sup>32</sup> Ibid., paras. 93–94.

<sup>33</sup> CAT/C/GBR/CO/6, paras. 20–21 and 24–25.

<sup>34</sup> CCPR/C/GBR/QPR/8, para. 15; CAT/OP/GBR/ROSP/1, para. 72.

prison officials are held accountable in cases where they fail to take reasonable measures to prevent and respond to such violence.

15. With regard to the Committee's previous concluding observations,<sup>35</sup> please provide information on the measures taken during the reporting period to ensure that the detention of asylum seekers and migrants is used only as a measure of last resort, where justified as reasonable, necessary and proportionate, and for as short a period as possible, and to further implement alternatives to detention in practice. Please assess whether the implementation of the Home Office's guidance on "Adults at risk in immigration detention" and rule 35 (3) of the Detention Centre Rules 2001 have been effective in identifying victims of torture and ensuring that such individuals are not detained within the context of asylum procedures. Please indicate the steps taken to introduce independent processes, both when a decision to detain is made and during detention, for the identification of people who may face a particular risk of harm as a consequence of detention. Please provide information on measures taken to define by law a reasonable limit on the duration of administrative immigration detention, to prevent cases of de facto indefinite detention and to ensure that children and families with children are not detained solely because of their immigration status. Please describe the measures taken to guarantee that all immigration detainees have access to free legal aid, as well as judicial review or other meaningful and effective avenues to challenge the legality of their detention. Please provide information on the State party's efforts to improve the material conditions and health-care services, including mental health-care services, in all immigration centres. Lastly, please provide statistical data, disaggregated by sex, age and country of origin, on the number of asylum seekers and migrants in detention awaiting administrative deportation in the State party.

16. Further to the Committee's previous concluding observations,<sup>36</sup> please comment on reports that individuals claiming statelessness status continue to be subjected to lengthy periods of arbitrary administrative detention. Please indicate the measures taken to improve the training provided to officials responsible for making statelessness determinations, strengthen identification and referral mechanisms for stateless persons, facilitate access to legal aid for individuals making statelessness claims and ensure that applicants are able to appeal negative decisions. Please comment on information received that the standard of proof in statelessness determination procedures is very high and applicants lack assistance in evidencing their claims,<sup>37</sup> which results in a significant number of inappropriately rejected applications and a very low overall success rate for applicants.

### Articles 12–13

17. Further to the Committee's previous concluding observations,<sup>38</sup> please provide updated statistical data, disaggregated by the sex, age, and ethnicity or nationality of the victims, on complaints of acts of torture and ill-treatment recorded during the reporting period. Please include information on investigations, disciplinary and criminal proceedings and convictions and on the criminal and/or disciplinary sanctions applied, as well as on redress received by the victims or their families. Please provide examples of relevant cases and judicial decisions. Please also clarify whether the State party has established an independent and effective mechanism for addressing complaints of torture and ill-treatment in all places of deprivation of liberty.

18. Bearing in mind the Committee's previous concluding observations,<sup>39</sup> and noting the State party's follow-up replies,<sup>40</sup> please provide information on the outcome of investigations of the cases transferred from the Iraq Historic Allegations Team to the Service Police Legacy

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<sup>35</sup> CAT/C/GBR/CO/6, paras. 54–55. See also CAT/OP/GBR/ROSP/1, paras. 54–56 and 100–103; and CCPR/C/GBR/QPR/8, para. 21.

<sup>36</sup> CAT/C/GBR/CO/6, paras. 38–39.

<sup>37</sup> CCPR/C/GBR/QPR/8, para. 19.

<sup>38</sup> CAT/C/GBR/CO/6, paras. 14–15.

<sup>39</sup> Ibid., paras. 32–33.

<sup>40</sup> CAT/C/GBR/FCO/6, paras. 22–37. See also letter dated 4 September 2020 from the Rapporteur for follow-up to concluding observations (available at [https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/GBR/INT\\_CAT\\_FUL\\_GBR\\_43019\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/GBR/INT_CAT_FUL_GBR_43019_E.pdf)).



Investigations, and comment on reports indicating that most cases have been discontinued and that to date, none of the investigations initiated by the Team have resulted in prosecution.<sup>41</sup> Please also describe the steps taken to set up a single, independent public inquiry to investigate all allegations of torture and ill-treatment of Iraqi citizens by the United Kingdom armed forces in Iraq between 2003 and 2009 and to establish responsibility and ensure accountability for such crimes. Furthermore, please provide information on the actions taken, including judicial investigations, prosecutions and effective remedies to victims, based on the findings contained in the 2018 reports on overseas detainee mistreatment and rendition of the Intelligence and Security Committee of Parliament.<sup>42</sup> Lastly, please indicate whether the State party is planning to review the Overseas Operations (Service Personnel and Veterans) Act 2021 to remove the statute of limitations of six years for civil claims to be brought by victims seeking redress for death, personal injury and other human rights violations occurring in the context of overseas military operations conducted by the United Kingdom.

19. With reference to the Committee's previous concluding observations,<sup>43</sup> please comment on information before the Committee that the State party failed to set up an independent judge-led inquiry into allegations of torture and ill-treatment, including by means of complicity, of detainees held by other countries in counter-terrorism operations overseas. Furthermore, please provide information on measures taken to ensure that all acts of torture and ill-treatment of detainees held overseas allegedly committed by, at the instigation of or with the consent or acquiescence of British officials, are promptly, thoroughly and impartially investigated and that perpetrators are duly prosecuted and punished appropriately, and that victims obtain adequate redress.

20. With respect to the Committee's previous concluding observations,<sup>44</sup> and noting the State party's follow-up replies,<sup>45</sup> please provide updated information on the implementation of the Stormont House Agreement between the Governments of Ireland and the United Kingdom and the Northern Ireland Executive, in particular with regard to the establishment of the mechanisms it contemplates for investigating conflict-related violations. Please provide information on the historical investigations unit, including information on steps taken to expand its mandate to ensure that effective and independent investigations are conducted into outstanding allegations of torture and ill-treatment committed during the conflict, regardless of whether the act resulted in the death of the victim or not. Please describe the measures taken to ensure a full, transparent and credible account of the circumstances surrounding events in Northern Ireland with a view to identifying, prosecuting and punishing perpetrators of human rights violations, including torture and ill-treatment, and providing appropriate redress for victims. Please provide information on steps taken to launch a thorough, transparent and independent investigation on the killing of Patrick Finucane, following the judgment issued on 27 February 2019 by the Supreme Court, in which it determined that the State party had not carried out an effective investigation concerning the case. Please indicate the measures taken to revise the draft Northern Ireland (Stormont House Agreement) Bill to ensure that the ability of the historical investigations unit to publish information concerning its investigations is not unduly restricted by claims of national security concerns. Please provide information on the measures taken to protect journalists and human rights defenders from intimidation or reprisals for disclosing information allegedly establishing the involvement of State agents in conduct prohibited by the Convention. Lastly, please comment on reports indicating that the Government's new approach to legacy investigations set out in its written ministerial statement of 18 March 2020 may introduce what amounts to a mechanism for impunity regarding the serious human rights violations committed during "the Troubles" in Northern Ireland.<sup>46</sup>

<sup>41</sup> CCPR/C/GBR/QPR/8, para. 7.

<sup>42</sup> Ibid.

<sup>43</sup> CAT/C/GBR/CO/6, paras. 34–35.

<sup>44</sup> Ibid., paras. 40–41.

<sup>45</sup> CAT/C/GBR/FCO/6, paras. 38–46. See also letter dated 4 September 2020 from the Rapporteur for follow-up to concluding observations.

<sup>46</sup> See communication GBR 8/2021.

21. With reference to the Committee's previous concluding observations,<sup>47</sup> and noting the State party's follow-up replies,<sup>48</sup> please provide information on further steps taken to ensure that all cases of violence, especially sexual abuse, against children in detention, including those documented by the Independent Inquiry into Child Sexual Abuse, are promptly, impartially and effectively investigated; that substantiated allegations result in the prosecution and punishment of perpetrators with appropriate sanctions; and that victims receive adequate redress. Please include statistical data, disaggregated by the age, sex, and ethnicity or nationality of the victims, on the number of complaints, investigations, prosecutions, convictions and sentences handed down in cases of sexual abuse of children in detention since the consideration of the State party's previous periodic report. Please also provide information on specific measures taken to establish effective inspection and complaints mechanisms that are genuinely accessible to children in detention. Lastly, please describe further efforts to provide specialized training to judges, prosecutors and police officers in preventing the abuse of children in detention and in dealing with claims of such abuse.

#### **Article 14**

22. With regard to the Committee's previous concluding observations,<sup>49</sup> please indicate whether the State party has taken any steps to review its legislation to ensure that all victims of torture are able to access remedy and obtain redress in the United Kingdom, wherever the acts of torture have occurred and regardless of the nationality of the perpetrator or the victim. Please provide information on redress and compensation measures, including the means of rehabilitation, ordered by the courts or other State bodies and actually provided to the victims of torture or their families since the consideration of the State party's previous periodic report. Please include the number of requests for compensation that have been made, the number granted and the amounts ordered and actually provided in each case. Please also provide information on any ongoing reparation programmes, including the treatment of trauma and other forms of rehabilitation, provided to victims of torture and ill-treatment and on the material, human and budgetary resources allocated for their effective functioning.

23. With regard to the Committee's previous concluding observations,<sup>50</sup> please provide information on measures taken to fully implement the recommendations of the Historical Institution Abuse Inquiry report and to provide victims of physical and sexual child abuse in children's homes and other residential institutions run by religious, charitable and state organizations in Northern Ireland between 1922 and 1995 with redress, including compensation and the means for as full a rehabilitation as possible. Please also indicate the steps taken to expedite the process of carrying out an impartial and effective investigation into the historical practices of institutions not covered by the inquiry, namely the Magdalen laundries and mother-and-baby homes in Northern Ireland, in order to promptly identify victims of ill-treatment inflicted at those institutions and provide them with adequate redress.

#### **Article 15**

24. Please provide information on the concrete measures taken to ensure respect in practice of the principle of inadmissibility of evidence obtained through torture or ill-treatment. Please also provide examples of any cases that have been dismissed by the courts owing to the introduction of evidence or testimony obtained through torture or ill-treatment.

#### **Article 16**

25. With reference to the Committee's previous concluding observations,<sup>51</sup> please indicate the steps taken to ensure that the use of electrical discharge weapons is strictly compliant with the principles of necessity, subsidiarity, proportionality, advance warning

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<sup>47</sup> CAT/C/GBR/CO/6, paras. 18–19.

<sup>48</sup> CAT/C/GBR/FCO/6, paras. 9–21. See also letter dated 4 September 2020 from the Rapporteur for follow-up to concluding observations.

<sup>49</sup> CAT/C/GBR/CO/6, paras. 50–51.

<sup>50</sup> Ibid., paras. 44–45.

<sup>51</sup> Ibid., paras. 28–29.



(where feasible) and precaution. Please provide details on measures taken to provide clear presumptions against the use of tasers on vulnerable groups, to investigate the causes of their disproportionate use against members of minorities, and to prohibit their use in drive stun mode. Please also provide information on any instances of alleged excessive use of force that have occurred as a result of using such devices, and on the outcomes of any investigations into those cases.

26. With reference to the Committee's previous concluding observations,<sup>52</sup> and noting the recent decriminalization of abortion in Northern Ireland in any circumstances up to the twelfth week of gestation, please include information about the material scope and implementation of recently adopted regulations governing the provision of abortion services in Northern Ireland. Please provide information on steps taken to raise awareness about safe and legal abortion services, to provide training to public officials and health professionals and to destigmatize abortion in Northern Ireland. Please also discuss any measures taken to improve access to safe and affordable abortion and post-abortion services for all women and girls in Northern Ireland. Please comment on reports indicating that women seeking lawful abortions in Northern Ireland continue to face obstacles from some health-care professionals unwilling to carry out the procedure.

27. With respect to the Committee's previous concluding observations,<sup>53</sup> please indicate the steps taken to review the terms of the so-called "tied" visa for migrant domestic workers in order to restore the visa holder's right to freely change employer. Please describe further efforts by the State party to encourage migrant domestic workers who are subjected to ill-treatment to report their abuse to the relevant authorities.

28. With respect to the Committee's previous concluding observations,<sup>54</sup> please provide information on measures taken to address the reported increase in the incidence of racist, xenophobic, anti-Semitic, anti-Muslim, anti-disabled, homophobic and transphobic hate crimes. Please also comment on information received regarding underreporting and very low conviction rates related to hate crimes, especially with an enhanced sentence for hostility on the basis of a protected characteristic. Please indicate the steps taken to intensify awareness-raising and training activities on hate crimes for police officers in order to improve their initial handling of these cases.

## Other issues

29. Please provide updated information on the measures taken by the State party to respond to the threat of terrorism. Please describe whether those measures have affected human rights safeguards in law and in practice and, if so, how they have affected them. Please also describe how the State party has ensured that those measures are compatible with all its obligations under international law, especially the Convention. Furthermore, please indicate what training is given to law enforcement officers in this area; the number of persons who have been convicted under legislation adopted to combat terrorism; the legal remedies and safeguards available in law and in practice to persons subjected to antiterrorism measures; and whether there have been complaints of the non-observance of international standards and, if so, what the outcome was. Please also provide information on: the average and maximum duration of pre-charge detention in terrorism cases; the potential misuse of arrest powers under section 41 of the Terrorism Act 2000; and the blanket denial of bail to persons arrested under section 41 of the Terrorism Act 2000.<sup>55</sup> Please also comment on the compatibility of the Counter-Terrorism and Sentencing Bill with the Convention.<sup>56</sup>

30. Given that the prohibition of torture is absolute and cannot be derogated from, including within the framework of measures related to states of emergency and other exceptional circumstances, please provide information on any steps taken by the State party during the coronavirus disease (COVID-19) pandemic to ensure that its policies and actions

<sup>52</sup> Ibid., paras. 46–47.

<sup>53</sup> Ibid., paras. 60–61.

<sup>54</sup> Ibid., paras. 62–63.

<sup>55</sup> CCPR/C/GBR/QPR/8, para. 12.

<sup>56</sup> See communication GBR 7/2020.

comply with its obligations under the Convention. In addition, please specify the measures taken in relation to persons deprived of their liberty and in other situations of confinement, such as in homes for the elderly, hospitals or institutions for persons with intellectual or psychosocial disabilities.

**General information on other measures and developments relating to the implementation of the Convention in the State party**

31. Please provide detailed information on any other relevant legislative, administrative, judicial or other measures taken since the consideration of the State party's previous periodic report to implement the provisions of the Convention or the Committee's recommendations. Such measures may include institutional developments, plans or programmes. Please indicate the resources allocated and provide statistical data. Please also provide any other information that the State party considers relevant.

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