

Factsheet for Partner Agencies in Safeguarding Children

Forced Marriage (FM) and Honour Based Violence (HBV)

What is Forced Marriage and Honour Based Violence?

Honour based violence (HBV) is a form of domestic abuse and as such a crime perpetrated in the name of honour. Abuse usually occurs when perpetrators perceive that a relative has shamed the family or community by breaking their honour code. Honour based violence is often committed with some degree of approval and collusion from family and/or community members. is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community.

Forced Marriage (FM) is a marriage where one or both people do not (or in the case of some people with learning or physical difficulties, cannot) consent to the marriage and pressure or abuse is used. The pressure put on an individual to enter a forced marriage includes physical and sexual threats and violence, emotional, psychological and financial abuse. Forced marriage is an abuse of human rights: a form of violence against women and men, especially vulnerable adults, and in the cases of children it is a form of child abuse.

What are common examples of precursors to honour based violence?

Common examples may include expectations that a woman may not:

- choose what she wears; that her clothing should entirely conceal her and that she may not appear in front of men (apart from family members) uncovered;
- talk to or interact, freely, with men;
- display affection in public;
- become pregnant or give birth outside of marriage;
- have interfaith relationships;
- have any intimate or sexual relationship;
- be observed by others in the company of males;
- divorce or leave a marriage regardless of the circumstances;
- marry a person of her own choice (known in many South Asian countries and British Diaspora communities as a 'love marriage'); that this will lead to shame being brought upon the family as the community will interpret this to mean that she was previously involved in an intimate relationship);
- marry outside a specified religion;
- marry outside of the family;
- have sex before marriage;
- attend secondary school or participate in further or higher education of any sort; some families choose to send teenaged daughters back to country of origin until the age of 16 when they are no longer legally required to attend school; and
- work outside the home.

In essence, they are practices which are used to control behaviour (often sexual) within families to protect perceived cultural & religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative has shamed the family and / or community by breaking their honour code. Perpetrators can include family members and/or community members.

Honour Based violence (HBV) involves systematic control of the victim that escalates over a period of time and may begin at a young age. Honour Based violence can be perpetrated by one individual or can be a group campaign of harassment and violence committed by an entire family or community. It can take many forms, including verbal/emotional abuse, threats, stalking, harassment, false imprisonment, physical violence, sexual abuse, and homicide.

Who is affected?

The largest demographic affected are Asian females under 40, however these practices cut across many religions and cultures including:

- LGBT victims who supposedly 'shame' their family
- Special Educational Needs victims whose parents look for a 'carer' spouse (often without the bride or groom's knowledge regarding the extent of any disability)
- Those involved in criminality
- People from the travelling community
- Young men

Frequently parents will present as conciliatory, playing down any suggestion that they support HBV/FM, however it should be borne in mind that in many cases there is one chance to safeguard a victim. Any mediation with parents is likely to drive offending behaviour underground and dramatically increase the risk to the victim.)

Examples of offending behaviour may include murder, un-explained death (suicide), domestic abuse (including psychological, physical, sexual, financial or emotional abuse), child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment and forced abortion.

What triggers HBV/FM?

HBV/FM frequently comes to notice when a female reaches puberty and wants to form sexual/romantic relationships of her choosing.

- Wishing to continue in education/work
- Dressing 'inappropriately'
- Smoking/drinking
- Criminal activity
- Divorce or wish to divorce
- Failure to conceive
- Failure to comply with family demands
- Unauthorized sexual behaviour
- Poor school performance
- Pregnancy
- Supposedly 'Shameful' behaviour

It should be noted that young males may also be subject to HBV/FM at the puberty stage.

It should be stressed that whilst many parents seek to control the behaviour of their children the outcomes for victims of HBV can be fatal. Victims are often kept under house arrest being locked in to prevent escape, chaperoned to any locations outside the home, forced to surrender mobile phones & laptops, forced to quit college or work and, in some extreme cases, drugged to comply or in order to effect their removal from the UK.

It should be noted that Asian females appear to be at a greater risk of suicide or attempted suicide than any other ethnic group therefore any risk assessment should pay close attention to threats of suicide.

Offences include:

- Assault (consider psychological injury too)
- Harassment
- False imprisonment
- Kidnap (including by fraud where victims are told relatives may be sick abroad)
- Rape
- Sexual assault (sometimes committed by siblings in order to control victims)
- Malicious communications
- Stalking

On June 16th 2014 Forced Marriage became an offence and anyone affected by this practice can be offered a civil or criminal route to protect them from harm.

FM & HBV, the Law and Law enforcement

Forced marriage is illegal in England and Wales. 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).

The Crime and Policing Act 121 of the 2014 states:

1. A person commits an offence in England and Wales if he or she:
 - (a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into the marriage, and
 - b) believes, or ought to reasonably believe, that the conduct may cause the other person to enter into the marriage without free and full consent.
2. In relation to a victim who lacks capacity to consent to marriage, the offence under subs.(1) is capable of being committed by any conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).
3. A person commits an offence under the law of England and Wales if, he or she practices any form of deception with the intention of causing another person to leave the United

Kingdom, and intends the other person to be subjected to conduct outside the UK that is an offence under subs.(1) or would be an offence under that subsection if the victim were in England and Wales.

4. The maximum penalty for the forced marriage offences is 7 years' imprisonment in a criminal court.

Forced Marriage Protection Orders

The FMU can assist with applications to the court for a Forced Marriage Protection Order.

Each order is unique, and is designed to protect you according to your individual circumstances. For example, the court may order someone to hand over your passport or reveal where you are.

In an emergency, an order can be made to protect you immediately.

Disobeying a Forced Marriage Protection Order can result in a sentence of up to 5 years in prison (s.4A of the Family Law Act 1996 (the 1996 Act). Note: section 4a of the 1996 Act was inserted by the Forced Marriage (Civil Protection) Act 2007).

If Social Services have involvement with the person to be protected, it is more appropriate from them to make the application, as they are considered to be a 'relevant third party'.

If someone you know is at risk

Contact the FMU if you know someone who's been taken abroad to be forced into marriage, or you think you're about to be taken abroad to get married against your will.

Give as many details as you can, for example:

- where the person has gone
- when they were due back
- when you last heard from them

The FMU will contact the relevant embassy.

If they're a British national, the embassy will try to contact the person and help them get back to the UK if that's what they want.

Contact the nearest British Embassy if already abroad.

Useful contacts

Forced Marriage Unit (FMU) The Forced Marriage Unit (FMU) is a joint Foreign and Commonwealth Office and Home Office unit which was set up in January 2005 to lead on the Government's forced marriage policy, outreach and casework. It operates both inside the UK, where support is provided to any individual, and overseas, where consular assistance is provided to British nationals, including dual nationals.

The FMU operates a public helpline to provide advice and support to victims of forced marriage as well as to professionals dealing with cases.

Email: fmufco.gov.uk

Telephone: 020 7008 0151- Monday to Friday, 9am to 5pm

Out of hours: 020 7008 1500 (ask for the Global Response Centre)

Children's Social Care - Email: childrenss@lbbd.gov.uk

Telephone: 020 8227 3811 – Monday to Friday 8:45 – 16:45 or Out of Hours: Emergency Duty Team (EDT) 020 8594 8356

Metropolitan Police – Please call 999 in emergency and 101 for non emergency

Karma Nirvana is a charity offering advocacy, Education & Training and an Honour network helpline. They have been supporting victims of honour crimes and forced marriage since 1993.

Telephone: 0800 5999247 or website www.karmanirvana.org.uk

Victim Support – They will help all victims where possible, and direct them to the appropriate service to meet their needs www.victimsupport.org.uk

Telephone: 0845 90 90 300

Iranian and Kurdish Women's Rights- They provide direct services for women and girls, including advocacy, training and counselling. They also provide advice and support to professionals from bodies such as the police, social services and schools to help them to understand issues affecting minority ethnic women and they campaign for better laws and their effective implementation as well as for appropriate resources to uphold the rights of women and girls and ensure their safety.

Website: <http://ikwro.org.uk> or Telephone: 0207 920 6460.

Suja Orphan Care – They are a charitable organisation that supports Children and families, providing advice and guidance.

Website: <http://sujaorphancare.com>