

Wolverhampton Safeguarding Adults Board

WOLVERHAMPTON MULTI-AGENCY FORCED MARRIAGE & HONOUR BASED VIOLENCE PROTOCOL



Developed by
Wolverhampton Safeguarding Children Board, Wolverhampton
Safeguarding Adult Board, Wolverhampton Domestic Violence
Forum and West Midlands Police

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Introduction

This protocol has been developed to assist professionals, community groups, and individuals working and living in Wolverhampton to understand what forced marriage and honour based violence is, to be able to recognise it, and in the event of disclosure of or suspecting forced marriage and honour based violence, to understand what to do and what not to do.

It is important that this protocol is used alongside any existing procedures within your organisation and that you also have regard to safeguarding policies and procedures.

A forced marriage is a marriage conducted without the valid consent of one or both parties, where some element of duress is a factor. Duress can include physical, psychological, sexual, financial and emotional pressure.

A forced marriage is different from an arranged marriage, which is a respected tradition in many cultures, and where both parties give their consent.

Wolverhampton's Safeguarding Boards understand forced marriage to be a form of abuse, and a breach of human rights. It is, therefore, important to safeguard any child, young person or adult subjected to a forced marriage.

You should follow this protocol if you:

- Work directly with children, young people and/or adults,
- Work with or supervise others who have contact with children or adults,
- Are a concerned member of the public

Cases should be responded to by using existing structures, policies and procedures designed to safeguard children, young people, adults at risk, and victims of domestic violence and sexual violence.

Definitions

There is a clear distinction between a forced marriage and an arranged marriage.

Arranged Marriage

In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice of whether or not to accept the arrangement remains with the prospective spouses.

Forced Marriage

Forced marriage is a marriage conducted without the valid consent of one or both parties, where some element of duress is a factor. Duress can include physical, psychological, financial, sexual, and emotional pressure.

The United Nations views Forced Marriage as a form of human rights abuse, since it violates the principle of freedom and the autonomy of individuals. This is acknowledged under the United Nations' Declaration of Human Rights, article 16(2):

Article 16

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Forced marriage is also covered under Article 1 of the UN Convention on consent to marriage, minimum age for marriage, and registration of marriages:

Article 1

No marriage shall be legally entered into without the full and free consent of both parties.

Forced marriage is also covered under General Recommendation 21 under Article 16 (1) (b) of the UN Convention on the Elimination of All Forms of Discrimination Against Women.

“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.”

What is Honour Based Violence (HBV)

The term “honour crime” or “honour based violence” embraces a variety of crimes including assault, imprisonment and murder where the person is being punished by their family, or their community. They are being punished because of a belief, actual or alleged, that a person has not been properly controlled enough to conformity and this is to the ‘shame’ or ‘dishonour’ of the family. This is known as izzat.

‘Honour Based Violence’ is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community members.

The Association of Chief Police Officers in 2007 defined Honour Based Violence (HBV) as: ‘a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community’. So called HBV is a fundamental abuse of Human Rights. There is no honour in the commission of murder, rape, kidnap and many other acts, behaviour and conduct that make up ‘violence in the name of honour’ . The simplicity of the above definition is not intended in any way to minimise the levels of violence, harm and hurt caused by the perpetuation of such acts.

Forced Marriage and Honour Based Violence are included under the international definition of Violence Against Women and Girls. Wolverhampton Domestic Violence Forum has developed a local multi-agency Wolverhampton Violence against Women and Girls Strategy that mirrors the Government’s strategy of the same name. The strategy name acknowledges the gendered nature of domestic violence, sexual violence, forced marriage, female genital mutilation, and so called honour based violence, in that the majority of victims are female at the hands of male perpetrators. However, both the national and local strategies acknowledge fully that there are male victims and female perpetrators and the action plans cover female and male victims and perpetrators in heterosexual and same sex relationships. You can

access Wolverhampton's Violence Against Women and Girls Strategy 2012-2015 at www.wdvh.org.uk

Identifying Forced Marriage

Information about the issue of forced marriage may have been provided to the victim by a friend, relative or other agency. The person concerned may not have thought that they were a victim of forced marriage and has only recently begun to question what is or has happened to them.

Alternatively the person may be seeking help as they know the intention is for their family to force them into marriage.

The primary concern is for the safety of the victim. The nature of forced marriage is such that agencies may have only one chance to respond to the needs of the victim. Ultimately to fail to do so will result in harm, and in some cases injury or death.

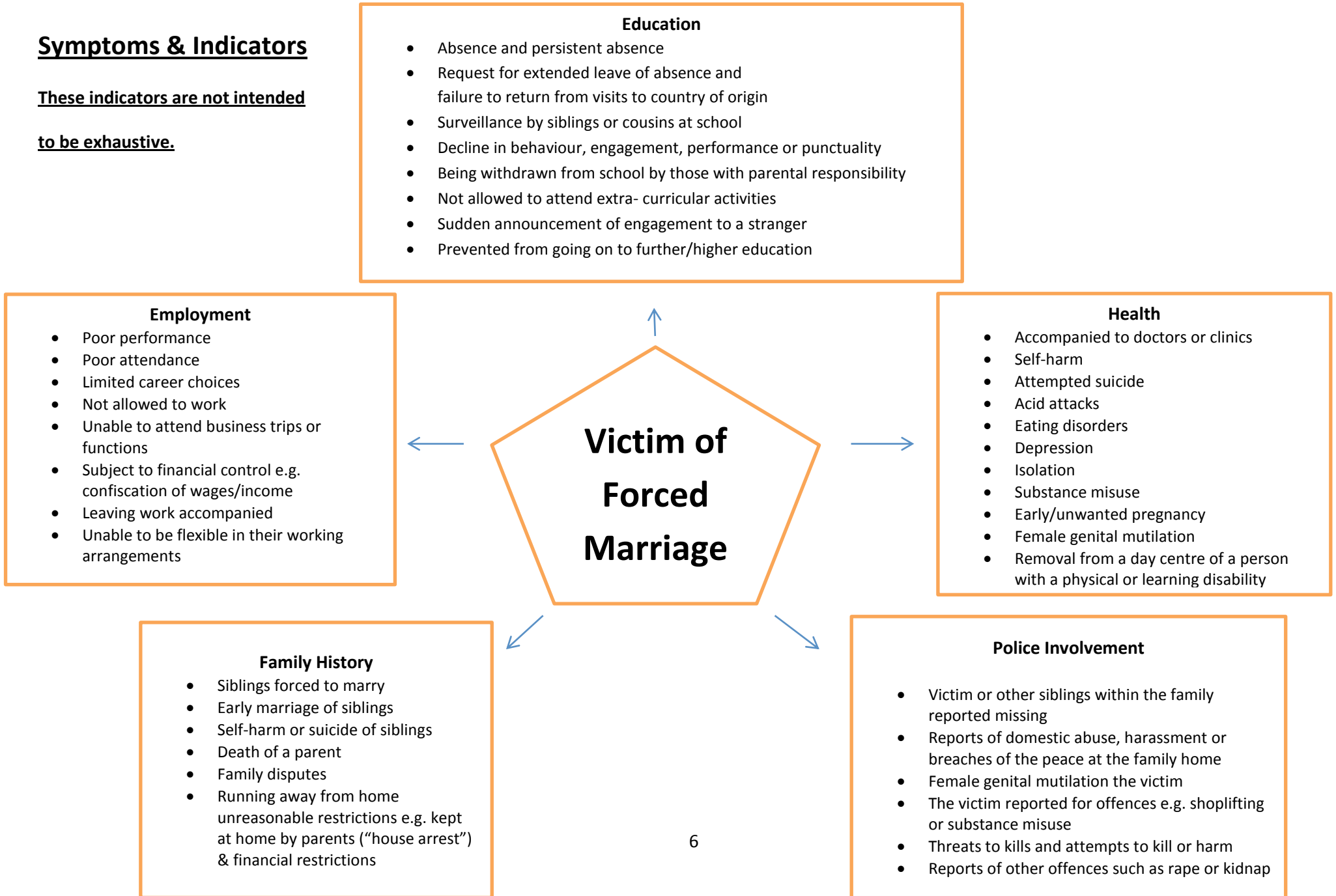
POTENTIAL WARNING SIGNS OR INDICATORS

Potential warning signs include:

- Extended absence from school/college, truancy, drop in academic performance, low motivation, excessive parental restriction and control of movements, and history of siblings leaving education early to marry
- Poor attendance in the workplace, poor performance, parental control of income and limited career choices
- Person talking about marriage, jewellery or wedding clothes
- Family member raising concerns that a relative may be, or has been forced into marriage, or informing a professional that their relative is to be married.
- Family member asking frontline professional to sign a passport application form or visa immigration form
- Being taken away from the school or day centre, or out of the country, without explanation
- Change in emotional or behavioural presentation, e.g. becoming anxious, depressed, frightened and emotionally withdrawn or exhibiting joy or excitement
- Evidence of self-harm, treatment for depression, attempted suicide, social isolation, eating disorders or substance abuse
- Evidence of family disputes/conflict, domestic violence/abuse or running away from home

Symptoms & Indicators

These indicators are not intended to be exhaustive.



Female Genital Mutilation (FGM)

In certain communities, it is regarded as being important that women undergo female genital mutilation (FGM) before being able to marry- usually this is performed during childhood but there have been reports of young women undergoing FGM just prior to a forced marriage.

Practitioners should be alert to potential warning signs and consider that forced marriage could be the reason.

However, they should be careful not to assume that forced marriage is an issue simply on the basis that an individual presents with any of these problems.

Some of the warning signs could be indicative of other forms of abuse or neglect that may require a multi-agency response.

One Chance Rule

All practitioners working with victims of forced marriage and HBV need to be aware of the **'one chance' rule**. That is, they may only have **one chance** to speak to a potential victim and may only have **one chance** to save a life. This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they become aware of potential forced marriage cases. If the victim is allowed to walk out the door without support being offered, that **one chance** might be wasted.

Coercion is likely to have been used with one or both spouses; by family members, friends and the wider community. This may include: threats of violence, being held against their will, emotional threats and other forms of coercion and harassment, such as not being allowed to go anywhere without being accompanied by someone.

There is a common misconception that forced marriages are confined to certain religious groups and cultures, however this is not the case. The practice of forced marriage is not confined to one culture or religious group and can happen regardless of ethnicity, culture, religion, disability, age, gender and sexuality. Any person can find themselves in a situation where they are offered no choice but to proceed with the marriage.

If you are a member of the public concerned that someone is at risk of a forced marriage and/or honour based violence, either in the UK or abroad, you should contact either West Midlands Police on 101 or the Forced Marriage Unit on 020 7008 0151 urgently or by emailing fmufco.gov.uk

Initial steps

Remembering the **'one chance rule'** the agency should carefully question the person concerned as cases are complex and highly sensitive to the individual.

The reason behind the forced marriage may be due to sexuality or disability as well as cultural belief. The majority of victims will be women, but there are also male victims of forced marriage and honour based crimes. All cases should be dealt with seriously.

There is currently no specific offence associated with forced marriage but the victim concerned may have been subjected to a number of offences (please see 'Legislation' section) however forcing someone to marry will become a criminal offence in England and Wales in the summer of 2014. The new law will criminalise both forced marriage and a breach of a Forced Marriage Protection Order. It will also include a range of measures to increase protection and support for victims and a continuing focus on prevention.

Initially agencies **MUST**:

- Ensure the victim is seen in a safe and private place
- See the victim on their own, or if an interpreter is needed take steps to ensure that the interpreter is an approved interpreter, or at the very least not connected with the individual or community
- Risk assess, and discuss a safety plan, complete CAADA DASH Risk Assessment. NB In line with Wolverhampton's Over-Archiving Domestic Violence Protocol, if you are not able to personally undertake the risk assessment, the organisation should have trained individuals in house or an arrangement for risk assessments to be undertaken
- Where victim is under 18, refer to child safeguarding procedures
- Where the victim is over 18, refer to adult safeguarding procedures
- Inform the victim of their right to seek legal advice and representation
- Identify any potential criminal offences and refer to the police if appropriate
- Reassure the victim, this will include ensuring that their confidentiality is maintained (It is important to remember that in these instances family, friends, and community may pose the biggest risk to the victim.)
- Establish a safe way of maintaining contact with the victim
- If the person's capacity to consent to marriage is in doubt, have their mental capacity to consent to marry assessed
- Make a note of all the information available to you at the time, including a description of the victim and details of any known or alleged perpetrators and potential immediate risks, take photocopy of passport if available
- Record any current contacts with other professionals, health, social services, third sector organisations, etc.
- Check police and social care records for past referrals of family members including siblings for example forced marriage of siblings, domestic abuse or missing persons within the family
- Provide accurate information to the victim about their rights and choices and respect their wishes when possible remembering that in certain instances information may be shared without consent, for example, child protection
- Contact a specialist in forced marriage for further advice and support, and
- Consider the need for immediate protection and placement away from the family.

Do Not

- Attempt to mediate
- Send the victim away without having taken appropriate action
- Approach family members and/or members of the community
- Breach confidentiality or share information inappropriately
- Make assumptions about mental capacity
- Make assumptions about communication requirements

- Use relatives, friends, community leaders and neighbours as interpreters or translators.

Please see HM Government (2010) The Right to Choose: multi-agency statutory guidance

Role of Children's Services

The minimum age of consent to marriage is 16. Young people between the age of 16 and 18 can only marry with parental consent unless they are a widow or widower. Although currently there is not a criminal offence of 'forcing someone to marry' within England and Wales there are a number of criminal offences which may be committed including:

- Threatening behaviour
- Theft (e.g. of passport)
- Assault – physical and sexual
- Kidnap, abduction and/or imprisonment
- Rape

Any professional or member of the public concerned that a child may be at risk of significant harm, should make a referral to Wolverhampton's Children's Services, by telephone without delay.

Where the child concerned already has an allocated social worker, referrals to Children's Services should be made to the child's social worker, the team leader or a team colleague.

Forced Marriage is a Child Protection issue. Children's Social Care has a duty to investigate allegations of abuse and is seen as one of the agencies with a key role to play in the statutory guidance of 'Handling Cases of Forced Marriage'. If an allegation of forced marriage is made, or a child/young person discloses that they are at risk, a section 47 investigation should take place. This will be done **without parental consent**.

A referral should be made to the 'Central Referral Hub' 01902 555392 or, if out of hours, 01902 552299.

The following information is needed for the referral; (If you do not have all the information listed, still make the referral - **do not delay**.)

- Name of child/young person (check all names are spelled correctly)
- Age (check date of birth as accurate as possible)
- Details of any siblings
- Parent's name(s) (check the surname of the parent is accurate)
- Home address (telephone number if available)
- Special circumstances; for example, language barriers, context disclosure

took place etc. What prompted the concerns (include as much detail as possible, including dates, times etc.

- Any physical or behavioural signs
- Is the person making the report expressing their own concerns or passing on those of someone else? If so record details
- Has the child/young person been spoken to? If so, what was said?
- Is anyone alleged to be the abuser? If so, record details
- Has anyone else been consulted? If so record the details

Children's social care will ensure they notify the Legal Department and a strategy discussion will need to take place as a matter of urgency.

The strategy discussion should determine whether the risk to the child is imminent, if yes, immediate legal advice should be sought and agreements made on how to keep the child/young person safe. Police and Children's Services should consider at this stage the legal options available to them by way of Police Protection Order, Emergency Protection Order and/or a 'Forced Marriage Protection Order'.

In the event that a Local Authority placement is perceived as appropriate, the carer who the child/young person is being placed with should be given information and advice on the possible risks associated with the child/young person posed by close family members, extended family members and community groups, and consideration of this should be made when identifying a placement.

<http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-guidelines09.pdf>

Police should also consider placing a location of interest sig marker on the address where the child/young person is accommodated. **(See Role of the Police)**.

Once the initial strategy discussion and/or any actions agreed to keep the child/young person safe have been undertaken, a referral to the Safeguarding Unit should be made and a strategy meeting convened as quickly as possible and within 7 days.

The strategy meeting should involve representatives from Children's Services, referring agency, Legal Department of the Local Authority, Police, Education, Health, and, where appropriate, UK Border Agency (UKBA). The strategy meeting should discuss the allegation of forced marriage and agree strategies to address the risks to the child/young person and any other children residing within the property/ living with the parents.

Flow chart for the process is included in appendix 1.

Safeguarding Children – Policies & Procedures can be found at www.wolveslscb.org.uk

Role of Adult Services

The following section is based on the statutory guidance 'The Right to Choose: Multi-agency Statutory Guidance for Dealing with Forced Marriage', and Safeguarding Adults: Multi-Agency Policy and Procedures for the West Midlands.

The Right to Choose Guidance sets out the audience who has responsibility under the guidance;

'This guidance is also given to all persons and bodies in England and Wales who exercise public functions to protect adults with support needs from abuse'.

The guidance is also given to:

'...Any third party who is exercising public functions on behalf of a person or body mentioned in paragraph 14'.

The Safeguarding Adults: Multi- Agency Policy and Procedures for the West Midlands have been developed in accordance with Government Guidance No Secrets. No Secrets defines an adult at risk (vulnerable adult) as someone;

"...Who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation'.

The response from Adult Services will depend if the adult who is at risk of forced marriage is deemed to be an adult at risk under the remit of The Safeguarding Adults: Multi- Agency Policy and Procedures for the West Midlands www.scie.org.uk/publications/reports/report60

Information relating to an adult who is at risk of being forced into a marriage should go through the normal process in line with existing Safeguarding Adults process:

- Imminent threat or risk dial 999
- Outside of immediate risk a referral should be made to Adult Care Access Point on 01902 551199 or 01902 552299 if out of hours
- The alert will go to the appropriate social work team for consideration for investigation
- In addition to the normal risk assessments, in the case of forced marriage the allocated social worker **must** follow the guidance on page 8 of this document complete CAADA DASH Risk Assessment, if high risk, refer to MARAC
- **Do not** attempt to mediate with the person's family or community members
- A case conference should be called to establish a protection plan for the person's long term safety

Forced Marriage – Adults with Learning Disabilities;

There is specific Government Guidance in relation to adults with a learning disability. This document is research based and offers good practice guidance. The document can be found at: www.fco.gov.uk/forcedmarriage

Capacity to consent and the Mental Capacity Act 2005

The Mental Capacity Act 2005 applies to all people aged 16 and over. It aims to empower people to make decisions for themselves whenever possible and also protect those who lack capacity to do this. The Act starts from the basis that, unless proved otherwise, all adults have the capacity to make decisions.

Individuals may lack capacity if they are unable to:

- Understand information given to them
- Retain that information for long enough to be able to make the decision
- Weigh up the information available to make the decision
- Communicate their decision to others.

Where someone is found to lack capacity to make a particular decision, others may be permitted to make decisions on behalf of that person, so long as any such decision is made in the best interests of the person who lacks capacity. For example, family and professionals might decide that it is in a person's best interest to live in a certain place, even though the person themselves lacks the capacity to consent to such a decision. **However, there are certain decisions which cannot be made on behalf of another person and this includes the decision to marry. There is therefore no legal basis on which someone can agree to marriage, civil partnerships or sexual relations on behalf of someone who lacks the capacity to make these decisions independently.** However, families sometimes do believe they have the "right" to make decisions regarding marriage on behalf of their relative.

Capacity to consent to marriage

If a person does not consent or lacks capacity to consent to a marriage, that marriage must be viewed as a forced marriage whatever the reason for the marriage taking place. Capacity to consent can be assessed and tested but is time and decision-specific. In English law, the Court and/or any individual (including a parent) is unable to give consent to a marriage on behalf of an adult who lacks the capacity to give his/her own consent. For people with learning disabilities the consequences of forced marriage can be the same as those for people without a learning disability, for example, repeated rape, domestic violence from their partner or extended family members, or being forced to undertake all household chores for the family.

Adult Social Care response for Adults who fall Outside of the Safeguarding Procedures

A victim who has contacted Wolverhampton Adult Social Care for assistance is likely to be at crisis point, and in need of support. Incidents should be dealt with sensitively and the person supported through to a place of safety.

A person at risk may contact the Local Authority rather than the police for a number of reasons.

They may not want to get their families into trouble. They may have arrived in Wolverhampton having left their home in another part of the country and not know how to access help. In these cases some basic rules should apply in line with the 'one chance rule':

- Establish if there is any imminent danger, you may need to dial 999 on behalf of the person
- Your conversation with the person should establish if police involvement is necessary
- You may need to contact the police and request that they dispatch officers to the person. The person may not have money for transport or know how to get to the nearest police station
- If a person is signposted to another support agency the same may apply. They may need direction and advice on how to access support networks
- Complete CAADA DASH Risk Assessment
- **Do not** attempt to mediate with the person's family or community members,
- **Do not** breach confidentiality or share information inappropriately, unless due to safeguarding concerns for a child or adult at risk.

Role of Domestic Violence Support Services

Domestic Violence Support Services will be familiar with working with women and men who are fleeing violence or in fear of violence and abuse from current and previous partners and wider family members. Forced Marriage and Honour Based Violence will have some additional complexities in relation to potential threats from the wider community. The Wolverhampton Domestic Violence Forum multi-agency Executive Board has developed a local Violence Against Women and Girls Strategy and Action Plan (2012-15) The strategy follows the national template and addresses prevalence and multi-agency actions to address domestic violence, sexual violence, forced marriage, so-called 'honour based violence', and female genital mutilation. The Strategy can be accessed at www.wdvwf.org.uk

Wolverhampton's Overarching Domestic Violence Protocol, developed by the Domestic Violence Forum as one of the recommendations arising from the city's first domestic homicide review, outlines minimum expectations for organisations and agencies. As forced marriage and honour based crimes are included under the definition of domestic violence, all of the protocol's expectations apply equally in the context of forced marriage and honour based violence. Wolverhampton Domestic Violence Forum can assist organisations to put in place some of these elements:

- a domestic violence policy for service users (that includes forced marriage)
- a workplace domestic violence policy (that includes forced marriage)
- include a routine question about domestic violence (and forced marriage) on service user referral forms
- train staff in domestic violence (including forced marriage) to an appropriate level depending on their role

- when domestic violence (including forced marriage) is disclosed, be able to undertake a DASH risk assessment, or have in place an agreed referral pathway for a DASH risk assessment to be undertaken
- where the DASH risk assessment identifies the individual as at high risk of serious harm or homicide, to have a system for referring the case to MARAC (Multi-agency risk assessment conference)
- maintain contact details of appropriate local help and information and leaflets to signpost victims to specialist support agencies.

Relevant policies should be followed including referral of any cases assessed as at high risk of serious harm or homicide into Multi Agency Risk Assessment Conferences (MARAC). See MARAC Flowchart and Referral in Appendix 4 This will provide a co-coordinated response.

The CAADA DASH risk assessment is the risk assessment tool used to determine the level of risk of serious harm or homicide in domestic violence cases. It is designed to provide a shared and common understanding of risk in relation to domestic violence, stalking and honour based violence. It enables front line practitioners to identify high risk cases of domestic violence stalking and honour based violence, which need to be referred to MARAC (Multi-agency risk assessment conferences). The CAADA DASH risk assessment is attached at Appendix 3. Further information can be found at www.caada.org.uk

Independent Domestic Violence Advisers (IDVAs) are specialist trained professional case workers whose primary purpose is to work with domestic violence victims (including forced marriage and honour based violence) at high risk of serious harm and homicide. IDVAs are employed in the voluntary and community sector, their independence of statutory agencies is important as their role in all multi-agency settings is to represent their client's perspective and maintaining a focus on safety for the victim and their children. IDVAs normally work with clients from the point of crisis to assess the level of risk, discuss the range of suitable options and develop coordinated and practical safety plans for victims and their children. These plans will include actions from the Multi-Agency Risk Assessment Conferences as well as interventions available through the criminal and civil courts, housing options, and services through other organisations. Cases assessed at high risk of serious harm or homicide can be referred to an IDVA through the single point of contact helpline 08000 194 400 or they will be referred to an IDVA when the case is heard at MARAC if not already referred.

Role of the Police

Police have a number of responsibilities in relation to forced marriage. These include, protecting victims, investigating any crimes associated with forcing someone to marry and assisting the prosecution as well as supporting the witnesses.

Victims trapped in a forced marriage often experience violence, rape, and forced pregnancy. Many girls and young women are withdrawn from education early. Some are taken and left abroad for extended periods, which isolates them from help and support – this limits their choices so that often they go through with the marriage as

the only option. Their interrupted education can limit their career choices. Even if women manage to find work, however basic, they may be prevented from taking the job or their earnings may be taken from them. This leads to economic dependence, which makes the possibility of leaving the situation even more difficult. Some may be unable to leave the house unescorted – living virtually under house arrest.

Men can also be victims of forced marriage and men should be given the same assistance and respect when they seek help. Men may find it more difficult to admit to being forced into marriage and therefore, may be less likely to seek help.

To gain the trust of the person, 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. They 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 an agency whether it is police, social care or a voluntary or community-based organisation. The person's safety must come first. In many cases, it may not be in their best interest to remain with the family or even in the immediate vicinity. For these reasons, all cases of forced marriage, actual or suspected, are referred to the public protection unit for further specialist support for the victim.

When an officer suspects a forced marriage they will:

- See them immediately in a secure and private place where the conversation cannot be overheard
- See them on their own – even if they attend with others
- Will work through an aide-memoire which directs police to consider all risk factors and will direct them to take their DNA, photographs, fingerprints and family tree
- Explain all their options to them
- Recognise and respect their wishes
- Perform a risk assessment , complete CAADA DASH Assessment
- Contact, as soon as possible, the public protection unit and duty Inspector
- Consideration will be given to a threats to life assessment
- If the young person is under 18 years of age, refer them to children's services and the public protection unit's child abuse investigation team. A police protection order will always be considered:
 - If the person is an adult with support needs, refer them to the vulnerable adult hub and adult social services
 - Reassure them about confidentiality i.e. practitioners will not inform their family
 - Establish a way of contacting them discreetly in the future
 - Consider the need for immediate protection and placement away from the family

- Record any injuries and arrange a medical examination
- Give them personal safety advice
- Develop a safety plan
- Establish if there is a family history of forced marriage, e.g. siblings forced to marry. Other indicators may include domestic violence, self-harm, family disputes, unreasonable restrictions (e.g. withdrawal from education or “house arrest”) or missing persons within the family
- Advise them not to travel overseas. Discuss the difficulties they may face. If foreign travel with the family becomes unavoidable, take the precautions set out by the Forced Marriage Unit (FMU)
- Identify any potential criminal offences and record any offences as per the home office counting rules. Police will be victim focussed and will liaise with CPS in all criminal cases
- Give them advice on what service or support they should expect and from whom
- Ensure that they have the contact details for all relevant support
- Maintain a full record of the decisions made and the reason for those decisions
- Information will be restricted and on a paper file
- HBV/FM markers will be created on relevant police systems and the police OASIS log restricted
- Refer them, 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 abuse and forced marriage
- Where appropriate discuss the case with the Forced Marriage Unit
- Consider whether a communication specialist is needed if the victim is deaf, visually impaired or has learning disabilities.
- Check police and social services’ records for past referrals of family members including siblings – e.g. domestic abuse or missing persons within the family.

For further guidance police will check their intranet for the following documents:

Practice Guidance for Specialist Staff – Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH) ACPO 2009

Practice Guidance for First Response Police Staff – Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH) ACPO 2009

Risk Identification and Assessment Model for Police Staff – Domestic Abuse, Stalking and Harassment and Honour Based Violence (DASH) ACPO 2009

Guidance on Taking of Fingerprints, DNA & Photographs of Victims/Potential Victims of Forced Marriage, ACPO 2008

Procedure for Requesting HM Revenue and Customs to make National Insurance Data “Nationally Sensitive” – Forced Marriage and Honour Based Violence Victims, ACPO 2009. Note: this document is confidential and for police use only

Guidance on the Relocation of Victims of Forced Marriage and Honour Based Violence between Force Areas, ACPO 2008

Guidance on Investigating Domestic Abuse ACPO 2008

There are a range of court orders that may be used to protect children and adults from forced marriage.

These orders include:

- Forced marriage protection order
- Non-molestation order
- Occupation order
- Injunction against harassment.

Key contacts for Police:

In an emergency, always dial 999

For non-emergencies dial 101.

Role of Schools and Colleges

Schools (including independent schools and non-maintained special schools) and Further Education institutions should give effect to their duty to safeguard and promote the welfare of their pupils (students under 18 years of age in the case of FE institutions) under Working Together to Safeguard Children, the Education Act 2002 and, where appropriate, under the Children Act 1989.

Members of staff have a crucial role to play in helping identify welfare concerns and indicators of possible abuse or neglect, at an early stage. They should refer those concerns to the appropriate organisation, normally local authority children’s social care, contributing to the assessment of a child’s needs and, where appropriate, ensure ongoing action to meet those needs.

Schools & colleges should create and maintain a safe learning environment for children and young people and also contribute through the curriculum by developing children’s understanding, awareness and resilience, creating an open and supportive environment. (Working together to safeguard children).

WHAT TO DO WHEN YOU ARE CONCERNED THAT A STUDENT MAY BE FORCED TO MARRY:

Staff may be concerned about a student because they are exhibiting some of the

behaviour shown in the list of potential warning signs and indicators. Alternatively, a student may approach a member of staff 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 relative. The student may suspect that this is a ploy and that there is an ulterior motive, which is to force them to marry.

Do not assume that a student 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 such stereotyping can cause considerable distress to families. All efforts should be made to establish the full facts from the student at the earliest opportunity.

Once the full facts have been established, the member of staff should be able to decide on the level of response required. This may be to offer the student advice or to provide them with all information about specialist advice and services. However, there may be occasions when the level of concern becomes a **child protection issue**; in these cases, the appropriate child protection procedures will need to be followed.

- Staff must collect as much information as possible as set out in 'Initial Steps'.
- Recognise and respect the student's wishes. If the student does not want any referral to be made, e.g. to social services, the teacher, lecturer or other member of staff will need to consider whether the student's wishes should be respected or whether the student's safety requires that further action be taken. If you do take action against the student's wishes, you must inform them
- Staff must liaise immediately with the designated teacher who has the responsibility for safeguarding children at their respective institution and seek advice from the Forced Marriage Unit
- Liaise with the local police and social services to establish if any incidents concerning the family have been reported (e.g. missing persons or domestic violence etc.)
- If an allegation of forced marriage is made or a child/young person under 18 years old discloses that they are 'at risk' then the **designated safeguarding officer must** make a referral to Wolverhampton's Children's Services at the Central Referral Hub (01902 555392) and use existing national and local protocols for multi-agency liaison with police and children's social care. (see Role of Children's Services)
- Refer to the local police child protection unit or domestic abuse unit if there is any suspicion that a crime has been, or may be, committed. Liaise with the police if there are concerns about the safety of the student or the student's siblings
- Refer the student, with their consent, to local and national support groups and counselling services with a history of dealing with cases of forced marriage if in doubt, consider seeking advice from the Forced Marriage Unit
- Consider whether a communication specialist is needed if the student is deaf, visually impaired or has learning disabilities.
- There are legal remedies that social services can take to prevent young people being taken overseas. These include making the student a ward of court or surrendering their passport or passports (if they are a dual national).

What should you not do?

- Treat such allegations merely as a domestic issue and send the student back to the family home
- Ignore what the student has told you or dismiss out of hand the need for immediate protection
- Decide that it is not your responsibility to follow-up the allegation
- Approach the student's family or those with influence within the community, as this will alert them to your concerns and may place the student in danger
- Contact the family in advance of any enquiries by the police, the Forced Marriage Unit, adult or children's social care, either by telephone or letter
- Share information outside information sharing protocols without the express consent of the student
- Attempt to be a mediator.

What to do when a student stops attending school?

Local authorities in England have a duty to identify all children not receiving a suitable education. This relates to children of compulsory school age who are not on a school roll and who are not receiving a suitable education otherwise than being at school (this could involve, for example, home education, private education, alternative provision).

Details of the steps local authorities need to take to meet this duty are described in "Statutory Guidance for local authorities in England to identify children not receiving a suitable education".

There may be occasions when a student does not return to education after a holiday or they may stop attending school during term time. In these situations, staff may have a suspicion that forced marriage is an issue. If a child does not return to education, schools must enter the name of the child on the Lost Pupil Database (LPD).

If a teacher or other member of staff suspects that a student has been removed from, or prevented from, attending education as a result of forced marriage, a referral **must** be made to Wolverhampton's Children's Services (01902 555392).

Role of Health Professionals

Women trapped in forced marriage often experience, violence, rape, forced pregnancy, and forced childbearing. Many girls and young women are removed from education early. Some may be unable to leave the household unescorted – living virtually under house arrest. This guidance is relevant for both male and female victims, however because 85% of those seeking help concerning forced marriage are women the consequences are different than those for men.

Many women are the main carers at home and the abuse they suffer can have a devastating impact on their children.

There are many ways that a woman can come to attention of health services including:

- Accident & Emergency Departments, rape crisis centres or genito-urinary clinics with injuries consistent of rape or other forms of violence

- Dental surgeries with facial injuries consistent with domestic abuse,
- Mental health services, counselling services, school nurses, health visitors, A&E, GP with depression and self-harming behaviour (including anorexia, cutting, substance misuse or attempted suicide) as a result of forced Marriage
- Family planning clinics and GP for advice on contraception or termination
- Maternity services if pregnant
- Health services can create an 'open' and supportive environment by:
 - Displaying relevant information e.g. National Domestic Violence Helpline, NSPCC, Child Line and appropriate black and minority ethnic women's groups (see appendix : useful contacts)
 - Circulating and displaying copies of the Forced Marriage Unit's leaflet on forced marriage
 - Educating health professionals on issue of forced marriage.

Some health professionals have more opportunities, or are able to create opportunities, to see a woman on their own. If there are concerns that forced marriage is an issue, the health professional might ask questions about family life and whether the woman faces restrictions at home.

There are all sorts of questions a health professional could ask to establish whether a woman is trapped in a forced marriage which include:

- How are things at home?
- Do you get out much?
- Can you choose what you want to do and when you want to do it such as seeing friends, working or maybe studying?
- Do you have friends and family locally who can provide support?
- Is your family supportive?

If a health professional does elicit information that suggests a woman is facing a forced marriage, they should use careful questioning to establish the full facts and decide on the level of response required. Health professionals should be mindful if a disclosure is made that this may be the one and only chance of helping the patient. Health professionals may be able to offer advice and provide them with information about specialist advice and information services, or assist women by referring them onto police, social care services, support groups, counselling services and black and minority ethnic women's groups.

However, there may be occasions when the level of concern, or the imminence of the marriage, is such that it becomes a child or adult safeguarding issue and appropriate procedures must be followed. This includes referral to Children's or Adult Social Care and the Police.

Within each organisation there should be a named person with the lead for supporting staff around forced marriage issues who can also support contact with the Forced Marriage Unit (a joint Home Office/Foreign and Commonwealth Office Unit). Accurate records must be maintained at all times documenting what has been said and done.

Role of the Forced Marriage Unit

The FMU is a joint Foreign and Commonwealth Office and Home Office venture. It

works in collaboration with a number of other government departments and key agencies nationally. The FMU produced multi agency guidance in 2009: <http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-guidelines09.pdf>. The practice guidelines supplement the statutory guidance outlined below. It provides advice and support to frontline staff who have responsibilities to safeguard children and protect adults from the abuses associated with forced marriage. The guidelines recognise that more than one agency will be required to meet the needs of someone affected by forced marriage. It sets out a multi-agency approach and encourages agencies to work together to protect victims. The practice guidelines were developed alongside statutory guidance, “The Right to Choose”:
<http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-right-tochoose>

The guidance sets out the responsibilities of agencies involved in handling cases of forced marriage. It covers staff training, developing inter-agency policies and procedures, raising awareness and developing prevention programmes through outreach work. The Forced Marriage Unit can be contacted on 0207 7008 0151.

Legislation

There are criminal sanctions and civil remedies in relation to forced marriage. It is important to be guided by victims as to which route they wish to take. This is not an exhaustive list. In the case of safeguarding concerns any action taken should be supported by multi agency support through relevant policies

Criminal

Currently there is no specific offence of “forcing someone to marry” but criminal offences may be committed, these could include threatening behaviour, harassment, assault, threats to kill, false imprisonment, sexual violence and murder. As stated previously there is currently no specific offence associated with forced marriage however forcing someone to marry will become a criminal offence in England and Wales in summer 2014. The new law will criminalise forced marriage and a breach of a Forced Marriage Protection Order it will also be accompanied by a range of measures to increase protection and support for victims and a continuing focus on prevention.

Domestic Violence, Crime and Victims Act (2004) introduced the specific offence of causing or allowing the death of a child or vulnerable adult. There have been a number of prosecutions related to forced marriage.

Protection from Harassment Act (PHA) (1997) makes harassment and putting people in fear of violence an offence. The PHA covers both criminal and civil offences.

Civil

Matrimonial Causes Act (1973) legislates for a marriage not being valid if the parties have not freely consented to the marriage taking place or were under duress

when the marriage took place. The Act also covers the area of mental capacity and whether or not the young person or vulnerable adult is able to make a decision in relation to marriage. The minimum age of consent under this legislation is 16 years of age.

Forced Marriage (Civil Protection) Act 2007 enables the courts to make Forced Marriage Protection Orders (FMPO) to prevent or pre-empt forced marriage from occurring and to protect those who have already been forced into marriage. The order can include restrictions or requirements to protect a victim from a spouse, family member or anyone involved. It can relate to conduct either within or outside of England and Wales. In cases involving children, FMPOs can be used alongside wardship. Applications for a FMPO can be made direct to the court by the persons seeking protection. The Local Authority can also make an application as a 'relevant third party'. Other agencies or individuals can make an application after obtaining 'leave to apply' from the court. Applications for orders within Wolverhampton, West Midlands can be heard in the Family Court or will be heard at the specialist court in Birmingham, however if the person to be protected is a British national who is outside the jurisdiction of the UK then applications will be heard at the High Court in London.

Useful Contacts

Helplines

The GOV.UK website offers the following advice:

Contact the Forced Marriage Unit (FMU) if you're trying to stop a forced marriage or you need help leaving a marriage you've been forced into.

Forced Marriage Unit

fmu@fco.gov.uk Telephone: 020 7008 0151

From overseas: +44 (0)20 7008 0151

Monday to Friday, 9am to 5pm

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

Call 999 in an emergency.

A trained professional will give you free and confidential advice on what to do next.

They can also help you:

- find a safe place to stay
- stop a UK visa if you've been forced to sponsor someone.

Wolverhampton Domestic Violence Forum

Wolverhampton Domestic Violence Forum (WDVF) brings together a range of agencies providing services and support to women and families experiencing domestic violence and abuse. Through their multi-agency Executive Board they develop and performance manage successive multi-agency strategies and action plans around violence against women and girls. They coordinate a co-located multi-agency team including Independent DV Advisers, a Children's Social Worker, a Housing Officers, and Adult and Child Protection Police Officers. **01902 572345**
forum@wdvf.org.uk

The Haven

The Haven Wolverhampton provides the single point of contact (SPOC) for female and male victims of violence in Wolverhampton. They work in partnership with Jericho House and St Georges Hub to collectively provide practical and emotional support to men, women and children affected by violence and homelessness. SPOC
24 hour helpline 0800 194 400

Karma Nirvana

A Derby based charity helping victims and survivors of honour based violence and forced marriage.

A national Asian men and women's project offering specialist support.

The name of the project reflects the hope that their work will make a positive impact of the lives of individuals who would, by the project's involvement, achieve a sense of peace and enlightenment.

Undertake lots of work to raise awareness of honour based violence and forced marriage, for example, supporting public campaigns, speaking at conferences and media work to raise the profile and ensure the issue is being heard.

Work very closely in consultation with Government departments in addressing honour based violence and forced marriage.

Tel: 08005999227

www.karmanirvana.org.uk

The Honour Network

A national helpline which provides victims and survivors the opportunity to speak to someone who may have had similar experiences to themselves

Provides emotional support and practical support for male and female victims who have been or are at risk of being disowned and displaced

Everyone who answers the phone is a survivor of honour based abuse or forced marriage

A service based on the idea of a national 'friendship network' where 'friends become family'

Tel: 0800 5999 247

Victim Support

www.victimsupport.org.uk

24 Hr National Domestic Abuse helpline

Tel 0808 2000247

The Doli Project

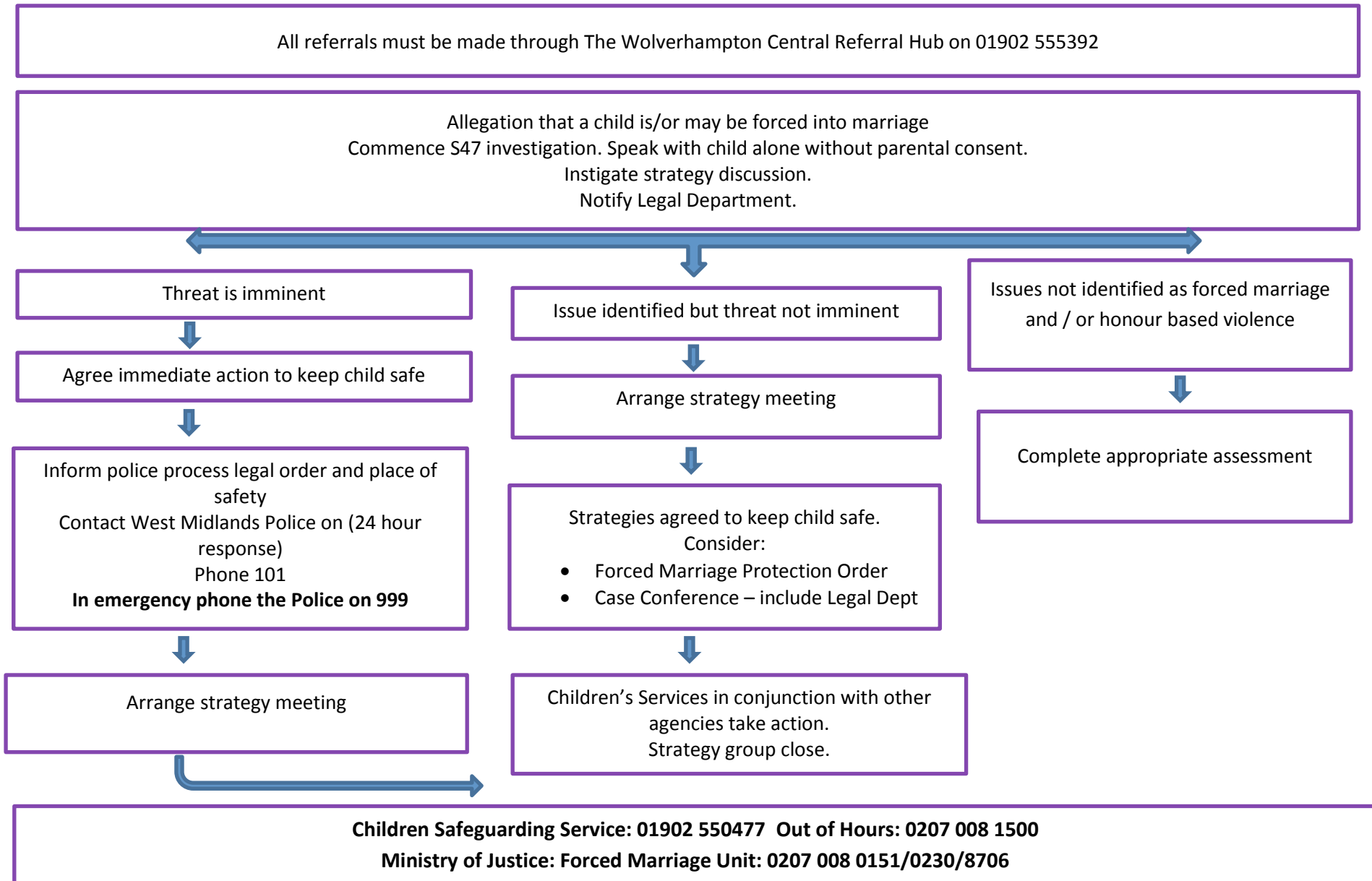
The Doli Project provides support to anyone who is affected by a forced marriage. Doli staff can provide culturally sensitive advice and counselling in the West Midlands.

215c The Big Peg, 120 Vyse Street, Birmingham, B18 6NF

Tel: 0845 658 1057

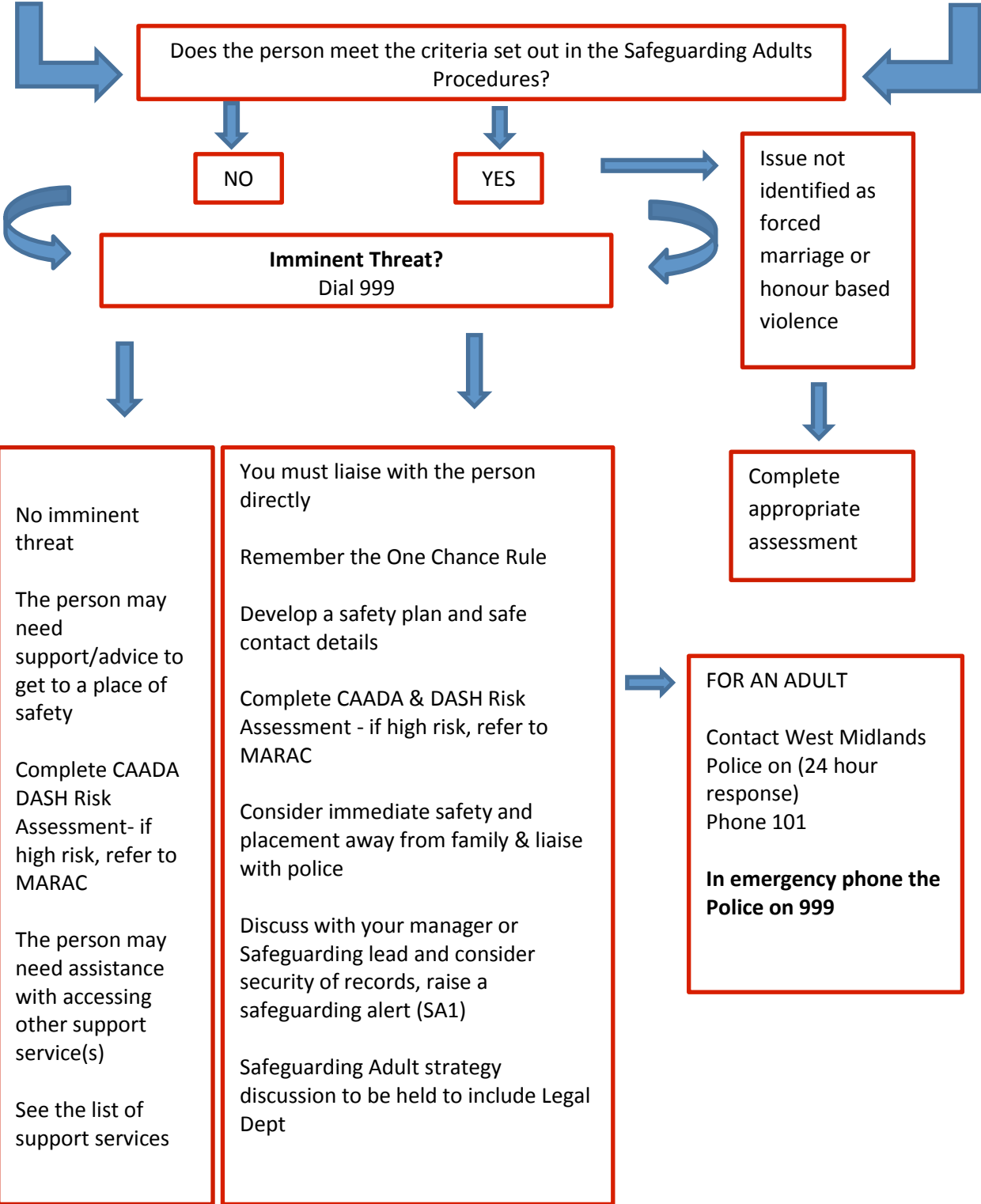
www.changeupbirmingham.org/the-doli-project

Appendix 1 – Flowchart for referral of a child/young person



Appendix 2 – Process for Adults Services

All alerts must be made through Adult Care Access Point 01902 551199. The alert will be forwarded to the appropriate operational team. A decision will be made to identify if the person is an adult at risk as defined by the Safeguarding Adults Procedure



Adult Safeguarding Team: 01902 553218

Ministry of Justice: Forced Marriage Unit: 0207 008 0151/0230/8706

Out of Hours: 0207 008 1500

Appendix 3 CAADA DASH Risk Assessment

CAADA Risk Identification Checklist (RIC) & Quick Start Guidance for Domestic Abuse, Stalking and 'Honour'-Based Violence

You may be looking at this checklist because you are working in a professional capacity with a victim of domestic abuse. These notes are to help you understand the significance of the questions on the checklist. Domestic abuse can take many forms but it is usually perpetrated by men towards women in an intimate relationship such as boyfriend/girlfriend, husband/wife. This checklist can also be used for lesbian, gay, bisexual relationships and for situations of 'honour'-based violence or family violence. Domestic abuse can include physical, emotional, mental, sexual or financial abuse as well as stalking and harassment. They might be experiencing one or all types of abuse; each situation is unique. It is the combination of behaviours that can be so intimidating. It can occur both during a relationship or after it has ended.

- ✓ The purpose of the RIC is to give a consistent and simple tool for practitioners who work with adult victims of domestic abuse in order to help them identify those who are at high risk of harm and whose cases should be referred to a MARAC meeting in order to manage their risk. If you are concerned about risk to a child or children, you should make a referral to ensure that a full assessment of their safety and welfare is made.
- ✓ The RIC should be introduced to the victim within the framework of your agency's:
 - Confidentiality Policy
 - Information Sharing Policy and Protocols
 - MARAC Referral Policies and Protocols
- ✓ Before you begin to ask the questions in the RIC:
 - Establish how much time the victim has to talk to you? Is it safe to talk now? What are safe contact details?
 - Establish the whereabouts of the perpetrator and children;
 - Explain why you are asking these questions and how it relates to the MARAC
- ✓ Whilst you are asking the questions in the RIC:
 - Identify early on who the victim is frightened of – ex-partner/partner/family member
 - Use gender neutral terms such as partner/ex-partner. By creating a safe, accessible environment LGBT victims accessing the service will feel able to disclose both domestic abuse and their sexual orientation or gender identity.
- ✓ Revealing the results of the RIC to the victim: Telling someone that they are at high risk of serious harm or homicide may be frightening and overwhelming for them to hear. It is important that you state what your concerns are by using the answers they gave to you and your professional judgement. It is then important that you follow your area's protocols when referring to MARAC and Children's Services. Equally, identifying that someone is not currently high risk needs to be managed carefully to ensure that the person doesn't feel that their situation is being minimised and that they don't feel embarrassed about asking for help. Explain that these factors are linked to homicide and serious harm and that if s/he experiences any of them in future, that they should get back in touch with your service or with the emergency services on 999 in an immediate crisis.
- ✓ Please pay particular attention to a practitioner's professional judgement in all cases. The results from a checklist are not a definitive assessment of risk. They should provide you with a structure to inform your judgement and act as prompts to further questioning, analysis and risk management whether via a MARAC or in another way.

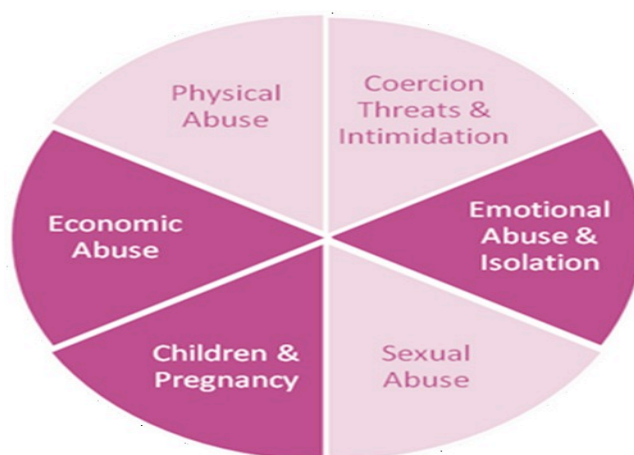
The responsibility for identifying your local referral threshold rests with your local MARAC.
- ✓ **Resources:** Be sure that you have an awareness of the safety planning measures you can offer, both within your own agency and other agencies. Be familiar with local and national resources to refer the victim to, including specialist services. The following websites and contact details may be useful to you:
 - ✓ National Domestic Violence Helpline - 0808 2000 247 - For assistance with refuge accommodation and advice
 - ✓ 'Honour' Helpline - 0800 5999247 - For advice on forced marriage and 'honour' based violence
 - ✓ Sexual Assault Referral Centres - <http://www.rapecrisis.org.uk/Referralcentres2.php>
 - ✓ Broken Rainbow - 08452 604460 – www.broken-rainbow.org.uk for advice for LGBT victims

We ask about **PHYSICAL ABUSE** in questions 1, 10, 11, 13, 15, 18, 19 & 23

- ✓ Physical abuse can take many forms from a push or shove to a punch, use of weapons, choking or strangulation.
- ✓ You should try and establish if the abuse is getting worse, or happening more often, or the incidents themselves are more serious. If your client is not sure, ask them to document how many incidents there have been in the last year and what took place. They should also consider keeping a diary marking when physical and other incidents take place.
- ✓ Try and get a picture of the range of physical abuse that has taken place. The incident that is currently being disclosed may not be the worst thing to have happened.
- ✓ The abuse might also be happening to other people in their household, such as their children or siblings or elderly relatives.
- ✓ Sometimes violence will be used against a family pet.
- ✓ If an incident has just occurred the victim should call 999 for assistance from the police. If the victim has injuries they should try and get them seen and documented by a health professional such as GP or A&E Nurse.

We ask about whether the victim is experiencing any form of **SEXUAL ABUSE** in question 16

- ✓ Sexual abuse can include the use of threats, force or intimidation to obtain sex, deliberately inflicting pain during sex, or combining sex and violence and using weapons.
- ✓ If the victim has suffered sexual abuse you should encourage them to get medical attention and to report this to the police. See above for advice on finding a Sexual Assault Referral Centre which can assist with medical and legal investigations.

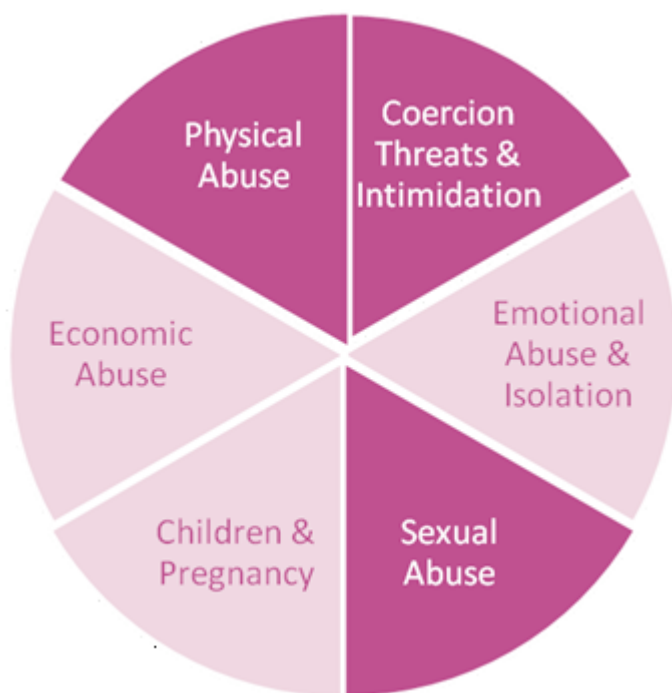


COERCION, THREATS AND INTIMIDATION is covered in questions 2, 3, 6, 8, 14, 17, 18, 19, 23 & 24.

- ✓ It is important to understand and establish: the fears of the victim/victims in relation to what the perpetrator/s may do; who they are frightened of and who they are frightened for (i.e. children/siblings). Victims usually know the abusers behaviour better than anyone else which is why this question is significant.
- ✓ In cases of 'Honour' Based Violence there may be more than one abuser living in the home or belonging to the wider family and community. This could also include female relatives.
- ✓ Stalking and harassment becomes more significant when the abuser is also making threats to harm themselves, the victim or others. They might use phrases such as "If I can't have you no one else can..."
- ✓ Other examples of behaviour that can indicate future harm include obsessive phone calls, texts or emails, uninvited visits to the victim's home, workplace etc, loitering and destroyed or vandalised property.
- ✓ Advise the victim to keep a diary of these threats, when and where they happen, if anyone else was with them and if the threats made them feel frightened.
- ✓ Separation is a dangerous time: establish if the victim has tried to separate from the abuser or has been threatened about the consequences of leaving. Being pursued after separation can be particularly dangerous.
- ✓ Victims of domestic abuse sometimes tell us that the perpetrators harm pets, damage furniture and this alone makes them frightened without the perpetrator needing to physically hurt them. This kind of intimidation is common and often used as a way to control and frighten.
- ✓ Some perpetrators of domestic abuse do not follow court orders or contact arrangements with children. Previous violations may be associated with an increase in risk of future violence.
- ✓ Some victims feels frightened and intimidated by the criminal history of their partner/ex-partner. It is important to remember that offenders with a history of violence are at increased risk of harming their partner, even if the past violence was not directed towards intimate partners or family members, except for 'honour'-based violence, where the perpetrator(s) will commonly have no

ECONOMIC ABUSE – Question 20

- ✓ Victims of domestic abuse often tell us that they are financially controlled by their partners/ex-partners. Consider how the financial control impacts on the safety options available to them. For example, they may rely on their partner/ex-partner for an income or do not have access to benefits in their own right. The victim might feel like the situation has become worse since their partner/ex-partner lost their job.
- ✓ The Citizens Advice Bureau or the local specialist domestic abuse support service will be able to outline to the victim the options relating to their current financial situation and how they might be able to access funds in their own right.



CHILDREN & PREGNANCY – Questions 7, 9 & 18 refer to being pregnant and children and whether there is conflict over child contact.

- ✓ The presence of children including step children can increase the risk of domestic abuse for the mother. They too can get caught up in the violence and suffer directly.
- ✓ Physical violence can occur for the first time or get worse during pregnancy or for the first few years of the child's life. There are usually lots of professionals involved during this time, such as health visitors or midwives, who need to be aware of the risks to the victim and children, including an unborn child.
- ✓ The perpetrator may use the children to have access to the victim, abusive incidents may occur during child contact visits or there may be a lot of fear and anxiety that the children may be harmed.
- ✓ Please follow your local Child Protection Procedures and Guidelines for identifying and making referrals to Children's Services.

We ask about **EMOTIONAL ABUSE** and **ISOLATION** in questions 4, 5 & 12. This can be experienced at the same time as the other types of abuse. It may be present on its own or it may have started long before any physical violence began. The result of this abuse is that victims can blame themselves and, in order to live with what is happening, minimise and deny how serious it is. As a professional you can assist the victim in beginning to consider the risks the victim and any children may be facing.

- ✓ The victim may be being prevented from seeing family or friends, from creating any support networks or prevented from having access to any money.
- ✓ Victims of 'honour' based violence talk about extreme levels of isolation and being 'policed' in the home. This is a significant indicator of future harm and should be taken seriously.
- ✓ Due to the abuse and isolation being suffered victims feel like they have no choice but to continue living with the abuser and fear what may happen if they try and leave. This can often have an impact on the victim's mental health and they might feel depressed or even suicidal.
- ✓ Equally the risk to the victim is greater if their partner/ex-partner has mental health problems such as depression and if they abuse drugs or alcohol. This can increase the level of isolation as victims can feel like agencies won't understand and will judge them. They may feel frightened that revealing this information will get them and their partner into trouble and, if they have children, they may worry that they will be removed. These risks are addressed in questions 21 & 22.

If you are a professional working with domestic abuse and would like to know more about the Risk Identification Checklist you can find the following publications on our website:

- ✓ **CAADA-DASH MARAC Risk Identification Checklist (RIC) 2009 for the identification of high risk cases of domestic abuse, stalking and honour based violence**
http://www.caada.org.uk/dvservices/RIC_and_severity_of_abuse_grid_and_IDVA_practice_guidance.pdf
This is a helpful guide for IDVAs or practitioners new to the RIC and who want to become more familiar and confident in managing the process. It takes you through the process of completing the RIC with your client and provides detail on why and how to ask each question. This guide also provides supplementary questions to gather additional detail about each risk factor and provides general safety planning advice. It includes the Severity of Abuse Grid (SAG). The SAG gives practitioners the chance to profile the domestic abuse in more detail and identify significant concerns which may be relevant to include in a safety plan or share at a MARAC.
- ✓ **CAADA-DASH Risk Identification Checklist – without guidance**
http://www.caada.org.uk/marac/RIC_without_guidance.doc
This is a basic version of the RIC to download and use in everyday practice.
- ✓ **CAADA-DASH Risk Identification Checklist – Frequently Asked Questions**
http://www.caada.org.uk/marac/RIC_FAQs.pdf
This addresses a number of practical questions relating to the use of the checklist.
- ✓ **We also have a library of resources and information about training for frontline practitioners at**
http://www.caada.org.uk/marac/Information_about_MARACs.html

Other MARAC toolkits and resources

If you or someone from your agency attends the MARAC meeting, you can download a **MARAC Representative’s Toolkit** here: <http://www.caada.org.uk/marac/Toolkit-MARAC-representative.pdf>. This essential document troubleshoots practical issues around the whole MARAC process.

Other **frontline Practitioner Toolkits** are also available from http://www.caada.org.uk/marac/Resources_for_people_who_refer_to_MARAC.html. These offer a practical introduction to MARAC within the context of a professional role. Please feel free to signpost colleagues and other agency staff to these toolkits where relevant:

A&E	LGBT Services
Ambulance Service	MARAC Chair
BAMER Services	MARAC Coordinator
Children and Young People’s Services	Mental Health Services for Adults
Drug and Alcohol	Police Officer
Education	Probation
Fire and Rescue Services	Social Care Services for Adults

Family Intervention Projects

Sexual Violence Services

Health Visitors, School Nurses & Community Midwives
Housing

Specialist Domestic Violence Services
Victim Support

Independent Domestic Violence Advisors

Women's Safety Officer

For additional information and materials on Multi Agency Risk Assessment Conferences (MARACs), please see the http://www.caada.org.uk/marac/10_Principles_Oct_2011_full.doc. This provides guidance on the MARAC process and forms the basis of the MARAC Quality Assurance process and national standards for MARAC.

CAADA-DASH Risk Identification Checklist (RIC)

Aim of the form:

- To help front line practitioners identify high risk cases of domestic abuse, stalking and 'honour'-based violence.
- To decide which cases should be referred to MARAC and what other support might be required. A completed form becomes an active record that can be referred to in future for case management.
- To offer a common tool to agencies that are part of the MARAC¹ process and provide a shared understanding of risk in relation to domestic abuse, stalking and 'honour'-based violence.
- To enable agencies to make defensible decisions based on the evidence from extensive research of cases, including domestic homicides and 'near misses', which underpins most recognised models of risk assessment.

How to use the form:

Before completing the form for the first time we recommend that you read the full practice guidance and Frequently Asked Questions and Answers². These can be downloaded from

http://www.caada.org.uk/marac/RIC_for_MARAC.html

Risk is dynamic and can change very quickly. It is good practice to review the checklist after a new incident.

Recommended Referral Criteria to MARAC

1. **Professional judgement:** if a professional has serious concerns about a victim's situation, they should refer the case to MARAC. There will be occasions where the particular context of a case gives rise to serious concerns even if the victim has been unable to disclose the information that might highlight their risk more clearly. ***This could reflect extreme levels of fear, cultural barriers to disclosure, immigration issues or language barriers particularly in cases of 'honour'-based violence.*** This judgement would be based on the professional's experience and/or the victim's perception of their risk even if they do not meet criteria 2 and/or 3 below.
2. **'Visible High Risk':** the number of 'ticks' on this checklist. If you have ticked 14 or more 'yes' boxes the case would normally meet the MARAC referral criteria.
3. **Potential Escalation:** the number of police callouts to the victim as a result of domestic violence in the past 12 months. This criterion can be used to identify cases where there is not a positive identification of a majority of the risk factors on the list, but where abuse appears to be escalating and where it is appropriate to assess the situation more fully by sharing information at MARAC. It is common practice to start with 3 or more police callouts in a 12 month period but this will need to be reviewed depending on your local volume and your level of police reporting.

Please pay particular attention to a practitioner's professional judgement in all cases. The results from a checklist are not a definitive assessment of risk. They should provide you with a structure to inform your judgement and act as prompts to further questioning, analysis and risk management whether via a MARAC or in another way.

¹ For further information about MARAC please refer to the 10 Principles of an Effective MARAC:

http://www.caada.org.uk/marac/10_Principles_Oct_2011_full.doc

² For enquiries about training in the use of the form, please email training@caada.org.uk or call 0117 317 8750.

The responsibility for identifying your local referral threshold rests with your local MARAC.

What this form is not:

This form will provide valuable information about the risks that children are living with but it is not a full risk assessment for children. The presence of children increases the wider risks of domestic violence and step children are particularly at risk. If risk towards children is highlighted you should consider what referral you need to make to obtain a full assessment of the children's situation.

CAADA-DASH Risk Identification Checklist for use by IDVAs and other non-police agencies³ for identification of risks when domestic abuse, 'honour'-based violence and/or stalking are disclosed.

<p>Please explain that the purpose of asking these questions is for the safety and protection of the individual concerned.</p> <p>Tick the box if the factor is present <input checked="" type="checkbox"/>. Please use the comment box at the end of the form to expand on any answer.</p> <p>It is assumed that your main source of information is the victim. If this is <u>not</u> the case please indicate in the right hand column</p>	Yes (tick)	No	Don't Know	State source of info if not the victim e.g. police officer
<p>1. Has the current incident resulted in injury? (Please state what and whether this is the first injury.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>2. Are you very frightened? Comment:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>3. What are you afraid of? Is it further injury or violence? (Please give an indication of what you think (name of abuser(s)...) might do and to whom, including children). Comment:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>4. Do you feel isolated from family/friends i.e. does (name of abuser(s)) try to stop you from seeing friends/family/doctor or others? Comment:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>5. Are you feeling depressed or having suicidal thoughts?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>6. Have you separated or tried to separate from (name of abuser(s)....) within the past year?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>7. Is there conflict over child contact?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>8. Does (.....) constantly text, call, contact, follow, stalk or harass you? (Please expand to identify what and whether you believe that this is done deliberately to intimidate you? Consider the context and behaviour of what is being done.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>9. Are you pregnant or have you recently had a baby (within the last 18 months)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>10. Is the abuse happening more often?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

³ Note: This checklist is consistent with the ACPO endorsed risk assessment model DASH 2009 for the police service.

11. Is the abuse getting worse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Does (.....) try to control everything you do and/or are they excessively jealous? (In terms of relationships, who you see, being 'policed at home', telling you what to wear for example. Consider 'honour'-based violence and specify behaviour.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13. Has (.....) ever used weapons or objects to hurt you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tick box if factor is present. Please use the comment box at the end of the form to expand on any answer.	Yes (tick)	No	Don't Know	State source of info if not the victim
14. Has (.....) ever threatened to kill you or someone else and you believed them? (If yes, tick who.) You <input type="checkbox"/> Children <input type="checkbox"/> Other (please specify) <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15. Has (.....) ever attempted to strangle/choke/suffocate/drown you?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Does (.....) do or say things of a sexual nature that make you feel bad or that physically hurt you or someone else? (If someone else, specify who.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Is there any other person who has threatened you or who you are afraid of? (If yes, please specify whom and why. Consider extended family if HBV.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Do you know if (.....) has hurt anyone else? (Please specify whom including the children, siblings or elderly relatives. Consider HBV.) Children <input type="checkbox"/> Another family member <input type="checkbox"/> Someone from a previous relationship <input type="checkbox"/> Other (please specify) <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Has (.....) ever mistreated an animal or the family pet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Are there any financial issues? For example, are you dependent on (.....) for money/have they recently lost their job/other financial issues?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

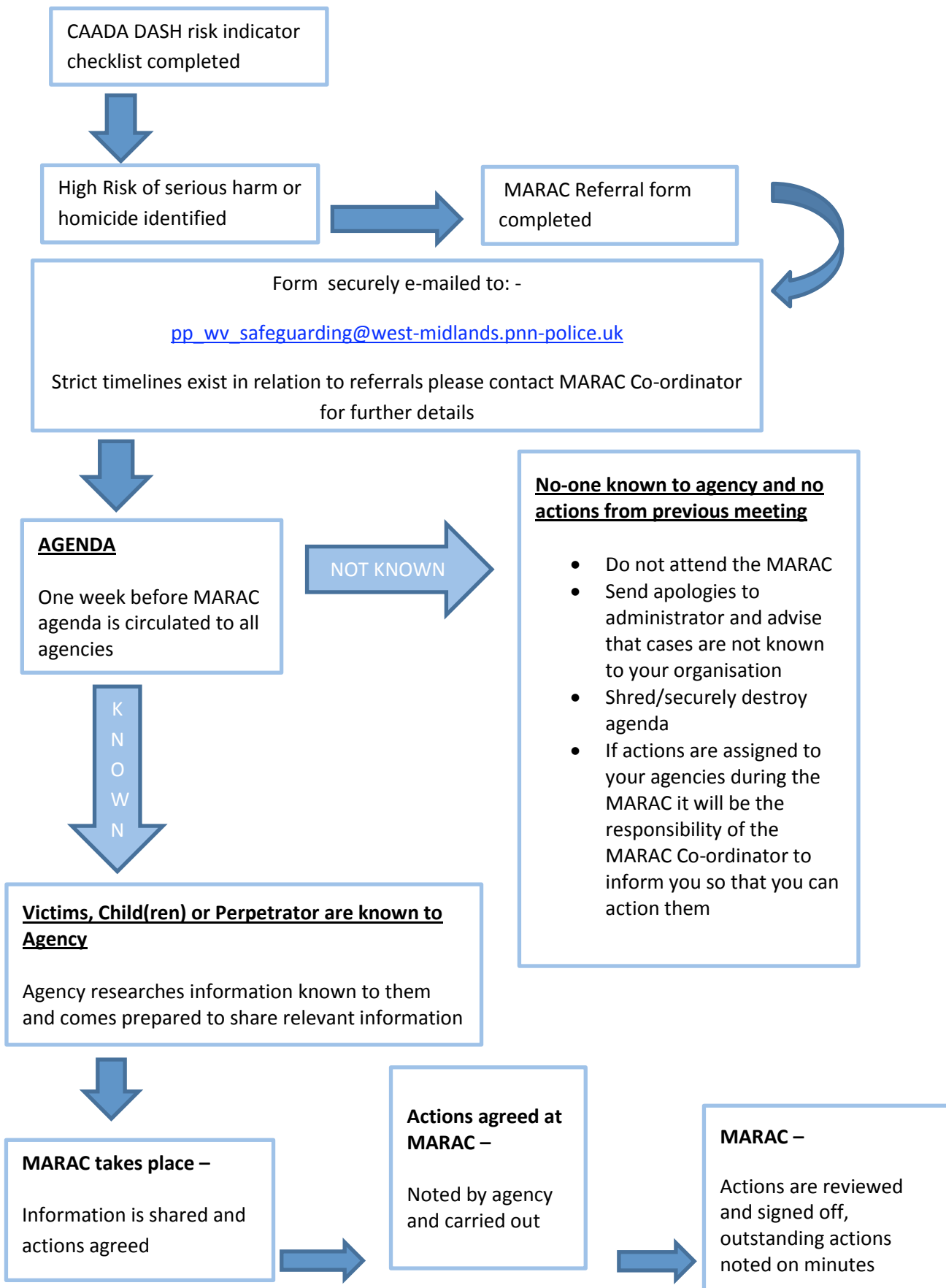
<p>21. Has (.....) had problems in the past year with drugs (prescription or other), alcohol or mental health leading to problems in leading a normal life? (If yes, please specify which and give relevant details if known.)</p> <p>Drugs <input type="checkbox"/> Alcohol <input type="checkbox"/> Mental Health <input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>22. Has (.....) ever threatened or attempted suicide?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>23. Has (.....) ever broken bail/an injunction and/or formal agreement for when they can see you and/or the children? (You may wish to consider this in relation to an ex-partner of the perpetrator if relevant.)</p> <p>Bail conditions <input type="checkbox"/> Non Molestation/Occupation Order <input type="checkbox"/></p> <p>Child Contact arrangements <input type="checkbox"/></p> <p>Forced Marriage Protection Order <input type="checkbox"/> Other <input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p>24. Do you know if (.....) has ever been in trouble with the police or has a criminal history? (If yes, please specify.)</p> <p>DV <input type="checkbox"/> Sexual violence <input type="checkbox"/> Other violence <input type="checkbox"/> Other <input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Total 'yes' responses				
<p>For consideration by professional: Is there any other relevant information (from victim or professional) which may increase risk levels? Consider victim's situation in relation to disability, substance misuse, mental health issues, cultural/language barriers, 'honour'- based systems and minimisation. Are they willing to engage with your service? Describe:</p> <p>Consider abuser's occupation/interests - could this give them unique access to weapons? Describe:</p>				
<p>What are the victim's greatest priorities to address their safety?</p>				

Do you believe that there are reasonable grounds for referring this case to MARAC? Yes / No	
If yes, have you made a referral? Yes/No	
Signed:	Date:
Do you believe that there are risks facing the children in the family? Yes / No	
If yes, please confirm if you have made a referral to safeguard the children: Yes / No	
Date referral made	
Signed:	Date:
Name:	

Practitioner's Notes

This checklist reflects work undertaken by CAADA in partnership with Laura Richards, Consultant Violence Adviser to ACPO. We would like to thank Advance, Blackburn with Darwen Women's Aid and Berkshire East Family Safety Unit and all the partners of the Blackpool MARAC for their contribution in piloting the revised checklist without which we could not have amended the original CAADA risk identification checklist. We are very grateful to Elizabeth Hall of Cafcass and Neil Blacklock of Respect for their advice and encouragement and for the expert input we received from Jan Pickles, Dr Amanda Robinson, James Rowlands and Jasvinder Sanghera.

**Appendix 4 – Multi – Agency Risk Assessment Conference Flowchart
(MARAC)**





Confidential when Complete

DATE:		CRIME / NON CRIME No:			
OFFENCE(S):					
VICTIM DETAILS					
Has Victim been heard at MARAC before ?	NO <input type="checkbox"/>	Date of Last MARAC			
Has Victim consented to be discussed at MARAC?	YES <input type="checkbox"/> NO <input type="checkbox"/> If not, why? :				
NAME		DATE of BIRTH			
ADDRESS		GENDER	Female		
		ETHNICITY			
		SAFE CONTACT TELE No:			
		SIG MARKER	YES <input type="checkbox"/>		
POSTCODE					
INJURY CODE	FATAL <input type="checkbox"/> SERIOUS <input type="checkbox"/> SLIGHT <input type="checkbox"/> NONE <input type="checkbox"/> WEAPONS <input type="checkbox"/> THREATS <input type="checkbox"/>				
CHILDREN(S) DETAILS					
CHILD'S NAME	DATE of BIRTH	Relationship to Victim	Relationship to Offender	Children's Address	School (if known)
INJURED <input type="checkbox"/> WITNESSED <input type="checkbox"/> USED AS SHEILD <input type="checkbox"/>					
OFFENDER DETAILS					
NAME		DATE of BIRTH			
ADDRESS		GENDER			
		ETHNICITY			
		ARRESTED			
POSTCODE					
DISPOSAL :	CHARGED/REMANDED <input type="checkbox"/>				
PNC MARKERS :	IOM : YES <input type="checkbox"/> NO <input type="checkbox"/>		SCORE: LOW <input type="checkbox"/> MEDIUM <input type="checkbox"/> HIGH <input type="checkbox"/>		

REFERRING AGENCY:	
NAME POSITION:	
CONTACT TELEPHONE NUMBER:	
DATE OF REFERRAL:	
SUMMARY OF CIRCUMSTANCES & REASON FOR REFERRAL:	
DOES HELPING THE OFFENDER WITH HIS/HER ISSUES POSE A RISK TO THE VICTIM AND/OR CHILDREN?	YES <input type="checkbox"/> NO <input type="checkbox"/> Please explain :
HAVE POLICE OR PARTNER AGENCIES ASKED THE QUESTION OF THE VICTIM?	YES <input type="checkbox"/> NO <input type="checkbox"/> Please explain :

POLICE USE ONLY

OFFENDER DV HISTORY /OFFENCES

--

Information shared at the meeting:
(Information sharing should be relevant and proportionate. The minutes should make a clear distinction between fact and professional opinion)

POLICE	<p><u>Charge(s), Bail Conditions, Court & Date / Sentence</u> Police bail conditions not to contact the IP Joanne LAING</p> <p><u>Current Information (Stating from whom)</u></p> <p><u>Police Information / DV History:</u></p> <p><u>Safeguarding:</u></p>
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Haven IDVA	
WDVF IDVA	
CJSS IDVA	
MAST Education	
Adult Social Care	
Children's Social Care	
Health	
Probation	
Mental Health	
DV Specialist Midwife	
Youth Justice Service	
Children's Centres	
Housing Wolverhampton	
ASB Housing	
OMU	
CAMHS	

Risks	Triggers	Agency to feedback to IP
VICTIM: Physical <input type="checkbox"/> Emotional <input type="checkbox"/> Threats <input type="checkbox"/> Intimidation <input type="checkbox"/> Sexual <input type="checkbox"/> Isolation <input type="checkbox"/>	Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Child contact <input type="checkbox"/> Controlling behaviours <input type="checkbox"/> Jealousy <input type="checkbox"/> Mental Health <input type="checkbox"/> Bereavement <input type="checkbox"/> Loss of employment <input type="checkbox"/>	Police <input type="checkbox"/> Haven IDVA <input type="checkbox"/> WDVF IDVA <input type="checkbox"/> CJSS IDVA <input type="checkbox"/> Health <input type="checkbox"/> Children's Social Care <input type="checkbox"/> Adult Social Care <input type="checkbox"/> MAST Education <input type="checkbox"/> Adult Safeguarding <input type="checkbox"/> Probation <input type="checkbox"/> Mental Health <input type="checkbox"/> Substance Misuse <input type="checkbox"/> Children's Centres <input type="checkbox"/> DV Specialist Midwife <input type="checkbox"/> ASB Housing <input type="checkbox"/> OMU <input type="checkbox"/> CAMHS <input type="checkbox"/>
CHILDREN: Physical <input type="checkbox"/> Emotional <input type="checkbox"/> Threats <input type="checkbox"/> Intimidation <input type="checkbox"/> Sexual <input type="checkbox"/> Isolation <input type="checkbox"/>		

Action planning:
(The action plan should clearly identify and address the risks and needs identified and be SMART; where appropriate they should include joint working and refer to other multi-agency arrangements)

Risk identified	Action	By Agency Representative	Completion date

All Actions to be completed by DATE and recorded on Action Tracking Form and returned by email to MARAC Coordinator : *****

Appendix 5 - Quick Reference Guide for All Agencies

Ideally, the information should be gathered by a police or social care trained specialist.

However there may be occasions when an individual is going overseas imminently and as it is an emergency an education/ probation /health/social care staff may need to gather as much information as possible from the victim.

In these cases, the information should be passed on to Police, Children's Services or Adult Social Care and the Ministry of Justice Forced Marriage Unit. All information should be securely stored in accordance with the Safeguarding policies and procedures.

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 person to make contact (**see the "one chance rule"**).

- Obtain details of the person making the report, their contact details, and their relationship with the individual under threat
- Obtain details of the person under threat including:
 - Date of report
 - Name of person under threat
 - Nationality
 - Age
 - Date and place of birth
 - Alias names / known as names
 - Passport details
 - School/ College details (if appropriate)
 - Employment details
 - Full details of the allegation
 - Name and address of parents or those with parental responsibility
 - National Insurance number
 - Driving licence number
- Obtain a list from the person under threat of all those friends and family who can be trusted and their contact details
- Establish a code word to ensure you are speaking to the right person
- Obtain any background information including education attended, involvement by adult or children's social care, doctors or other health services etc.
- Record details about any threats, abuse or other hostile action

- against the person, whether reported by the victim or a third party
- Obtain a recent photograph and any 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 person (e.g. is she pregnant? Do they have a secret boyfriend or 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.

Information required if the Individual is going overseas imminently

- A photocopy of their 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, including:
 - Full name and date of the person under threat
 - Their father's name
 - Do you need to insert flight details if known
 - Any address where they 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 person would be aware of (if the victim is a British national, this may assist any subsequent interview at an Embassy/British High Commission in case another person of the same age and gender is produced pretending to be them)
- Details of any travel plans and people likely to accompany them
- Names and addresses of any close relatives remaining in the UK
- A safe means by which contact may be made with the person 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 person contacts them whilst overseas or on her return
- An estimated return date. Ask that the person contacts you on their return
- A written statement by the person explaining that they want the police, adult or children's social care, a teacher 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 person is being forced to marry, move them, expedite any travel arrangements and bring forward the forced marriage.

As part of the Protection Plan you will consider the following:

Encourage the person to get in touch with the Forced Marriage Unit. The Unit gives confidential advice and support to anyone who fears they may be forced to marry.

The person may be a dual national and have two passports.

If foreign travel with the family becomes unavoidable, in addition to the “information required”, the following precautions should be taken:

- Give the person contact details of the department and practitioner handling their case
- Encourage the person to memorise at least one telephone number and e-mail address preferably (if they are a British national) those of the British Embassy or British High Commission. Supply the address and contact number for the nearest British Embassy or High Commission
- If they are not a British national, advise them to contact the Forced Marriage Unit (page 20). The Unit can provide details of reliable Non-Governmental Organisations (NGOs) overseas and the details of the relevant Embassy
- Advise them to take a mobile phone that will work overseas (one which is capable of international roaming) and which they can keep hidden
- Encourage them 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 person under threat departs and request the friend/advocate make a written statement of their support
- Advise them to take emergency cash, in the local currency and in hard currency (pounds, dollars, euros), 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 person has two passports and if so, which one they will be travelling on. Explain the implications of dual nationality.
- Give them a copy of the Forced Marriage Unit’s leaflet - Forced Marriages Abroad.
- Advise them to contact the Forced Marriage Unit and give contact details.

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