

Newcastle Safeguarding Adults Board

Honour Based Violence and forced marriage guidance for all staff working with vulnerable adults



June 2009

Introduction

This guidance describes the response that should be made to a situation where there is knowledge or concern that an adult covered by the safeguarding policy is at risk of forced marriage and or honour based violence.

The aim of the guidance is to work with the adult concerned, to assess any risk to them and where possible to make a protection plan that decreases the risk and improves the safety of the alleged victim.

This guidance is an addition to the NSAB safeguarding policy and procedures and used in conjunction with the NSAB safeguarding policy and procedures.

Access to the NSAB safeguarding policy and procedures can be found on www.newcastle.gov.uk/safeguardingadults

Other guidance is available website includes the Foreign and Commonwealth Office guidance, including guidance for Social workers, Health workers, Education workers and Housing workers and the link to the Foreign and Commonwealth Office Forced marriage unit www.fco.gov.uk/forcedmarriage.

Forced marriage is wrong.

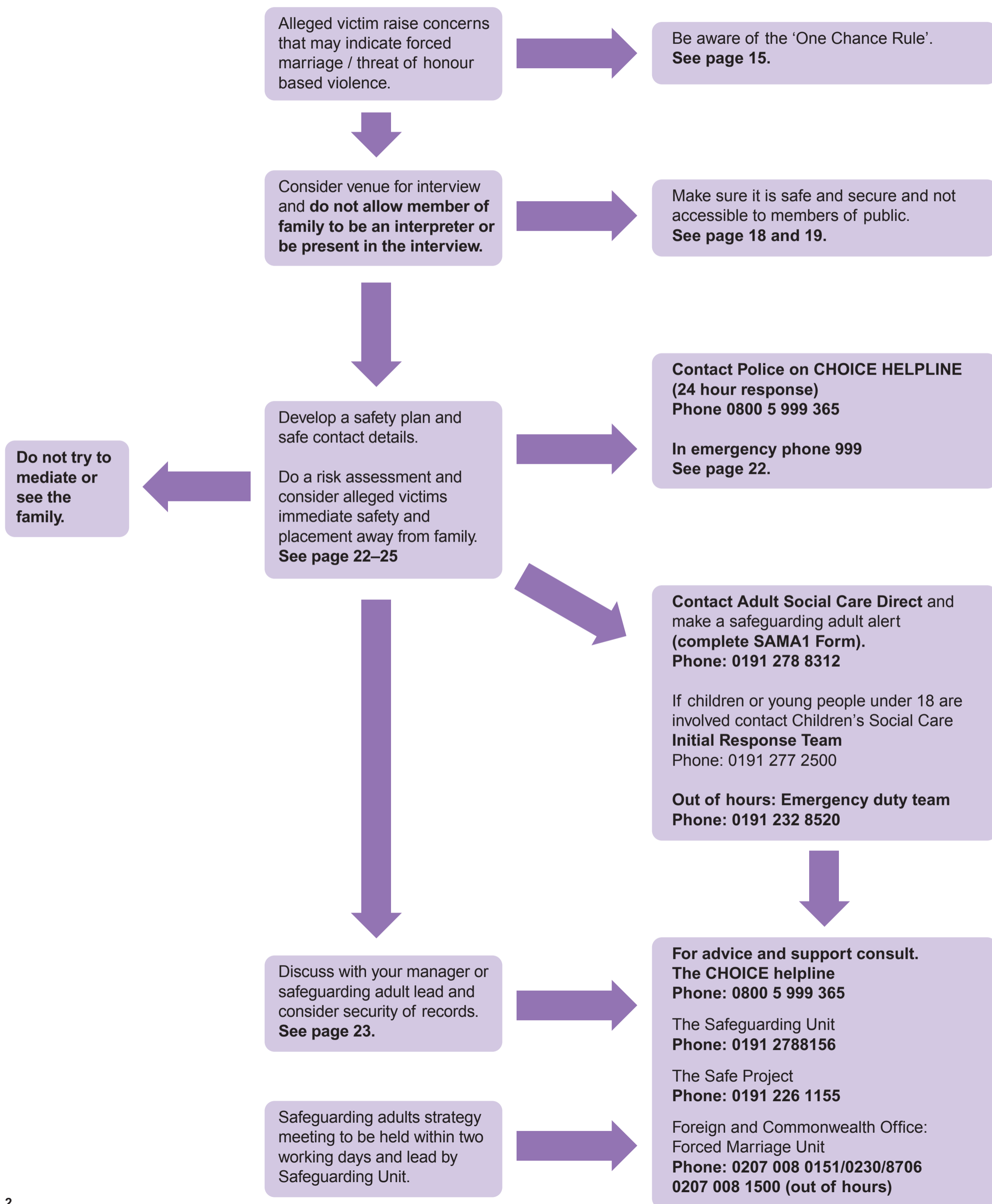
Forced marriage is a breach of children's rights under the UN Convention on the Rights of the Child (UNCRC) as well as an abuse of Human Rights.

This guidance thanks the Foreign and Commonwealth forced marriage unit and is based on a guidance written by Eleanor Stobart on behalf of the Forced Marriage Unit in collaboration with the Association of Chief Police Officers, Cabinet Office, Crown Prosecution Service, Department for Justice, Department for Children, Schools and Families, Department for Communities and Local Government, Department for Innovation, Universities and Skills, Department of Health, Home Office, Ministry of Justice and the National Assembly for Wales.

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Flow Chart for immediate action



What is honour based violence and forced marriage?

The term “honour crime” or “honour-based violence” embraces a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder where their family or their community is punishing the person.

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

Welchman and Hossain state “The term crimes of honour encompasses a variety of manifestations of violence against women; including murder termed “honour killings”, assault, confinement or imprisonment and interference with choice in marriage where the publicly articulated justification is attributed to a social order claimed to require the preservation of a concept of honour vested in male family and or conjugal control over women and specifically women’s sexual conduct – actual, suspected or potential.”¹

Difference between forced marriage and arranged marriage

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

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

In forced marriage, one or both spouses do not (or, in the case of some vulnerable adults, cannot) consent to the marriage and duress is involved.

¹ Welchman, Lynn and Hossain, Sara, eds. (2005) Honour: Crimes, Paradigms and Violence against Women. Zed Books (London)

Duress can include physical, psychological, financial, sexual, financial and emotional pressure.

Incidence of forced marriage

The government regards forced marriage as an abuse of human rights and a form of domestic abuse and, where it affects children and young people, child abuse.

It can happen to both men and women although most cases involve young women and girls aged between 13 and 30. There is no “typical” victim of forced marriage. Some may be under 18 years old, some may be over 18 years old, some may have a disability, some may have young children and some may be spouses from overseas.

The majority of cases of forced marriage reported to date in the UK involve South Asian families. This is partly a reflection of the fact that there is a large, established South Asian population in the UK.

However, it is clear that forced marriage is not solely a South Asian problem and there have been cases involving families from East Asia, the Middle East, Europe and Africa.

Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas or a British national being sent abroad.

In the first nine months of 2008 alone, over 1,300 incidents of suspected forced marriage have been reported to the Forced Marriage Unit.

Cases also come to the attention of the police, social care services, health, education and voluntary organisations. Many others go unreported². With greater awareness of the help available, the number of cases reported is likely to increase.

Although forced marriage is primarily, but not exclusively, an issue of violence against women, this document provides guidelines for both male and female victims of forced marriage.

² Information provided by victims at seminars 2000–2008.

Motives prompting forced marriage

Parents who force their children/ young person to marry often justify their behaviour as protecting their children, building stronger families and preserving cultural or religious traditions. They often do not see anything wrong in their actions.

Forced marriage cannot be justified on religious grounds; every major faith condemns it and freely given consent is a prerequisite of all religions.

Often parents believe that they are upholding the cultural traditions of their home country, when in fact practices and values there may have changed. Some parents come under significant pressure from their extended families to get their children married.

In some instances, an agreement may have been made about marriage when a child is in their infancy. Many young people live their entire childhoods with the expectation that they will marry someone their parents select – some may be unaware that they have a fundamental human right to choose their spouse.

Some of the key motives that have been identified³ are:

- Controlling unwanted sexuality (including perceived promiscuity, or being lesbian, gay, bisexual or transgender) - particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in a “westernised manner”
- Preventing “unsuitable” relationships, e.g. outside the ethnic, cultural, religious or caste group
- Protecting “family honour”
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain

³ By practitioners working with victims of forced marriage.

- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideals
- Protecting perceived religious ideals which are misguided
- Ensuring care for a child or vulnerable adult with special needs when parents or existing carers are unable to fulfil that role
- Assisting claims for UK residence and citizenship
- Long-standing family commitments.

While it is important to have an understanding of the motives that drive parents to force their children to marry, these motives should not be accepted as justification for denying them the right to choose a marriage partner and enter freely into marriage.

Forced marriage is a breach of children's rights under the UN Convention on the Rights of the Child (UNCRC) as well as an abuse of Human Rights.

The victim

Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. They may feel they have no one to speak to about their situation – some may not be able to speak English.

These feelings of isolation are very similar to those experienced by victims of other forms of domestic abuse and child abuse. Only rarely will someone disclose fear of forced marriage. Therefore, they will often come to the attention of health professionals, police, social care services or education services for various behaviours consistent with distress.

Young people forced to marry, or those who fear they may be forced to marry, are frequently withdrawn from education, restricting their educational and personal development.

They may feel unable to go against the wishes of their parents and be threatened with disownment if they do – consequently they may suffer emotionally, often leading to depression and self-harm.

These factors can contribute to impaired social development, limited career and educational opportunities, financial dependence and lifestyle restrictions.

Studies have shown that self-harm and suicide are significantly higher among Asian women than other groups⁴ and contributory factors include lack of self-determination, excessive control, weight of expectations of the role of women and concerns about their marriages.

A learning disability and or a physical disability or illness adds to a young person's, or an adult's, vulnerability and may make it more difficult for them to report abuse or to extricate themselves from an abusive situation. Their care needs may make them dependent on their carers.

You need to consider the safeguarding adult policy and procedures on [www.newcastle.gov.uk/safeguarding adults](http://www.newcastle.gov.uk/safeguarding_adults).

⁴ See, for example, **Self harm in British South Asian Women: psychosocial correlates and strategies for prevention** - Husain M, Waheed W, Husain N: Annals of General Psychiatry 2006.

Possible consequences of forced marriage

Women forced to marry may find it very difficult to initiate any action to end the marriage and may be subjected to repeated rape (sometimes until they become pregnant) and ongoing domestic abuse within the marriage.

In some cases, they suffer violence and abuse from the extended family often being forced to undertake all the household chores for the family. Victims frequently end up trapped in a relationship marked by physical and sexual abuse.

The impact this has on children within the marriage is immense. Children may learn that it is acceptable to be abusive and that violence is an effective way to get what you want.

They may learn that violence is justified, particularly when you are angry with someone. Children/young people witnessing abuse can be traumatised because witnessing persistent violence undermines children's emotional security and capacity to meet the demands of everyday life.

Academic abilities can be affected. Witnessing violence as a child/young person is associated with depression, trauma-related symptoms and low self-esteem in adulthood.

Both male and female victims of forced marriage may feel that running away is their only option. For many young people, especially women from ethnic minority communities, leaving their family can be especially hard.

They may have no experience of life outside the family – leaving may mean they lose their children and friends. For many, finding accommodation for themselves and their children can be very difficult – especially for those who do not have leave to remain and therefore do not have recourse to public funds⁵.

Living away from home with little support can make a victim more isolated, thus making it more likely that they will return to the abusive situation.

⁵ If a person does not have indefinite leave to remain, some form of discretionary leave or a right of abode in the UK, then they are likely to have a restriction on receiving public funds (no recourse to public funds). Public funds include income support and housing benefit.

In addition, leaving their family (or accusing them of a crime or simply approaching statutory agencies for help) may be seen as bringing shame on their honour and on the honour of their family in the eyes of the community. This may lead to social ostracism and harassment from the family and community. For many, this is simply not a price they are prepared to pay.

Those who do leave often live in fear of their own families who will go to considerable lengths to find them and ensure their return.

Families may solicit the help of others to find family members who have runaway, or involve the police by reporting them missing or falsely accusing the young person of a crime (for example theft).

Some families have traced individuals through medical and dental records, bounty hunters, private investigators, local taxi drivers, members of the community and shopkeepers or through National Insurance numbers, benefit records, school and college records.

Sometimes having traced them, the family may murder them (so called “honour killing”).

Women trapped in a forced marriage often experience violence, rape, forced pregnancy and forced childbearing. 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 limits their career choices.

Even if the woman manages 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”.

Aggravating factors

There is evidence to suggest that there may be factors that increase the likelihood of someone being at risk of forced marriage.

These factors include bereavement within the family. Occasionally, when a parent dies, especially the father, the remaining parent may feel there is more of an urgency to ensure that the children/vulnerable adult is married. A similar situation may arise within single parent households or when a stepparent moves in with the family.

Women and girls may have an increased risk of forced marriage if they have disclosed sexual abuse. Parents may feel that this has brought shame on her and that ensuring that she is married may restore honour to the family. They may also feel that marriage will put a stop to the abuse.

A person may be at greater risk if they are lesbian, gay, bisexual or transgender, as their parents may feel that by forcing them to marry their sexuality or gender identity will not be questioned.

Parents may also do so out of a mistaken belief that this will “cure” their son or daughter of what they perceive to be abnormal sexual practices.

Potential warning signs or indicators

People facing forced marriage may appear anxious, depressed and emotionally withdrawn with low self-esteem. They may come to the attention of practitioners for a variety of reasons.

Whilst the factors set out in this diagram below may be, collectively or individually, an indication that someone is facing forced marriage, it should not be assumed that it is forced marriage simply on the basis that someone presents with one or more of these warning signs.

These warning signs may indicate other types of abuse that will also require a multi-agency response.

There have been occasions when women have presented with less common warning signs such as cutting or shaving of a woman's hair as a form of punishment for disobeying or perhaps "dishonouring" her family.

In some cases, a girl may report that she has been taken to the doctors to be examined to see if she is a virgin. There have been reports of women presenting with symptoms associated with poisoning.

Female genital mutilation (FGM)

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

FGM is illegal in the UK and it is a criminal offence to take someone overseas for the purposes of FGM.

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.

Of course, some of these warning signs could be indicative of other forms of abuse or neglect that may require a multi-agency response.

The indicators below are not intended to be exhaustive.

Education

- | | | | |
|--|--|---|---|
| <ul style="list-style-type: none"> • Absence and persistent absence • Request for extended leave of absence and failure to return from visits to country of origin | <ul style="list-style-type: none"> • Surveillance by siblings or cousins at school • Decline in behaviour, engagement, performance or punctuality • Poor exam results | <ul style="list-style-type: none"> • Being withdrawn from school by those with parental responsibility | <ul style="list-style-type: none"> • Not allowed to attend extra-curricular activities • Sudden announcement of engagement to a stranger • Prevented from going on to further/higher education |
|--|--|---|---|

Employment

- Poor performance
- Poor attendance
- Limited career choices
- Not allowed to work
- Unable to attend business trips or functions
- Subject to financial control e.g. confiscation of wages/income
- Leaving work accompanied
- Unable to be flexible in their working arrangements

Health

- Accompanied to doctors or clinics
- Self harm
- Attempted suicide
- Acid attacks
- Eating disorders
- Depression
- Isolation
- Substance misuse
- Early/unwanted pregnancy
- Female genital mutilation
- Removal from a day centre of a person with a physical or learning disability

Education

Victim of forced marriage

Employment

Health

Family history

- Siblings forced to marry
 - Early marriage of siblings
 - Self harm or suicide of siblings
 - Death of a parent
 - Family disputes
 - Running away from home
- Unreasonable restrictions e.g. kept at home by parents ("house arrest") & financial restrictions

Family history

Police involvement

Police involvement

- Victim or other siblings within the family reported missing
- Reports of domestic abuse, harassment or breaches of the peace at the family home
- Female genital mutilation
- The victim reported for offences e.g. shoplifting or substance misuse
- Threats to kill and attempts to kill or harm
- Reports of other offences such as rape or kidnap

The “one chance” rule

All practitioners working with victims of forced marriage and honour-based violence need to be aware of the “one chance” rule.

- That is, they may only have one chance to speak to a potential victim and thus they may only have one chance to save a life.

This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they come across forced marriage cases.

If the victim is allowed to walk out of the door without support, that one chance might be lost.

Safeguarding Adults – forced marriage and honour based violence

There have been alerts on vulnerable adults with mental health problems, learning disabilities and physical disabilities being forced to marry.

In order to find a spouse, parents may accept a spouse who they would normally view as unacceptable – such as someone from a lower caste or social group.

Sometimes, to ensure a potential spouse is not put off, families may try to hide, play down or make light of a vulnerable adult's disability.

Another motive for forcing a vulnerable adult to marry is to make certain they will have someone to care for them after their parents have died.

Some vulnerable adults do not have the capacity to consent to the marriage. Some may be unable to consent to consummate the marriage – sexual intercourse without consent is rape.

Compelling, inciting or facilitating a person with impaired capacity for choice to engage in sexual activity without consent is also an offence under the Sexual Offences Act 2003.

Some adults are particularly vulnerable because they are often reliant on their families for care, they may have communication difficulties and they may have fewer opportunities to tell anyone outside the family about what is happening to them.

The measures for protecting vulnerable adults from forced marriage are the same as those for non-disabled adults. However, agencies do have a role to play in ensuring that vulnerable adults are able to help themselves.

Good practice should include:

- Listening to vulnerable adults and making sure they know how to raise concerns.
- Ensuring vulnerable adults have access to adults outside the family to whom they can turn for help

- Providing training and raising awareness about forced marriage amongst staff who care for vulnerable adults.

Some cases of forced marriage take place in the UK and in others a vulnerable adult may be taken overseas and forced to marry.

In either situation, adult social care should be ready to give guidance to the vulnerable adult about their rights; the choices open to them and take action in partnership with other agencies to protect them from harm.

Keeping a victim safe

Keeping a victim of forced marriage safe following a disclosure of Forced marriage.

Whatever someone's circumstances, the victim has rights that should always be respected such as personal safety and accurate information about their rights and choices.

Practitioners should listen to the victim and respect their wishes.

Disclosures of forced marriage should not be dismissed as merely a domestic issue – for many people, seeking help from an agency is a last resort and therefore all disclosures of forced marriage should be taken seriously.

Involving families in cases of forced marriage may increase the risk of serious harm to a person.

Experience shows that the family may not only punish them for seeking help but also deny that the person is being forced to marry, they may expedite any travel arrangements and bring forward the marriage.

Involving the family includes visiting the family to ask them whether they are intending to force the alleged victim to marry or writing a letter to the family requesting a meeting about the allegation that they are being forced to marry.

Relatives, friends, community leaders and neighbours should not be used as interpreters – despite any reassurances from this known person.

Venues for interviews

It is likely that the person or complainant will be anxious and distressed.

The interview should take place in a private and secure part of the building free from interruptions, in accordance with local practices and procedures.

The room should not be adjacent to the public part of the building, as there have been cases reported of people being forcibly removed by their families.

Remember:

- The person may wish to be interviewed by a practitioner of the same gender.
- The person may not want to be seen by a practitioner from his or her own community.
- Develop a safety plan in case the person is seen by someone hostile at or near the department, venue or meeting place e.g. prepare another reason why they are there.
- If the person insists on being accompanied during the interview e.g. by a teacher or advocate, ensure that the accompanying person understands the implications of confidentiality especially with regard to the person's family.
- For some, an interview may require an authorised accredited interpreter who speaks their dialect. Those who are disabled may require nonverbal communication methods.

Do not:

- Use family members, friends, neighbours or those with influence in the community as interpreters.

In all cases, the social worker needs to discuss the range of options available to the vulnerable adult and the possible consequences of their chosen course of action.

Remember:

You need to consider the safeguarding adult policy and procedures on [www.newcastle.gov.uk/safeguarding adults](http://www.newcastle.gov.uk/safeguarding%20adults).

What to do if a vulnerable adult fears they may be forced to marry?

A vulnerable adult may approach or tell a staff member of any agency/ organisation that they are going on a family holiday overseas and they are concerned about this.

They are often told that the purpose is to visit relatives, attend a wedding or because of the illness of a grandparent or close family relative.

The vulnerable adult 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 vulnerable adult is at risk of being forced into marriage simply on the basis that they are being taken on an extended family holiday.

These assumptions and stereotyping can cause considerable distress to families. All efforts should be made to establish the full facts of the case at the earliest opportunity.

Cases of forced marriage can involve complex and sensitive issues that should be handled with sensitivity.

Although, frontline staff should contact Adult Social Care Direct as soon as possible, they will need to gather some information from the individual to establish the facts and assist in the gathering of the information for the alert.

Adult Social Care Direct (8am till 6 pm)

Shieldfield Centre

4–8 Clarence Walk

Shieldfield NE2 1AL

Phone:0191 278 8377

Fax: 0191 278 8312

Email: scd@newcastle.gov.uk

Emergency duty team (after 6pm)

Phone:0191 232 8520

Fax :0191 211 4947

First steps to ensure safety:

- Recognise and respect their wishes
- 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
- If the young person is under 18 years of age, refer them to the Children's Social Care Initial Response team

Children's Social Care

Initial Response Team

Cruddas Park

Phone: 0191 277 2500

Fax: 0191 277 24 77

Emergency duty team (after 5pm)

Phone: 0191 232 8520

Fax: 0191 211 4947

- If the person is a vulnerable adult, you must instigate the safeguarding procedures and complete a SAMA1 form (all agencies these can be accessed from [www.newcastle.gov/safeguarding adults](http://www.newcastle.gov/safeguarding%20adults)) or SANA1 (Adult and Culture Services Directorate staff only).
- Establish a way of contacting them discreetly in the future.
- Obtain full details and complete the SAMA1 form or SANA1 form and you must discuss this with your manager or designated safeguarding lead.
- Consider the need for immediate protection and placement away from the family.
- Seek advise as soon as possible, from a trained specialist who has knowledge of forced marriage (see contacts list)

Do not:

- Send the person away
- Approach members of her family or the community unless the person expressly asks you to do so and you have assessed the risks
- Attempt to be a mediator

Additional steps

- Perform a risk assessment in all cases.
- Give them, where possible, the choice of the race and gender of the specialist who deals with their case.
- Inform the person of their right to seek legal advice and representation.
- **If necessary, record any injuries and arrange a medical examination.**
- Give the person personal safety advice.
- Develop a safety plan in case they are seen i.e. prepare another reason why you are meeting.
- Establish if there is a family history of forced marriage, i.e. 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 and discuss the difficulties they may face.
- **Identify any potential criminal offences and refer to the police urgently – Phone 999 or contact CHOICE helpline (24 hour response).**
- Give them advice on what service they should expect and from whom. Explain the safeguarding procedures and that they will be involved in any meetings if safe from them to attend.
- Ensure that the person has the contact details for the regional Police Choice helpline, Adult Social Care Direct Team, Safe project and the Foreign and Commonwealth Office Forced marriage unit.

CHOICE Helpline

Regional Police honour based violence and forced marriage helpline

Offers support and police action

Phone: 0800 5 999 365 (24 hour response)

Foreign and Commonwealth Forced Marriage Unit

Offers specialist advice, support and can act abroad

Phone: 0207 008 0151/ 0230/8706 (9.00-5.00)

Phone: 0207 008 1500 (out of hours)

www.fco.gov.uk/forcedmarriage

The Safe Project: Stop abuse, Find Empowerment

Offers specialist support services

Phone 0191 226 1155

- Maintain a full record of the decisions made and the reason for those decisions (Using SAMAI form or SANA1)
- Information from case files and database files should be kept strictly confidential and preferably be restricted to named members of staff only. (Adult Services staff to inform Care First to restrict access).
- **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 (see contacts list page).**
- **Any potential victim of forced marriage MUST be referred to into MARAC (see NSAB safeguarding procedures Page 19 – 20 for details of MARAC).**

Remember:

Circumstances may be more complex if the person is lesbian, gay, bisexual or transgender.

British Embassies and High Commissions can only help British nationals or, in certain circumstances EU or Commonwealth nationals. This means that if a non-British national leaves the UK to be forced into marriage overseas, the British Embassy or High Commission will not be able to assist them.

Response from all agencies

- Follow the first steps set above.
- **If appropriate follow the safeguarding adult procedures and contact the Safeguarding unit for advice and support. If a safeguarding strategy discussion / meeting is needed then it will be held within 48 hours or 2 working days.**
- Collect as much of the information required as possible.

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 Northumbria Police (**CHOICE** Helpline), Adults Social Care Direct and the Foreign & Commonwealth office Forced Marriage Unit. All information should be securely stored in accordance with safeguarding adult 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
 - 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 schools 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.
 - 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 **without fail** 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 safeguarding process you will consider as part of the safeguarding protection plan the following:

Reporting details of the case, with full family history, to the Forced Marriage Unit.

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 them the 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 (page 103).

- If they are not a British national, advise them to contact the Forced Marriage Unit (page 19). The Unit can provide details of reliable 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.

- Discuss the case with the Forced Marriage Unit.
- If the vulnerable adult's capacity to consent is in doubt, have their capacity to consent to marriage assessed.
- Check police and social care records for past referrals of family members including siblings – e.g. domestic abuse or missing persons within the family.
- Talk to them about whether they can avoid going overseas and discuss the difficulties they may face.
- **Seek advice from the local authority legal department as a matter of urgency.**
- Establish whether there is a family history of forced marriage i.e. siblings forced to marry. Other indicators may include domestic abuse, self-harm, family disputes, unreasonable restrictions (e.g. withdrawal from education or "house arrest") or missing persons within the family.

Legal position

You should consult your agencies legal advisers or the Council Legal services asking for the Adult Services solicitor.

If the vulnerable adult lacks the capacity to consent to the marriage, one course of action is for the local authority to make an application under the Court of Protection.

If satisfied that the adult lacks capacity the court can grant a declaration to this effect. The court can also grant injunction(s) to restrain family members from arranging a marriage for the vulnerable adult or prevent the vulnerable adult being taken overseas for the purpose of a marriage.

Whilst the vulnerable adult can make an application in their own name acting with the assistance of a “litigation friend”, they may not be in a position to take such action because of their personal circumstances. In this case, you may need to consider whether the local authority should do so.

Key legislation and guidance includes:

- Mental Health Act 1983.
- The National Health Service and Community Care Act 1990.
- Carer’s (Recognition and Services) Act 1995.
- Sexual Offences Act 2003.
- Domestic Violence Crime and Victims Act 2004.
- Mental Capacity Act 2005.
- Safeguarding Adults, ADSS, Oct 2005.
- No Secrets, Department of Health et al. March 2000.

Vulnerable adults can also take action to protect themselves under the Family Law Act 1996 and the Protection from Harassment Act 1997.

These orders include:

- Forced marriage protection order.

- Non-molestation order.
- Occupation order.
- Non-harassment order.

What to do if a vulnerable adult has already been forced to marry?

Some cases are brought to the attention of adult social care or the police when a vulnerable adult is forced to act as a sponsor for their spouse's immigration to the UK.

The vulnerable adult is frequently reluctant to tell the Immigration Service that it was a forced marriage because of threats and fear of reprisals from the family.

A person whose application to enter the UK as a spouse is refused has a right to know the reasons why - and the right to appeal against the decision. This can place the vulnerable adult in a difficult situation.

Remember:

Confronting the family may be extremely risky for the vulnerable adult. They may not get the support they hope for and further pressure may be put on them to support the visa application.

These risks must be discussed with the vulnerable adult if only to exclude this option.

Although vulnerable adults may be tempted to prevent a successful visa application for their spouse.

In reality, it is usually not possible to do this without all parties concerned being aware of the vulnerable adult's reason for not wishing to sponsor their spouse's visa application.

The Forced Marriage Unit can be contacted to talk through the vulnerable adults options. You can contact them on 0207 008 0151.

Cases of forced marriage may initially be reported to Adult Social Care direct as a case of domestic abuse and these concerns should be referred to the safeguarding procedures.

Spouses forced into marriage may suffer years of domestic abuse, but feel unable to leave due to fear of losing their children, lack of family support, economic pressures and other social circumstances. The fact that they were forced to marry may only become apparent years after the marriage has taken place.

Adult Social Care response:

- Record full details of the vulnerable adult together with details of marriage including date and place.
- Record the name, address and date of birth of the spouse together with interview dates for their visa (if known).
- Refer to the Forced Marriage Unit if the vulnerable adult has concerns about their “spouse” getting a visa.
- Instigate the safeguarding procedures recording on SANA1 alert form.
- Contact the Safeguarding unit for advice and support and the Safeguarding unit will lead if a safeguarding strategy meeting/discussion is required.
- Refer to a the legal services solicitor for legal advice.
- If the vulnerable adult does not want to return to the family home, then a strategy for leaving home should be devised and personal safety advice discussed.
- If the vulnerable adult wishes to remain at the family home, try to maintain contact without placing them at risk.
- Consider maintaining contact using community workers, health workers etc.
- Refer the vulnerable adult to the Northumbria Police Public Protection Unit (PPU) as the **MARAC procedures will be instigated.**

What to do if a vulnerable adult is repatriated to UK from overseas?

Sometimes the Forced Marriage Unit may ask adult social care for assistance when a vulnerable adult is being repatriated to the UK from overseas.

Adult Social Care Response:

- Arrange for someone to meet the vulnerable adult at the airport e.g. a social worker, police officer or reliable, sympathetic adult.
- Inform police in case family members try to abduct the vulnerable adult at the airport.
- Organise safe and secure accommodation.
- Contact the safeguarding Unit Instigate the safeguarding procedures to consider safety and protection planning and.
- Inform the police that the vulnerable adult's family may attempt to locate them.

Do Not:

- **Meet them at their new address, refuge, or friend's house. You may be followed.**
- **Put the vulnerable adult at risk of harm.**
- **Put yourself at risk of harm.**
- **Send the vulnerable adult back to the family home against their wishes.**
- **Inform family members or friends of their whereabouts.**
- **Attempt to be a mediator.**

Remember:

- **The vulnerable adult may need practical help e.g. emergency cash, clothes and toiletries etc.**
- **The local authority within which the vulnerable adult had their last permanent residence should provide funding.**
- You may be placed under pressure from relatives, councillors, MPs, and those with influence within the community to say where the vulnerable adult has gone. Do not divulge this information. This may place them at risk of harm.

Consider:

- With the vulnerable adult's consent, accommodating or relocating them with a different local authority.
- This may require a transition period where funding and support need to be negotiated.
- Taking active steps to ensure that the vulnerable adult's identity together with their benefit and other records are kept confidential.
- This may involve witness protection schemes or seeking legal advice for a vulnerable adult to change their name and National Insurance number.
- Assessing the risk to any other siblings, now and in the future. You must inform Children's Social Care if there is a child under 18.
- Younger siblings might be at risk of being forced to marry when they reach a similar age.

What to do if a spouse who is a vulnerable adult has come to the UK from overseas?

A spouse may come to the UK from overseas and report that they have been forced to marry overseas.

The vulnerable adult may not speak English and may not be aware of the support to which they may be entitled. Again, these cases may be reported initially as cases of domestic abuse or missing persons.

If a vulnerable adult does not have indefinite leave to remain (ILR), exceptional leave to remain or a right of abode in the UK, then they are likely to be the subject of a restriction on receiving public funds.

Public funds include income support and housing benefit. This means that they may not be able to access refuge accommodation (although some refuges will offer places).

As a result, they may experience tremendous difficulty in finding alternative accommodation and a means by which to live.

This may lead them to feel they have no option but to remain in the marriage and to feel unable to co-operate with social care services or anyone they see as being in “authority”.

- Ensure they are dealt with in a culturally sensitive way and their wishes are recognised and respected.
- Refer to Adult Social Care Direct for an assessment on a vulnerable adult with no recourse to public funds.
- Consider instigating safeguarding procedures and contact the safeguarding unit.
- See legal advice from the Council Legal services solicitor.
- Arrange for an authorised interpreter who speaks the dialect of the vulnerable adult. If necessary, obtain consent from the vulnerable adult through Language Line. Establish any preferences regarding the gender of the interpreter.

- Explain all the options available and the safeguarding procedures.
- Refer the vulnerable adult to an advice agency/women's group/Citizens Advice Bureau/law centre/solicitor.
- If you believe that immigration advice is required, refer them to an appropriate adviser e.g. trustworthy solicitor with immigration and asylum franchise, law centre and/or the immigration advisory service.
- Provide them with written contact details of the social worker dealing with the case to give to their solicitor.
- With the vulnerable adult's consent, notify the PPU.
- Record any injuries and arrange a medical examination Inform the doctor that there may be an immigration application and detailed notes will need to be taken during the examination.

Do Not:

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

Remember:

- Anyone who has been granted indefinite leave to remain, exceptional leave to remain or who has a right of abode in the UK has the same entitlements to public funds as a British citizen.
- Funding for legal advice is not counted as public funds, and vulnerable adults may be entitled to free legal advice whatever their immigration status.
- If the vulnerable adult is suffering domestic abuse, the Domestic Violence Concession under Rule 289A Immigration Rules may apply. Under the Concession, social care services can provide evidence of domestic abuse in the form of a letter or report.
- Adult social care records and statements may be vital evidence in a vulnerable adult's immigration case. This evidence may be placed before an immigration hearing and adult social care staff may be called as a witness.

Honour based violence and forced marriage: useful contacts

The Safe Project: Stop Abuse, Find Empowerment

**c/o West End Women and Girls Centre, The Stephenson Building,
173 Elswick Road, Elswick, Newcastle upon Tyne, NE4 6SQ**

Tel: 0191 226 1155

- Specialist support service for victims and survivors for domestic violence, honour based abuse and forced marriage based at the West End Women and Girls Centre
- Provides confidential practical and emotional support and empowerment, including safety planning and risk assessment
- Local service users can either speak face-to-face with a support worker or contact the project anonymously for support
- A New Deal for Communities initiative to help local people keep safe
- Works with male and female service users living in the West End of Newcastle

The CHOICE Helpline

Tel: 0800 5999365

- A regional honour based violence and forced marriage 24 hour free phone telephone helpline
- Provides a service for anyone who fears they may be at risk of honour based violence or forced marriage, or anyone acting on their behalf, to contact Northumbria Police
- A service which was originally operated by Cleveland Police and has now been extended to include Northumbria and Durham
- A service which aims to provide improved access to policing services and ensure that victims and potential victims are safeguarded and receive the support they require.

The Honour Network

Tel: 0800 5999 247

- 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'

The Forced Marriage Unit

**Foreign and Commonwealth Office, Old Admiralty Building,
London, SW1A 2PA**

Tel: 0207 008 0135 / 0230 / 8706 9.00am to 5.00pm

Tel: 0207 008 1500 out of hours

www.fco.gov.uk/forcedmarriage

- A department of the Government's Foreign and Commonwealth Office
- Trained professionals offer confidential advice and assistance to those who have been forced into marriage overseas, are at risk of being forced into marriage or people worried about friends or relatives
- Produces statutory guidance which sets out the processes that agencies must have in place when exercising public functions in relation to safeguarding children and vulnerable adults in cases of forced marriage
- Can trace people overseas to speak to them about their circumstances, assist them to get to the High Commission / Embassy and arrange safe accommodation overseas.
- Can organise repatriation to the UK and organise flights and travel documents with safe pick-up and transport from the airport

Panah

Tel: 0191 284 6998 24 hours

- A Newcastle based refuge
- Provides an outreach support service to black and minority ethnic women experiencing domestic violence
- A project offering safe and secure refuge accommodation to black and minority ethnic women and their children experiencing domestic violence, honour based violence and / or forced marriage

Karma Nirvana

Tel: 01332 604098

www.karmanirvana.org.uk

- 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

Forced Marriage (Civil Protection) Act 2007

- A provision for protecting individuals against being forced to marry and for protecting individuals who have been forced to marry without consent
- Gives the courts the power to make Forced Marriage Protection Orders to stop someone from forcing another person into marriage
- Seeks to empower and protect vulnerable women and men against serious abuse, including violence, threats of violence and other forms of improper coercion.

- Gives the courts the power to make orders to protect victims of forced marriage and help remove them from the situation where the marriage has already taken place
- Provision can be accessed by a relevant third party acting on behalf of the victim

Newcastle Women's Aid

PO Box 32, Heaton, Newcastle upon Tyne, NE6 1HZ

Tel 0191 265 2148 24 hour

Tel: 0800 923 2622 24 hour helpline

www.newcastlewomensaid.org.uk

Northumbria Police Domestic Violence Liaison Officers (Newcastle Area Command)

Tel: 08456 043 043 – ext. 62781, 62790, 62431

Victim Support Newcastle

1 Archbold Terrace, Jesmond, Newcastle upon Tyne, NE2 1DB

Tel: 0191 286 5183

www.victimsupport.org.uk

The Angelou Centre

2 Brighton Grove, Fenham, Newcastle upon Tyne, NE4 5NR

Tel: 0191 226 0394

ARCH

**Newcastle City Council, Community Safety Unit, Room 34, Civic Centre,
Newcastle upon Tyne, NE1 8PR**

Tel 0191 277 7832 office

Tel: 0800 032 3288 report racist incidents 24 hours

Asylum Seekers Unit

YHN House, Benton Park Road, Newcastle upon Tyne, NE7 7LX

Tel: 0191 2788620

Bangladeshi Community Centre

246 – 248 Elswick Road, Newcastle upon Tyne, NE4 6RQ

Tel: 0191 2568777

Newcastle Interpreting Service

Milvain Building, Newcastle General Hospital, Westgate Road, NE4 6BE

Tel: 0191 233 6161

Tel: 0191 273 6666 out of hours

MESMAC North East

3rd Floor, 11 Nelson Street, Newcastle, NE1 5AN

Tel: 0191 233 1333

www.mesmacnortheast.com

Newcastle Law Centre

1st Floor, 1 Charlotte Square, Newcastle upon Tyne, NE1 4XF

Tel: 0191 230 4777

www.lawcentres.org.uk

Newcastle Lesbian Line

PO Box 1HT, Newcastle upon Tyne, NE99 1HT

Tel: 0191 261 2277

www.newcastlelesbianline.co.uk

Newcastle Iranian Centre

412 Westgate Road, Newcastle upon Tyne, NE4 5NH

Tel: 0191 272 7957

North East Refugee Service

1st Floor, 19 Bigg Market, Newcastle upon Tyne, NE1 1UN

Tel: 0191 245 7301

www.refugee.org.uk

REACH (Rape, Examination, Advice, Counselling, Help)

The Rhona Cross Centre, 18 Jesomnd Road West,
Newcastle upon Tyne, NE2 4PQ

Tel: 0191 2121551

Tyneside Rape Crisis Centre

Tel: 0191 232 9858 – Support Line

Tel: 0191 2220272 – Admin

www.tynesidercc.org.uk

