

**Tameside  
Safeguarding Children Board**

**POLICY FOR WORKING WITH  
YOUNG PEOPLE  
FACING FORCED MARRIAGE**



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## **Mission Statement**

Forced Marriage is a child abuse and child protection problem. It often affects the 14 – 18 year old age group. Also the Children of Forced Marriage are often at a greater risk of abduction and abuse. The aim is to put the safety of victims or potential victims first and to focus on prevention, protection and provision.

Victims of Forced Marriage come from various ethnic backgrounds, faiths and communities. The government's Forced Marriage Unit has dealt with cases involving families from the Indian sub-continent, East Asia, the Middle East, Europe and Africa.

Forced Marriage can happen in Muslim, Hindu, Sikh, strictly orthodox Jewish families and fundamental Christian families. There is some evidence that forced marriage may occur in travelling families.

Forced marriage cannot be justified on religious or cultural grounds. There is no major world religion that gives consent to Forced Marriage.

Any young person who cannot understand fully the concept of marriage or give consent could be vulnerable to pressure to marry. Young people with a learning disability are particularly vulnerable to forced marriage.

Tameside SCB understands forced marriage to be a form of abuse and a breach of human rights. It is therefore important to safeguard any children or young people that experience forced marriage or attempted force marriage.

## **Background**

In 1999 the Home Office established a working group to investigate the extent of the problem of forced marriage. The working group published a report in June 2000, 'A Choice by Right'. Following this report the Home Office and the Foreign and Commonwealth Office published a joint action plan, which set out their strategy for addressing the problem. One of the first stages of the strategy was to produce Guidelines for Police in Dealing with Cases of Forced Marriage. These guidelines were launched in May 2002. The Foreign and Commonwealth Office have subsequently formulated a set of guidelines for Social Workers published in 2004. Guidelines are now in place also for Education professionals.

The Home Office consulted on the criminalisation of Forced Marriage. The consultation document 'Forced Marriage: A Wrong not a Right' was issued in September 2005 that set out the advantages and disadvantages of creating a specific criminal offence. The Home Office published the summary of the responses in June 2006. The majority of responses felt the disadvantages would outweigh the advantages and potentially drive Forced Marriage underground. Central government is now undertaking non-legislative activities such as training for professionals before developing any new legislation.

The Home Office and the Foreign and Commonwealth Office set up the Forced Marriage Unit in January 2005 as a "one-stop shop" for tackling Forced Marriage. It offers confidential advice and support and deals with approx. 250 – 300 cases each year.

## **Aim of the Policy**

This policy is produced by Tameside SCB to guide Practitioners (and their managers/supervisors) who work directly, or have contact, with children and young people. Practitioners working with young people facing forced marriage should be ready to give guidance to the young person about their rights, about keeping safe and the choices open to them.

The policy emphasises the importance of working in partnership. It is unlikely that Children's Social Care or any other single agency will be able to meet all the needs of a young person affected by Forced Marriage. However, it is probable that Children's Social Care services will play a key role in protecting the interests of the young person.

To deal sensitively with the young person, it is important to understand the complexity of issues surrounding Forced Marriage and to respond appropriately in order to help protect the young person.

Forced Marriage should be addressed within the context of both child protection and domestic abuse. Organisations that are experienced in providing information and support on domestic abuse are often in a good position to help with cases of Forced Marriage.

Forced marriage can amount to sexual and emotional abuse and put young people at risk of physical abuse. It should be remembered that where there are allegations of abuse or neglect or there are any concerns that a child or young person has experienced or is at risk of significant harm, the Practitioner should activate their agency procedures in respect of Child protection, including referral to Children's Social Care who may decide to carry out an investigation under s.47, Children Act 1989.

## **Definitions**

### Domestic violence

Tameside Domestic Violence Forum defines Domestic Violence as: -

*“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between people who are, or have been, intimate partners or family members, regardless of gender or sexuality”*

Forced Marriage can therefore be seen as a form of Domestic Violence.

### 'Honour' Crimes

A pattern of controlling and abusive behaviour within an intimate or family relationship can include forced marriage and so called 'honour crimes'. Forcing a young person to marry can lead to a range of abusive behaviours.

The term 'Honour Crime' is often used to identify crimes, such as assault and killings, within cultures where the "plea of honour" is recognised as a legitimate defence for carrying out such crimes. 'Honour crime' is a punishment meted out to a woman or a man because of a perceived breach of the honour codes of a household or a community, resulting in her/his harm or death.

The crime is usually committed by her/his close family member/s or by any other member/s of the Community — often with some degree of real or perceived approval/support from other family members or the community. Some young people escape Forced Marriage by running away from home. Being seen to bring shame on the honour of the family can put that young person at risk of being tracked and forcibly returned home – or worse.

### Arranged Marriage

Arranged Marriage is a non-abusive contract between two consenting adults and is therefore fundamentally different from Forced Marriage.

"The tradition of arranged marriage has operated successfully within many communities and many countries for a long time and remains the preferred choice of many young people". (Working Group: Forced Marriages - 'A Choice by Right', June 2000)

Families of both spouses take a leading role in arranging the marriage, but the choice whether to accept the arrangement remains with the individuals.

This policy is **not** about arranged marriages.

### Forced Marriage

Forced marriage is a marriage conducted without the valid consent of both parties, where some element of duress is a factor. A person can be put under both physical and emotional pressure to get married. In some cases people may be taken abroad without knowing that they are to be married.

### When does an arranged marriage become a forced marriage?

- Although there is no specific criminal offence of 'forcing someone to marry', within England and Wales there are crimes that may be committed when forcing someone into marriage. The following list is not exhaustive: common assault; harassment; cruelty to persons under 16; failure to secure regular attendance at school of a registered pupil; theft (i.e. passport), child abduction; abduction of unmarried girl under the age of 16 from parent or guardian; abduction of a woman by force or for the sake of her property; aiding and abetting a criminal offence; kidnapping; false imprisonment.
- Section 12c of the Matrimonial Causes 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. In April 2002 a judge annulled a marriage following evidence that the woman had been deceived and frightened into marrying.

- Forced marriage is a violation of internationally recognised human rights standards.  
"Marriage shall be entered into only with the free and full consent of the intending spouses". (Universal Declaration of Human Rights, Article 16(2)).
- "State parties shall ensure on a basis of equality of men and women...the same right freely to choose a spouse to enter into marriage only with their full and free consent". (Convention to eliminate all forms of Discrimination against Women, Article 16(1), (b)).
- "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 Committee on the Elimination of all Forms of Discrimination against Women.)
- Forced marriage cannot be justified on religious grounds. Freely given consent of both parties is a pre-requisite of Christian, Hindu, Muslim and Sikh marriages.
- Forced marriage is not a religious issue and to describe it as such feeds prejudice and intolerance.

## **Possible Indicators of Forced marriage**

These are possible indicators that a young person is in distress because they fear being forced to marry or that a forced marriage has already taken place. (It should not however be assumed that a young person is facing forced marriage simply on the basis that they present with one or more of these factors).

### **EDUCATION**

Truancy  
Low motivation at school  
Poor exam results  
Withdrawal from school  
Long holiday planned  
Not planning further or higher education  
Not involved in extra curricular activities  
Very driven to perform well academically at school (escape route from family)

### **HEALTH**

Self-harm  
Attempted suicide  
Eating disorders  
Depression  
Isolation  
Risky behaviour such as drug taking

### **FAMILY HISTORY**

Siblings forced to marry  
Family disputes  
Domestic abuse  
Running away from home  
Excessive restrictions e.g. house arrest



## **Forced Marriage**

### **EMPLOYMENT**

Poor performance  
Poor attendance  
Limited career choices  
Not allowed to work  
Unreasonable financial control e.g. confiscation of wages/ income  
Not allowed to take part in social events or business trips

### **POLICE INVOLVEMENT**

Young person or other young family members reported as missing  
Reports of domestic abuse in family  
Young person reported for offences such as shoplifting or substance misuse  
Threats to kill

### **PRIOR CHILDREN'S SOCIALCARE INVOLVEMENT**

Referrals/ assessments concerning neglect or sexual, physical, emotional or psychological abuse of children in the family  
Child in family is or was on protection register  
Young person has physical or mental disability

## **Factors that Increase the Risk of Forced Marriage**

These are factors that may increase the likelihood of a young person being at risk of Forced Marriage. However the presence of individual, or combinations of, factors does not 'prove' that Forced Marriage has taken place or is about to.

### **If the young person has disclosed sexual abuse within the family**

A marriage may be seen as means of restoring honour to the family. The marriage may also be seen as a way of ending the sexual abuse.

### **If the young person is gay, lesbian, bisexual or transgender**

A marriage may be seen as a way to stop any questions about the young person's sexuality. It may also end an existing same sex relationship

### **If the young person has a boyfriend or girlfriend of their own choice**

A marriage may be seen as a way of ending an unacceptable relationship and controlling sexual behaviour.

### **If the young person has a mental or physical disability or mental health problems.**

A marriage may be seen as a means of providing care for the young person. Some young people do not have the capacity to give consent and maybe unable to consummate the marriage.

If the young person has exhibited challenging behaviour such as drinking, taking drugs or anti-social behaviour. A marriage may be seen as a way of controlling this behaviour.

### **If the young person is in a single parent household or has fairly recently experienced a change in the immediate family make-up e.g. a parent has died or a step-parent moves in.**

There is more of urgency for the children to be married.

## **Possible Consequences of Forced Marriage**

The marriage will be valid unless and until it is set aside by a divorce or annulment in a civil court. Those forced to marry may find it difficult to initiate any action to bring the marriage to an end.

For a young person married abroad, s/he is forced to act as a sponsor for their spouse's immigration to the UK. The young person is often reluctant to be honest with the immigration service for 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.

Young women may be subjected to repeated rape – often until they become pregnant, as a child is seen to cement the union. It becomes more difficult to leave a marriage if you are pregnant or have a young child.

Young women in forced marriages are more likely to face domestic abuse. The children born of forced marriages are more likely to face abduction, neglect and abuse.

A young woman may have to move into her in-law's home that may be in another part of the UK or even abroad. This means leaving family and friends behind. A young woman can be very vulnerable to abuse not just from her husband but also from all the in-law's family and find many freedoms restricted. There is some evidence that very young men coming from abroad to marry may also find themselves very vulnerable to abuses from the new in-law's family if they have no family or friends in the part of the UK they arrive in.

Often plans for education and careers cannot be fulfilled.

For gay, lesbian, bisexual and transgendered young people, their sexuality is denied and cannot be fulfilled.

Many forced marriages fail. With (or without) family support, young people do divorce but this leads to an unwelcome and unpleasant disruption in their lives and leaves many young people as young, single parents.

A very young spouse who has come to the UK from overseas may not speak English and may not be aware of the support to which they may be entitled or may even be very frightened of contact with statutory agencies. . For many young people, returning to their country of origin is not an option.

A potentially dangerous and abusive marriage and a loss of control over his or her personal life can lead to anxiety and depression. Poor mental health may even lead to suicide.

## **Possible Consequences of refusing a Forced Marriage**

- Withdrawn from education, restricting educational and personal development.

- Kept under close surveillance or even “house arrest”.
- No access to money.
- Intense emotional pressure which may lead to poor mental health from family members and members of the wider community to maintain family honour.
- Physical threats and actual abuse – at an extreme, even murder.
- Rapid removal by the family to another part of the UK or abroad
- The young person may feel they have no other option but to runaway – often facing a risky lifestyle.
- The family will report the young person as missing to the Police
- The family may “hunt down” the young person and abduct him or her – even from the care of a statutory or voluntary agency
- The family may “hunt down” the young person to seriously hurt or even kill him or her (and any girl or boyfriend/spouse on the scene).
- Accessing help may mean leaving family, friends and the wider community behind for good and having to move to a different part of the UK.
- For young people with disability and/or additional needs, leaving may be more difficult making them completely reliant on the family.
- Circumstances may be more complex if the young person is lesbian, gay, bisexual or transgender.
- Male victims of forced marriage may have difficulty in having their situation taken seriously.

## **Choices?**

Students, who may fear that they may be forced to marry, have limited choices:

- To remain with the family and try to resolve the situation (this could put the student in danger)
- To go along with the family's wishes (this may mean that they are returning to an abusive situation)
- To flee the family and home (the forced marriage aspect may not be apparent when student is reported missing)

## **General Guidelines for Dealing with a Disclosure of Forced Marriage**

At the earliest possible opportunity, concerns over a young person and Forced Marriage must be reported to Children's Social Care, and if a crime may have been committed, to the Police also. Cases can also be referred to the Foreign and Commonwealth Office Forced Marriage Unit (See Appendix 1).

However, both voluntary and statutory agencies can greatly assist in protecting a young person from a potentially dangerous and abusive situation. A young person who fears they may be forced to marry will often come to the attention of teachers, education welfare officers, education psychologists, youth workers, health care professionals, community and voluntary groups e.g. Healthy Living Centres. It may be a trusted friend or family member the young person speaks to.

Children's Social Care will assess the information as part of their investigation. However, if the young person trusts you with the disclosure, take the opportunity to record the allegation and other details as there may be an **urgency** if the young person either,

- Can rarely escape surveillance and talk freely to someone, or
- Because there are plans to remove this young person – especially urgent if this is to another country.

Also, in case the young person disappears, it is important to:

- Give some basic information on what services can help,
- Some basic safety planning and
- To gather relevant information to assist in the referral to Social Services or the Police

### **First Steps**

- See the individual immediately in a secure and private place
- See the individual alone even if they attend with others
- Arrange for an appropriate interpreting service if the individual does not speak English. (Be careful about using an interpreter from the same local community as the young person).
- Take time to listen to the young person and provide reassurance that this situation is not their fault
- Establish if there is another family member at risk of forced marriage

- Explain the limits of confidentiality and that you will try to respect his or her wishes, but you may have to consider taking further action to protect him or her.
- Ideally, obtain the young person's consent to pass on personal information and to involve other agencies for his or her protection
- Inform the young person of their legal rights:
  - A young person under 18 is entitled to see a solicitor and legal aid will be available
  - Young people under 17 years of age can apply to the Court in their own name to become a ward of court, thus preventing them from being physically taken out of the jurisdiction of that Court
- Provide a cover story for the meeting in case s/he is challenged by the family.
- Obtain a list from the young person of trusted friends and family members
- Establish a code word with the young person to enable positive identification
- Discover if there are any ways the young person can be contacted discreetly that will not put them in risk of further harm. Could your agency provide a safe "cover"?
- If it is an appropriate step to refer the case to other agencies/ organisations, ensure that they are able to handle the case appropriately. Established women's groups who have a history of working with survivors of domestic abuse and forced marriage may be able to help in identifying reputable agencies.
- Provide the young person with details of: -
  - The Forced Marriage Unit
  - The national and local Domestic Violence helplines

### **Do not**

- Send the individual away in the belief that this is merely a private domestic matter and not one for you to respond to.
- Ignore what the young person has told you or dismiss the possibility that the young person may require immediate protection.
- Approach the young person's family, friends or those people with influence in the community, unless the individual expressly asks you to do so.
- Approach community leaders unless requested to do so by the individual.
- Attempt to be a mediator as this can be a dangerous response to Forced Marriage.
- Share information with anyone without the express consent of the individual unless you have concerns about significant harm or the

likelihood of criminal activity. Tameside Child Protection procedures should be followed if there is concern about significant harm. The Police should be contacted if there is a concern about the likelihood of a crime being committed.

### **What to do if it is believed that a young person is going abroad for the purpose of a Forced Marriage**

Try to gather as much information as possible as there may not be another opportunity before the young person travels. This information will assist in locating the young person and help to repatriate them if the need arises. It will need to be gathered as discreetly as possible and it is important to explain to the young person why it is important that it is recorded.

- Full name and date of birth of the young person
- Their father's and mother's name
- Details of travel plans
- Any addresses where the young person may be staying overseas
- Potential spouse's name & location
- The name of the potential spouse's father
- Date of the proposed wedding
- The name of the potential spouse's father (if known)
- Addresses of the extended family the UK and overseas
  
- Information that only the young person 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 young person).
  
- A photocopy of the young person's passport for retention. Encourage them to keep details of their passport number and the place and date of issue. The student may have two passports and have dual nationality (see page 14 Forced marriage guidance for education Practitioners). The young person should be advised that if a choice is available use a British passport to travel on.
  
- Details of any travel plans and people likely to accompany the young person.
  
- Names and addresses of any close relatives in the UK and overseas.
  
- A safe means by which contact may be made with the young person e.g. a mobile telephone number that will function overseas. Record the number.

- Details of their party in order to maintain contact in case the young person contacts them whilst overseas or on their return.
- An estimated return date and likely return address in the UK. Ask that they contact you **without fail** on their return.
- A written statement by the young person explaining that they want your agency or a third party to act on their behalf if they do not return by a certain date.
- Advise him or her to make contact with the High Commission or Embassy in the country s/he is visiting. (The Forced Marriage Unit (see Appendix 1) can provide the details).
- Advise him or her to take some money in pounds and in the local currency, a spare mobile phone and a copy of his or her passport and tickets (or at least write down the details of them).

### **Information required to assist Children's Social Care, the Police and/or the Forced Marriage Unit**

Providing this information will help these agencies in considering or carrying out an intervention. However, if you have a concern about significant harm or a crime do not hesitate to contact these agencies even if all the identified information is not available. Also if you are not sure whether to refer to Children's Social Care you may choose to consult, but you will still need to pass on details about the young person. Write down this information and keep it secure.

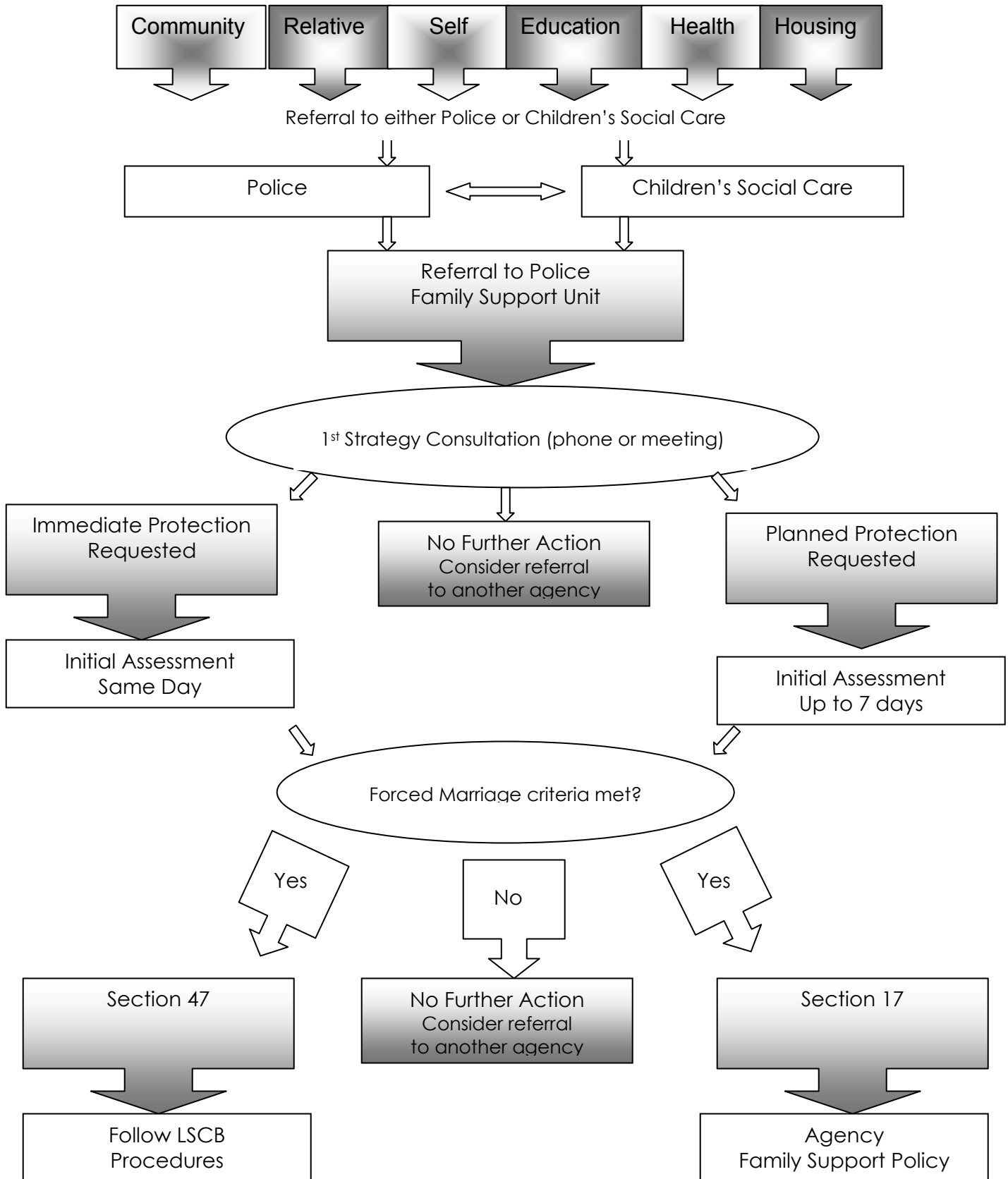
- The date of your report
- Young person's full name, address and date of birth.
- If it is a third party reporting concerns – their details and relationship to the young person.
- Young person's contact details – mobile phone, a trusted friend's address etc.
- Nationality
- Date and place of birth
- Name and address of parents
- School, college, training or employment details
- Full details of the allegation – record any threats or hostile actions against the young person
- Any previous involvement with the Police or Social Services
- Any important health matters

- If the young person is moving or going abroad – details of where and when
- If possible – passport details
- Any agreed code word
- Photograph or note description (in case another person is put forward in the young person's place)
- If the young person prefers to see workers from a particular gender or ethnic background
- Whether or not consent was given to pass on information, and if not, why you are concerned enough about the young person to make a referral

It is also helpful if you can try to establish:

- If the young person has a secret boy or girlfriend
- If any other family members have gone through or are at risk of Forced Marriage

**This is a simplified flowchart of the process. Please note that this flowchart does not fully explore all the issues so please refer to the main text**



## **PRACTICE GUIDELINES FOR POLICE OFFICERS**

**For more information see *Dealing with Cases of Forced Marriage – Guidance for Police*. Association of Chief Police Officers**

**<http://www.fco.gov.uk/Files/kfile/forcedmarriageguidelines.pdf>**

Information about a forced marriage may be received from the victim, from a friend or relative, or from another agency. Forced marriage issues may also become apparent through careful questioning in the course of investigating other incidents/crimes such as domestic violence, assault, and abduction or missing persons.

Cases of forced marriage can involve complex and sensitive issues that should receive the attention of a Duty Inspector in Tameside to deal with such matters, as soon as possible.

**The first priority in all cases is to do everything possible to ensure the safety and well being of the victim.**

Reports of forced marriage, including reports from victims who fear they may be forced to marry, must be taken seriously and not just referred to another agency. For young people under the age of 18 years, Tameside SCB Procedures must be followed.

For people aged 18 years and over, please refer to Tameside Domestic Violence Protocol.

### **Actions to be taken**

First steps in response to a concern about a young person facing forced marriage are outlined on page 11 above. Because of the particular role in the investigation and prevention of crime, the Police have additional steps that should be taken as soon as possible.

### **Additional Steps:**

- Give the young person personal safety advice.
- Create a restricted entry in the force intelligence system. (\*GMP does not have this facility at present - work is ongoing to establish a suitable means of recording the intelligence).
- Identify any potential criminal offence 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.
- Maintain a full record of the decisions made and the reason for those decisions.
- Ensure that the individual has the nominated officer's contact details.
- Obtain a recent photograph or consider, with their consent, taking a photograph. Note any distinguishing features e.g. birthmark

## **PRACTICE GUIDELINES FOR EDUCATION PRACTITIONERS**

**For more information see *Dealing with Cases of Forced Marriage – Guidance for Education Practitioners* – Department for Education & Skills.**

**<http://www.teachernet.gov.uk/doc/8122/forced%20marriage%20education.pdf>**

### **Tackling Forced Marriages in Schools and Colleges**

Tameside's Services for Children and Young People has produced a set of guidelines for schools on domestic abuse and forced marriage.

### **Information for Education Professionals from the Department for Education and Skills and the Foreign and Commonwealth Office.**

Educational establishments have sometimes feared that to tackle the issue of Forced Marriage is an intrusion on private or cultural family matters. This anxiety is unnecessary for the following reasons:

- No culture or religion sanctions forced marriage- this is quite different to arranged marriage where parties consent of their own free will.
- Forced Marriage is a human rights abuse.
- Forced marriage directly impedes the ability of a school to fulfil its duty under the Race Relations (Amendment) Act 2000 to promote equality of opportunity for all its pupils.

Both the Department for Education and Skills and the Foreign and Commonwealth Office are strongly committed to preventing forced marriage. The two departments have already co-operated to take initial action against the abuse. The Department for Education and Skills has endorsed the 'Tying the Knot' video and accompanying material for

Personal Health and Social Education classes. The Department for Education and Skills has also supported the distribution of forced marriage leaflets in school.

<http://www.teachernet.gov.uk> – Also deals with forced marriage as an issue that educational professionals may come across.

Suspected forced marriage can come to light when a student becomes anxious, depressed and emotionally withdrawn. Sometimes the student her/himself or their peers may disclose that they are being forced into a marriage.

It is important that these changes in behaviour or disclosure are acted upon. It is also important to remember that employees of an educational establishment may also be at risk of being forced into marriage. The guidance and information contained in this policy is specifically about children and young people but many of the principles of good practice apply where the victim is an adult.

### **How can Education Practitioners make a difference?**

All educational establishments should aim to create an “open environment” where students feel comfortable and safe to discuss any issues that they may be experiencing. Students need to feel that they will be listened to and their concerns taken seriously.

Educational establishments should display relevant information about forced marriages and where students can access resources, support or help. The subject of forced marriage can be introduced into the curriculum by discussing different types of marriage within a variety of subjects e.g. whilst studying Romeo and Juliet in English literature you have the opportunity to discuss types of marriage.

### **What to do?**

As it is not the role of the Education Practitioners to investigate allegations of abuse, a referral must be made to Children’s Social Care if there is a concern that a child has experienced, or is at risk of, significant harm. This action is defined by the Tameside Child Protection procedures.

For first steps see page 11 above. Because the Education service is the one statutory service that every young person has regular access to, there is an increased likelihood for the Education Practitioner becoming aware

of a young person facing forced marriage. The following notes explore the consequences of this in more detail.

A student may come to an Education Practitioner's attention when they disclose or say that they are going on holiday overseas and they are concerned about this. (Young people are often told that the purpose is to see relatives, attend a family wedding or someone is ill).

See the student immediately and on their own even if they have come with someone.

Don't make assumptions that the student is at risk because he/she is going on an extended family holiday. However, if the Practitioner believes that the young person is going abroad for the purpose of a forced marriage then it will be important to gather as much information as possible as set out on page 13 above.

The Education Practitioner should talk to the Designated Person for Child Protection within the establishment. The Designated Person may offer advice or sign post the young person to specialist advice. If the Designated Person thinks that this could be a child protection concern then he/she should follow the TSCB child protection procedures.

Discuss the options available to the student. Recognise and respect their wishes. If the student does not want the Designated Person (DP) to make a referral to Children's Social Care then the DP will have to consider whether to respect these wishes or whether the student's safety requires that further action should be taken. If the DP does take action against the student's wishes then the student should be informed, unless this would put the young person at increased risk of significant harm.

Explain and, as far as possible, reassure the student about confidentiality. This includes giving consideration to the option of excluding those with parental responsibility. Information should only be disclosed with the student's permission unless the Practitioner considers that they are a danger to themselves or others have experienced significant harm or are at risk of significant harm in which case the child protection procedures should be followed immediately.

Liaise with Children's Social Care for consultation and advice and then, if appropriate, make a referral to Children's Social Care using the usual agency referral form.

If the Designated Person thinks that a criminal offence has been or may be committed then they should contact the police.

Record all relevant information including about actions taken.

If appropriate, refer the student, with their consent, to local and national support groups and counselling services (see page 18 of the Home Office guidance for Educational Practitioners)

## **PRACTICE GUIDELINES FOR SOCIAL WORKERS**

**For more information see *Young people and vulnerable adults facing forced marriage- Practice Guidance for Social Workers – Association of Directors in Social Services***

**<http://www.adss.org.uk/publications/guidance/marriage.pdf>**

Cases of forced marriage can involve complex and sensitive issues that should receive the attention of a Team Manager, whether in the case of a child or young person under the age of 18 or of a vulnerable adult. At the earliest opportunity, social workers dealing with such cases should seek advice from a social worker who has had specific training in handling the issues raised. The Social Workers dealing with such cases should be offered regular consultation in addition to the appropriate level of supervision.

Information or a referral about a forced marriage may be received from the young person or from a friend, relative, from another agency or community-based organisation. Forced marriage may also become apparent when other family issues are addressed, such as domestic violence, self-harm, child abuse or neglect, family/adolescent conflict or missing persons/runaways.

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

## **What to do?**

See page 11 above for first steps. Because of the particular role of the Social Worker in the investigation of child protection issues, there are additional steps to consider early on in the contact with the young person.

- Explain all the options to the young person and recognise and respect their wishes. If the young person does not want Children's Social Care to intervene, the social worker will need to consider whether the young person's wishes should be respected or whether the young person's safety requires that further action be taken. In all cases it is important that the Practitioner carefully records their decision-making.
- Where the young person has children and these are considered to be at risk of significant harm, activate local child protection procedures and use existing national and local policies and protocols for multi-agency liaison (Working Together to Safeguard Children (2006) and the Framework for the Assessment of Children in Need and their Families (2000).
- If the victim is a vulnerable adult, i.e. they are over 18 refer to Tameside Domestic Violence Protocol.
- Refer to *Achieving Best Evidence in Criminal Proceedings: Guidance for Vulnerable or Intimidated Witnesses, including Children* where the victim is under 18 or is a vulnerable adult over 18, and wish to pursue a criminal complaint.
- Initiate a strategy discussion under child protection procedures to decide whether the young person is suffering, or at risk of, significant harm. Plan the next steps in accordance with Tameside Child Protection Procedures.
- Where possible, and subject to consideration of development and level of understanding, involve the young person in the strategy discussion.
- Information from case files and database files should be kept strictly confidential. Every effort should be made to keep information to a restricted staff group (see Practice Guidance for Social Workers).
- Where possible, give the young person the choice of the race and gender of the social worker who deals with their case.

- Inform the young person of their right to seek legal advice and representation.
- Liaise with the Child Care Legal Service.
- In all cases, assess the risk of harm facing the young person and the staff member.
- Give them personal safety advice.
- Record any injuries and, in negotiation with the young person, arrange a medical examination. Keep detailed documentation of any injuries or history of abuse, as the police may require this for any subsequent prosecution as detailed in child protection procedures.
- Keep the young person informed of steps taken and of the resources allocated and available in the community.
- Maintain a full record of the decisions made and the reason for those decisions.
- Ensure that the young person has the contact details for the service and a copy of the Complaints and Representations Procedure for Young People.

### **Do:**

- Consider the need for immediate protection and placement away from the family
- Refer to the Police Family Support Team if there is any suspicion that a crime has been, or may be, committed or the young person is, or has children, under 18
- Liaise with the police if there are concerns about the safety of the victim, their siblings or the victim's children

### **Do not:**

See page 13 above for general guidance on what not to do. Social Workers, because of their specific investigative role should also not do the following:

- Treat such allegations merely as a private domestic issue and send the young person back to the family home (page 10 Practice Guidance for Social Workers).
- Contact the family in advance of any enquiries, either by telephone or letter.

### **Information Required for all Cases**

Obtain details of the individual making the report, their contact details, and their relationship with the young person.

- Obtain details of the young person under threat including:
  - Date of report
  - Name of individual under threat
  - Gender
  - Nationality
  - Age
  - Date and place of birth
  - Passport details
  - School details
  - Employment details
  - Full details of the allegation
  - Name and address of parents
- Obtain a list from the young person 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. (see Practice Guidance for Social Workers).
- Establish a way of contacting them discreetly in the future that will not put them at risk of harm. (see Practice Guidance for Social Workers)
- Obtain any background information including schools attended, involvement by police, doctors or other health services, etc.
- Record details about any threats or hostile actions against the young person, 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. Remember to get the consent form signed.

- Establish the nature and level or risk to the safety of the individual (e.g. are they pregnant, do they have a secret boyfriend/girlfriend, are they self-harming, and are they already secretly married).
- Establish if there are any other family members at risk of forced marriage or if there is a history of forced marriage and abuse.
- Check Children, Families & Social Care's records for past referrals of family members including siblings. This may also involve checks with other Local Authorities

### **For Section 47 Enquiries**

Consider approaching:

- Local Schools
- Local Education authority
- Voters Register
- Police
- Benefits Agency
- Passport Office
- Child Protection Register
- CAFCASS
- Police databases, including domestic violence databases
- Housing agencies
- Health services
- Voluntary groups
- Employers
- Fellow employees

Such enquiries should be made as discreetly as possible and without divulging information except on a 'need to know' basis.

### **Remember:**

- If the family is approached, they may deny that the young person is being forced to marry, move the young person, expedite any travel arrangements and bring forward the forced marriage.
- Report details of the case, with full family history, to the Community Liaison Unit at the Foreign & Commonwealth Office (page 44 – Practice Guidance for Social Workers). Encourage the young person to get in touch with the Community Liaison Unit. The Unit gives advice to young people who fear they may be forced to marry.

- The young person may have dual nationality and have two passports

### **Initial Response to referral**

- Initial Referral from agency or young person received by Children's Social Care.
- Assessment Team Duty Worker will confer with Children's Social Care, Quality Assurance Unit.
- Initial Assessment to be undertaken by Social Worker.
- Enquiry will involve checking Children's Social Care (SWIFT) and Tameside Education's information systems.
- Detail of incident or concerns recorded and discussed with the Police Family Support Team.
- Duty Social Worker will discuss with Team Manager to determine further agreed action, including whether to arrange a Strategy Consultation.
- If a Strategy Consultation is arranged the decision will be one of three options:
  - Immediate protection requested
  - Planned protection requested.
  - If the Forced Marriage criteria are not met then could refer to another agency, e.g. request for services or no further action may be decided upon.

## **PRACTICE GUIDANCE FOR HEALTH PRACTITIONERS**

**Currently (2006) there is no availability of specialist information (equivalent to that for the Police, Social Workers and Education practitioners). Therefore, Health Practitioners should give particular attention to the General Guidelines contained within this document at page 16.**

Cases of Forced Marriage may come to the attention of health practitioners who should, at the earliest opportunity, refer to Children's Social Care, the Police or other appropriate agency.

The law is very different for individuals under 18 and the approach you take varies accordingly. What follows is a checklist of what to do and the

questions to consider when supporting a victim of forced marriage who is under the age of eighteen.

### **First Steps Upon disclosure**

See page 11 above.

### **Additional Steps**

- Inform the following agencies as soon as possible, even if the child's immediate safety is not in question
  - The local Police Family Support Team.
  - Children's Social Care; ensure they understand the implications of returning a child or young person to their family situation
  - Contact the Forced Marriage Unit (see Appendix 1).
- View the national child protection guidelines, available on <http://www.doh.gov.uk/safeguardingchildren/>.
- Find out if the marriage is likely to take place abroad.

### **Information sharing between the NHS and other agencies**

In order to make a referral or assist in an investigation by Police or Children's Social Care, information about the young person will have to be shared.

#### **Aim:**

*"The aim of public policy is that citizens receive the health and social care services required to meet their needs through the most effective and efficient organisation of available agency services that can be achieved for the particular circumstances of the individual. Sharing personal information between partner agencies is vital to the provision of co-ordinated and seamless care to an individual. Legislation does not prevent information sharing between partner agencies delivering services, though there are important rules and parameters to be observed, especially in handling security and confidentiality"*

**(Source: NHS Executive, 1999)**

#### **Summary:**

- Information to be shared must be purposeful and justified;
- Information should be specifically geared to the task it is intended to service;
- The information should be sufficient and sharing should exclude unnecessary material;

- Information should normally only be shared with the informed consent of the subject;
- Information should be shared as part of appropriately planned and managed procedures;
- There should be designated accountability for shared information;
- Information should only be shared within agreed 'information communities';
- Personal identifiers should be removed wherever possible;
- Agencies should take responsibility for ensuring procedures for compliance;
- Standards must be established to ensure that technologies used in information sharing are fully fit for the purpose.

## **References**

- *Recording with Care* (DH Social Care Group/Social Services Inspectorate 1999)
- *Code of Practice on Personnel Information in Social Services* (DH/ADSS 1999)
- *The Data Protection Act* (1998)
- *Draft Guidelines for Local Authority Social Services Department on the Data Protection Act 1998* (DH SCG 1999)
- *Ensuring Security and Confidentiality in NHS Organisation*, (NHS Resource Pack)
- *Report on the Review of Patient Identifiable Information (Caldicott Report)* (DH 1997)
- *Patients Charter* (DH 3/96)
- *Setting the Record Straight* (Audit Commission, 1995)
- *For the Record* (HSC 1999/053)
- *Still Building Bridges* (DH SCG / SSI, 1999)
- *Information for Caring & Benefits of using Clinical Information* (ENB and Enabling People Programme, 1997)
- *Improving Clinical Communication* (CSG 1998)
- *Moving forward with Information Sharing* (ADSS/Price Waterhouse)
- *Learning to Manage Health Information & Information for Health* (NHS E, 1999)
- *Modernising Health and Social Services: National Priorities Guidance, 1999/00 - 2001/02* (DH 1998).

## **Sources of Help**

### **The Forced Marriage Unit**

If you or someone you know is being forced into a marriage either here or in the UK, you can contact the government's Forced Marriage Unit who offer confidential support and information. Caseworkers understand the issues, the family pressures and how difficult it is to discuss these situations.

The Forced Marriage Unit can also help to repatriate young people who have been taken abroad.

|           |  |
|-----------|--|
| Open      | Monday – Friday from 9:00am – 5:00pm   |
| Telephone | 020 7008 0151 or Out of Hours Service -Emergency Duty Officer 020 7008 1500      |
| e-mail:   | <a href="mailto:fm@fco.gov.uk">fm@fco.gov.uk</a>                                 |
| Website   | <a href="http://www.fco.gov.uk/forcedmarriage">www.fco.gov.uk/forcedmarriage</a> |

### **The Domestic Violence Co-ordinator**

Based in the Tameside MBC Community Safety Unit. Can offer advice and has access to 'The UK Gold Book' – a guide to the refuge and domestic abuse services throughout the UK

### **Tameside Women's Project Ltd.**

Provides accommodation and support to women and children fleeing Domestic Abuse and Forced Marriage. Runs Tameside helpline

Helpline: 0800 328 0967

Free phone, operational 24hrs.

Always answered by experienced staff

Call: 0161 339 8755

Uses Language Line

### **National Domestic Violence Helpline**

Emotional and practical support and information to women and children experiencing Domestic Violence and Forced Marriage to enable them make informed choices.

Can refer callers on to Refuges and other sources of information

Helpline: 0808 2000 247

Staffed by experienced female workers

Access to all languages

### **Runaway Help line**

24 hour confidential free help line

Help and advice to young people who have run away from home  
Call: 0808 800 7070  
[www.runawayhelpline.org](http://www.runawayhelpline.org)

### **Tameside Traveller Refugee and Asylum Seeker Team**

To support Travellers Refugees and Asylum Seekers within Services for Children and Young People.  
Team takes the lead on Domestic Abuse in SCYP for all children.  
Support for children and young people from these communities who have witnessed or experienced abusive families.

Call: 0161 342 4091.  
Open in office hours to advise school staffs about general issues.  
Open: 8.30am-4.30 on Monday, Tuesday and Wednesday; 4pm on Thursday; 3.30pm on Friday.

### **Off the Record**

Counselling for young people between the ages of 13-28 who are living in Tameside, Glossop and Oldham.

Call: 0161 355 3553  
Open: Mon-Fri i.  
e-mail: [office@offtherecord.demon.co.uk](mailto:office@offtherecord.demon.co.uk)  
website [www.offtherecord.demon.co.uk](http://www.offtherecord.demon.co.uk)

### **Sojourners House**

Refuge, outreach support and project work for Afro-Caribbean, women and children and mixed race women and children

Call: 0161 882 0632  
Open: Mon-Fri 9am - 5pm  
Access to a range of Languages

### **Saheli Ltd**

**Specialist service for South Asian women and children. Based in Manchester**

Refuge accommodation and support with access to speakers of Gujarati, Hindi, Punjabi and Urdu - plus others.

Call: 0161 945 4187  
Open: Mon-Fri 9am-5pm

### **Glossop Women's Aid**

Houses and supports women and children experiencing Domestic Abuse.  
Open to women in Tameside and High Peak areas

Helpline: 0800 389 8307

Open: Mon-Fri 9am-5pm

Call: 01457 856 675

### **Southall Black Sisters**

Provides direct services to assist Black women and children escaping domestic and sexual abuse (London based)

Help line and support services.

Priority is given to women with a local connection but will not turn any women away.

Call: 020 8571 9595

[www.southallblacksisters@org.uk](mailto:www.southallblacksisters@org.uk)

Access to all Languages. There are staff that speak Hindi, Punjabi, Urdu and Gujarati.

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

Provides a culturally sensitive listening service without being judgmental.

Help line for Muslim women of any ethnicity experiencing Domestic Abuse or Forced Marriage

Speakers of Gujarati, Punjabi, Urdu and access to other languages

Call: 020 8904 or 020 8908

Open: 10 – 4:00pm Mon – Fri

### **Broken Rainbow LGBT**

Help line for Lesbians, Gay, Bisexual and Transgender people experiencing Domestic Abuse and forced marriage

Helpline: 0845 260 4460

Open: Mon-Fri 9am - 1pm 2pm - 5pm

[www.broken-rainbow.org.uk](http://www.broken-rainbow.org.uk)

### **The Albert Kennedy Trust**

Provides appropriate homes for Lesbian, Gay and Bisexual young people who would otherwise be homeless or in a hostile home environment.

Supports self-identified Lesbian, Gay and Bisexual young people up to age of 21 or 25 years.

Qualified social worker in the office

Call: 0161 228 3308

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

## **Childline**

Help line for children and young people.

NB: Childline and NSPCC have joined forces

Helpline 0800 11 11

Free Confidential. 24 hour

Call: 0870 336 2923

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

## **NSPCC Asian helpline**

**Helpline: 0800 096 7719**

e-mail [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

website [www.there4me.com](http://www.there4me.com)

website [www.nspcc.org.uk](http://www.nspcc.org.uk)

## **Rights of Women**

Informs, educates and empowers women concerning their legal rights in issues such as family law, children and contact issues, divorce and relationship breakdown

Free confidential legal advice helpline.

Helpline: 020 7251 6577

Tues, Weds and Thurs 2 - 4pm and 7 - 9pm; Friday 12 - 2pm.

Qualified female solicitor or barrister.

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

## **Victim Support and Witness Service Tameside**

Free and confidential support to help victims deal with experience of crime - whether or not the crime was reported. Witness Service can help people going to Court - before, during and after the trial. Can help victims report the crime to the Police.

Call: 0161 339 1190

e-mail: [info@victimsupport-tameside.co.uk](mailto:info@victimsupport-tameside.co.uk)

website [www.victimsupport-tameside.co.uk](http://www.victimsupport-tameside.co.uk)

## **St. Mary's Sexual Assault Referral Centre**

Part of NHS structure. Support and forensics for victims of rape

Call: 0161 276 6515

## **Manchester Rape Crisis**

Rape and sexual abuse counselling. Face to face counselling

Helpline: 0161 273 4500

Available in office hours

Plus: Weds 6 – 9pm, Thurs 6 – 9pm, Friday 2 – 5pm

Lines staffed by Women of differing ethnicity, backgrounds and sexual orientation. Will try to accommodate needs.

**B&ME Line**                    **0161 273 4514**  
Telephone                    0161 273 4591  
Open:                            Monday – Friday 10:00am – 4:00pm  
Website                        [www.manchesterrapecrisis.co.uk](http://www.manchesterrapecrisis.co.uk)

### **Tameside Sanctuary Housing Scheme**

Safeguards victims of domestic abuse in their own homes who are separated from the abusive partner or family member. Aids and adaptations to the property to increase security For men and women. Those fleeing Forced Marriage will have their new property in Tameside made safe. For all housing tenures. Risk assessment takes place by Police to ensure this is appropriate.

May be appropriate for young people over 16 years. Administered by New Charter Housing Trust.

Call:                            0161 331 2000