



Home Office



Foreign &
Commonwealth
Office

FORCED MARRIAGE

Reasons

Risks

Response



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Objectives for today

- ▶ **What is a forced marriage?**
- ▶ **Factors behind a forced marriage**
- ▶ **Triggers and consequences**
- ▶ **Role of the FMU – who we are and how we assist**
- ▶ **The support of UK agencies in cases**
- ▶ **How to protect victims – civil and criminal options**
- ▶ **Q&A**

What is Forced Marriage?



‘A marriage conducted **without** the valid **consent** of one or both parties and where **duress** is a factor.’

Adults who lack ‘capacity’ as defined under the Mental Capacity Act 2005 are classed as not being able to consent and any marriage they enter into is classed as FORCED.

Different Types of Pressure

Physical

Psychological/Emotional

Financial

Sexual



The difference between Arranged and Forced....



An 'arranged marriage' is one where parents or other relatives choose the suitor, but both parties involved have the final say and **CAN decline at any point.**



If a person **changes their mind** in that process and then has no choice – this becomes forced and is unacceptable.

FACTORS BEHIND FORCED MARRIAGE

Controlling unwanted behaviour & preventing **'unsuitable'** relationships.

- Wearing 'wrong' clothing/too much make-up
- Socialising with members of opposite sex
- Being seen to be overly affectionate in public
- Dating someone of different race, culture/caste or religion
- Being or perceived as being LGBT



FACTORS BEHIND FORCED MARRIAGE

Protecting **perceived** cultural or religious ideals.



No religion endorses forced marriage, similarly, forced marriage is a form of abuse ... Abuse is **not part of any culture**, whether the victim's family are Christian, Muslim, Sikh, Hindu or Jewish. No religious texts promote this harmful practice.

FACTORS BEHIND FORCED MARRIAGE

Claiming **residence and citizenship** to strengthen family links.

For example: Getting a **British Passport** for extended family.



FACTORS BEHIND FORCED MARRIAGE

Providing carer for child with disabilities



***Remember Mental Capacity Act 2005 and FM Guidance**

Consequences For Victims

- ▶ Being removed from education/employment
- ▶ Domestic Abuse - both physical and psychological - that can, in turn, result in mental health problems.
- ▶ Theft (e.g. of passport, money and belongings)
- ▶ Unlawful imprisonment and restriction of freedom of movement and association
- ▶ Abduction and kidnapping
- ▶ Rape
- ▶ Enforced pregnancy
- ▶ Abortion
- ▶ **Murder and mutilation**



Honour Based Violence

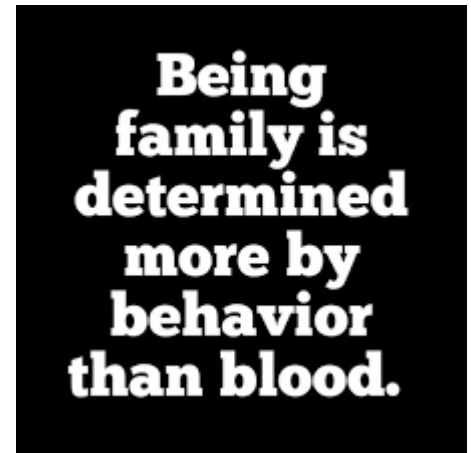
“CULTURAL ACCEPTANCE DOES NOT MEAN ACCEPTING THE UNACCEPTABLE”

‘Honour’ based violence (HBV) is any **act of violence**, predominately against women and girls, which is committed by family or community member(s) in order to **defend their perceived honour**.

Restoring honour or ‘izzat’ is viewed as being more important than anything else

Forced marriage can be a consequence of HBV...used to restore **HONOUR** alternatively...Fleeing a forced marriage can result in HBV occurring. If there is an HBV element to a forced marriage case this could escalate the risk significantly.

Remember the risks attached to so-called HONOUR.



Blood is thicker than water
But **Honour** is thicker than Blood.

Banaz Mahmud

case example



Banaz Mahmud was 20 years old, and starting her life again when she was **murdered by her family in the name of 'honour'**.

- ▶ 'According to the prosecution, Banaz had to pay the "ultimate price" for bringing **shame** on her Kurdish family.'
- ▶ **She had been forced into a marriage** at 17 to an older man who had repeatedly beaten and raped her, finally she left.
- ▶ She found genuine love with another and paid the **ultimate price for choosing love over honour**.
- ▶ Four months later, the suitcase containing her body was found buried more than 100 miles away from her family home.
- ▶ Her father and uncle planned this murder with 3 others.
- ▶ She went to the police 5 times with their names...**she was not protected**.
- ▶ **Understanding the importance of honour and the significance of shame is key when handling forced marriage cases**

What is the FMU?



Forced Marriage Unit established in 2005.

FMU is now the Government's main delivery arm for:

Developing effective Government policy

Awareness raising

Casework

Domestic

Consular



How We Can Help – In The UK

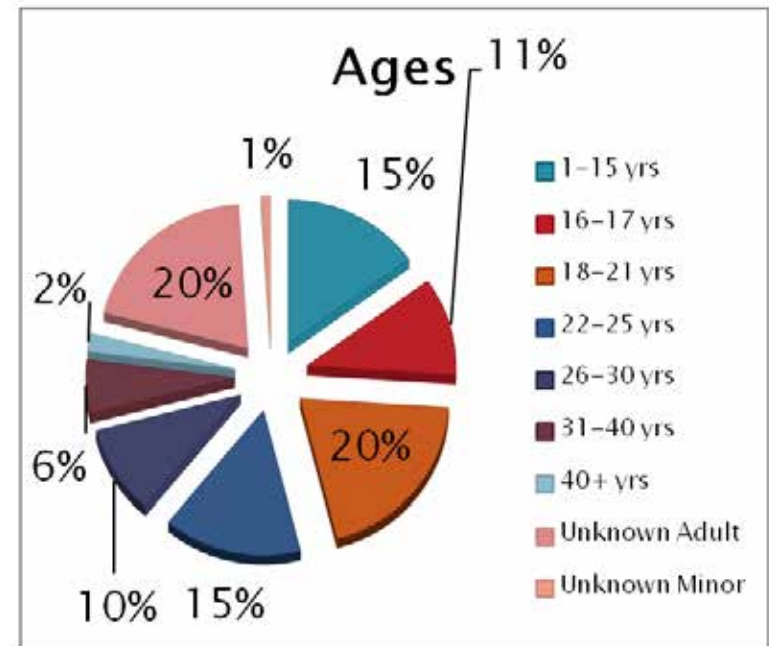


- Through **the FMU national helpline** and **email address** we reassure, assist, provide options and remain victim focused. 9am-5pm Mon-Fri and GRC out of hours.
- Work with police, social workers, teachers, welfare officers, health professionals and many others in UK to protect people at risk.
- Provide **support, guidance, information** and **contacts**.

FMU STATISTICS 2016

FMU gave advice or support in over **1428 cases** related to possible/ forced marriage. This represents an increase of 14% (208 cases) compared with 2015.

- 26% of cases involved victims below 18 years of age
- 20%, the largest proportion of cases, involved 18-21 year olds
- 1 in 5 callers were male victims
- 140 cases involving those with disabilities (10%)
- 30 cases (2%) involved victims who identified themselves as lesbian, gay, bisexual or transgender (LGBT)



When the victim has been Taken Overseas

HOW WE ASSIST

- Signposting to BHC/Embassies.
- Arrange safe accommodation overseas.
- Assistance with their **return to the UK** – providing local knowledge linked to exit visas.
- Awareness of local laws in order to provide advice on any travel limitations.
- Organise repatriation - and **rescues** in extreme cases.
- Accompanying victims to the airport – especially in the case of minors.
- Organise **emergency flights/ travel documents** with safe pick-up and transport from airport.



GLOBAL 2016 DATA

COUNTRIES OF ORIGIN



In 2016, the FMU handled cases relating to 69 'focus' countries of which a victim was at risk of, or had already been taken to in connection to a forced marriage.

The six highest volume countries in 2016 were:

Pakistan (43%), Bangladesh (8%), India (6%), Somalia (3%), Afghanistan (3%) and Saudi Arabia (1%)

11% of the cases handled by the FMU were domestic and had no overseas element

* Overall the FMU has handled cases involving over 90 different countries

Assistance at Airports



The FMU have been working closely with **Police and staff at airports** addressing:

- ▶ preventative measures and safety/support whilst they are in the airport
- ▶ and then **managing risks** for victims upon their return.



Aftercare for repatriated victims

- Aftercare project being delivered by NGO Southall Black Sisters
- Provides emotional and practical support for victims that have been repatriated to the UK
- Without support victims can experience pressure to return home
- Aims to bridge the gap that victims experience in support and practical advice and enable them to develop a plan for the future – **020 8571 9595**



Other regional support can be sought from:

- Manchester Chaplaincy – Can meet clients from the plane, provide safe connecting point for police/social services with person and can provide accommodation in conjunction with Saheli Asian Women's Project
- Birmingham have police trained at the airport and refuge can be found Through Eden House for HBV/DV/FM victims.

HOW THE LAW CAN HELP

How Forced Marriage Protection Orders can help.

- ▶ FMPOs are civil orders with legally binding requirements to protect a person at risk or who has already been forced.
- ▶ They can be obtained within a short time frame and require minimal 'hard' evidence in comparison to other orders of a similar nature.

Conditions include:

- ▶ Protect the victim(s) from being taken overseas/or being them back.
- ▶ Stop them for being forced into marriage whether religious or otherwise.
- ▶ Stop them being hurt/harmed or threatened.
- ▶ Stop them being harassed.
- ▶ Seize travel documents/stop new ones being issued.
- ▶ Protect younger siblings as the same time.

Legal assistance in UK

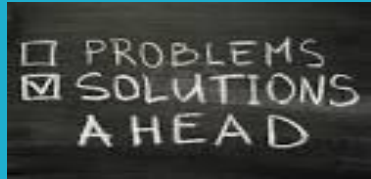
- ▶ **Forced Marriage Protection Orders (FMPOs)** can be obtained to bring someone back to the UK as well as prevent them from being taken and can be used pre and post marriage.
- ▶ They are legally binding court orders that Police, social services and any 3rd party given permission by court can obtain to protect someone in need.
- ▶ They can be served on any family or community members that present a risk to a person or persons and can last indefinitely or until that risk is reduced.

Key Elements Of New Law



- ▶ Forcing an individual to marry against their will.
- ▶ Using deception with the intention of causing another person to leave the UK for the purpose of forcing that person to enter into marriage.
- ▶ **Breach of a forced marriage protection order.**
- ▶ If a person lacks the capacity to consent, the offence is also capable of being committed by any conduct carried out for the purpose of causing the victim to marry, whether or not it amounts to violence, threats or any other form of coercion.

Penalties



FORCED MARRIAGE OFFENCE

- If convicted in a criminal court, maximum penalty on indictment will be imprisonment for a term not exceeding **seven years**.
- If convicted in a civil court, maximum penalty on summary conviction will be imprisonment for a term not exceeding six months and/or a fine

BREACH OF A FORCED MARRIAGE PROTECTION ORDER

- If the breach is in a criminal court, maximum penalty on indictment will be imprisonment for a term not exceeding **five years**.
- If the breach is in a civil court, maximum penalty on summary conviction will be imprisonment for a term not exceeding six months.

Benefits of the new legislation.....

Further protection

Deterrent

Support for professionals

Clarity of message

POWER TO THE VICTIMS



Final Thought: we can all do **ONE CHANCE RULE**

▶ DO:

- ▶ Take them seriously
- ▶ See them immediately and alone
- ▶ Respect their wishes and reassure them
- ▶ Establish means of safe contact. (secret phone/sim/codeword)



▶ DO NOT :

- ▶ Send them away/minimise their concerns
- ▶ Approach members of the family or
Community (*interpreters)
- ▶ Share information without consent
- ▶ Attempt to mediate.



More Support

- **Survivors' Handbook**
- **Statutory Guidance for professionals**
- **Guidance for Registrars**
- **Guidance for MPs and Councillors**
- **Free training from the FMU including schools/colleges**

- **Social media short films/summer campaigns – using actors from various backgrounds**
- **Facebook Page/twitter page**
- **Free FM mobile app in conjunction with Freedom Charity**
- **Posters**
- **Funding for NGOs to provide grassroots training**



Freedom Mobile Phone App

The FMU has part funded a useful free app developed by Freedom Charity for both potential victims and those concerned for others.



Some of the features:

- GPS Tracking
- Advice for professionals – spotting the signs
- Advice and checklist for friends and friends of victims
- Links to nearest police station and hospitals
- Information also on sexual abuse and FGM
- Direct dial to Police, NSPCC, Freedom charity and the FMU helpline at the Foreign Office.
- Does not look like Forced Marriage App
- Free to download on iPhones and Blackberrys



Thank You!

Any further Questions?

**Call us: [National Helpline 020 7008 0151](tel:02070080151)...out of hours.
Global Response Centre will assist on same number.**



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