



## **Multi-Agency Policy and Procedures**

### **Honour Based Abuse and Forced Marriage**

**April 2021**

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## Part A: Introduction and definition

### Introduction

This guidance is for professionals working with children, young people, their families and adults at risk of or experiencing honour-based abuse (HBA) and/or forced marriage. The purpose of the document is to raise awareness of Honour Based Abuse and Forced Marriage and to provide clear local procedures where there are concerns about these issues.

This document is supported by:

- [The Right to Choose: Multi Agency Statutory Guidance for Dealing with Forced Marriage \(2014\)](#)
- [Handling Cases of Forced Marriage: Multi-Agency Practice Guidelines \(2014\)](#)

The Right to Choose (2014) covers both HBA and forced marriage.

The use of the term 'honour' in relation to abuse perpetrated against women, men and children continues to be challenged by many. There is not, and indeed cannot be any honour or justification for the abuse of human rights of and crimes committed against women, men and children. There is only shame and dishonour in the perpetration of such crimes and abuse of human rights. Throughout this document the term honour-based abuse has been adopted to frame the various types of abuse and violence that take place as a result of notions of honour and in line with the terminology used by academics and others.

HBA is a term for the many abuses against women, men and children. Societies have used cultural and/or religious justifications for male violence against women, girls and other people, based on traditional notions of patriarchy, women as property and acceptable behaviour, whereby an individual, family and community's honour is weighted on women and girls.

Such notions are often supported by varying degrees of social collusion and approval.

HBA sits within the wider framework of violence against women and girls. This acknowledges the gendered nature of HBA as the vast majority of victims and those at risk are female and that HBA takes place overwhelmingly within families. However there remains the issue of male victims and their ability to access services and safety.

There is less consensus that HBA should sit within the framework of domestic abuse. Some of the reasons cited for this include the nature of HBA as being different to domestic abuse in that the perpetrator is not necessarily an intimate partner or family member and that there may be multiple perpetrators including other family and community members. The collective nature of HBA offending makes it distinct from domestic abuse.

Although cases show that much of the abuse does originate from intimate partners and the immediate family, further abuse can be instigated by extended family members and members of the community who support the family's actions or collude in or perpetrate the violence on behalf of the family.

HBA does not just impact on adults but can also involve children and young people. Where it affects children and young people it is a child protection issue. HBA can lead to significant harm through physical, sexual, psychological and emotional harm. In some cases children and young people are also at risk of being murdered.

Forced marriage is also an abuse of human rights and it can affect children and young people. It can happen to both women and men, although many of the reported cases involve young women and girls aged between 16 and 25. There is no “typical” victim of forced marriage. Some may be over or under 18 years of age, some may have a disability, some may have young children and some may also be spouses from overseas.

A number of forced marriages do take place here in the UK without any form of overseas element, while a large number of others may involve a prospective partner brought into the UK from overseas or a British national being taken abroad for that purpose.

Forced marriage of any person, regardless of gender, age, disability, ethnic origin or sexual orientation, is unacceptable. Consequently, effective handling of forced marriage and related cases should form part of existing child and adult protection structures, policies and procedures. Forced Marriage is a criminal offence.

To address the increasing scale and extent of forced marriage, the UK Government established the Forced Marriage Unit (FMU) in 2005. The FMU is a joint Home Office and Foreign and Commonwealth Unit – the role of the FMU is to provide direct assistance, through information and support, to victims, as well as undertaking a full and comprehensive programme of outreach activity, raising awareness and providing advice to professionals and communities.

When providing services to victims of honour-based abuse and forced marriage professionals need to be aware of the “**one chance**” rule. That is, they may only have one chance to speak to a potential victim and thus may only have one chance to save a life. This means that all professionals working within statutory agencies need to be aware of their responsibilities and obligations when they come across honour-based abuse and forced marriage.

## **Definitions**

Honour based abuse includes forced marriage and female genital mutilation (FGM).

In certain communities, it is considered important that women undergo FGM before being able to marry – usually this will be performed during childhood, but there have been reports of young girls or young women undergoing FGM just before a forced marriage. FGM is an offence in the UK.

For further information on FGM see:

- [Multi-Agency Statutory Guidance on Female Genital Mutilation \(2016\)](#)
- [Children’s MARS Guidance for identifying and responding to concerns about FGM](#)

## **Honour-based abuse**

There is currently no statutory definition of HBA.

HBA is defined as an incident or crime involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/or community for alleged or perceived breaches of the family and/or community's code of practice. (College of Police APP, 2017).

HBA is a collection of practices, which are used to control behaviour within families and/or communities to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative or community member has shamed the family and/or community by breaking their honour code or code of behaviour. An honour code can define a family's mindset, way of life or lifestyle.

Examples of HBA may include murder, un-explained death (suicide), fear of and actual forced marriage, controlling sexual activity, domestic abuse (including psychological, physical, sexual, financial or emotional abuse), child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment and forced abortion. This list is not exhaustive. Such abuse cuts across all cultures, nationalities, faith groups and communities. It transcends national and international boundaries.

Concepts of honour and shame have long been associated with Lesbian, Gay, Bisexual and Transgender (LGBT) people in affected communities, where there are actual or threatened forced marriages and where the potential for other forms of HBA are seen as a significant and real threat. Romany Gypsies and Irish Travellers are racial groups that also have their own honour code, which governs the conduct of women and girls.

## **Forced marriage**

A forced marriage is a marriage in which one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In the cases of some vulnerable adults who lack the capacity to consent, coercion is not required for a marriage to be forced.

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage, but the choice of whether or not to accept the arrangement still remains with the prospective spouses. However, in a forced marriage, one or both spouses do not consent to the marriage but are coerced into it.

## **Part B: Understanding the issues around honour-based abuse**

HBA is a collection of practices which are used to control behaviour within families to protect perceived cultural and religious beliefs and/or honour. However, HBA is a cultural, not a religious practice. It impacts in a range of communities and the challenges for services include

developing responses that keep people safe and hold perpetrators to account without stereotyping, stigmatising or making assumptions about any given individual or community.

HBA, which may include forced marriage and/or female genital mutilation, is perpetrated against children and young people for a number of reasons.

These include:

- Protecting family 'honour' or 'Izzat'
- To control unwanted behaviour and sexuality
- As a response to family, community or peer group pressure
- Strengthening family links
- Protecting perceived cultural and/or religious ideals
- Retaining wealth, property or land within the family
- Assisting claims for residence and citizenship in the UK
- Perceived immoral behaviour could include:
  - Inappropriate make up or dress
  - The existence of a boyfriend/girlfriend
  - Possession and/or use of a mobile telephone
  - Kissing or showing other forms of intimacy in public
  - Pregnancy outside of marriage
  - Rejecting a forced marriage
  - Being a victim of rape or other serious sexual assault
  - Inter faith relationships
  - Leaving a spouse or seeking divorce

Practitioners should never lose sight of the fact that they are interacting with extremely vulnerable women and men, who may be faced with making life changing decisions in an extremely short space of time. Many honour-based abuse victims, as in mainstream domestic abuse, just want the abuse to stop. They fear 'criminalising' their parents, families and/or their faith group and fear being isolated from their communities.

A child or young woman who is at risk of honour-based abuse is at significant risk of physical harm (including being murdered), and/or neglect. They may also suffer significant emotional harm, as a result of a threat of violence or witnessing violence directed towards a sibling or other family member. They may be subject of sexual abuse.

It can take place across national and international boundaries, within extended families and communities and often cuts across cultures, communities and faith groups; including Turkish, Kurdish, Afghani, South Asian, African, Middle Eastern and European. It can also be found within the Gypsy/Romany community. This is not an exhaustive list.

Some countries may support the practice of honour-based abuse. Therefore, the child or young person may be concerned that other countries and agencies share this view, or that they will be returned to their family. They may feel guilty about their rejection of their cultural/family expectations, and also what impact this may have on their family within their

community. Their immigration status may also be dependent on their family, which could also dissuade them from seeking assistance.

Males as well as females can be subject to HBA; LGBT young people/adults can be particularly vulnerable.

There is also a close link with forced marriage - a individual may be at risk of further HBA if seeking to avoid forced marriage and forced marriage is in itself HBA.

## **Part C: Understanding the issues around forced marriage**

### **Capacity to consent to marriage**

The provision of consent is essential within all marriages – only the spouses themselves will know if their consent is provided freely.

If a person does not consent or lacks capacity to consent to a marriage, that marriage must be viewed as a forced marriage whatever the reason for the marriage taking place. Capacity to consent can be assessed and tested but is time and decision specific.

### **Motives prompting forced marriage**

Perpetrators who force their children or other family members into marriage often justify their behaviour as protecting their children, building stronger families and preserving 'so-called' cultural or religious beliefs. When challenged on this practice, they often do not see anything wrong in this approach. The act of forcing another person into marriage cannot be justified on religious grounds; every major faith condemns it and crucially, freely given consent is a prerequisite of all religions.

Often perpetrators are convinced that they are upholding the cultural traditions of their home country, when in fact these practices and values may have in fact changed. There are also others who are placed under significant pressure from their extended family to ensure their children or other family members are married. In some instances, an agreement may have even been made about marriage when a child is in its infancy.

Many young people will then be living through their entire childhoods with the expectation that they will marry someone of their parents or other family members choosing. What needs to be communicated to all of those at risk is that forced marriage is a crime and that they have a fundamental human right to be able to choose their future spouse.

Some of the key motives that have been identified are:

- Controlling unwanted sexuality (including perceived promiscuity, or being lesbian, gay, bisexual or transgender) – particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make up or behaving in, what is perceived to be, a 'westernised manner'
- Preventing 'unsuitable' relationships e.g. outside the ethnic, cultural, religious or caste group

- Protecting 'family honour' or 'izzat'
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain
- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideals
- Protecting perceived religious ideals which are misguided
- Ensuring care for a child or adult with special needs when parents or existing carers are unable to fulfil that role
- Assisting claims for UK residence and citizenship
- Long standing family commitments

## **The victim**

Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. They may feel there is nobody they can trust to keep this secret from their family and they have no one to speak to about their situation – some may not be able to speak English. These feelings of isolation are very similar to those experienced by victims of other forms of domestic abuse and child abuse. It is only rarely that someone will disclose the fear of forced marriage. Consequently, they will often come to the attention of practitioners for behaviour that is consistent with distress.

People forced to marry, or those who fear they may be forced to marry, are frequently withdrawn from education, restricting their educational and personal development. They may feel unable to go against the wishes of their parents or wider family members and be threatened with disownment if they do – consequently they may suffer emotionally, often leading to depression and self-harm. All of these factors can ultimately contribute to impaired social development, limited career and educational opportunities, financial dependence and lifestyle restrictions.

A learning or physical disability or illness may also add to a person's vulnerability and may make it more difficult for them to report abuse or to leave an abusive situation. Their care needs may make them entirely dependent on their carers.

## **Consequences**

Women forced to marry may find it very difficult to initiate any action to end the marriage and may be subjected to repeated rape (sometimes until they become pregnant) and ongoing domestic abuse within the marriage. In some cases they suffer violence and abuse from the extended family, often being forced to undertake all the household chores for the family.

Victims frequently end up trapped in a relationship marred by physical and sexual abuse. The impact this has on children within the marriage is immense. Children may learn that it is acceptable to be abusive and that violence is an effective way to get what you want. They may learn that violence is justified, particularly when you are angry with someone. Children witnessing abuse can be traumatised because witnessing persistent violence undermines children's emotional security and capacity to meet the demands of everyday life. Children's academic abilities can be affected. Witnessing violence as a child is often associated with depression, trauma-related symptoms and low self-esteem in adulthood.



Both male and female victims of forced marriage may feel that running away is their only option. For many of these individuals, especially those from black, minority ethnic and refugee communities, leaving their family can be especially hard. They may have minimal to no experience of life outside the family, so seeking refuge elsewhere may mean that they will lose their children and friends. For others, finding accommodation for themselves and their children can also be very difficult – especially for those who do not have leave to remain and therefore do not have recourse to public funds. UK Visas and Immigration has developed a scheme to strengthen the way in which domestic violence cases are considered enabling those victims who are vulnerable to access additional support. This is known as the Destitution Domestic Violence Concession.

Living away from home with minimal support can make a person, particularly a woman, more isolated, thus making it more likely that they will return to the abusive situation. In addition, leaving their family (or accusing them of a crime or simply approaching statutory agencies for help) may be seen as bringing shame on their ‘honour’ and on the ‘honour of their family’ in the eyes of the community. This may lead to social ostracism and harassment from the family and community. For many, this is simply not a price they are prepared to pay.

Those who do leave still often live in fear of their own families, as they will go to considerable lengths to find them and ensure their return. Families have also been known to solicit help of others to find victims who have run away, or involve the police by reporting them missing, or on occasion falsely accusing the victim of a crime e.g. theft. Some families have also traced individuals through medical and dental records, bounty hunters, private investigators, local taxi drivers, members of the community and shopkeepers or through National Insurance numbers, benefit records, school and college records. Sometimes having traced them, the family may subject them to further violence or abuse, or at worst resort to murder claiming it to be a so called “honour killing”.

Women trapped in a forced marriage often suffer violence, rape, forced pregnancy and forced child bearing. Many girls and young women are withdrawn from education early. Some are taken and left abroad for extended periods, which isolates them from help and support – this limits their choices so that often they go through with the marriage as their only option. Their interrupted education limits their career choices. Even if the woman manages to find work, however basic, they may be prevented from taking the job or their earnings may be taken from them. This leads to economic dependence, which makes the possibility of leaving the situation even more difficult. Some may be unable to leave the house unescorted – living virtually under house arrest.

### **Forced to travel overseas**

For many people, it may be their first experience of travelling overseas. If they are being held against their will and forced to marry there are various difficulties they may encounter if they want to return to the UK. They may find it impossible to communicate by telephone, letter, e-mail and other forms of social media. They may also no longer have direct access to their passport and money. Women may not be allowed to leave the house unescorted. They may be unable to speak the local language.

Often individuals may find themselves in remote areas and even getting to the nearest road can be extremely hazardous. They may not be able to receive the right level of assistance they expect from the local police, neighbours, family, friends or taxi-drivers. Some find themselves subjected to violence or threats of violence.

Even if the authorities in the UK are aware of the whereabouts of a British national overseas, it may not be possible to provide suitable support and assistance to reach the area or to repatriate them. Therefore, it is always advisable to warn victims not to travel overseas.

## **Potential warning signs or indicators**

Both women and men facing forced marriage may become anxious, depressed and emotionally withdrawn with low self-esteem. They may come to the attention of practitioners for a variety of reasons, some of which are described in the diagram below. Whilst the factors set out in this diagram may be an indication that someone is facing forced marriage, it should not be assumed that it is forced marriage simply on the basis that someone presents with one or more of these warning signs. These warning signs may indicate other types of abuse that will also require a multi-agency response.

There have been occasions when women have presented with less common warning signs such as cut or shaved hair as a form of punishment for disobeying or perhaps "dishonouring" her family. In some cases, a girl may report that she has been taken to a private practice to be examined to see if she is a virgin. There have been reports of women presenting in the NHS with symptoms associated with poisoning.

The below lists of indicators are not intended to be an exhaustive list:

### **Education**

- Absence and persistent absence
- Request for extended leave of absence and failure to return from visits to country of origin
- Fear about forthcoming school holidays
- Surveillance by siblings or cousins at school
- Decline in behaviour, engagement, performance or punctuality
- Poor exam results
- Being withdrawn from school by those with parental responsibility
- Removal from a day centre of a person with a physical or learning disability
- Not allowed to attend extra-curricular activities
- Sudden announcement of engagement to a strange
- Prevented from going on to further or higher education

### **Employment**

- Poor performance
- Poor attendance
- Limited career choices
- Not allowed to work

- Unable to attend business trips or functions
- Subject to financial control e.g. confiscation of wages and income
- Leaving work accompanied
- Unable to be flexible in their working arrangements

### **Health**

- Accompanied to doctors or clinics
- Self-harm or attempted suicide
- Eating disorders
- Depression and/or isolation
- Substance misuse
- Unwanted pregnancy
- Female Genital Mutilation

### **Family history**

- Siblings forced to marry
- Early marriage of siblings
- Self harm or suicide of siblings
- Death of a parent
- Family disputes
- Running away from home
- Unreasonable restrictions e.g. kept at home by parents

### **Police involvement**

- Victim or other siblings within the family reported missing
- Reports of domestic abuse, harassment or breaches of the peace at the family home
- Female Genital Mutilation
- The victim reported for offences e.g. shoplifting or substance misuse
- Threats to kill and attempts to kill or harm
- Reports of other offences such as rape or kidnap
- Acid attacks

Care must be taken to not assume that an individual is at risk of forced marriage simply on the basis that they are being taken on an extended family holiday. These assumptions and stereotyping can cause considerable distress to families.

### **Forced marriage and child protection**

A forced marriage of a child or young person under the age of 18 is a child protection issue, because it is likely to cause significant harm. It impairs a young person's health and development; it may also involve underage sex or rape. Those taken out of school to be married overseas suffer the loss of educational opportunities. As their marriages are not recognised in the UK many are kept overseas until they turn sixteen. Some young women may not be allowed to return home until they become pregnant, thus making it even more difficult for them to escape the relationship.

Those children and young people who feel unable to go against the wishes of their parents may suffer emotionally, often leading to depression and self-harm. Young people with disabilities or mental health problems are more vulnerable to the pressures of forced marriage as they are less likely to be able to give informed consent. Forced marriages do not always take place abroad; there are examples of young people being forced into marriage in the UK. The needs of victims of forced marriage will vary widely. They may need help avoiding a threatened forced marriage or help dealing with the consequences of a marriage that has already taken place. Workers from all agencies need to be aware that young people living within a forced marriage, or those under threat of one, may face significant harm if their families become aware that they have sought assistance from either statutory agencies or from community / voluntary based organisations.

## **Legal position**

### **Honour-based abuse**

Any criminal offence of threatening behaviour, violence or abuse committed as so-called honour crime would be prosecuted for the specific offence committed e.g. common assault, GBH, harassment, kidnap, rape, threats to kill and murder. These crimes will be identified as 'honour crimes' on the CPS Crime Management System as well as by the named offence.

Additionally, honour based crimes could include:

- Attempted murder;
- Manslaughter;
- Procuring an abortion;
- Encouraging or assisting suicide;
- Conspiracy to murder
- Conspiracy to commit a variety of assaults

### **Forced marriage**

Anyone threatened with forced marriage or forced to marry against their will can apply for a Forced Marriage Protection Order. Third parties, such as relatives, friends, volunteer workers and police officers, can also apply for a protection order with the leave of the court. Fifteen county courts deal with applications and make orders to prevent forced marriages. Local authorities can seek a protection order for adults at risk and children without leave of the court. Guidance published by the Ministry of Justice explains how local authorities can apply for protection orders and provides information for other agencies.

The Anti-Social Behaviour, Crime and Policing Act 2014 made it a criminal offence, with effect from 16 June 2014, to force someone to marry. This includes:

- Taking someone overseas to force them to marry (whether or not the forced marriage takes place);
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not).

Breaching a Forced Marriage Protection Order is also now a criminal offence. The civil remedy of obtaining a Forced Marriage Protection Order through the family courts, as set out above continues to exist alongside the criminal offence, so victims can choose how they wish to be assisted.

Forcing someone to marry can result in a sentence of up to 7 years in prison.

Failing to comply with a Forced Marriage Protection Order can result in a sentence of up to 5 years in prison.

## **Part D: What to do if you suspect or know that a child, young person or adult is at risk of experiencing honour-based abuse or forced marriage**

### **Immediate response by all organisations**

There may be occasions where frontline staff are faced with disclosure or identify concerns that may identify forced marriage and or honour-based abuse. If you are concerned that a child or young person is at risk of forced marriage and or honour-based abuse, it is essential that you recognise the seriousness and immediacy of the risk of harm, and act immediately.

It is important to recognise that it may be the only chance a person has to disclose this type of abuse. This is called the One Chance Rule. If the victim walks out of the door without support being offered, that one chance might be wasted. If the family finds out that a report has been made to any organisation, travel and/or impending marriage arrangements could be brought forward. Frontline staff should contact Children's Services/Adults Services and/or the Police as necessary.

It takes a lot of courage for a child, young person or adult to report to an agency that they have afraid that they will be subjected to forced marriage or have been/at risk of honour-based abuse. It is essential, therefore, that you act in a manner that will not further jeopardise the child, young person or adult's safety.

It is vital that the following points are adhered to maintain the safety of the person:

- Under no circumstances should the agency allow the child's family or social network to find out about the disclosure, so as not to put the child or adult at further risk of harm
- Under no circumstances speak to victims in the presence of their relatives
- Under no circumstances approach the family or community leaders, share any information with them or attempt any form of mediation. In particular, members of the local community should not be used as interpreters

Where a child, young person or adult discloses fear of honour-based abuse in respect of them or a family member, professionals in all agencies should:

- take the disclosure seriously
- see the child, young person or adult immediately, and in a secure and private place
- see the child, young person or adult on their own where agreed and possible

- explain to the child, young person or adult the limits of confidentiality, what information may have to be shared, with whom and for what purpose;
- be sensitive to the individual's culture and explain that culture, Religion and tradition are not an excuse; forced marriage and abuse relating to "honour" is illegal in the UK and support will be provided
- ask direct questions to gather enough information to make a referral to Children's Services/Adult's Services and/or the Police, including recording the person's wishes and explaining to them that a referral will be made
- agree a means of discreet future contact with them which may include the use of a safe word
- should you believe that further conversation may put the person at increased risk, seek advice from Children's Services/Adult Services or Police

## **Recording information**

It is vital that you make sure that you make a full record of:

- what is said
- by whom
- who is present
- what actions you have taken including who you have referred the child, young person or adult to
- what they have said to you about the referral and any subsequent action by them or you.
- record the language and dialect of the person
- safe word and means of contact agreed by the person

It is essential that records are shielded within the organisation so that only essential staff have access to them.

Any information or concern that a child / young person is at risk of forced marriage/honour based abuse or has already suffered harm should result in an immediate referral to either the Police or Children's Services/Adult Services.

In an emergency situation ring 999.

## **Referral**

Concerns that a child may be at risk of honour-based abused or forced marriage should be discussed with a manager and or designated professional for safeguarding and a referral made to Children's Services. This discussion must not result in a delay in referring the concerns.

Professionals who have a concern that a child or young person is experiencing or is at risk of honour-based abuse or forced marriage must make a referral to Children's Services. For more information see [Children's MARS Policy and Procedures for Assessing Need and Providing Help](#).

Within one working day of a referral being received Children's Services should make a decision about the type of response that is required.

This will include determining whether:

- information sharing and discussion has agreed that no further action is required
- an Early Help Assessment be undertaken with no further action by Children's Services
- an Early Help Plan continue with no further action by Children's Services
- any services are required by the child and family and what type of services including referral to an agency/service with no further action by Children's Services
- the child is in need and should be assessed by Children's Services under section 17 of the Children Act 1989
- there is reasonable cause to suspect that the child is suffering or likely to suffer significant harm and whether enquiries must be made and the child assessed by Children's Services under section 47 of the Children Act 1989
- that the child requires immediate protection and urgent action is required.

## **Medical examination**

In some cases it may be necessary to arrange a medical examination for emotional or physical illness. In other cases, victims may require attention to injuries for treatment or for evidential purposes. It may not be advisable to call or visit a medical practitioner from the local community as this may threaten the security of the child or young person.

## **Overseas cases**

If the case has an overseas dimension, Children's Services should alert the Community Liaison Unit at the Foreign and Commonwealth Office. They should provide the name and age of the child or young person, the family details and name of potential spouse and family, if known, so that the information can be logged. Information given to the child or young person should include the legal steps they can themselves take e.g. a young person under the age of sixteen can themselves apply for a Prohibitive Steps Order to prevent their removal from the country. Alternatively, a relative can apply for a Child Arrangement Order. Wardship of the Court can also prevent them being taken overseas. Support should be arranged to enable the child or young person to follow the course of action they identify as most appropriate for them.

## **Response for young people who have been subject to forced marriage**

Some forced marriages are only brought to agencies attention after the marriage has taken place, when legal remedies may prove more difficult. Young people who seek assistance following a forced marriage should be regarded as children in need under section 17 of the Children Act 1989. Any response should be based on a holistic assessment of their situation and clear understanding of the action that they wish to take.

A young person who has already been married has limited choices. They may:

- stay with the marriage
- flee the marriage
- confront their family and seek their backing
- or try to prevent a visa application for a spouse to be brought to the UK

If the young person chooses to stay with the marriage, information about support and counselling services should be provided to the young person and referrals made for appropriate support.

If the young person chooses to leave the marriage support should be given and an exit strategy devised between the young person and the professional. Assistance will be required to access safe housing and benefits as well as counselling and appropriate support services within the new community. Information regarding accessing legal advice should be provided if they wish their marriage annulled. This must be undertaken within 3 years of the marriage taking place.

Confronting the family may be extremely risky for the young person. They may not get the support they hope for even with the support of agencies.

Although young people may try to prevent a successful visa application for their spouse, in reality, this is not possible to do without all parties being aware of the young person's reasons for not wanting to sponsor their spouse's visa application. In all cases young people need to be made aware of the possible consequences of their actions.

### **Response to report by third party of a young person having been taken abroad for the purpose of a forced marriage**

Some children and young people are taken overseas on the pretext of a holiday, the wedding of a relative or the illness of a grandparent, for example. On arrival their passport and documents may be taken away from them.

In such cases the Police and Children's Services should gather intelligence and work closely with the Community Liaison Unit at the Foreign and Commonwealth Office.

It is not advisable to contact an overseas organisation to make enquiries. If the family becomes aware that enquiries are being made, they may move the child or young person to another location or expedite the forced marriage.

Once a child or young person has left the country, legal options are limited. Efforts can be made to seek the return of them to the jurisdiction of England and Wales by making them a Ward of Court. An application can be made to the High Court Family Division by a relative, friend or the Children and Family Court Advisory Support Service (CAFCASS). Children's Services are not able to make a child a Ward of Court.

### **Response for a spouse who has come to the UK from overseas**

Some young people who are not British citizens are brought to the UK after they have been forced to marry overseas. Often these young people are not aware of the support to which they are entitled.

The choices available to the young person are limited:

- To stay within the marriage;
- To leave the marriage and apply to be allowed to remain in the UK;
- To leave the marriage and return to their country of origin.



The young person may be frightened by contact with statutory agencies, as they may have been told that the authorities will deport them. For many young people returning to their country of origin is not an option. They may be ostracised, subjected to violence or even killed for bringing perceived shame on to the family.

Children's Services should:

- consider any young person under the age of 18 in the same manner as an unaccompanied asylum seeking minor and accommodate the young person under Section 20 of the Children Act 1989
- assist the young person in seeking immigration advice if this is required
- inform the police
- record any injuries and arrange a medical examination. Inform the doctor that there may be an immigration application

## **Young adults forced into marriage**

Young people over the age of 18 who are facing or have been subject to forced marriage should be referred to Adult's services who should arrange a meeting and will coordinate the assessment and service provision in line with government guidance.

## **Involvement of family members**

The Children Act 1989 states that Children's Services need to work in partnership with families. In situations of forced marriage this should be balanced with the principal of the welfare of the child being paramount. A forced marriage is a feature of domestic abuse that involves extreme coercion. Mediation is not sought in domestic abuse cases and should not be an immediate option in forced marriage cases. The safety of the child or young person should always be the first priority. Victims of forced marriage will frequently have tried mediation themselves; they turn to statutory organisations for help as a last resort and agencies need to respond quickly and appropriately.

In circumstances where safe accommodation is provided for a young person over 16 years, information should be provided to the family that this has occurred, but they should not be told where they have been placed. Information should also be provided to Humberside Police in case the young person is reported as missing from home. In all cases liaison should take place with legal services regarding the sharing of information with family members. Intervention needs to be such that it does not totally isolate young people from their family. A dialogue should be maintained which will enable the young person to re-establish links with their family in the future, should they so wish.

## **The danger of involving the family and the community**

In cases of honour-based abuse and forced marriage, involving the family and the community may increase the risk of significant harm to the child or young person. The family may deny that the child or young person is being forced to marry and they may expedite any travel arrangements and bring forward the marriage.

Any discussion and agreement seeking between the family and Children's Services should only be done where it will not place a child at increased risk of significant harm. In cases of forced marriage, discussion with the family or any type of family involvement will often place the child or young person at greater risk of harm.

In care proceedings, local authorities are required to demonstrate to the court that they have considered family members and friends as potential carers at each stage of their decision making. However, in cases of forced marriage, professionals should exercise extreme caution around how they evidence this and consider carefully whether, for example, family group conferences/meetings are appropriate in these cases. Ideally family group conferences/meetings should not be used in cases where a young person is at risk of forced marriage because of the physical danger and potential emotional manipulation they may experience during this type of session with their parents and other members of their family or community.

## Appendix: Useful contacts and further information

### Useful Contacts

- The Blue Door [www.thebluedoor.org](http://www.thebluedoor.org) - Contact 0800 1974787 North Lincolnshire's specialist service providing support to anyone that has experienced domestic abuse and /or sexual violence.
- The Forced Marriage.net is a website providing a wide range of practical help and resources [www.forcedmarriage.net](http://www.forcedmarriage.net)
- Forced Marriage Unit/Foreign and Commonwealth Office – 020 70080151 (Any contact with this office will be agreed by the Police and/or Children's Services)
- Forced Marriage – Children's Legal Centre – 020 7130089
- Freedom – 08456070133 or textline – text '4freedom' to 88802 for help, support and advice for victims, children, friends of victims of forced marriage and professionals. Freedom also has designed a free App for IOS, Android and Blackberry phones.
- Karma Nirvana – Children and Young Person's awareness project – 0800 5999247 - [www.karmanirvana.org.uk](http://www.karmanirvana.org.uk)
- Halo Project – 01642 683045 for advice for victims and professionals around forced marriage and honour-based abuse.

### Further Information

- [Home Office Forced Marriage Website](#) for information and practice guidelines for professionals protecting, advising and supporting victims
- [The right to choose: multi-agency statutory guidance on dealing with forced marriage](#)
- [Honour based violence and forced marriage: guidance on identifying and flagging cases \(CPS\)](#)
- [Honour based abuse, forced marriage and FGM: A policing strategy](#)
- [Working together to safeguard children - GOV.UK](#)
- [Multi-Agency Statutory Guidance of Female Genital Mutilation](#)