



# Dealing With Cases of Forced Marriage

Guidance for Police Officers

2<sup>nd</sup> Edition 2005

## INTERACTIVE PDF INSTRUCTIONS

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TO START

**Forced marriage is an abuse of human rights.**

“Marriage shall be entered into only with the free and full consent of the intending spouses.”

*(Universal Declaration of Human Rights, Article 16 (2))*

“A woman’s right to choose a spouse and enter freely into marriage is central to her life and her dignity and equality as a human being.”

*(General Recommendation No. 21, UN Convention on the Elimination of All Forms of Discrimination Against Women)*

“State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.”

*(UN Convention on the Rights of the Child, Article 19)*

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies, the best interests of the child shall be a primary consideration.”

*(UN Convention on the Rights of the Child, Article 3)*

“States parties shall take all appropriate measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”

*(UN Convention on the Rights of the Child, Article 35)*

These guidelines are published by the Association of Chief Police Officers, the Foreign & Commonwealth Office and the Home Office. They have been compiled by Eleanor Stobart in consultation with UK police forces, national and local elements of education, health and social services and with relevant non-governmental organisations (NGOs).

These guidelines form part of the actions taken in this country and overseas to prevent and remedy serious criminal offences and abuses of human rights associated with forced marriage.

We would like to thank everyone who contributed to the guidelines and the consultation process especially the Children’s Legal Centre for their help towards the legal sections.

In the application of this policy the Police Service/Force/Constabulary will not discriminate against any persons on the basis of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth, or other status as defined under Article 14, European Convention on Human Rights (ECHR).



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# THE FORCED MARRIAGE UNIT (FMU)

The Forced Marriage Unit (FMU) is the Government's central unit dealing with forced marriage casework, policy and projects.

## What does the FMU do?

The FMU carries out three main strands of work designed to tackle forced marriage:

**Casework** – The FMU provides confidential information and assistance to potential victims and concerned professionals. It works with partners both in the UK and overseas to ensure that all appropriate action is taken to prevent a forced marriage taking place. The FMU also gives advice and information to individuals who have already been forced to marry. All caseworkers in the FMU have wide experience of the cultural, social and emotional issues surrounding forced marriage.

### The staff can offer advice and assistance to individuals who:

- ◆ Fear that they are going to be forced into a marriage (in the UK or overseas).
- ◆ Fear for a friend or relative who may be forced into a marriage (in the UK or overseas).
- ◆ Have been forced into a marriage and do not want to support their spouse's visa application.

### The staff can assist education professionals by:

- ◆ Providing information about existing networks within the UK, including social services, police and non-governmental organisations (NGOs).
- ◆ Providing advice about legal remedies in the UK and overseas.

**Policy** – The FMU develops future government policy for tackling forced marriage. In order to do this, the FMU works with a wide range of partners including the police, social services, education professionals, NGOs and women's groups. The FMU aims to develop policies that bring together key elements of government e.g. the education, welfare and legal systems, to combat forced marriage.

**Projects** – The FMU manages and co-ordinates governmental projects on forced marriage. These projects are designed to:

- ◆ Increase awareness amongst potential victims of the help available.
- ◆ Raise understanding amongst key professionals (police officers, social workers, teachers etc.) of forced marriage and how to tackle it.
- ◆ Work together with community and voluntary groups to create effective local partnerships against the abuse.

## How to contact the Forced Marriage Unit

(Monday – Friday 09.00 – 17.00)

The Forced Marriage Unit  
Foreign & Commonwealth Office  
Room G/55  
Old Admiralty Building  
Whitehall  
SW1A 2PA

Telephone: 020 7008 0135/0230/8706  
Email: [fmufco.gov.uk](mailto:fmufco.gov.uk)

**For emergencies out of hours (with an overseas dimension) telephone 020 7008 1500 and ask to speak to the Foreign & Commonwealth Office Response Centre.**



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## The difference between arranged and forced marriage

The tradition of arranged marriages has operated successfully within many communities and many countries for a very long time. A clear distinction must be made between a forced and an arranged marriage. In **arranged marriages**, the families of both spouses take a leading role in choosing the marriage partner but the choice whether or not to accept the arrangement remains with the young people. In **forced marriage**, one or both spouses **do not** consent to the marriage or consent is extracted under duress. Duress includes both physical and emotional pressure.

Forced marriage is primarily, but not exclusively, an issue of violence against women. Most cases involve girls and women aged between 13 and 30, although there is evidence to suggest that as many as 15 per cent of victims are male.

## Incidence of forced marriage

Currently, some 300 cases of forced marriage are reported to the Forced Marriage Unit each year. Many more cases come to the attention of police, social services, health, education, and voluntary organisations. Many others go unreported. With greater awareness, the number of cases reported is likely to increase.

The majority of cases of forced marriage encountered 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 forced marriage is not solely a South Asian problem and there have been cases involving families from East Asia, the Middle East, Europe and Africa. Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas or a British citizen being sent abroad.

## Motives prompting forced marriage

Parents who force their children to marry often justify their behaviour as protecting their children, building stronger families, and preserving cultural or religious traditions. They may not see anything wrong in their actions. **Forced marriage cannot be justified on religious grounds;** every major faith condemns it and freely given consent is a prerequisite of Christian, Jewish, Hindu, Muslim and Sikh marriages.

Often parents believe that they are upholding the cultural traditions of their home country, when in fact practices and values there have changed. Some parents come under significant pressure from their extended families to get their children married. In some instances, an agreement may have been made about marriage when a child is in its infancy.

Some of the key motives that have been identified are:

- ◆ Controlling unwanted behaviour and sexuality (including perceived promiscuity, or being gay, lesbian, bisexual or transgender) – particularly the behaviour and sexuality of women.
- ◆ Protecting “family honour”.
- ◆ Responding to peer group or family pressure.
- ◆ Attempting to strengthen family links.
- ◆ Ensuring land, property and wealth remain within the family.
- ◆ Protecting perceived cultural ideals (which can often be misguided or out-of date).
- ◆ Protecting perceived religious ideals which are misguided.
- ◆ Preventing “unsuitable” relationships, e.g. outside the ethnic, cultural, religious or caste group.



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- ◆ Assisting claims for residence and citizenship.
- ◆ Fulfilling long-standing family commitments.

While it is important to have an understanding of the motives that drive parents to force their children to marry, these motives should not be accepted as justification for denying them the right to choose a marriage partner. **Forced marriage should be recognised as a human rights abuse.**

***“Multicultural sensitivity is not an excuse for moral blindness.”***

(Mike O’Brien, House of Commons  
Adjournment Debate on Human Rights  
(Women) 10 February 1999)

### The legal position

The **Marriage Act 1949** and the **Matrimonial Causes Act 1973** govern the law on marriage in England and Wales. The minimum age at which a person is able to consent to marriage is 16; a person between the ages of 16 and 18 may not marry without parental consent (unless the young person is a widow/widower).

Section 12c of the **Matrimonial Causes Act 1973** states that a marriage shall be voidable if “either party to the marriage did not validly consent to it, whether in consequence of duress, mistake, unsoundness of mind or otherwise”. Voidable means the marriage is valid until it is challenged by one of the parties, at which time the court can award a decree of nullity invalidating the marriage.

Although there is no specific criminal offence of “forcing someone to marry” within England and Wales<sup>1</sup>, criminal offences may nevertheless be committed. Perpetrators – usually parents or family members – could be prosecuted for offences including threatening behaviour, assault, kidnap, abduction, imprisonment and, in the worst cases, murder. Sexual intercourse without consent is rape, regardless of whether this occurs within the confines of a marriage. A girl who is forced to marry is likely to be raped and may be raped until she becomes pregnant.

The definition of domestic violence is “any criminal offence arising out of physical, sexual, psychological, emotional or financial abuse by one person against a current or former partner in a close relationship, or against a **current or former family member**”.

1 At the time of publication, the Government is undertaking consultation on this issue.



# Forced

### Possible offences include:

|                                                                           |                                                                         |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------|
| ◆ Common assault                                                          | S.39 Criminal Justice Act 1988                                          |
| ◆ Common assault (arrestable offence)                                     | Chapter 28, Part 2, S.10 Domestic Violence, Crime and Victims Act, 2004 |
| ◆ Cruelty to persons under 16 (including neglect and abandonment)         | S.1 (1) Children and Young Persons Act 1933                             |
| ◆ Failure to secure regular attendance at school of a registered pupil    | S.444 (1) Education Act 1996                                            |
| ◆ Theft (e.g. passport)                                                   | S.1 (1) Theft Act 1968                                                  |
| ◆ Child Abduction                                                         | S.1 (1) Child Abduction Act 1984                                        |
| ◆ Abduction of unmarried girl under the age of 16 from parent or guardian | S.20 (1) Sexual Offences Act 1956                                       |
| ◆ Abduction of a woman by force or for the sake of her property           | S.17 (1) Sexual Offences Act 1956                                       |
| ◆ Rape                                                                    | S.1 (1) Sexual Offences (Amendment) Act 2003                            |
| ◆ Aiding and abetting a criminal offence                                  | Common Law Offence                                                      |
| ◆ Kidnapping                                                              | Common Law Offence                                                      |
| ◆ False Imprisonment                                                      | Common Law Offence                                                      |
| ◆ Murder                                                                  | Common Law Offence                                                      |

**Note: This list is not intended to be exhaustive**

### The victim

Individuals forced into marriage often become estranged from their families. Sometimes they themselves become trapped in the cycle of abuse with serious long-term consequences. Many women forced into marriage suffer for many years from domestic violence. They feel unable to leave because of their children, a lack of family support, economic pressures and other social circumstances. They may live within a forced marriage for many years before they feel able to challenge the situation.

Isolation is one of the biggest problems facing victims of forced marriage. They may feel they have no one to speak to about their situation. These feelings of isolation are very similar to those experienced by victims of domestic violence and child abuse.

Isolation is also very real for those who have escaped a forced marriage or the threat of one. For many, running away is their first experience of living away from home and they suffer without their family, friends and their usual environment. They often live in fear of their own families who



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will go to considerable lengths to find them and ensure their return. Families may solicit the help of others to find their runaways (e.g. bounty hunters and members of the community), or involve the police by falsely accusing the person of a crime or reporting them as a missing person. Some families have even managed to trace runaways through local taxi drivers and shopkeepers or through national insurance numbers and benefit records.

For many individuals, especially females from ethnic minority communities, leaving their family can be especially hard. The young person may have no experience of life outside the family. 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 the honour of the individual and 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.

Individuals 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 and consequently may suffer emotionally, often leading to depression and self-harm. Studies have shown that the suicide rate of young Asian women is two to three times the national average and contributory factors include lack of self-determination, excessive control, and the weight of expectations on the role of women and their marriages. These factors can contribute to impaired social development, limited career and educational opportunities, financial dependence and lifestyle restrictions.

There have been reports of individuals with mental and physical disabilities being forced to marry. Some individuals do not have the capacity to consent to the marriage. Some individuals may be unable to consent to consummate the marriage. Compelling, inciting or facilitating a person with impaired capacity for choice to engage in sexual activity without consent is also an offence under the Sexual Offences Act 2003.

For further information about the support individuals with disabilities may be offered by social services, refer to the *Practice Guidance for Social Workers: Young people & vulnerable adults facing forced marriage*, (Foreign & Commonwealth Office *et al.*, 2004).

The needs of victims of forced marriage will vary widely. They may need help to avoid a threatened forced marriage. They may need help to deal with the consequences of a forced marriage that has already taken place.

Whatever an individual's circumstances, they have rights that should always be respected, including:

- ◆ The individual's wishes.
- ◆ Personal safety and the level of risk to the individual.
- ◆ Confidentiality.
- ◆ Accurate information about rights and choices.



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## The role of the police

Forced marriage is a form of domestic violence and can constitute child abuse. For many individuals, turning to a police officer is a last resort. Many people will not even discuss their worries with their friends for fear that their families may find out.

Police may receive information about a forced marriage from the victim, from a friend or relative, or from a teacher or social worker. Forced marriage may also become apparent through careful questioning in the course of investigating other incidents or crimes such as domestic violence, assault, abduction or a person reported missing. The victim may present with a variety of problems such as truancy, episodes of depression and self-harm – some other warning signs are displayed on [page 9](#). There have also been occasions when forced marriage has come to notice with less common warning signs such as the cutting or shaving of a girl's hair as a form of punishment for disobeying or perhaps "dishonouring" the family. In some cases, a girl may report that she has been taken to a doctor to be examined to see if she is a virgin.

A forced marriage may take place in the UK or an individual may be taken overseas and forced to marry there. In either situation, the police should be ready to give guidance to the individual about their rights and the choices open to them.

To gain the confidence of the individual, police must have a good understanding of the issues surrounding forced marriage and the steps that they can take in order to protect a victim. The police need to be aware that 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 a statutory agency

such as police and social services, or from a voluntary or community-based organisation. It is essential that full consideration is given to the person's safety. In many cases, it may not be in the individual's best interest to remain with the family or even in the immediate vicinity. For these reasons, cases of forced marriage, actual or suspected, should only be handled by a "qualified officer" that is, a police officer specially nominated by his or her police force as being qualified by both relevant experience and specialist training to deal with these complex cases.

It is unlikely that the police or any single agency will be able to meet all the needs of someone who is affected by forced marriage, it is probable that the police will play a key role in protecting the interests of the individual. Qualified officers should be ready to use any statutory or voluntary agency that can provide assistance safely. In many cases, the Forced Marriage Unit ([page 2](#)) will be an important resource.

Although police need to be sensitive to cultural and racial differences, they also have a clear overriding duty to identify individuals who are likely to suffer significant harm, and to invoke the necessary child protection procedures if the individual is under 18 years old.

Police should note that social services has a duty to make enquiries into allegations of abuse or neglect against a child under s.47 Children Act 1989 and that forced marriage can amount to sexual and emotional abuse that places children at significant risk of abuse.

Each Area Child Protection Committee (ACPC) has local child protection protocols and procedures for helping young people who are facing abuse. Key legislation includes the Children Act (1989), the Family Law Act (1996), the Homelessness Act (2002) and the Sexual



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Offences Act (1956 and 2003). Government Guidance *Working Together to Safeguard Children* (1999) jointly issued by the Department of Health, the Home Office and the Department for Education and Skills, sets out how all agencies and professionals should work together to promote children's welfare and protect them from abuse. This guidance is summarised in *What to do if you are worried a child is being abused* (Department of Health et al., May 2003). Further information about dealing with cases of forced marriage can also be found in *Practice Guidance for Social Workers: Young people & vulnerable adults facing forced marriage*, (Foreign & Commonwealth Office et al., 2004).

Both criminal and civil proceedings can be used to protect individuals suffering or at risk of suffering significant harm. This document aims to help police protect individuals from abuse by setting out a range of practical advice, criminal law and civil law remedies.

### The Victoria Climbié Inquiry 2003

“The basic requirement that children are kept safe is universal and cuts across cultural boundaries. Every child living in this country is entitled to be given the protection of the law, regardless of his or her background. **Cultural heritage is important to many people, but it cannot take precedence over standards of childcare embodied in law.** Every organisation concerned with the welfare and protection of children should have mechanisms in place to ensure equal access to services of the same quality, and that each child, irrespective of colour or background, should be treated as an individual requiring appropriate care.”

(16.10 Victoria Climbié Inquiry)

“There can be no excuse or justification for failing to take adequate steps to protect a vulnerable child, simply because that child's cultural background would make the necessary action somehow inappropriate. This is not an area in which there is much scope for political correctness.”

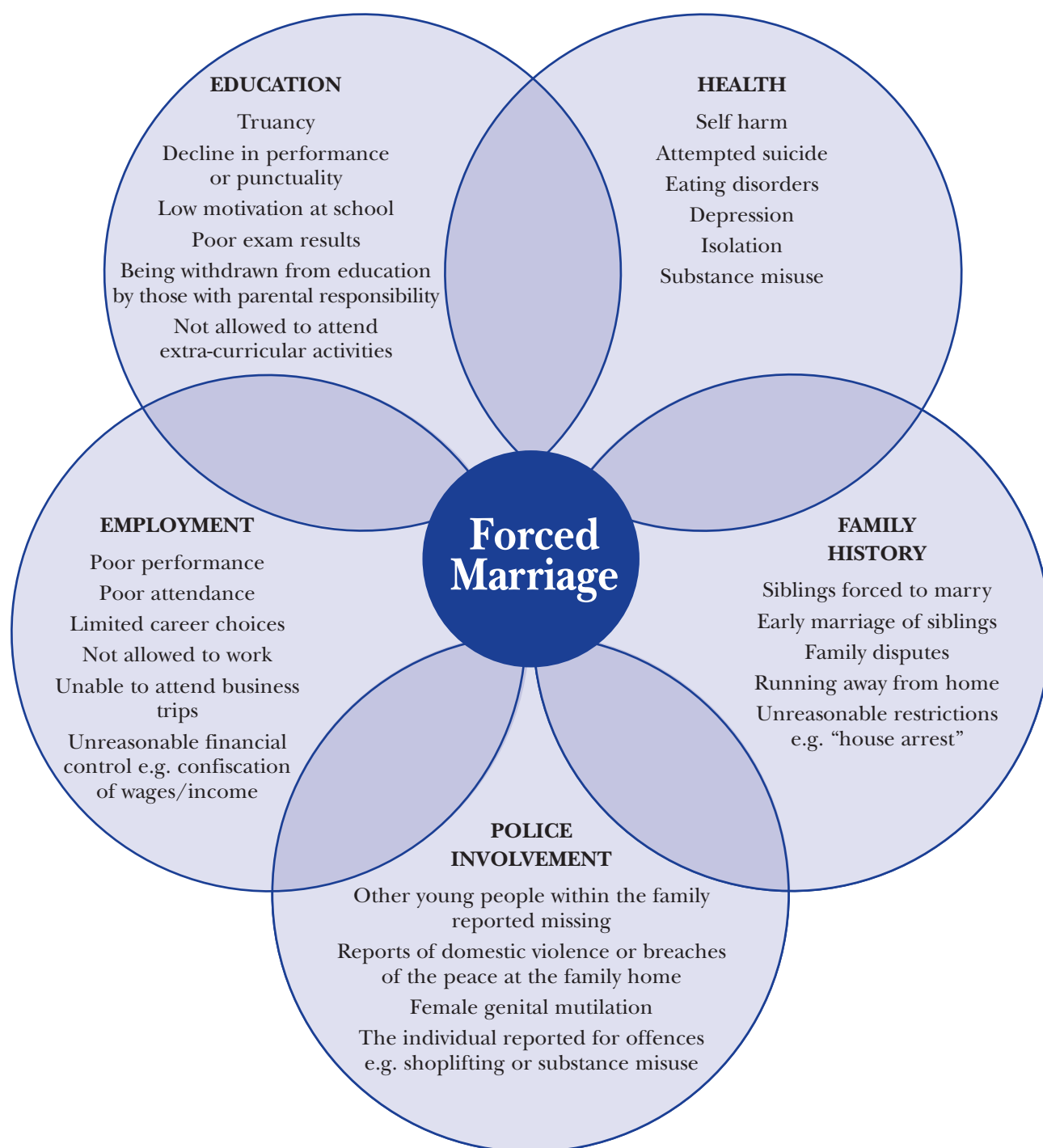
(16.11 Victoria Climbié Inquiry)



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## SYMPTON CHART OF WARNING SIGNS

Police should be alert to these warning signs and consider whether the threat of forced marriage is the cause. Of course, some of these warning signs could be indicative of other forms of abuse or neglect.

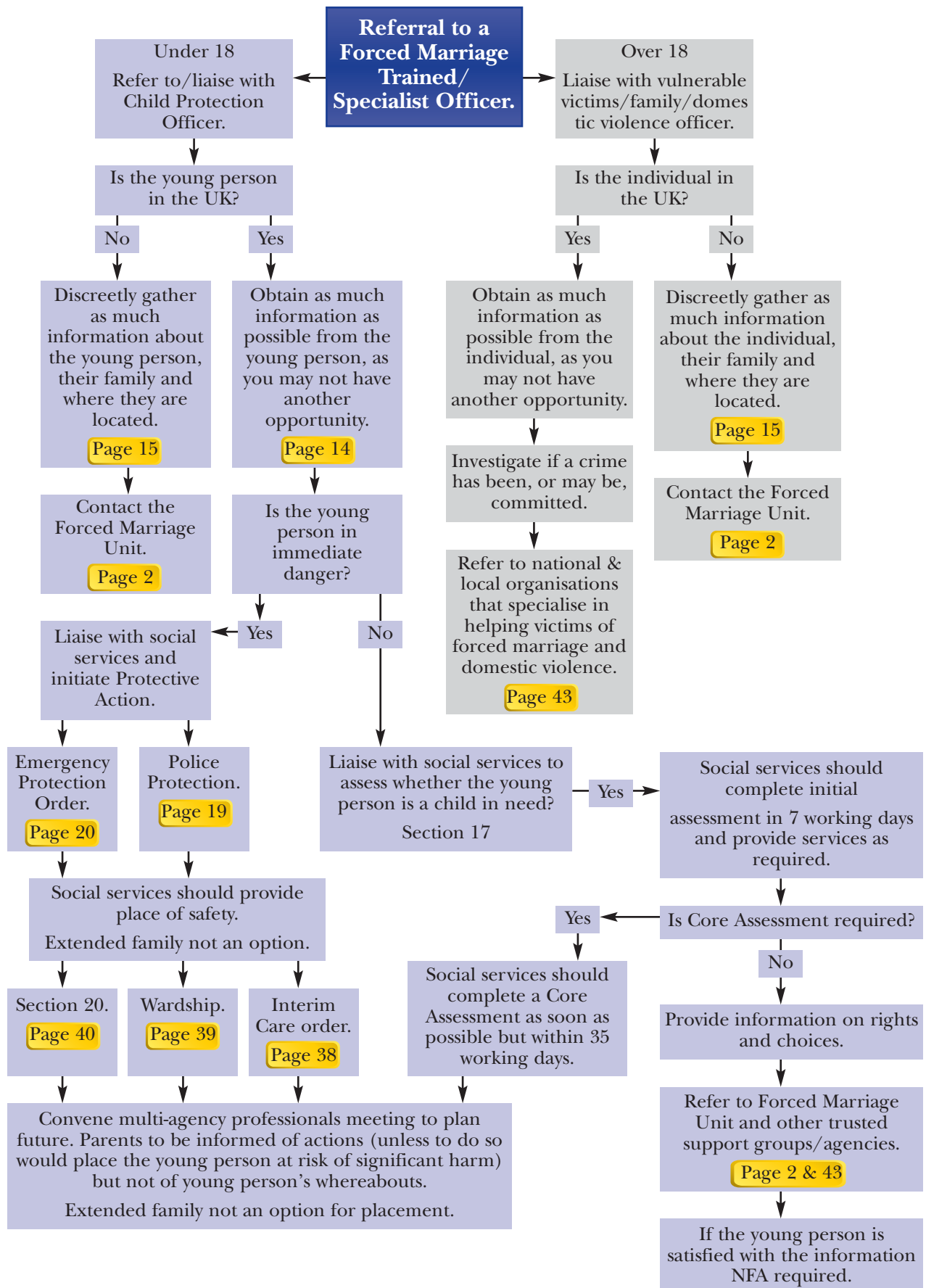


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# FLOWCHART FOR CASES



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## GUIDELINES FOR ALL CASES

Information about a forced marriage may be received from the victim or from a friend or relative, or from another agency or NGO. Forced marriage may also become apparent through careful questioning in the course of investigating other incidents/crimes such as domestic violence, assault, abduction or missing persons. If the victim is present, the following “First Steps” should be taken.

Cases of forced marriage can involve complex and sensitive issues that should receive the attention of an Inspector or an officer trained/selected to deal with such matters. Only if there would be unreasonable delay before a suitable officer can attend should front desk staff take the “Additional Steps” set out in this document.

### Remember:

Forced marriage places individuals at risk of rape and possible physical harm. Some cases have resulted in the reluctant spouse being murdered. Where an allegation of forced marriage is raised, the following steps should be taken.



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## FIRST STEPS:

- ✓ Recognise and respect the individual's wishes.
- ✓ See the individual immediately in a secure and private place (Page 29).
- ✓ See the individual on their own – even if they attend with others (Page 29).
- ✓ **Contact, as soon as possible, a trained/specialist officer who has responsibility for such matters, the local domestic violence officer or, in their absence, the duty Inspector/Sergeant.**
- ✓ **If under 18 years of age refer to the Child Protection Officer.**
- ✓ Reassure the victim of police confidentiality (Page 30).
- ✓ Establish a way of contacting them discreetly in the future (Page 29).
- ✓ Obtain full details to create a report to pass on to a trained or specialist officer.

### Do Not:

- ✗ Send the individual away in the belief that it is not a police matter.
- ✗ Approach members of the family or community leaders unless the individual expressly asks you to do so (Page 30).
- ✗ Share information with anyone without the express consent of the individual (Page 30).
- ✗ Breach confidentiality.
- ✗ **Attempt to be a mediator (see overleaf).**

### Mediation/reconciliation

Mediation, reconciliation and family counselling as a response to forced marriage can be extremely dangerous. Police, social workers and teachers undertaking these activities may unwittingly increase an individual's vulnerability and place them in danger.

#### Remember:

- ◆ Mediation can be extremely dangerous. There have been cases of individuals being murdered by their families whilst mediation was being undertaken.
- ◆ Mediation can place the individual at risk of further emotional and physical abuse.
- ◆ Simply arranging a meeting between the individual and their family may lead to undue pressure being placed on the individual to return home.
- ◆ If the individual wishes to go home or talk to their family, explain all the risks of this course of action and put in place a strategy to monitor their ongoing safety.
- ◆ If the individual insists on meeting with their family, it must take place in a safe location, supervised by the trained/specialist officer with an interpreter present. The individual must never have unsupervised contact – even if they request it.

### Case study

“Hina” had planned to leave home from the age of ten, when she met her future husband. At 14, she had become engaged. However, Hina waited until she was 17 years old to make her escape, days before she was due to travel overseas with her family in order to marry. Hina had turned to her school for help, but they refused to get involved. Her parents later withdrew her from college when she turned to them for help at the age of 16. Hina was extremely depressed and suicidal. She started to see a therapist in secret, who referred her to social services. Although social services eventually placed Hina into care, she came under tremendous pressure to hold mediation meetings with her parents, which at times were organised without her consent. Hina’s mother had been married at the age of ten, and so her family did not feel they were in the wrong. They had often subjected Hina to horrific violence. Even at mediation meetings, Hina’s parents would threaten her with violence in their language, which the social workers did not understand. When Hina told social workers, she was not believed. Hina refused to return home and is no longer under the care of social services. However, she remains in hiding and is in the process of changing her whole identity as her family have continued to look for her and have, from time to time, threatened and attempted to assault her upon discovering her whereabouts.

*(Southall Black Sisters, Forced Marriage Interim Report, July 2001)*



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### ADDITIONAL STEPS:

- ✓ Create a restricted entry in the force intelligence system.
- ✓ Give the individual, where possible, the choice of the race and gender of the officer who deals with their case (page 29).
- ✓ Inform them of their right to seek legal advice and representation.
- ✓ Record any injuries and arrange a medical examination (page 14).
- ✓ Give them personal safety advice (page 32).
- ✓ Identify any potential criminal offences and submit a crime report if applicable.
- ✓ Secure evidence at all stages as a prosecution may follow.
- ✓ Give the individual advice on what service they should expect and from whom.
- ✓ Perform a risk assessment in all cases.
- ✓ Ensure that the individual has the contact details for the trained/specialist officer.
- ✓ Maintain a full record of the decisions made and the reason for those decisions.
- ✓ Information from case files and database files should be kept strictly confidential and preferably be restricted to named members of staff only.

#### Try to:

- ◆ Refer the individual, with their consent, to appropriate local and national support groups, counselling services and women's groups that have a history of working with survivors of domestic violence and forced marriage (page 43).
- ◆ Encourage the individual to access an appropriate, trustworthy advocacy service that can act on their behalf (page 43).
- ◆ If police are called to a family home, try to remove the individual to a neutral place to be interviewed.

#### Remember:

- ◆ When referring a case of forced marriage to other organisations/agencies, ensure they are capable of handling the case appropriately. If in doubt, consider approaching established women's groups who have a history of working with survivors of domestic violence and forced marriage and ask these groups to refer the individual to reputable agencies.
- ◆ Circumstances may be more complex if the individual is lesbian, gay, bisexual or transgender.
- ◆ Male victims of forced marriage may have difficulty in their situation being taken seriously.



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# Marriage

### Medical examination

In some cases, it may be necessary to arrange a medical examination for emotional or physical illness; in other cases, an individual may require attention to injuries for treatment or 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 individual.

The report of the medical examination together with any records from other agencies (e.g. social services) and statements may provide police with vital evidence. In all cases where injuries are apparent, or alleged, police should encourage the individual to have those injuries documented for future reference.

### Remember:

- ◆ The examination of a young person under the age 18 years should be conducted in accordance with child protection procedures and should normally be carried out by a consultant paediatrician.

## INFORMATION REQUIRED FOR ALL CASES

Subject to the need for safety and confidentiality in making enquiries, the following information and documentation should be acquired. It is important to get **as much information as possible** when a case is first reported, as there may not be another opportunity for the individual reporting to make contact. The case may be reported by a third party or the individual under threat. Whoever reports the case, you should:

- ✓ Obtain details of the person making the report, their contact details, and their relationship with the individual under threat.
- ✓ Obtain details of the individual under threat including:
  - Date of report
  - Name of individual under threat
  - Nationality
  - Age
  - Date and place of birth
  - Passport details
  - School details
  - Employment details
  - Full details of the allegation
  - Name and address of parents or those with parental responsibility
  - National insurance number
  - Driving licence number.



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- ✓ Obtain a list from the individual under threat of all those friends and family who can be trusted.
- ✓ Establish a code word to ensure you are speaking to the right person (page 29).
- ✓ Establish a way of contacting them discreetly in the future that will not put them at risk of harm (page 29).
- ✓ Obtain any background information including schools attended, involvement by social services, doctors or other health services etc.
- ✓ Record details about any threats, abuse or other hostile action against the individual, whether reported by the victim or a third party.
- ✓ Obtain a recent photograph and other identifying documents. Document any other distinguishing features such as birthmarks and tattoos etc.
- ✓ Establish the nature and level of risk to the safety of the individual (e.g. are they pregnant, do they have a secret boyfriend/girlfriend, are they already secretly married).
- ✓ Establish if there are any other family members at risk of forced marriage or if there is a family history of forced marriage and abuse.
- ✓ Check police and social services' records for past referrals of family members including siblings.



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Gathering information, **in a confidential manner**, about the individual and the families involved may be difficult.

### Consider approaching:

Local schools

Local Education Authority

Voters' register

Social Services

Benefits Agency

Passport Office

Child protection register

Police databases including domestic violence databases

Housing agencies

Health Services

Voluntary groups

Employers and fellow employees

# Marriage

If the individual is going overseas (Page 18), the following information is required:

- ✓ A photocopy of the individual's passport for retention. Encourage them to keep details of their passport number and the place and date of issue.
- ✓ As much information as possible about the family (this will need to be gathered discreetly, page 15) including:
  - Full name and date of birth of the individual under threat
  - Their father's name
  - Any addresses where the individual may be staying overseas
  - Potential spouse's name (if known)
  - Date of the proposed wedding (if known)
  - The name of the potential spouse's father (if known)
  - Addresses of the extended family in the UK and overseas.
- ✓ Information that only the individual would be aware of (this may assist any subsequent interview at an Embassy/British High Commission in case another person of the same sex/age is produced pretending to be the individual).
- ✓ Details of any travel plans and people likely to accompany the individual.
- ✓ Names and addresses of any close relatives remaining in the UK.

- ✓ A safe means by which contact may be made with the individual e.g. a mobile telephone that will function overseas. Record the number.
- ✓ Details of the third party in order to maintain contact in case the individual contacts them whilst overseas or on their return.
- ✓ An estimated return date. Ask that they contact you **without fail** on their return.
- ✓ A written statement by the individual explaining that they want the police, social services or a third party to act on their behalf if they do not return by a certain date.

### Remember:

- ◆ If the family are approached, they may deny that the individual is being forced to marry, move the individual, expedite any travel arrangements and bring forward the forced marriage.
- ◆ Report details of the case, with full family history, to the Forced Marriage Unit (page 2). Encourage the individual to get in touch with the Forced Marriage Unit. The Unit gives **confidential** advice to individuals who fear they may be forced to marry.
- ◆ The individual may be a dual national and have two passports (page 17).



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# Forced

**Dual nationality**

If a person holds the nationality of two countries, they are considered a dual national. This may mean that in the country of their second nationality, they are subject to the laws of that country. Should the British High Commission (BHC) or Embassy try to offer assistance to them as a British national the other country, under the Geneva Convention, is entitled to object. However, the BHC will offer all possible assistance to British nationals who are victims of forced marriage unless and until they are actively stopped. It is advisable, to inform any individual intending to travel that they should try to travel using their British passport and not the passport of their second nationality. Similarly, when asking a court to surrender the passports of an individual to prevent them from being taken abroad, ensure that this includes all passports if they are dual nationals.

Any queries concerning dual nationality should be addressed to the Forced Marriage Unit [\(page 2\)](#).

**Difficulties faced when overseas**

For many young 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 and e-mail. They may not have 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 find themselves in remote areas where even getting to the nearest road can be hazardous. They may not receive the assistance they might expect from the local police, neighbours, family, friends or taxi drivers. Some individuals may find themselves subjected to violence or threats of violence.



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# Marriage

# AN INDIVIDUAL WHO FEARS THEY MAY BE FORCED TO MARRY

## SECTION A

Some forced marriages take place in the UK; in other cases, an individual may approach the police because they are going on a family holiday overseas and they are concerned about this. They are often told that the purpose is to visit relatives, attend a wedding or because of the illness of a grandparent or close family relative. The individual may suspect that this is a ploy to force them to marry.

Do not assume that an individual is at risk of being forced into 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. Every effort should be made to establish the full facts of the case at the earliest possible opportunity.

If there is an overseas dimension, police should liaise closely with the Forced Marriage Unit (page 2).

### Choices

**If an individual fears they may be forced to marry, they have limited choices:**

- ◆ To remain with the family and try to resolve the situation
- ◆ To accede to the family's wishes
- ◆ To flee the family
- ◆ To seek legal protection.

### Remember:

- ◆ Remaining with the family and trying to resolve the situation can place the individual in danger.
- ◆ Acceding to the family's wishes means the individual may be returning to an abusive situation.

- ◆ Individuals fleeing a forced marriage that has not yet taken place may be reported as missing by their families. The forced marriage aspect of the case may not be apparent when the report is made.
- ◆ If the individual has dual nationality, they may have two passports, one British and one from the other country of their residence (page 17).

**In all cases, the police officer needs to discuss the range of options available to the individual and the possible consequences of their chosen course of action.**

### POLICE RESPONSE

- ✓ Refer to general guidelines (page 11).
- ✓ Refer to information required in all cases (page 14).
- ✓ Discuss the case with the Forced Marriage Unit (page 2).
- ✓ Refer to the Child Protection Officer, if the individual is under 18 years old.
- ✓ Advise the individual not to travel overseas - discuss the difficulties they may face (page 17).
- ✓ Establish if there is a family history of forced marriage, i.e. siblings forced to marry. Other indicators may include domestic violence, unreasonable restrictions (e.g. withdrawal from education or "house arrest") or missing persons within the family (page 9).
- ✓ Obtain a written statement about any threats, abuse or other hostile action against the individual.
- ✓ Create a restricted entry in the force intelligence system and submit a crime report if applicable.



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## An individual who fears they may be forced to marry

If foreign travel with the family becomes unavoidable, in addition to the information required set out on [page 16](#), the following precautions should be taken:

- ◆ Give them the contact details of the force and the trained/specialist officer dealing with the case.
- ◆ Encourage the individual to memorise at least one telephone number and e-mail address.
- ◆ Advise them to take a mobile phone that will work overseas and which they can keep hidden.
- ◆ Encourage the individual to give you details of a trusted friend/advocate in the UK who they will be keeping in touch with whilst overseas, who will act on their behalf, and whom you can approach if they do not return. Make contact with the friend/advocate before the individual under threat departs and request the friend/advocate make a written statement of their support.
- ◆ Advise them to take emergency cash, in the appropriate currency, in case problems arise in the country of destination, together with contact details of someone there they can trust to help them.
- ◆ Ascertain whether the individual has two passports and if so, which one they will be travelling on. Explain the implications of dual nationality [\(page 17\)](#).
- ◆ Supply the address and contact number for the nearest Embassy/British High Commission [\(page 42\)](#).
- ◆ Give them a copy of the Forced Marriage Unit's leaflet *Forced Marriages Abroad*.
- ◆ Advise them to contact the Forced Marriage Unit [\(page 2\)](#).

### Remember:

- ◆ There may be occasions when police are required to establish if an individual is safe while they are still in the UK. In these situations, it is important that police interview the individual away from the family home, in a neutral place, where the individual cannot be influenced or pressured by family members.
- ◆ If the individual is travelling overseas, the police should obtain all addresses where the individual may stay.

### LEGAL POSITION CONCERNING CHILDREN AND YOUNG PEOPLE

There are a range of court orders that may be used to protect children and young people under the age of 18 years old. If the risk of forced marriage is immediate, it may be necessary to take emergency action to remove the young person from the home in order to protect them. The following options should be considered.

#### Police protection

When there is reasonable cause to believe that a young person, under the age of 18, is at risk of significant harm, a police officer may (with or without the co-operation of social services) remove the young person from the parent and place them under "police protection" (s.46 Children Act, 1989) for up to 72 hours. The police should ask social services to assist them to find safe and secure accommodation for the young person. After 72 hours, the police or social services may apply for an Emergency Protection Order (EPO) if the young person is still considered to be at risk of significant harm [\(page 20\)](#).



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## An individual who fears they may be forced to marry

Social services should assist police by arranging a placement for the young person in local authority accommodation provided by social services, on their behalf, or in a refuge.

### Remember:

- ◆ Police officers have power, under s.17 (1) (e) of the Police and Criminal Evidence Act, 1984 (PACE), to enter by force if necessary in order to protect life or limb.
- ◆ Police officers can also prevent a young person's removal from a hospital or other safe place in which the young person is accommodated.
- ◆ The parents may ask for contact with the young person, but this does not have to be granted if this would place the young person in danger.
- ◆ In all cases, liaise with the child protection officer and ensure that the Child Protection Register has been checked.
- ◆ Police may be placed under pressure from relatives, those with influence with the community, councillors, or MPs to say where the young person has gone. **Do not** divulge this information.
- ◆ Police do not have parental responsibility with respect to the young person while they are under a police protection order, nor can they make any decisions for the young person beyond the 72 hours of the order.

### Emergency Protection Orders (EPO) Section 44 Children Act, 1989

If, for some reason, a police protection order is not appropriate, or the situation cannot be resolved during the 72 hour of a police protection order, an EPO should be considered. The application can be made by anyone including police, social workers, youth workers, advocates or friends of the young person but in

practice, it is usually made by social services. An EPO lasts for eight days, but it may be renewed for a further seven days.

If the person applying for the EPO is anyone other than the local authority, the local authority must be informed and must then undertake s.47 enquiries. The local authority has the power, having consulted the applicant and the young person, to take over the order and responsibility for the young person (Emergency Protection Orders [Transfer of Responsibilities] Regulations 1991).

An application may be made to court for an EPO without giving notice to the parents if this is necessary to protect the young person. In exceptional cases, where the application is particularly urgent, it can be made by telephone.

### Remember:

- ◆ An EPO is open to challenge by the young person's parents or the person with parental responsibility.
- ◆ Once an EPO is made, the local authority shares parental responsibility with the parents. The local authority **need not** release details of where the young person is living if this is necessary to protect the young person.
- ◆ The court must be asked for an order that states there be **no contact** (or restricted contact) during the period of the EPO if this is necessary to protect the young person. If this is not asked for, there is a presumption of reasonable contact.
- ◆ Social services have a duty to make enquiries when a young person living in their area is the subject of an EPO or is in police protection or may be reasonably suspected to be suffering from significant harm (s.47 Children Act, 1989).

In some cases, it may be appropriate to seek **care orders or supervision orders**. For further information see [page 38](#).



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# A REPORT BY A THIRD PARTY OF AN INDIVIDUAL HAVING BEEN TAKEN ABROAD FOR THE PURPOSE OF A FORCED MARRIAGE

## SECTION B

Sometimes individuals are taken overseas on the pretext of a family holiday, the wedding of a relative or the illness of a grandparent. On arrival, their documents and passports may be taken away from them. Some even report their parents drugging them. In these cases, it may be a concerned friend/relative/partner/agency/teacher that reports them missing. These cases may initially be reported to the Forced Marriage Unit, social services, police, education or a voluntary group.

As with all cases of forced marriage, confidentiality and discretion are vitally important (page 30). It is **not** advisable immediately to contact an overseas police service or organisation to make enquiries. If, through police actions, the family becomes aware that enquiries are being made, they may move the individual to another location or expedite the forced marriage.

### Risks that may arise if police or organisations overseas are contacted directly:

- ◆ Collusion between the overseas police/organisation and the individual's family.
- ◆ Violence to the individual being held abroad and the forced marriage brought forward.
- ◆ Removal of the individual to an unknown destination.

In dealing with these cases, police need to liaise closely with the Forced Marriage Unit (page 2) and then gather information about the family discreetly.

### Remember:

- ◆ Reassure the third party that if the individual is being held overseas and wishes to return to the UK, the Foreign & Commonwealth Office will do everything possible to repatriate them. The Foreign & Commonwealth Office is obliged to ask the individual, the third party or trusted friends to contribute towards the cost of repatriation (page 35). However, this will never delay the process of getting the individual to safety.
- ◆ Police should be extremely careful not to disclose information to the overseas police or any other overseas organisation that could place the individual in further danger e.g. disclosure about previous/current boyfriends or partners in the UK.

### POLICE RESPONSE

- ✓ Refer to general guidelines (page 11).
- ✓ Refer to information required in all cases (page 14).
- ✓ Discuss the case with the Forced Marriage Unit (page 2).
- ✓ Refer to the Child Protection Officer, if the individual is less than 18 years old.
- ✓ Check existing missing persons' reports.
- ✓ Obtain details of, and maintain contact with, the third party in case the individual contacts them whilst overseas or on their return.



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## A report by a third party of an individual having been taken abroad for the purpose of a forced marriage

### Do not:

- ✗ Go directly to the individual's family, friends or those with influence within the community, as this will alert them to the enquiries and may place the individual in further danger.  
(Note: There may be exceptional circumstances when the Forced Marriage Unit asks the police to visit the family – [page 29](#)).
- ✗ Make direct contact with the Embassy/British High Commission or overseas police without first liaising with the Forced Marriage Unit.
- ✗ Speak to the individual on the telephone in order to find out if they are being held against their will. The family may be present threatening them or it may be a different person speaking on the telephone.

### Consider:

- ◆ Asking an Education Welfare Officer to make careful enquiries.
- ◆ Using existing national and local protocols for inter-agency liaison.

### Try to:

- ◆ Ascertain if anyone else is aware of the situation and establish whether enquiries have already been made. Is there evidence to support forced marriage and other abuses?
- ◆ Dissuade the third party and other agencies involved in the case from making enquiries and taking action independently of the police.
- ◆ Find and document any evidence to confirm the threat of forced marriage and any related criminal offences.
- ◆ If the third party needs support, refer them to an organisation with a history of assisting in cases of forced marriage and domestic violence ([page 43](#)).

### LEGAL POSITION CONCERNING CHILDREN AND YOUNG PEOPLE

Once a young person has left the country, the legal options open to police, social services, other agencies or another person to recover the young person and bring them back to the UK are limited. The normal course of action is to seek the return of the young person to the jurisdiction of England and Wales by making them a ward of court. For further information about applications for wardship see [page 39](#) and contact the Forced Marriage Unit ([page 2](#)).



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# Marriage

# AN INDIVIDUAL WHO HAS ALREADY BEEN FORCED TO MARRY

## SECTION C

Although many cases of forced marriage come to light when an individual is reported missing or there are allegations of abuse and domestic violence, some cases are brought to the attention of the police or social services when an individual is forced to act as a sponsor for their spouse's immigration to the UK. The individual is frequently reluctant to tell the immigration service that it was a forced marriage because of threats and fear of reprisals from the family. A person whose application to enter the UK as a spouse is refused has a right to know the reasons why – and the right to appeal against the decision. This can place the individual in a difficult position.

### Choices

**An individual who has already been forced to marry has limited choices:**

- ◆ To stay with the marriage
- ◆ To leave the marriage and, probably, the family home
- ◆ To confront their family and seek their backing, together with support from other agencies
- ◆ To try to withhold support for the visa application without letting the family know.

### Remember:

- ◆ Confronting the family may be extremely risky for the individual. They may not get the support they hope for and further pressure may be put on them to support the visa application. These risks must be discussed with the individual if only to exclude this option.
- ◆ Although individuals may be tempted to prevent a successful visa application for their spouse, in reality, it is not possible to do this without all parties concerned being aware of the individual's reason for not wishing to sponsor their spouse's visa application.
- ◆ Cases of forced marriage may initially be reported to police as cases of domestic violence. Spouses forced into marriage may suffer years of domestic violence, but feel unable to leave due to fear of losing their children, lack of family support, economic pressures and other social circumstances. The fact that they were forced to marry may only become apparent years after the marriage has taken place.
- ◆ There is no "typical" victim of forced marriage. Some may be under 18, some may be disabled, some may have young children and some may be spouses from overseas. Whatever their circumstances, all cases should be approached with an open mind and each victim handled as an individual.

**In all cases, the police officer needs to discuss the range of options available to the individual and the possible consequences of their chosen course of action.**



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### POLICE RESPONSE

- ✓ Refer to general guidelines (page 11).
- ✓ Refer to information required in all cases (page 14).
- ✓ Refer to the Child Protection Officer, if the individual is less than 18 years old.
- ✓ Record full details of the individual together with details of the marriage including date and place.
- ✓ Record the name, address and date of birth of the spouse together with the interview dates for their visa (if known).
- ✓ Refer to the Forced Marriage Unit if the marriage has an overseas dimension or the individual has concerns about their “spouse” getting a visa (page 2).
- ✓ Refer to a family panel solicitor for legal advice.
- ✓ If the individual does not want to return to the family home, then a strategy for leaving home should be devised and personal safety advice discussed (page 32).
- ✓ If the individual wishes to remain at the family home, try to maintain contact without placing the individual at risk (page 29).

#### Consider:

- ◆ Maintaining contact using community workers, health workers etc.
- ◆ Using legal remedies to protect the individual from family members if they decide to leave the family home or wish the spouse to leave the family home.

### LEGAL POSITION

A spouse who is the victim of a forced marriage can initiate nullity or divorce proceedings to end the marriage. Individuals can also take action to protect themselves under the Family Law Act, 1996.

#### Non-molestation order

An individual may seek a non-molestation order against their spouse under s.42 Family Law Act, 1996. When such an order is granted it forbids the spouse or family member from using violence or other behaviour amounting to harassment against the applicant. Such an order can also be sought in relation to a child of the family.

The criteria for granting such an order are:

- ◆ There must be evidence of molestation (e.g. domestic violence or other behaviour which amounts to harassment).
- ◆ The applicant or child must need protection.
- ◆ The judge must be satisfied on the balance of probabilities that judicial intervention is required to control the behaviour which is the subject of complaint.

A power of arrest may be attached to the order if it appears to the court that the spouse has previously threatened or used violence against the individual. If the spouse or other person named in the order breaches that order, the police may arrest them. There is no need to go back to court to enforce the order before an arrest is made.



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The order may be applied for without notice being given to the spouse if there is a risk of significant harm to the applicant or to a child.

**A non-molestation order may be made not only against a spouse but also against:**

- ◆ A person who lives in the same household (but not if the reason they are living in the same household is because one is the other's employee, tenant, lodger or boarder).
- ◆ Relatives.
- ◆ A person whom the applicant has agreed to marry.

### **Occupation order**

An individual may also seek an occupation order against their spouse under the Family Law Act 1996, seeking the removal of that spouse from the house. The criteria for removal are stricter, and being a victim of a forced marriage is unlikely to be sufficient to obtain an occupation order. The basis on which an order may be granted also depends upon the "right to occupy". It will be necessary to seek legal advice to ascertain whether it would be possible for an individual to obtain such an order.

### **Protection from harassment**

An individual may also take action under the Protection from Harassment Act 1997. The individual may obtain an injunction against the other spouse or family member if they pursue a course of conduct against the individual that amounts to harassment. Criminal proceedings may also be taken under this Act. The police may prosecute a spouse or a member of the family if they pursue a course of conduct that amounts to harassment.

A course of conduct is regarded as harassment if it causes the individual to fear, on at least two occasions, that violence will be used against them. "Conduct" can include speech and need not be a physical attack. A threat to use violence that causes fear will therefore amount to "conduct" for the purposes of this Act.



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# Marriage

# A SPOUSE WHO HAS COME TO THE UK FROM OVERSEAS

## SECTION D



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A spouse may come to the UK from overseas and report that they have been forced to marry overseas. Often the individual may not speak English and may not be aware of the support to which they may be entitled. Again, these cases may be reported initially as cases of domestic violence, missing persons or child protection.

If the individual does not have indefinite leave to remain (ILR), some form of discretionary leave, or a right of abode in the UK, then they are likely to have a restriction on receiving public funds. Public funds include income support and housing benefit. This means that it is extremely difficult to get access to a refuge (although occasionally refuges may be able to offer places). As a result, individuals may experience tremendous difficulty in finding alternative accommodation and a means by which to live (see information on “Last Resort Fund”, [page 28](#)). This may lead individuals to feel they have no option but to remain in the marriage and to feel unable to co-operate with police or anyone they see as being in “authority”.

### Choices

The choices available to the individual are limited:

- ◆ To stay with the marriage
- ◆ To flee the marriage and apply to be allowed to remain in the UK indefinitely (those without indefinite leave to remain)
- ◆ To flee the marriage (those with indefinite leave to remain)
- ◆ To flee the marriage and return home to their country of origin.

### Remember:

- ◆ Staying within the marriage means that the individual is returning to a potentially dangerous and abusive situation.
- ◆ Fleeing the marriage and applying to remain in the UK is an extremely complicated process and requires professional advice.
- ◆ For many people returning to their country of origin is not an option – they may be ostracised, subjected to violence or even killed. These risks should be explained, even just to exclude this option.
- ◆ The individual may be extremely frightened by contact with any statutory agency including the police as they may have been told that the authorities will deport them and/or take their children from them. Extreme sensitivity to these fears is required when dealing with anyone from abroad, even if they have indefinite leave to remain or a right of abode as they may not be aware of their true immigration position. These circumstances make them particularly vulnerable.
- ◆ If it is discovered that the individual is in breach of immigration rules (for example if they are an overstayer), remember that they may also be the victim of a crime and be traumatised as a result. Do not allow any investigation of the individual’s immigration status to impede police enquiries into an offence that may have been committed against the victim or their children.

### POLICE RESPONSE

- ✓ Refer to general guidelines (page 11).
- ✓ Refer to information required in all cases (page 14).
- ✓ Refer to the Child Protection Officer and social services, if the individual is under 18 years old or has children under 18 years old.
- ✓ Refer to “Devising a strategy for leaving home”, page 32.
- ✓ Ensure the individual is dealt with in a culturally sensitive way and their wishes are recognised and respected.
- ✓ Arrange for an authorised interpreter who speaks the dialect of the individual. If necessary, obtain consent from the individual through Language Line (page 43). Establish any preferences regarding the gender of the interpreter.
- ✓ Refer the individual to an advice agency/women’s group/Citizens Advice Bureau/law centre/solicitor (page 43).
- ✓ If you believe that immigration advice is required, refer the individual to an appropriate adviser e.g. trustworthy solicitor with an immigration and asylum franchise, law centre and/or the immigration advisory service. Ideally, refer to a law firm with a family law and immigration franchise, near to their new place of residence.
- ✓ Provide the individual with written contact details of the trained/specialist officer dealing with the case to give to their solicitor together with the crime reference number, if appropriate.
- ✓ Record any injuries and with consent take a photograph. Arrange for a medical examination (page 14). Inform the doctor that there may be an immigration application and detailed notes will need to be taken during the examination.

- ✓ Consult the domestic violence/victim liaison/vulnerable persons officer or family protection unit.
- ✓ Create a restricted entry in the force intelligence system and submit a crime report if applicable.

#### Do not:

- ✗ Use a relative, friend, neighbour or those with influence in the community as an interpreter despite any reassurances from this known person. Information at the interview may be imparted to other members of the community and put the individual at risk of harm.
- ✗ Attempt to give the individual immigration advice. It is a criminal offence for any unqualified person to give this advice.

### LEGAL POSITION CONCERNING CHILDREN AND YOUNG PEOPLE

If the individual is under the age of 18, is present in the UK without their family, and states that they were forced into marriage and does not wish to remain with their spouse, social services should consider the young person in the same manner as an unaccompanied asylum-seeking minor, and should accommodate the young person under s.20 Children Act 1989 (page 40).

Local Authority Circular (LAC) 2003, 13 states that when a child has no parent or guardian in this country, the presumption should be that the child would fall within the scope of s.20 and become “looked after”, unless the needs assessment reveals particular factors which would suggest that an alternative response would be more appropriate.

If the young person is under 18 and has children, they should still be regarded as an unaccompanied child.



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### Remember:

- ◆ Anyone who has been granted indefinite leave to remain, some form of discretionary leave or who has a right of abode in the UK has the same entitlements to public funds as a British citizen.
- ◆ Funding for legal advice is not counted as public funds, and individuals may be entitled to free legal advice whatever their immigration status.
- ◆ Social services may have the power to make discretionary payments. These payments do not count as public funds.
- ◆ If the individual is suffering domestic violence, the Domestic Violence Provisions under the Immigration Rules may apply (page 37). Under these Provisions, police can provide evidence of domestic violence in the form of a report confirming attendance at the applicant's home as a result of domestic violence.
- ◆ Police records and statements may be vital evidence in an individual's immigration case. This evidence may be placed before an immigration hearing and police may be called as a witness.
- ◆ It may be possible for a refugee to make an application to Women's Aid to access the "Last Resort Fund" to support an individual who does not have indefinite leave to remain, some form of discretionary leave or a right of abode in the UK. However, both access and funding of the "Last Resort Fund" is extremely limited. This should only be done if other alternatives – such as local authority support – do not provide a solution.



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## 1. VENUE FOR INTERVIEWS

It is likely that the individual or complainant will be anxious and distressed. The interview should take place in a private and secure part of the police building free from interruptions, in accordance with local force practices and procedures. The room should not be adjacent to the public part of the building, as there have been cases reported of individuals being forcibly removed from police stations by their families.

### Remember:

- ◆ The individual may wish to be interviewed by an officer of the same gender.
- ◆ They may not want to be seen by an officer from their own community.
- ◆ Develop a safety plan in case the individual is seen by someone hostile at or near the police station e.g. prepare another reason why they are there.
- ◆ Before attempting to obtain evidence from or interviewing an individual under the age of 17 years, refer to *Achieving Best Evidence in Criminal Proceedings: Guidance for vulnerable or intimidated witnesses, including children* (Youth Justice and Criminal Evidence Act, 1999).
- ◆ If the individual insists on being accompanied during the interview e.g. by a teacher or advocate, ensure that the accompanying person understands the implications of confidentiality especially with regard to the individual's family.

### Do not:

- ✗ Use family members, friends, neighbours or those with influence in the community as interpreters – individuals may feel embarrassed to

discuss personal issues in front of them and sensitive information may be passed on to others. Furthermore, such an interpreter may deliberately mislead the police and/or encourage the individual to drop the complaint and submit to the family's wishes.

## 2. VISITING INDIVIDUALS OR RELATIVES AT THE FAMILY HOME

There may be occasions when an individual is overseas and the Forced Marriage Unit ask the police to visit the family in the UK to request that the family overseas present the individual at the nearest Embassy/British High Commission. In these situations, the family may suggest that the police officer speaks to the individual on the telephone. If this occurs, the officer should refuse to speak on the telephone and insist that the individual is presented at the Embassy/British High Commission. There have been occasions when individuals have not been able to talk freely over the telephone or a different individual has spoken to the officer.

There may also be occasions when police are called to a family home. In these circumstances, it is important to remove the individual to a neutral place to be interviewed. Otherwise, they may feel unable to speak freely in case members of the family overhear their conversation.

## 3. FUTURE CONTACT AND MEETINGS

Agree where future meetings can take place if the individual does not want to meet at the family home or the police station. Consider alternative venues e.g. local libraries/cafés, somewhere the individual will feel comfortable. Establish whether they can be contacted in confidence at work, at school or through a trusted friend, sibling or organisation.



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### Consider:

#### Mobile phones

- ◆ Establish whether the individual or another family member pays the bill as the record of calls made may place the individual at risk of harm.
- ◆ Establish a code word to ensure that you are speaking to the right person.

#### Text messages

- ◆ Ensure that text messages cannot be intercepted.

#### E-mail

- ◆ Ensure that no one else can open the individual's e-mail messages.

#### Post

- ◆ Ensure any postal address for correspondence is safe and letters cannot be intercepted.

### Remember:

- ◆ In some cases, contact will be through a third party who is the only link to the individual. This situation can arise when an individual has been taken overseas.
- ◆ In some circumstances, it may be possible to offer the individual a safe mailing address via the trained/specialist officer at the police station.

### Do not:

- ✗ Meet the individual at their new address, refuge or friend's house. You may be followed.
- ✗ Put the individual at risk of harm.
- ✗ Put any police officer at risk of harm.
- ✗ Speak to the individual in the presence of "friends".

### Police must:

- ✓ Perform an assessment of the risk of harm faced by the individual and the police officer.
- ✓ In cases of a third party report, obtain details of, and maintain contact with, the third party.
- ✓ Arrange with the individual/third party as to the best time and place to make contact to ensure that they can talk freely and openly.

## 4. CONFIDENTIALITY AND SECURITY OF INFORMATION

Confidentiality is going to be an extremely important issue for anyone threatened with, or already in, a forced marriage. Police need to be clear about when confidentiality can be offered and when information given in confidence should be shared or disclosed.

Circumstances sometimes arise where a child, or more probably a young person, explicitly asks police not to give information to their parents/guardians or others with some authority over them. Their request for confidentiality should be upheld, although in the case of a young person under the age of 18, complete confidentiality cannot be guaranteed.

The extent to which an individual can be offered complete confidentiality depends to some extent upon their age. When a young person is 18, and asks that information be confidential, no information should be disclosed to an external person or body without their consent. **There may be exceptions to this if a young person is a danger to themselves or others.**

When a young person is under 18, the situation is rather different. If there is information which indicates that they are at serious risk of suffering significant harm, police should consider whether to disclose this information to others (for



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example social workers) and seek assistance, although there is no legal duty on police to do so. The best interests of the young person are paramount and police must act to protect them.

There is no hard and fast rule as to when information should be disclosed. Each case will need to be judged on individual circumstances. In the case of forced marriage, police will need to think very carefully about the need to disclose information and to whom it is to be disclosed. Disclosure could lead to the individual being at an even greater risk of significant harm and lead to estrangement from the family.

If a decision is made to disclose confidential information to another person, the police officer should seek the consent of the individual before the disclosure. Most individuals will consent to the disclosure if they receive a careful explanation of why the disclosure is to be made and are assured about their safety and what will happen following such a disclosure. Whether or not the individual agrees to the disclosure, they must be told if there is to be disclosure of confidential information.

#### Consider:

- ◆ Drawing on existing national information-sharing protocols and procedures concerning child protection and domestic violence. These are set out in *What to do if...* (Department of Health, 2003), the consultation paper, *Safety and Justice: Government Proposals on Domestic Violence* (see paragraph 86 on delivering a fully effective service to survivors of domestic violence, rape and domestic assault by known perpetrators) and *Information Sharing in Domestic Violence Cases* (ACPO, 2004).
- ◆ Consulting with other agencies, particularly social services.

#### Remember:

- ◆ From time to time, police will be asked to make exceptional disclosures, for example to police colleagues or other agencies to assist a criminal investigation. In these situations, the Data Protection Act 1998 provides exemptions from the normal restraints on disclosure. The Act allows for disclosure without consent of the subject in certain circumstances, including for the purposes of the prevention or detection of crime.
- ◆ There may be occasions when police are not able to obtain the consent of an individual in order to share sensitive information with other agencies, for example, when the individual is overseas. In these cases, information should be shared if there is concern that the individual is at serious risk of significant harm.
- ◆ There may be occasions when the individual's family ask a third party e.g. a family friend, councillor, MP or those with influence within the community to request information from police. The third party may have been given a very plausible reason by the family for needing to know the whereabouts of the individual e.g. the illness of a close relative, and the third party may unwittingly think they are helping the individual. These requests are often made by telephone and rely on the person making the request persuading a police officer that they are authorised to receive information. **Do not share this information.**



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### Do not:

- ✗ Overlook possible breaches of confidentiality including leaks of information from police records, police interpreters and communications with external agencies and organisations.
- ✗ Share information received with unauthorised people without the express consent of the individual involved.
- ✗ Give details of the case to the media without the express consent of the individual involved.

## 5. PERSONAL SAFETY ADVICE AND DEVISING A STRATEGY FOR LEAVING HOME

### Get the individual to think about:

- ◆ Who could they go to in an emergency?
- ◆ Who would be able to send them money if necessary?
- ◆ All the things they may need to start a new life.
- ◆ The possible finality of this decision.

### When devising a strategy for an individual over the age of 16 to leave home, the individual should:

- ✓ Be fully consulted as to their future needs and their wishes respected.
- ✓ Open a bank/savings account in their name.
- ✓ Leave copies of important documents such as passport, national insurance number and birth certificate with police, social services or a trusted friend.
- ✓ Leave spare clothing and cash etc. with a trusted friend.

- ✓ Keep helpline numbers close at hand.
- ✓ Have a telephone card or change for urgent phone calls.
- ✓ Arrange alternative “emergency” accommodation should the need arise.

### Police must:

- ✓ Record any copies of documents and retain them in compliance with force policy.

### If the individual is leaving the family home:

- ✓ Arrange for an adult, e.g. a social worker or refuge worker, to accompany them if they insist on returning to the family home to collect their possessions.
- ✓ If necessary, arrange for a police officer to escort the social worker/refuge worker or other and the individual to collect their possessions – in order to prevent a breach of the peace.
- ✓ Ensure an accredited interpreter, who speaks the same dialect as the family, is also present, in case the family makes threats.
- ✓ Perform a risk assessment before visiting the family home.
- ✓ Ensure the individual knows how their actions may compromise their own safety.
- ✓ Take steps to ensure that the individual’s identity, benefit, and other records are confidential.
- ✓ Use existing domestic violence safety measures such as mobile phones and alarms.
- ✓ Refer them to appropriate agencies/support groups for information and assistance (page 43).



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**Do not:**

- ✗ Re-house locally unless specifically requested after all the risks of harm have been explained to the individual.
- ✗ Allow the individual to be accompanied by their children when returning to the family home to collect possessions.

**Remember:**

- ◆ Whilst it is desirable to obtain the following items, they are not as important as the safety of the individual.

Personal possessions should include:

- Proof of identity (something with a photograph and signature e.g. passport, student ID card, photo-card driving licence or National Insurance number/card).
- Benefit books, money, cheque books, bank and credit cards.
- Medication and medical card.
- Address book and photographs.
- Marriage/divorce papers.
- Documents relating to immigration status.
- Jewellery and clothing.
- ◆ Male victims of forced marriage may encounter difficulties being taken seriously. If they then wish to leave the family home, refuge accommodation tends to be limited so the use of hostels may be the only alternative.
- ◆ Ask the individual if they want anyone to be told that they are safe and well. If so, who? What information do they want the police to give out?

- ◆ Many individuals who remain in contact with their families once they have left home continue to be subjected to emotional pressures. This may include stories about the illness/death/dying of parents, relatives or siblings. If such a message is received, police/social services should check the validity of the information if the individual wishes.
- ◆ Sometimes families use organised networks that will track individuals. These networks include family and community members, bounty hunters, taxi drivers, together with people who have access to records such as staff from benefits office, GP surgeries and housing departments. There may be occasions when professionals unwittingly give confidential information to those searching for the individual.
- ◆ If the individual is under 18, it may be necessary to invoke legal procedures involving police protection, Emergency Protection Orders, interim and full care orders (page 19, 20 & 38).

## 6. MISSING PERSONS AND YOUNG PEOPLE WHO RUN AWAY

Individuals, especially those under 18, who leave home to escape a forced marriage, or the threat of one, often create specific difficulties for the police and other statutory agencies such as social services. Police may feel they should inform families if the individual is found. On occasion, police have faced criticism both for failing to share information about an individual who has run away from home and for giving them practical support and protection. Ultimately, however, the first concern should be for the welfare of the individual. An



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individual facing a forced marriage is at risk of significant harm if they are returned to their family. There have been incidents where families have killed an individual after they have been located. In these situations, police should feel confident about justifying their actions, because experience shows that if information is shared with their family and friends it may place the individual in danger.

Some families go to considerable lengths to find their children who run away and some may use subterfuge to locate and return them. For example, some families may falsely accuse a missing person of a crime (e.g. theft) in the expectation that the police will locate the individual for them.

For further information about missing persons and young people who run away refer to the Department of Health publication *Children Missing from Care and from Home: a guide to good practice*, November 2002.

### Remember:

- ◆ Individuals fleeing a forced marriage that has not yet taken place may be reported as missing by their families. The forced marriage aspect of the case may not be apparent when the report is made.
- ◆ If police locate a young person under the age of 18, social services or the police should interview the young person (before returning them home) to establish whether it is in their best interests to return home.
- ◆ If the family locate the individual, try to interview them on their own to establish why they left home, the circumstances of their return and what they want to do.

- ◆ If the individual is at risk of being forced into marriage or other types of abuse, it may not be in their best interests if police or social services disclose information to their families, friends or members of the community.
- ◆ A local authority may provide accommodation for young people between the ages of 16 and 21, if they consider that to do so would safeguard or promote the young person's welfare (s.20 (3) Children Act 1989).
- ◆ An individual fleeing a forced marriage, or the threat of one, may need to be relocated with a different local authority, as they may not wish to live in the same area as their family.
- ◆ A young person fleeing a forced marriage, or the threat of one, may not wish to be fostered with a family from their own background or community.
- ◆ A young person might wish to be fostered outside the immediate geographical area.

### Police must:

- ✓ Respect the individual's wishes.
- ✓ Establish where they would like to live.
- ✓ Establish if they wish to live independently or in a supportive establishment.

### Do not:

- ✗ Inform the family as to the whereabouts of the individual.
- ✗ Disclose information without the express consent of the individual (page 30).



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## 7. REPATRIATION

Sometimes the Foreign & Commonwealth Office may ask the police or a social services department for assistance when an individual is repatriated to the UK from overseas.

In these cases, the individual may be extremely traumatised and frightened. They may have been held against their will for many months or years. They may have suffered emotional and physical abuse and if the marriage has already taken place, the individual may have been raped. Sometimes an individual will have risked their life to escape and their family may go to considerable lengths to find them. This makes all victims particularly vulnerable when they return to the UK.

When an individual arrives at, or contacts, an Embassy/British High Commission every attempt will be made to repatriate them as soon as possible. Unfortunately, due to the urgency of the situation, the Foreign & Commonwealth Office may not be able to give the police or social services a great deal of notice of the individual's arrival.

### Remember:

- ◆ The Foreign & Commonwealth Office or social services may ask the police to meet the individual on arrival, in case family members try to abduct the individual at the airport.

### Cash deposits

There may be rare occasions when the Forced Marriage Unit asks a third party in the UK to deposit a sum of cash at the local police station in order to cover the cost of repatriation of an individual who has been held abroad. The police should issue a depositor with a receipt for the amount received and fax or telephone the Forced Marriage Unit to confirm receipt

of the cash. Later a cheque for the amount received should be sent to the Forced Marriage Unit (page 2).

Police stations are able to do this and this should not pose any difficulty. Delays in this process can delay the repatriation of the victim. Normally, the Forced Marriage Unit prefers to arrange bank transfers with the third party not calling on the police for this function at all. If the police are called on in this capacity, it is exceptional.

## 8. PARTNERSHIPS WITH OTHER AGENCIES AND ORGANISATIONS

As with the needs of victims of domestic violence and child abuse, the needs of victims of forced marriage cut across service providers' boundaries. It is very unlikely that police, or any single agency, will be able to meet all the needs of a person who either is at risk of harm or actually forced into marriage. It is essential that police use a multi-agency approach to the problems faced by victims of forced marriage and develop partnerships with the following:

- ◆ **Social services** – can assist police in gathering information about an individual and their family. They may have documented evidence of previous incidents relating to other siblings. They can assist in protecting a young person if they are at risk of significant harm and provide safe, appropriate accommodation for individuals wishing to flee a forced marriage or the threat of one.
- ◆ **Local schools and colleges** – can alert authorities if they are concerned that an individual may have been taken abroad for the purpose of a forced marriage or are concerned that an individual may be forced into marriage in the UK. They should be encouraged to notify police if a vulnerable young



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person is missing from school. Schools and colleges may have further detailed information about an individual's family and the area overseas from which they originate.

- ◆ **Local support, counselling services and NGOs** – community based organisations, namely black and minority ethnic women's groups, advocacy services, youth and children's groups have a wealth of expertise and knowledge. These services are widely seen by women to be non-judgemental and understanding, and are often more accessible due to reasons of gender, language or culture. These organisations can offer victims long-term support, counselling and advocacy. Care should be taken to ensure that they have a good track record of working with women and young people and acting in their best interests. Police should consider approaching established women's groups who have a history of working with survivors of domestic violence and forced marriage and ask these groups to refer them to reputable agencies.
- ◆ **The Forced Marriage Unit** – can offer advice and assistance to individuals
  - Who fear they may be forced into a marriage overseas
  - Who fear for a friend who has been taken overseas and may be forced to marry
  - Who have already been forced to marry and do not want to support their spouse's visa application.
- ◆ **Strategic Health Authorities (SHAs), Primary Care Trusts (PCTs), GPs, NHS Trusts and Mental Health Trusts** – cases of forced marriage may come to the attention of health professionals. They

should refer individuals to the police, social services or other appropriate agencies, support groups and counselling services.

- ◆ **Housing departments and the Benefits Agency** – may be able to provide police and social services with useful information relating to the families of victims. Housing departments can also help victims of forced marriage who are over the age of 18. Housing departments consider forced marriage an aspect of domestic violence and this ensures that victims are given priority when being housed.

The Homelessness (Priority Need for Accommodation, England) Order 2002 came into effect in July 2002. It extended the number of homeless people with a "priority need" for accommodation who are entitled to be re-housed under the homelessness legislation. The aim of these changes is to ensure that the greatest protection is given to the most vulnerable people and to those who historically have been found to be at greatest risk of ending up on the streets (page 40).

Forced marriage is a form of domestic violence and can be child abuse. Therefore, there are many parallels between fleeing a forced marriage and fleeing domestic violence or child abuse. It is possible that the systems and partnerships already in place for victims of domestic violence and child abuse can be used for victims of forced marriage. They may include using a partnership approach to provide a continuing source of support and follow-up for victims and their families. This will require a detailed plan and follow-up dates.



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## DOMESTIC VIOLENCE PROVISIONS IN THE IMMIGRATION RULES

Foreign nationals seeking to remain in this country on the basis of marriage must complete a two-year probationary period, during which the marriage is subsisting. Unmarried partners must have been in a cohabitative relationship for two years in order to get leave to remain. If they leave their spouse or partner during that time, they have no right to remain in the UK.

The domestic violence concession was introduced on 16 June 1999. Under the concession, foreign spouses or unmarried partners who wanted to leave their partner because of domestic violence during their probationary period have been allowed to remain in the UK, even though they were no longer living with their sponsor. In order to prove that domestic violence had occurred they had to provide **one** of the following:

- ◆ An injunction, non-molestation order, or other protection order made against the sponsor.
- ◆ A relevant court conviction against the sponsor.
- ◆ Full details of a relevant police caution issued against the sponsor.

The Government still wants victims of domestic violence to bring their violent spouses to court to answer for their actions. If that is not possible, however, those fleeing abusive relationships are now able to provide other forms of evidence to prove they have been the victims of violence.

When the concession was brought into the Immigration Rules in November 2002, the provisions were extended so that if one of the above pieces of evidence is not available, more than one of the following is acceptable:

- ◆ A medical report from a hospital doctor confirming that the applicant has injuries consistent with being the victim of domestic violence.
- ◆ A letter from a GP who has examined the applicant and is satisfied they have injuries consistent with being the victim of domestic violence.
- ◆ An undertaking given to a court that the perpetrator of the violence will not approach the applicant who is the victim of violence.
- ◆ A police report confirming attendance at the home of the applicant as a result of domestic violence.
- ◆ A letter from social services confirming its involvement in connection with domestic violence.
- ◆ A letter of support or report from a women's refuge.

Enquiries should be directed to:

Immigration and Nationality Policy  
Directorate  
Lunar House  
40 Wellesley Road  
Croydon  
CR9 2BY

Telephone: 0870 606 7766



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### ADDITIONAL INFORMATION ON CHILD PROTECTION

Further information about protecting young people and the role of social services can be found in *Practice Guidance for Social Workers: Young people & vulnerable adults facing forced marriage*, (Foreign & Commonwealth Office *et al.*, 2004).

#### Care orders and supervision orders

Frequently, an Emergency Protection Order (EPO) is followed by an application from the local authority for an interim care order (s.31 and s.38 Children Act, 1989). Without such an application, the EPO will lapse and the local authority will no longer have parental responsibility.

A court will only make an interim care order or supervision order under s.38 Children Act, 1989 if it is satisfied that there are reasonable grounds to believe that the following threshold criteria are met:

- a. The young person concerned is suffering, or likely to suffer, significant harm; and
- b. The harm, or likelihood of harm, is attributable to (amongst other things):
  - i. The care given to the young person, or likely to be given to them if the order were not made, not being what it would be reasonable to expect a parent to give to a young person.

Note: The term “significant harm” should be taken to mean all forms of abuse – physical, sexual and emotional and all forms of ill treatment that are not physical.

It is also the duty of the court to decide whether an order is necessary to protect the young person and whether a care order is the most appropriate order.

S.31 Children Act, 1989 provides that no care order or supervision order may be made with respect to a child who has reached the age of 17 (or 16, in the case of a child who is married). The advantage of a care order is that it allows greater protection to be offered to the young person. The local authority may obtain an order that there be no contact with the family and may conceal the whereabouts of the child if that is necessary to ensure adequate protection.

When a care order is not appropriate due to the age of the young person, social services should be aware of the opportunities presented by a Ward of Court Order. This is available up to 18 years old and while social services themselves cannot have a young person “warded”, the young person or an adult friend or advocate can apply for wardship. Various injunctions can be attached to a wardship as required. Very commonly, for a young person in fear of being taken abroad, the injunctions will relate to surrendering passports to the court so that the young person may not leave the jurisdiction without the court’s permission (see [page 39](#) for further information on wardship).

#### Remember:

- ◆ Young people are not able to apply for a care order on their own behalf. Furthermore, a care order cannot be made once a young person has reached the age of 17 or, in the case of a married person, once they reach 16. It is unclear whether the court would be willing to make a care order with respect to a young person who is 16 and who alleges that he or she was the subject of a forced marriage.



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- ◆ If a care order is granted it lasts until the young person reaches the age of 18 unless it is discharged before this date. Abduction of a child who is the subject of a care order is a criminal offence.
- ◆ When a care order is not appropriate, wardship may still be an option.
- ◆ The parents may agree to the young person being accommodated by the local authority in an attempt to forestall the local authority's application for an interim care order. The accommodation provided must adequately protect the young person. When a young person is accommodated, the local authority does not share parental responsibility and must disclose to the parents where the young person is living.
- ◆ If there is a relative or adult whom the young person can trust, that person could apply for a residence order with respect to the young person. This can be done as a freestanding application or within the care proceedings. Again, the question is likely to arise, would such an action provide adequate protection to the young person? Although the residence order holder would share parental responsibility, the parents would retain their parental responsibility and would know where the young person was living. It is possible for a local authority to acquire a supervision order (on the same criteria as a care order) to accompany a residence order. Such an order could provide support and back up to a residence order holder, but would not give the local authority parental responsibility.
- ◆ It is also possible for a local authority to obtain a prohibited steps order under s.8 Children Act, 1989. Such an order could prohibit the parents from removing the young person from the country without the permission of the court. The local authority would need to seek the leave of the court before it obtained such an order. Such an order does not confer parental responsibility on the local authority.

### Applications for wardship

Once a young person has left the country, the legal options open to police, social services, other agencies or another person to recover the young person and bring them back to the UK are limited. The normal course of action is to seek the return of the young person to the jurisdiction of England and Wales by making them a ward of court. An application for wardship is made to the High Court Family Division, and may be made by the young person, a relative, a friend close to the young person, lawyer or by the Children and Family Court Advisory Support Service (CAFCASS) legal services department. Social services are not able to apply to make a child a ward of court. Once the order is obtained, the co-operation of the authorities in the country to which the young person has been taken can be sought. Without such co-operation, it may be difficult to locate and return the young person. For further information on applications for wardship contact the Forced Marriage Unit (page 2).



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### Accommodating young people

For young people, especially females from ethnic minority communities, leaving their family can be especially hard. Family occupies a much more important role, and the young person may have no experience of life outside the family.

Those who do leave often live in fear of their own families who will go to considerable lengths to find them and ensure their return. Families may solicit the help of others to find their runaways e.g. bounty hunters and members of the community, or involve the police by accusing the individual of a crime. Some families have even managed to trace individuals through taxi drivers and shopkeepers. Therefore, the accommodation provided for young people must be safe.

S.20 (3) Children Act 1989 requires that every local authority shall provide accommodation for any child in need within their area who has reached the age of 16 and whose welfare the authority considers is likely to be seriously prejudiced if they do not provide them with accommodation. The local authority also has the power to provide accommodation to a young person under s.17 (6) Children Act 1989 where that young person does not need to be “looked after”.

Before deciding whether or not a young person should be provided with accommodation under s. 17 or s. 20 Children Act 1989, the local authority should undertake an assessment in accordance with the statutory guidance set out in the *Framework for the Assessment of Children in Need and their Families* (April 2000). The local authority should use the findings of that assessment as the basis of any decision (Local Authority Circular (2003) 13).

The fact that a young person under the age of 18 has gone through a form of marriage has no impact on the local authority’s duty to provide accommodation under s.20 or s.17 Children Act 1989. When a young person is estranged from their family or at risk because of their refusal to accept the marriage, the local authority should provide accommodation under s.20. This would result in the young person becoming “looked after” and would impose an obligation on the local authority to safeguard and secure the young person’s welfare.

If the young person is under the age of 16, accommodation under s.20 can be offered as an alternative to a care order. The local authority, however, will not obtain parental responsibility and will not be able to offer the same level of protection. An accommodated child may be removed from such accommodation at any time by the parent. Once the child reaches 16, however, the parent loses that power.

If the young person feels safe, they may wish to move to permanent accommodation. The responsibility for accommodating a young person under 18 remains with the local authority if that child is either looked after under s.20 or provided with accommodation under s.17 Children Act 1989.

Young people, who are not “looked after” or accommodated, will have to seek housing from the local authority housing department. Whether or not they will obtain housing depends on them having “priority” need. If they are not regarded as a priority, housing will depend on the number of people on the authority’s waiting list.



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## **The Homelessness (Priority Need for Accommodation – England) Order 2002**

defines those who are entitled to be housed or re-housed as a matter of priority under the homelessness legislation.

The regulations define priority need as:

- ◆ Sixteen and 17 year olds, other than “relevant” children. “Relevant” children are those who (i) were “looked after” by the local authority before 16 and who continue to be looked after once they reach 16 and (ii) those who are currently “looked after” under s.20 or accommodated under s.17 Children Act 1989.
- ◆ A person under 21 other than a “relevant student”. A “relevant student” is a person who was “looked after” by the local authority and who remains the responsibility of the local authority under the leaving care provisions (s.23 Children Act 1989).
- ◆ Care-leavers aged 18, 19 or 20 who were looked after, accommodated or fostered when aged 16 or 17, and who are not “relevant students”.
- ◆ People aged 21 or over who are vulnerable as a result of being looked after, accommodated or fostered by the local authority, and who are not “relevant students”.
- ◆ People who are vulnerable as a result of fleeing violence (or threats of violence).

Any young person falling within the first two categories will automatically be considered to have a priority need for accommodation. Young people in the other groups must also be regarded as vulnerable in order to be considered to be in priority need.



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# Marriage

## BRITISH HIGH COMMISSIONS

Listed below are the details of British High Commissions in countries where most cases occur. However, forced marriage can take place in any country, therefore contact the Forced Marriage Unit if you require details of any other British High Commission or Embassy (Page 2).

### BANGLADESH

#### Dhaka

British High Commission  
United Nations Road  
Baridhara  
Dhaka  
Postal Address:  
PO Box 6079, Dhaka – 1212  
Telephone: (00) (880) (2) 8822705

#### Office Hours (GMT)

Sun to Wed 02.00 – 10.00  
Thurs 02.00 – 08.00

#### Local Time

Sun – Wed 08.00 – 15.00  
Thurs 08.00 – 13.00

### INDIA

#### New Delhi

British High Commission  
Chanakyapuri  
New Delhi 110021  
Telephone: (00) (91) (112) 687 2161

#### Office Hours (GMT)

Mon – Fri 03.30 – 07.30  
and 08.30 – 11.30

#### Local Time

Mon- Fri 09.00 – 13.00 and 14.00 – 17.00

### INDIA

#### Mumbai (Bombay)

Office of the British Deputy High  
Commissioner  
Maker Chambers IV  
222 Jamnalal Bajaj Road  
PO Box 11714 Nariman Point  
Mumbai 400 021  
Telephone: (00) (91) (222) 283  
0517/2330

#### Office Hours (GMT)

Mon-Fri 02.30 – 07.30 and 08.30 – 10.30

#### Local Time

Mon-Fri 08.00 – 13.00 and 14.00 – 16.00

### INDIA

#### Chennai

Office of the British Deputy High  
Commissioner in Southern India  
20 Anderson Road  
Chennai 600 006  
Telephone: (00) (91) (44) 52192151

#### Office Hours (GMT)

Mon – Fri 03.00 – 07.30  
and 0800 – 10.30

#### Local Time

Mon – Fri 08.30 – 13.00  
and 13.30 – 16.00

### PAKISTAN

#### Islamabad

British High Commission  
Diplomatic Enclave,  
Ramna 5  
PO Box 1122  
Islamabad  
Telephone: (00) (92) (51) 2012000

#### Office Hours (GMT)

Mon – Thurs 03.00 – 11.00  
Fri 03.00 – 07.00

#### Local Time

Mon – Thurs 08.00 – 16.00  
Friday 08.00 – 12.00

### PAKISTAN

#### Karachi

British Deputy High Commission  
Shahrah-E-Iran  
Clifton  
Karachi 75600  
Telephone: (00) (92) (21) 5872431-6

#### Office Hours (GMT)

Mon – Thurs 03.30 – 11.00  
Fri 03.30 – 07.30

#### Local Time

Mon – Thurs 08.30 – 16.00  
Friday 08.30 – 12.30



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## NATIONAL SUPPORT AGENCIES

This section gives details of national professional/support agencies including addresses, telephone numbers, and an explanation of the service. A comprehensive list of local organisations will need to be prepared by each individual police force.



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### **Careline 020 8514 1177**

This is a national confidential counselling line for children, young people and adults on any issue including family, marital and relationship problems, child abuse, rape and sexual assault, depression and anxiety.

### **Child Line 0800 1111**

This service is for any child or young person with a problem.

### **Citizens Advice Bureau**

The Citizens Advice Bureau offers free, confidential and impartial information and advice on a wide range of subjects including consumer rights, debt, benefits, housing, employment, immigration, family and personal matters. For a list of branches, see "Citizens Advice Bureau" in the telephone directory.

### **Language Line 020 7520 1430**

This service provides an interpreter on the telephone immediately in 100 different languages, 24 hours a day.

### **Local Women's Aid refuge services**

There are nearly 300 local refuge projects in England and Wales. Many local Women's Aid groups also run advice centres, drop-in centres or outreach services to more isolated areas, as well as local helplines. You can call in to see someone, or telephone for advice and support, without having to stay in a refuge.

[www.womensaid.org.uk](http://www.womensaid.org.uk)

### **London Lesbian and Gay Switchboard 020 7837 7324**

This service provides a 24-hour helpline.

### **Muslim Women's Helpline**

**020 8904 8193** (Advice line)

**020 8908 6715** (Advice line)

**020 8908 3205** (Administration line)

This confidential telephone helpline offers information, advice, and a listening service for Muslim women from any ethnicity. Some face to face counselling is available. It is open Monday – Friday 10.00 – 16.00.

### **NSPCC 0800 096 7719 Asian Child Protection Helpline**

This free, confidential service for anyone concerned about children at risk of harm offers counselling, information and advice. The service also connects vulnerable young people, particularly runaways, to services that can help.

### **NSPCC 0808 800 5000 Child Protection Helpline** **0800 056 0566** (text phone) **help@nspcc.org.uk** (e-mail)

This free, confidential service for anyone concerned about children at risk of harm offers counselling, information and advice. The service also connects vulnerable young people, particularly runaways, to services that can help.

## Appendices

### **reunite International Child Abduction Centre**

**0116 2555345** (Administration line)

**0116 2556234** (Advice line)

**0116 2556370** (Fax line)

PO Box 7124  
Leicester  
LE1 7XX

**reunite** is the leading charity specialising in international parental child abduction. It operates a 24-hour advice line providing advice, support and information to parents, family members and guardians who have had a child abducted or who fear abduction. **reunite** also supports and informs parents who have abducted their children and assists with international contact issues. **reunite's** advice is impartial and confidential to one or both parties involved in an international parental child abduction case. **reunite** also provides information and support on the issue of forced marriage.

### **Shelterline 0808 800 4444**

This service provides emergency access to refuge services.

### **Southall Black Sisters 020 8571 9595**

This is a resource centre offering information, advice, advocacy, practical help, counselling, and support to black and minority women experiencing domestic violence. Southall Black Sisters specialise in forced marriage particularly in relation to South Asian women. The office is open weekdays (except Wednesday) 10.00 – 12.30 and 13.30 – 16.00.

### **The Asian Family Counselling Service 020 85713933**

This is a national service offering counselling on marital and family issues for Asian men and women. The national helpline is open from 9am to 5pm Monday to Friday. Telephone counselling is also available.

### **The Children's Legal Centre 01206 872566** (Administration line) **01206 874026** (Fax) **clc@essex.ac.uk** (e-mail) **www.childrenslegalcentre.com**

University of Essex  
Wivenhoe Park  
Colchester  
Essex  
CO4 3SQ

The Children's Legal Centre is a unique, independent national charity concerned with law and policy affecting children and young people. The Children's Legal Centre has many years of experience in providing legal advice and representation to children, their carers and professionals throughout the UK.

### **The Children's Rights Commissioner for Wales 01792 765600**

An independent, statutory office to monitor, promote and protect the human rights of children in Wales.



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### **Gatwick Travel Care      01293 504283**

This service ensures that individuals are able to leave the airport and arrive at their destination safely and without delay. Victims of forced marriage may require assistance when they arrive at Gatwick and Travel Care can be contacted for advice. The service is available from 9am to 5pm Monday to Friday and 9am to 4pm Saturday, Sunday and Bank Holidays.

### **Heathrow Travel Care      020 8745 7495**

This service ensures that young people are able to leave the airport and arrive at their destination safely and without delay. Victims of forced marriage may require assistance when they arrive at Heathrow and Travel Care can be contacted for advice. The service is available from 9am to 5pm Monday to Friday.

### **MIND      0208 5192122 (Legal helpline) 0845 7660163**

MIND is a mental health charity working for a better life for everyone with experience of mental distress. Their services include a legal helpline.

### **Victim Support      0845 30 30 900**

Victim Support offers information and support to victims of crime, whether or not they have reported the crime to the police. All help given is free and confidential. You can contact Victim Support direct, or ask the police to put you in touch with your local group. The national helpline is open from 9am to 9pm Monday to Friday and from 9am to 7pm on Saturdays, Sundays and Bank Holidays.

### **Freephone 24 Hour National Domestic Violence Helpline      0808 2000 247**

This Freephone 24-hour National Domestic Violence Helpline is run in partnership by Women's Aid and Refuge. The helpline is staffed 24 hours a day by fully trained helpline support workers and volunteers. It is a member of Language Line and can provide access to interpreters and access the BT Type Talk Service for deaf callers. The helpline provides confidential support, information and a listening ear to women experiencing domestic abuse and to those seeking help on a woman's behalf. Helpline staff will discuss and, if appropriate, refer callers on to refuges and other sources of help and information. They will help women to discuss options for action and to empower them to make informed choices.



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# Forced Marriage

If you wish to comment on this document, please contact:

The Association of Chief Police Officers  
Forced Marriage Working Group  
25 Victoria Street  
London  
SW1H 0EX  
Telephone: 020 7227 3434 (This number is not for operational purposes)

The information in this booklet is correct at the time of writing. January 2005.