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# Warwickshire Against Forced Marriage & Honour Based Violence



## A Warwickshire Multi-Partnership Statement of Intent



**WARWICKSHIRE AGAINST  
DOMESTIC ABUSE**

This document will be monitored and reviewed on behalf of the above Partnerships  
by the Warwickshire Forced Marriage & Honour Based Violence Group.

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## **1. Introduction**

- 1.1. The purpose of this document is to establish a united framework across relevant local Partnerships for managing issues of Forced Marriage and Honour Based Violence (FM & HBV). It also serves to give an initial context and practice guidance for dealing with cases of FM & HBV.
- 1.2. This document should be read alongside “The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage” (HM Government, 2<sup>nd</sup> ed. 2010), and “Multi-agency practice guidelines: Handling cases of Forced Marriage” (HM Government, 2009).
- 1.3. FM & HBV should be seen in the context of domestic abuse<sup>1</sup>, and in the case of people under 18 as child abuse, and in the case of Vulnerable Adults aged over 18 as Vulnerable Adult abuse. More focussed guidance on dealing with FM & HBV relating to children or Vulnerable Adults has been integrated into the respective Warwickshire Inter-Agency Child Protection Procedures, and Warwickshire Inter-Agency Safeguarding Vulnerable Adults Procedures.

## **2. Definitions**

### **2.1. Honour-based violence**

The terms “honour crime” or “honour-based violence” or “izzat” embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder, where the person is being punished by their family or their community.

Victims are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour. In transgressing this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the “shame” or “dishonour” of the family.

Forms of "honour" based violence include

1. Murder
2. Domestic imprisonment
3. Kidnapping and abduction of children
4. Forced Marriages
5. Female Genital Mutilation
6. Acid attacks
7. Rape
8. Financial abuse

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<sup>1</sup> Domestic abuse is defined as: any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been, intimate partners or family members, regardless of gender or sexuality. Crimes committed in the name of ‘honour’, forced marriage and female genital mutilation are also considered acts of domestic abuse

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## 9. Deprivation from education and employment

### 2.2. **Forced Marriage**

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure. Forced Marriage is often accompanied by forced consummation.

### 2.3 **Arranged Marriage**

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 whether or not to accept the arrangement remains with the prospective spouses.

**All forms of forced marriage and honour-based violence are a fundamental breach of a person's human rights.**

## 3. **Prevalence**

It is estimated that there are more than 10,000 incidents of FM involving British nationals each year. In 2009 1682 incidents were reported to the Forced Marriage Unit at the Foreign and Commonwealth Office. The majority of people reporting forced marriages are women although it is experienced by men too. Recent data suggests that up to 20% of British nationals involved in FM are male. Around a third of cases reported concern children or young people under the age of 18.

The majority of cases of FM reported to date in the UK involve South Asian families. This is partly a reflection of the fact that there is a large, established South Asian population in the UK. However, it is clear that FM is not solely a South Asian problem and there have been cases involving families from the Middle East, Europe and Africa. Some FM take place in the UK with no overseas element, while others involve a partner coming from overseas or a British citizen being sent abroad.

## 4. **Why does Forced Marriage and Honour Based Violence Occur?**

Forced Marriage and Honour Based Violence can occur for any number of reasons including:

1. To maintain the family's honour or "Izzat" in the eyes of the community
2. To control behavioural patterns in order to comply with the traditional norms of one's family or community
3. As a response to family, community or peer group pressure;

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4. Protecting perceived cultural or religious ideals which can often be misguided
  5. Family honour or long standing family commitments
  6. Strengthen family ties with the community or extended family; sometimes in order to improve the family's financial position
  7. Prevent relationships with individuals from outside one's ethnic, cultural, religious group or caste
  8. Maintaining the order of marriage within siblings
  9. Providing a carer for a disabled family member/ reducing the stigma of disability
  10. Assisting claims for residence and citizenship
  11. To control un-wanted behaviour and sexuality (including perceived promiscuity or being lesbian, gay, bisexual or transgender);
  12. Retaining wealth, property or land within the family;
  13. Preventing unsuitable relationships;
  14. Perceived immoral behaviour including
    - Inappropriate (including westernised) make-up or dress;
    - Possession and / or use of a mobile telephone;
    - Kissing or showing other forms of intimacy in public;
    - Rejecting a forced marriage;
    - Being a victim of rape or other serious sexual assault;
    - Inter-faith relationships;
    - Seeking a divorce.

## **5 Who commits Honour Based Violence?**

Honour based violence is often carried out by family members (including women) or extended family members both in the UK and abroad. Community or religious leaders may become involved and in more extreme cases the family may employ bounty hunters or contract killers.

## **6. Recognising Forced Marriage & Honour Based Violence**

- 6.1 Individuals facing FM and HBV may appear anxious, depressed and emotionally withdrawn with low self-esteem. They may come to the attention of professionals for a variety of reasons, some of which are described in the diagram at the end of this document. Whilst the factors set out in this diagram may be, collectively or individually, an indication that someone is facing FM or HBV, it should not be assumed that it is FM or HBV simply on the basis that someone presents with one or more of these warning signs. These warning signs may indicate other

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types of abuse that will also require a multi-agency response. These indicators are not intended to be exhaustive.

- 6.2 There may also be a number of precursors/ triggers for HBV
1. Identification as having lost virginity prior to marriage
  2. Causing gossip
  3. Refusing an arranged marriage
  4. Being in a non approved relationship
  5. Seeking a divorce (especially when dowry present)
  6. Coming “out”
  7. Involving authorities in child custody issues, or leaving with a child
  8. Running away from home
  9. Perceived to be living a Westernised lifestyle
  10. Reporting abuse or forced marriage to police
  11. Being a victim of rape
  12. Pregnancy outside marriage

## **7. Key Principles in responding to FM & HBV**

The principles below apply to both cases of FM and HBV and it is intended that all practitioners will follow these principles when responding to cases of FM and HBV.

### **7.1. Refresh your specialist knowledge**

“Multi-agency Practice Guidelines- Handling Cases of Forced Marriage” (HM Government, 2009) gives full and detailed practice guidance available to guide your response to issues and concerns of FM & HBV.

Click on link- [Handling Cases of Forced Marriage](http://www.fco.gov.uk) at [www.fco.gov.uk](http://www.fco.gov.uk)

### **7.2. The Danger of Involving the Family & Community**

Involving families in cases of forced marriage is dangerous:

- It may increase the risk of serious harm to the victim. Experience shows that the family may not only punish them for seeking help but also deny that the person is being forced to marry, expedite any travel arrangements and bring forward the marriage
- Involving the family includes visiting the family to ask them whether they are intending to force their child to marry or writing a letter to the family requesting a meeting about their child’s allegation that they are being forced to marry.
- Relatives, friends, community leaders and neighbours should not be used as interpreters or advocates – despite any reassurances from this known person. If it is appropriate to use an advocate then an independent advocate should be used.

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### 7.3. **Meeting with the child or adult at risk of FM or HBV.**

Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. These feelings of isolation are very similar to those experienced by victims of other forms of domestic abuse, adult abuse and child abuse. Third party views from family, friends, and community members cannot be trusted in cases of FM & HBV and so it is critical to meet the child or adult at risk of FM or HBV individually and face-to-face.

### 7.4. **The “One-Chance” Rule**

All practitioners working with victims of forced marriage and honour-based violence 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 they may only have one chance to save a life. This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they come across forced marriage cases. If the victim is allowed to walk out of the door without support being offered, that one chance might be wasted.

See Appendix B – The One Chance Rule (p.10) for further information

## 8. **Referral routes**

### 8.1. **Reporting to the Police**

Although there is no specific criminal offence of “forcing someone to marry” within England & Wales, criminal offences may nevertheless be committed. Perpetrators – usually parents or family members- could be prosecuted for offences including conspiracy, threatening behaviour, assault, kidnap, abduction, theft (of passport), threats to kill, FGM, imprisonment and murder. Similar and other crimes may be indicated in cases of HBV- the violent nature of actual or threatened HBV will often indicate a potential criminal offence.

If any member of staff has reasonable cause to believe FM or HBV has occurred or will occur, this must be reported to the Police.

To refer a case to the police telephone: **01926 415000**

**In case of an emergency always dial 999**

### 8.2. **Children & Young People**

As with any issue of child abuse, concerns or suspicions of FM & HBV relating to children and young people (under the age of 18) should be referred in accordance with the Warwickshire Inter-Agency Child Protection Procedures.

To make a child protection referral, telephone **01926 410 410**.

Click [here](#) to access the Warwickshire Safeguarding Children Board Interagency Child Protection Procedures or visit [www.warwickshire.gov.uk/wscb](http://www.warwickshire.gov.uk/wscb)

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### 8.3. **Vulnerable Adults**

“Vulnerable Adults” are people over 18 who, because of illness or disability, are unable to protect themselves from abuse. This may be, for example, because they have a learning or physical disability, mental health need, short or long term illness, or needs related to ageing. Any concern of FM & HBV relating to Vulnerable Adults should be referred in accordance with the Warwickshire Inter-Agency Safeguarding Vulnerable Adults Procedures.

To make a Vulnerable Adult protection referral, tel: **01926 41 20 80**.

### 8.4. **Reporting to support services**

Adults at risk of FM or HBV who do not meet the definition of Vulnerable Adults above should be referred / signposted as follows:

#### 8.4.1 **Forced Marriage concerns:**

Forced Marriage Unit telephone **0207 008 0151** 9am – 5pm

Emergency duty officer: 0207 008 1500

Email: [fm@fco.gov.uk](mailto:fm@fco.gov.uk)

Website: <http://www.fco.gov.uk/en/travel-and-living-abroad/when-things-go-wrong/forced-marriage/>

#### 8.4.2 **Honour Based Violence concerns:**

The UK Honour Network Helpline (Karma Nirvana) telephone **0800 5999 247** 9.30am – 5pm

#### 8.4.3 **Female Genital Mutilation concerns:**

Contact FORWARD, telephone: **020 8960 4000**

Office hours are 9 am - 5.30 pm Monday to Friday.

Web: <http://www.forwarduk.org.uk/key-issues/fgm>

## 9. **Information Sharing**

Information sharing among statutory & other agencies is governed by the over-arching Warwickshire Sharing of Information Protocol. Information sharing must be legal and proportionate, and must recognise that there should be no barriers to sharing of information to identify and manage risk of harm.

## 10. **Legal Remedies**

Although there is no specific criminal offence of “forcing someone to marry” within England and Wales, criminal offences may nevertheless be committed. Perpetrators – usually parents or family members –

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could be prosecuted for offences including threatening behaviour, assault, kidnap, abduction, theft (of passport), threats to kill, imprisonment and murder. Sexual intercourse without consent is rape, regardless of whether this occurs within a marriage or not. A woman who is forced into marriage is likely to be raped and may be raped until she becomes pregnant.

There are a number of legal remedies and options available and it would be advisable to seek specialist legal advice at the earliest opportunity.

For information on legal services available please contact the Community Legal Advice Service:

Tel: 0845 345 4 345

Web: [www.communitylegaladvice.org.uk/](http://www.communitylegaladvice.org.uk/)

## **11. Forced Marriage Protection Orders**

The Forced Marriage (Civil Protection) Act 2007 enables the courts to make Forced Marriage Protection Orders (FMPO) to prevent or pre-empt forced marriages from occurring and to protect those who have already been forced into marriage. The order can include restrictions or requirements to protect a victim from a spouse, family member or anyone involved - and the order can relate to conduct either within or outside of England and Wales. In cases involving children, FMPOs can be used alongside wardship.

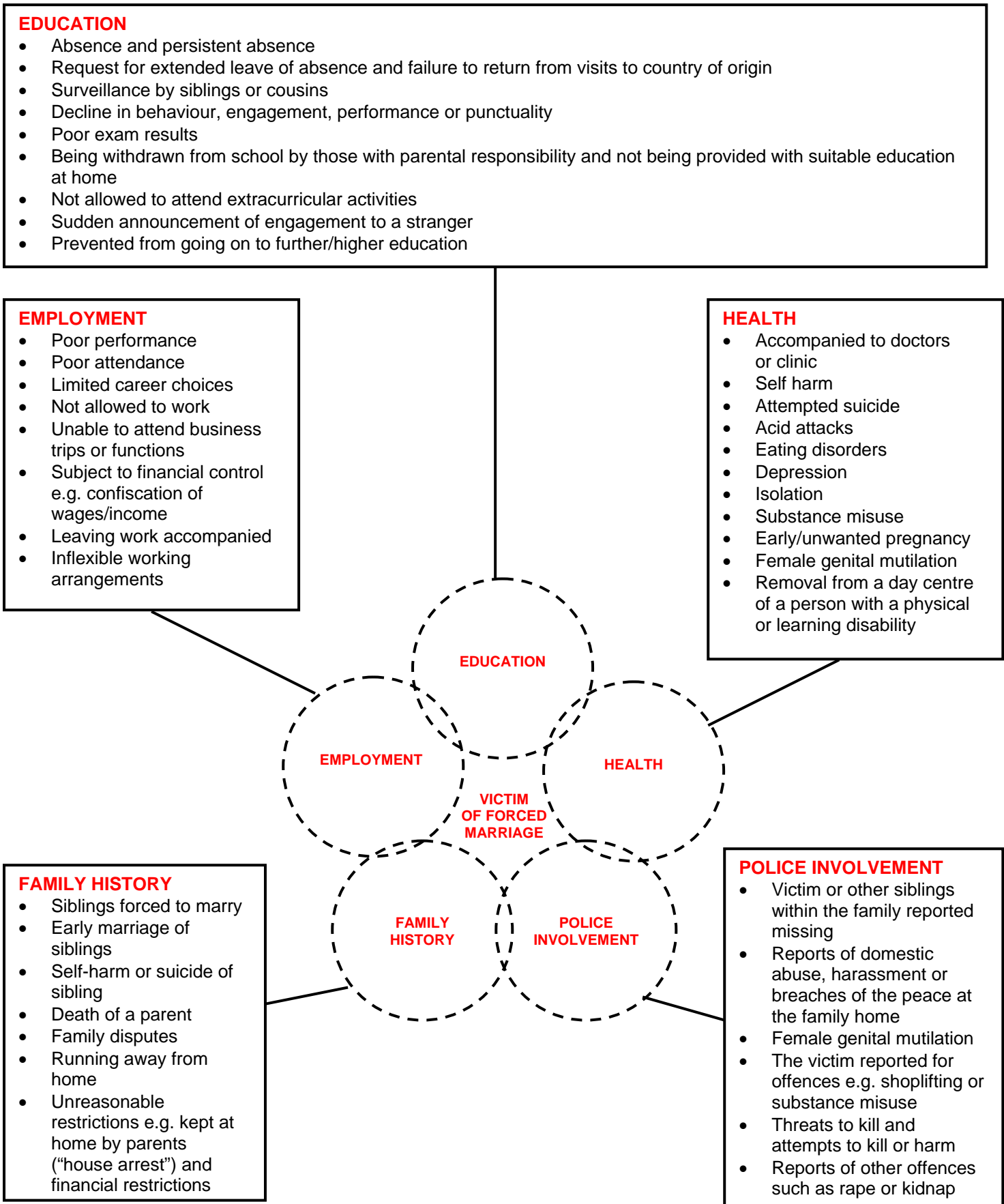
Applications for a FMPO can be made direct to the court by the person seeking protection and, as of autumn 2009, local authorities, which have been designated as relevant third parties under the Act. This means that local authorities do not need to seek the court's permission to make an application for an order. Other people can also make applications with the leave of the court. This means that they have the court's permission to make an application.

For further information on Forced Marriage Protection Orders please click [here](#) or visit:

[http://www.hmcourts-service.gov.uk/courtfinder/forms/fl701\\_leaflet\\_.pdf](http://www.hmcourts-service.gov.uk/courtfinder/forms/fl701_leaflet_.pdf)



## APPENDIX A - WARNING SIGNS OF A VICTIM OF FORCED MARRIAGE



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## **APPENDIX B - THE ONE CHANCE RULE**

It is important to get as much information as possible when a case of forced marriage is reported, as there may not be another opportunity.

**In all cases** a record should be taken of the person's:

- Name
- Nationality, first language and fluency in English
- Date and place of birth, if possible a photocopy of the birth certificate
- Parent's names and address
- Passport details, in particular passport number, with the date and place of issue, if possible a photocopy of the passport
- School or employment details
- Full details of the allegation, including details of any threats or hostile actions against the person
- Their mobile phone number or a number that it is safe for you to reach them on

A record should also be taken of the person making the initial report, including contact details and their relationship to the person being forced into marriage.

### **If the person is going overseas**

A person may ask for help because they are going on a family holiday overseas and they suspect that they will be forced to marry. Any such concerns should be taken seriously, but the arrangement of an extended holiday should not be assumed to imply that a forced marriage is planned. In this situation, as well as the information listed above, as much of the following information as is available should be recorded.

- Overseas contact details and address of where they will be staying and other relatives they may be visiting while abroad.
- A recent photograph
- Contact details of someone the person trusts in the UK
- Departure and expected return date
- Potential spouses name
- Name of potential spouses father
- Date of proposed wedding
- Addresses of extended family members in the UK and overseas
- Who they are travelling with

The person interviewing the person should gain as much information as possible including:

- Encourage the person to keep a separate note of their passport number and the date and place of issue.

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- If possible, take and keep a photocopy of the persons passport; be aware that they may have more than one passport with which they can travel
  - Give the person the address and phone number of the British Embassy in the country to which they are travelling
  - Establish a safe means to make contact with the person, e.g. a mobile phone that will work overseas
  - Encourage the person to memorise at least one telephone number and e-mail address
  - Ask the person for details of a trusted person in the UK with whom they will keep in contact whilst overseas, who will act on their behalf and who can be approached if they do not return
  - Make contact with this person before the person departs
  - Take a written statement from the person that they want the Social Worker (or another person) to act on their behalf if they do not return by a certain date
  - Ask the person to make contact without fail on their return; and
  - Record some information that only the person will know – this may help later in confirming their identity.

Thanks to Coventry Local Safeguarding Children Board for allowing us to adapt their guidelines for Appendix B – The One Chance Rule