



**Wigan Borough
Place and Community Safety
Partnership**

Wigan Honour Based Abuse & Forced Marriage Protocol

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1.0 Introduction

Wigan Place and Community Safety Partnership Board are committed to:

- Identifying the risks of Honour Based Violence/Abuse (HBVA) and Forced Marriage (FM).
- Working together with communities to prevent Honour Based Violence/Abuse and Forced Marriage.
- Ensuring that victims have confidence services will understand their unique needs, and that they will respond sensitively, with consideration of the need for confidentiality and in a timely way when providing support to them.
- Raising the awareness of Honour Based Violence/Abuse and Forced Marriage. across Wigan communities to enable identification of incidents at the earliest opportunity.
- Raising awareness of HBVA and FM to relevant agencies in Wigan so we can respond in a timely and appropriate manner.
- Ensuring that our residents know where to get help from and how to respond to the risk Honour Based Violence/Abuse and Forced Marriage.
- Identifying, prosecuting and bringing offenders to justice

2.0 Definitions

2.1 Honour Based Violence and Abuse

Honour Based Violence and Abuse is an international term used by many cultures to justify abuse and violence. It is a crime or incident committed in order to protect or defend the family or community 'honour' (izzat).

Honour based violence and abuse may often be linked to forced marriages, although this is not always the case. Honour crimes and forced marriages are already covered by the law, and can involve a range of criminal offences.

Honour based violence and abuse is a collection of practices used to control behaviour within families in order to protect perceived cultural and religious beliefs and/or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

Women are predominantly (but not exclusively) the victims, which can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and/or community members.

Males can also be victims, sometimes as a consequence of their involvement in what is deemed to be an inappropriate relationship, if they are gay, or if they are believed to be supporting the victim.

Honour based violence and abuse cuts across all cultures, nationalities, faith groups and communities, usually where a culture is heavily male dominated. Relatives, including females, may conspire, aid, abet or participate in honour-based abuse, for what might seem a trivial transgression.

It should be remembered cultural acceptance in some nationalities, does not mean accepting unacceptable practices and traditions.

2.2 Forced Marriage

Forced marriage is against the law.

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage and pressure or abuse is used. It is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they're bringing shame on their family). Financial abuse (for example, taking wages) can also be a factor.

A forced marriage should not be confused with an arranged marriage. Arranged marriages often work very well. Forced marriages are where one or both people are 'forced' into a marriage that their families want, without the valid consent of both people, where physical pressure or emotional abuse is used. Victims are sometimes persuaded to return to their country of origin under false pretences.

Forced Marriage Protection Orders have been introduced to protect victims from being forced into marriage. An order can also be made to protect someone who has already been forced into marriage, to help remove them from the situation.

Those who fail to obey an order may be found in contempt of court and sent to prison for up to two years.

Forced marriage is a safeguarding issue; it is a form of child abuse, domestic abuse and a breach of human rights. It can affect men as well as women, some may have disabilities and others may be spouses from overseas. It is therefore important to safeguard any child, young person or adult who may be, or has been subjected to a forced marriage.

2.3 Domestic Abuse

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

The Domestic Abuse Act 2021 received royal assent on 29/04/2021 and defined domestic abuse as below.

(1) This section defines “domestic abuse” for the purposes of this Act.

(2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—
(a) A and B are each aged 16 or over and are personally connected to each other,
and
(b) the behaviour is abusive.

(3) Behaviour is “abusive” if it consists of any of the following—
(a) physical or sexual abuse;
(b) violent or threatening behaviour;
(c) controlling or coercive behaviour;
(d) economic abuse (see subsection (4));
(e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—
(a) acquire, use or maintain money or other property, or
(b) obtain goods or services.

(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

(7) For the meaning of “personally connected”, see section 2

Section 2: Definition of “personally connected”

(1) Two people are “personally connected” to each other if any of the following applies—

- (a) they are, or have been, married to each other;
- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
- (g) they are relatives.

(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if—

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

(3) In this section—

“child” means a person under the age of 18 years;

“civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;

“parental responsibility” has the same meaning as in the Children Act 1989;

“relative” has the meaning given by section 63(1) of the Family Law Act 1996

2.4 Arranged marriage

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

2.5 Adults with care and support needs

The Care Act 2014 helps to improve people's independence and wellbeing. It makes clear that local authorities must provide or arrange services that help prevent people developing needs for **care** and support, or delay people deteriorating such that they would need ongoing **care** and support.

‘Adult safeguarding’ is working with adults with care and support needs to keep them safe from abuse or neglect. It is an important part of what many public services do and a key responsibility of local authorities.

Safeguarding is aimed at people with care and support needs who may be in vulnerable circumstances and at risk of abuse or neglect. In these cases, local services must work together to spot those at risk and take steps to protect them.

2.6 The Force Marriage Unit

The government is committed to ensure that professionals who are made aware of a forced marriage victim have the training and guidance they need to provide effective advice and support.

The Force Marriage Unit (FMU) has created:

- Multi-agency practice guidelines: Handling cases of forced marriage - provides step-by-step advice for frontline workers, including health professionals, educational staff, police, children's social care, adult social services and local authority housing
- Multi-agency Statutory Guidance for dealing with forced marriage - provides guidance for all persons and bodies who exercise public functions in relation to safeguarding and promoting the welfare of children and vulnerable adults
- free forced marriage e-learning for professionals - the modules aim to enable professionals to recognise the warning signs and ensure that appropriate action is taken to help protect and support all those at risk.

Find these at www.gov.uk/guidance/forced-marriage

3.0 Further Information Honour Based Violence and Abuse

In 2019 2020, there were 2,024 HBA-related offences recorded by the police in England and Wales (excluding Greater Manchester Police). Of these, there were 74 FGM offences and 140 forced marriage offences. (link [Government Statistics dated December 2020](#))

In cultures where codes of 'honour' operate, family and community members often share an overwhelming motivation towards collective morality, values and behaviours which confirm to such codes. Non-compliance may be seen as shameful and place the individual at risk.

So-called 'honour' based violence/abuse occurs when perpetrators believe a relative or other individual has shamed or damaged a family's or community's 'honour' or reputation (known in some communities as izzat, abaroo, sharam etc.), and that the only way to redeem the damaged 'honour' is to punish and/or kill the individual.

Honour based abuse is a term that is widely used to describe this sort of abuse however it is often referred to as so-called 'honour' based violence/abuse because the concept of 'honour' is used by perpetrators to make excuses for their abuse. There is a very strong link between 'honour' based violence/abuse, forced marriage and domestic abuse. Examples of damaged 'honour' are:

- Defying parental authority.
- Becoming overly westernised in style (e.g. clothing, make up, behaviour, attitudes, etc.).
- Having sex/relationships/pregnancies outside marriage.

- Using drugs, alcohol, cigarettes.
- Gossip – family ‘honour’ can be damaged by unfounded or untrue gossip or rumours.
- Interfaith or intercommunity relationships.
- Leaving a spouse or seeking a divorce.
- Being outed or disclosing LGBT sexuality.
- Refusing to take part in so-called ‘honour’-based violence/abuse against another person.

3.1 Forms of so-called ‘honour’ based violence/abuse can include, but not limited to:

- Physical abuse of the victim by family members including spouse and in laws.
- House arrest – not being allowed to leave the house alone.
- Restriction of freedom or loss of independence – being “policed” by family members.
- Isolation from wider family or community, e.g., stopped from seeing friends, being disowned, or ostracised by the community.
- Denial of further education or employment.
- Excessive restrictions of freedom – for example, not able to choose their own clothes, diet or leisure and social activities.
- Abandonment (leaving someone in their country of origin or sending them back there).
- Forced suicide.
- Forced marriage.
- Murder/‘honour’ killing.
- Gender select abortion – often aborting a female foetus.
- Female Genital Mutilation (FGM).
- Dowry abuse – pressuring mainly brides to get gifts, high value items, land or property from their own family to give to the groom or the groom’s family. It can take place before, during and any time after marriage.
- Domestic Abuse– including physical, sexual, emotional, or economic abuse.
- Sexual harassment and sexual violence – rape and sexual assault or threat of rape and sexual assault.
- Threats to kill.

3.2 Who is at risk of so-called ‘Honour’ based violence/abuse?

- Women and girls are most at risk of becoming victims of so-called ‘honour’ based violence/abuse albeit anyone can be a victim. You are also at greater risk if you are:
- A member of the LGBT community.
- Considered to ‘western’ by your family or community members.
- Having an interfaith relationship.
- Seeking a divorce or separation against your family’s approval,
- Pregnant outside of marriage or have given birth outside of marriage.
- Marrying a person of your own choice without your family’s approval.
- Accessing higher education without your family’s approval.

3.3 There are multiple internal and external barriers for victims of so-called ‘honour’ based violence/abuse to seek help.

- Fear of manipulation of professionals by family members,
- Fear of speeding up the process after professionals approach the family,
- Fear of professionals’ lack of understanding of the abuse and nature of forced marriage
- Fear of not being believed and not knowing what help is available.

Above are some of the most common reasons for victims not to disclose.

Internalisation of guilt or shame by the victim can cause internal conflict for them and not wanting to cause further shame can result in self-harm and suicide attempts; this risk is higher in victims with insecure immigration status and LGBT victims.

There is no specific offence of "honour-based" crime. It is an umbrella term to encompass various offences covered by existing legislation. So called ‘honour’ based violence/abuse can be described as a collection of practices, which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or ‘honour’. Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code.

Other forms of so-called ‘honour’ based violence/abuse include practices performed by perpetrators on victims for cultural or socio-conventional motives which have harmful consequences. Some of these practices include (this list should not, however, be considered as complete): FGM; Breast Ironing; and dowry abuse.

Breast ironing is a form of child abuse and whilst there is no specific offence it can still be prosecuted under UK law.

4.0 Further Information Forced Marriage

In 2019, the Forced Marriage Unit (FMU) gave advice or support in 1,355 cases related to a possible forced marriage. This figure includes contact that has been made to the FMU through the public helpline or by email in relation to a new case. It does not include general enquiries. (Link [Government Statistics from the Forced Marriage Unit 2019](#))

[The Anti-social Behaviour, Crime and Policing Act 2014](#) made it a criminal offence in England, Wales and Scotland to force someone to marry. (It is a criminal offence in Northern Ireland under separate legislation).

This includes:

- taking someone overseas to force them to marry (whether or not the forced marriage takes place)

- marrying someone who lacks the mental capacity to consent to the marriage (whether they are pressured to or not)

Forcing someone to marry can result in a sentence of up to 7 years in prison.

It is also possible for victims or those at risk to apply for a Forced Marriage Protection Order (FMPO). As a civil law measure, an application for a FMPO would be made in the family court. Read [guidance from the Ministry of Justice on taking out an FMPO](#)

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised, or abuse is used, to force them to do so. It is recognised in the UK as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to may be:

- **Physical:** for example, threats, physical violence or sexual violence.
- **Emotional and psychological:** for example, making someone feel like they are bringing 'shame' on their family.
- **Economic abuse:** for example, taking someone's wages, keeping financial assets within the family, withdrawing financial support, financial agreements between various members may be a factor.

Forced marriage is not specific to any particular country, or culture. The majority of cases of forced marriage encountered in the UK involve South Asian families, but this is due to the size of the South Asian population in the UK, rather than this being an issue specific to this community. There are also cases involving families from Iraq, Kurdistan, East Asia, The Middle East, Eastern Europe, Africa and from Czech Roma Communities. Forced marriage is not supported by any religion. This includes Islam, Sikhism, Christianity and Hinduism.

Coercion is likely to be used to one or both spouses, by family members, friends and the wider community. This may include;

- Threats of violence,
- being held against their will,
- emotional threats and other forms of coercion and harassment, such as not being allowed to go anywhere without being accompanied by someone.

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

There is a clear distinction between an arranged and a forced marriage. In an arranged marriage, the families of both spouses take a leading role in arranging the marriage but the

choice of whether or not to accept the marriage remains with the prospective spouses. An arranged marriage should only be considered for someone who is over the age of 16 and has full mental capacity to make the decision. If they do not have full mental capacity, it is a forced marriage.

4.1 Some Warning Signs of Forced Marriage.

EDUCATION	<ul style="list-style-type: none"> • Truancy • Decline in performance or punctuality. • Change in behaviour. • Poor exam results • Being withdrawn from school by those with parental responsibility • Not allowed to attend extra-curricular activities
HOUSING	<ul style="list-style-type: none"> • Reports of domestic violence or breaches of the peace at the family home
EMPLOYMENT	<ul style="list-style-type: none"> • Poor performance • Poor attendance • Limited career choices • Not allowed to work • Unable to attend business trips. • Unreasonable financial control e.g. confiscation of wages/income
POLICE INVOLVEMENT	<ul style="list-style-type: none"> • Other young people within the family reported missing. • Reports of domestic violence or breaches of the peace at the family home • Offending out of character
HEALTH	<ul style="list-style-type: none"> • Self-harm • Panic attacks • Heightened anxiety • Attempted suicide • Eating disorders • Depression • Isolation • Substance Misuse • Female genital Mutilation • Attempted detention under MH Act
FAMILY HISTORY	<ul style="list-style-type: none"> • Siblings forced to marry • Early marriage of siblings • Family disputes • Running away from home • Unreasonable restrictions eg “house arrest”

5.0 Coercive and Controlling Behaviour

Both so-called 'honour' based violence/abuse and forced marriage include elements of coercive control.

'Controlling or coercive behaviour does not relate to a single incident, it is a purposeful pattern of behaviour which takes place over time in order for one individual to exert power, control or coercion over another'.

- Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.
- Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Further information around Controlling or Coercive behaviour in an intimate or family relationship can be found below;

[Controlling or Coercive Behaviour in an Intimate or family Relationship – Home Office Statutory Guidance 2015](#)

[Research In Practice for Adults Coercive Control](#)

Please note that the Domestic Abuse Act 2021 extended offences relating to coercive and controlling behaviour to include post separation incidents.

<https://www.legislation.gov.uk/ukpga/2021/17/section/1/enacted>

6.0 Procedures Around Forced Marriage & Honour Based Violence and Abuse

Forced marriage cases can involve a variety of complex and sensitive issues that should be handled by a child or adult protection specialist who, where possible, should also have additional expertise in forced marriage.

Statutory guidance on forced marriage states that all organisations should have 'a nominated lead person with overall responsibility for safeguarding children, protecting adults with care

and support needs of victims of domestic abuse – the same person should also be the lead on forced marriage'. Where possible, front line staff should contact this specialist immediately. However, there may be occasions when they will need to gather some information from the person to establish the facts themselves and assist the referral.

Below is a guide for practitioners when you suspect that someone is a victim of HBVA or is at risk from forced marriage Please read this carefully and remember the one chance rule as above. If there is an immediate risk to an individual, **please contact 999**.

Any individual or agency who receives information, or has reason to believe that a child, young person, or vulnerable adult is at risk of, or subject to, a forced marriage or honour based violence or abuse has a duty to contact:

Greater Manchester Police
Emergency Tel Number 999
Non-Emergency Tel Number 101
www.gmp.police.uk

Wigan Children's Duty Team (18 and under or children in family)
01942 828300
<https://www.wigan.gov.uk/Resident/Health-Social-Care/Children-and-young-people/Child-protection/WorriedAboutAChild.aspx>

Wigan Adults Duty Team (over 18 vulnerable adults at risk)
01942 828777
<https://www.wigan.gov.uk/Contacts/Adult-social-care.aspx>

6.1 One Chance Rule & Initial Disclosure

All practitioners working with victims of forced marriage and HBVA need to be aware of the “**one chance**” rule. That is, they may only have **one chance** to speak to a potential victim and may only have **one chance** to save a life. This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they become aware of potential forced marriage cases/so-called ‘honour’ based violence/abuse. If the victim is allowed to walk out of the door without support being offered, that one chance might be wasted.

6.2 Do

- **See the victim immediately in a secure and private place (in a neutral venue if possible).**
- **Always consider the vulnerabilities and adversities the victim may experience i.e. learning difficulties or disabilities, immigration status, language, mental capacity, LGBT sexuality/identity**
- **See them on their own – even if they attend with others.**
- **Explain all the options available to them.**

- if the young person is under 18 years of age, refer them to the designated person responsible for safeguarding children and activate local safeguarding procedures.
- if the person is an adult with support needs, refer them to the designated person responsible for safeguarding vulnerable adults and activate local safeguarding procedures.
- Gather as much information as possible including any relevant addresses including those overseas. Look to obtain a copy of ID and passport details (both if a dual national). Passport details should include a passport number and date of issue.
- Consider the use of an interpreter, note this must be independent and approved with no connection to the individual, local community or family no matter how tenuous this link may be.
- Obtain full details of both the victim and any associated family members – including any children.
- Reassure the victim of confidentiality in terms of family and community.
- Establish secure ways of communication to the victim in the future.
- Ensure all actions and information is correctly recorded and evidenced.
- Ensure appropriate referrals are made to Adult Social Care, Children’s Social Care and Greater Manchester Police and MARAC and inform the victim of such referrals.
- Seek immediate support from Adult Social Care, Children’s Social Care and Greater Manchester Police, IDVA team and Wigan Domestic Abuse Service around any immediate safeguarding concerns that need addressing whilst you are with the victim.
- where appropriate, consider the need for immediate protection and placement away from the family.
- Obtain details on a DASH risk assessment in terms of domestic abuse.
- In cases of forced marriage make contact with the Forced Marriage Unit detailed below.
- Recognise and respect the victims wishes.
- Develop a safety plan. (see below)
- Check off action on appendix 1 below

6.3 Do Not

- **Send the individual away in the belief this the disclosure is not a safeguarding and policing matter.**
- **Inform the victim’s family, friends, or members of their wider community that they have sought help.**
- **Approach the family under any circumstances.**
- **Approach community leaders without consultation with support services/**
- **Consider mediation, reconciliation, arbitration or family counselling as a possible solution.**
- **Use family, friends, or other linked community members as an interpreter.**

- **Breach confidentiality unless there is an immediate risk of serious harm or threat to life of the victim**

6.4 Further Good practice

- inform them of their right to seek legal advice and representation.
- if necessary, record any injuries and arrange a medical examination.
- provide personal safety advice.
- develop and agree a **safety plan** (see below section) in case they are seen, i.e. prepare another reason why you are meeting
- establish if there is a family history of forced marriage, e.g. have siblings been forced to marry in the past
- other indicators may also include domestic violence, self-harm, family disputes, unreasonable restrictions (e.g., withdrawal from education or 'house arrest') or missing persons within the family.
- advise the victim not to travel overseas and/or discuss the difficulties they may face.
- identify any other potential criminal offences that may have been committed and refer to the police if appropriate.
- provide advice on the further service or support they should expect and from whom.
- maintain a full record of the decisions made and the reason for those decisions.
- information from case files and database files **MUST** be kept securely.
- refer the victim, with their consent if over 18, to other recognised local and national support groups with a history of working with victims of domestic abuse and forced marriage.

6.5 Safety Planning

If someone is planning to leave, or the perpetrators suspect they might leave, they should take measures to ensure their safety. Even if someone is not ready or willing to leave they should still be advised of their options and helped with safety planning, so they can take measures to protect themselves at home and make arrangements to leave home in an emergency.

Good safety planning practice:

- if the person decides to leave the situation, establish where they would feel safe
- arrange alternative emergency accommodation should the need arise
- establish a safe means by which contact may be made with them e.g. a mobile phone that will function overseas
- advise the person to change their contact telephone numbers or write them back to front.
- agree a code word with the victim which will facilitate contact or action without alerting parents, carers etc.

- provide the person with helpline numbers they can contact in the event they need help, feel unsafe, are uncomfortable or hurt and advise them to have a telephone card or change for urgent phone calls
- establish who would be able to send them money if necessary.
- advise them on how to open a separate / secret bank or savings account in their name.
- advise them to leave copies of important documents such as passport, National Insurance Number and birth certificate with police, social care or a trusted friend.
- advise them to leave spare clothing and cash etc. with a trusted friend.
- if the person is going abroad, establish their address and a return date, ask that they contact you on their return.
- refer the person, with their consent, to appropriate support groups & counselling services (with a history of working with survivors of domestic abuse and forced marriage)
- encourage the person to mix up their schedule or daily routine.
- advise the person to take different routes on the way to work, college, school, home etc.
- advise the person to walk with friends and try not to be alone.
- ensure the person knows to ring 999 in an emergency.

Many people who remain in contact with their families once they have left home continue to be subjected to emotional pressures. This may include stories about the illness or death of parents, relatives, or siblings. If such a message is received police / social services should check the validity of the information if the person wishes.

6.6 Confidentiality

It is important that agencies work together to help victims: inevitably, this **will involve** sharing information safely and on a 'need to know' basis. Do not share information with members of the person's family, others within their community or members of the public. If professionals are being pressured to disclose confidential information this matter should be brought to the attention of their immediate line manager for action.

Remember – A breach in confidentiality could lead to the death of a victim.

6.7 Consent

A child's consent is not needed - **do not** inform parents /family.

Non consent for referral can be overridden if an adult has been assessed to **lack capacity** or is at **risk of serious harm or death**.

If non consent cannot be overridden, provide the victim with useful contacts (as below).

6.8 Convening a Safeguarding Planning Meeting

Following receipt of a referral concerning HBVA or Forced marriage, Children's Social Care/Adult Services will convene a safeguarding planning/Strategy meeting, in the form of a face-to-face meeting within **one working day**. Refer to the Safeguarding Planning / Strategy meeting checklist in **Appendix 2**. For Adults in terms of HBVA this could be in the Daily MARAC meeting providing timescales as above are adhered to. The FMU can also be part of strategy and multi-agency meetings, details can be obtained through the useful contacts page in section 8.

7.0 Legal Framework

7.1 Children Act 1989 Section 17

A child is defined as 'in need' by Section 17 of the Children Act (1989) if:

- (S)he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for them of services; or
- His/her health or development is likely to be significantly impaired, or further impaired, without the provision for them of such services; or
- (S)he is disabled.

7.2 Children Act 1989 Section 47

Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child's welfare.

'Harm' is defined as:

- Ill treatment, which includes sexual abuse, physical abuse and forms of ill-treatment which are not physical, for example, emotional abuse; or
- Impairment of health (physical or mental); or
- Impairment of development (physical, intellectual, emotional, social or behavioural).

This may include seeing or hearing the ill treatment of another (s120 Adoption and Children Act 2002).

7.3 Marriage Act (1949)

The minimum age at which a person is able to consent to marriage is 16; a person between the ages of 16 and 18 may not marry without parental consent (unless the young person is a widow/widower).

7.4 [Matrimonial Causes Act \(1973\)](#)

Section 12c of the Matrimonial Causes Act 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.

7.5 [Forced Marriage \(Civil Protection\) Act 2007](#)

The Forced Marriage (Civil Protection) Act 2007 was implemented on 25 November 2008, enabling a court to make a Forced Marriage Protection Order to protect someone who is facing being forced into a marriage or who is in a forced marriage.

Anyone threatened with forced marriage or forced to marry against their will can apply for a Forced Marriage Protection Order. Third parties, such as relatives, friends, voluntary workers and police officers, can also apply for a protection order with the leave of the court.

Local authorities can seek a protection order for vulnerable adults and children without leave of the court.

Examples of the terms the court might order are:

- To prevent a forced marriage from occurring;
- To hand over passport or travel documents;
- To stop intimidation or violence;
- To reveal the whereabouts of a person;
- To stop someone from being taken abroad.

7.6 [Anti-social Behaviour, Crime and Policing Act 2014](#)

[The Anti-social Behaviour, Crime and Policing Act 2014](#) makes it a criminal offence, with effect from 16 June 2014, to force someone to marry. This includes:

- Taking someone overseas to force them to marry (whether or not the forced marriage takes place);
- Marrying someone who lacks the mental [Capacity](#) to consent to the marriage (whether they're pressured to or not).

Breaching a [Forced Marriage Protection Order](#) is also now a criminal offence. The civil remedy of obtaining a Forced Marriage Protection Order through the family courts continues to exist alongside the criminal offence, so victims can choose how they wish to be assisted.

Forcing someone to marry can result in a sentence of up to 7 years in prison.

Disobeying a Forced Marriage Protection Order can result in a sentence of up to 5 years in prison.

7.7 Offences

Under the Anti-social Behaviour, Crime and Policing Act 2014, forcing someone to marry can result in a sentence of up to 7 years in prison. Disobeying a Forced Marriage Protection Order can result in a sentence of up to 5 years in prison.

Other criminal offences may also be committed. Perpetrators - usually parents or family members - could be prosecuted for offences including threatening behaviour, assault, kidnap, abduction, imprisonment and murder. Sexual intercourse without consent is rape.

7.8 Domestic Abuse Act 2021

(1) This section defines “domestic abuse” for the purposes of this Act.

(2) Behaviour of a person (“A”) towards another person (“B”) is “domestic abuse” if—
(a) A and B are each aged 16 or over and are personally connected to each other, and
(b) the behaviour is abusive.

(3) Behaviour is “abusive” if it consists of any of the following—
(a) physical or sexual abuse;
(b) violent or threatening behaviour;
(c) controlling or coercive behaviour;
(d) economic abuse (see subsection (4));
(e) psychological, emotional or other abuse;

and it does not matter whether the behaviour consists of a single incident or a course of conduct.

(4) “Economic abuse” means any behaviour that has a substantial adverse effect on B’s ability to—
(a) acquire, use or maintain money or other property, or
(b) obtain goods or services.

(5) For the purposes of this Act A’s behaviour may be behaviour “towards” B despite the fact that it consists of conduct directed at another person (for example, B’s child).

(6) References in this Act to being abusive towards another person are to be read in accordance with this section.

(7) For the meaning of “personally connected”, see section 2

Section 2: Definition of “personally connected”

(1) Two people are “personally connected” to each other if any of the following applies—
(a) they are, or have been, married to each other;

- (b) they are, or have been, civil partners of each other;
- (c) they have agreed to marry one another (whether or not the agreement has been terminated);
- (d) they have entered into a civil partnership agreement (whether or not the agreement has been terminated);
- (e) they are, or have been, in an intimate personal relationship with each other;
- (f) they each have, or there has been a time when they each have had, a parental relationship in relation to the same child (see subsection (2));
- (g) they are relatives.

(2) For the purposes of subsection (1)(f) a person has a parental relationship in relation to a child if—

- (a) the person is a parent of the child, or
- (b) the person has parental responsibility for the child.

(3) In this section—

“child” means a person under the age of 18 years;

“civil partnership agreement” has the meaning given by section 73 of the Civil Partnership Act 2004;

“parental responsibility” has the same meaning as in the Children Act 1989;

“relative” has the meaning given by section 63(1) of the Family Law Act 1996

7.9 The Care Act 2014

The Care Act 2014 (Section 42) requires that each local authority must make enquiries, or cause others to do so, if it believes an adult is experiencing, or is at risk of, abuse or neglect. An enquiry should establish whether any action needs to be taken to prevent or stop abuse or neglect, and if so, by whom.

‘Safeguarding adults’ is the name given to the multi-agency response used to protect adults with care and support needs from abuse and neglect.

When an allegation about abuse or neglect has been made, an enquiry is undertaken to find out what, if anything, has happened. The findings from the enquiry are used to decide whether abuse has taken place and whether the adult at risk needs a protection plan. A protection plan is a list of arrangements that are required to keep the person safe.

8.0 Useful Contacts and Further Reading

[Multi Agency Practice Guidelines: Handling cases of forced marriage](#)

[Protocol on the handling of so-called ‘Honour-Based’ Violence/Abuse and Forced Marriage Offences between the National Police Chiefs’ Council and the Crown Prosecution Service](#)

[Forced Marriage – Children’s Legal Centre](#)

[Homes Office Guidance – Forced Marriage](#)

Forced Marriage Unit – Foreign & Commonwealth Office

Anyone who is worried about being forced into marriage or is worried about a friend can call **020 7008 0151** Mon to Fri, 9 to 5pm; out of hours call 020 70081500; or email fmu@fco.gov.uk; or visit the website www.fco.gov.uk/forcedmarriage

The Forced Marriage Unit has released a film demonstrating the devastating impact of forced marriage on victims and their families. The film aims to raise public awareness of the issue and warns of the criminal consequences of involvement – [you can view the film via this link.](#)

Honour Network Helpline: 0800 5999 247

Children’s Social Care: 01942 828300

Adults Central Duty Team: 01942 828777

Greater Manchester Police: 101

Wigan Borough Domestic Abuse Service

Free support and advice for those experiencing Domestic Abuse in the Wigan Borough. Supports victims, families, and professionals with advice. Service offers holistic support, counselling and recovery courses. Helpline available 7am to 7pm Mon to Fri 01942 311365 <https://diasdvc.org/>

Wigan Council Domestic Abuse Webpage - <https://www.wigan.gov.uk/Resident/Crime-Emergencies/Domestic-abuse/Index.aspx>

End the Fear – Greater Manchester

Anybody who is experiencing domestic or sexual violence and abuse can find help, support and advice on this website. End the Fear also provide support to people who know someone who may be being abused. Read more on the website www.endthefear.co.uk/forced-marriage/

Freedom or Freedom Charity is a UK-based charity formed to give support to victims of forced marriage and violence upon women thought to have brought dishonour on the family. For further information visit the website www.freedomcharity.org.uk.

Karma Nirvana is a UK registered Charity that supports victims and survivors of Forced Marriage and Honour Based Abuse. It aims to raise public awareness on the issues, and provides education through accredited training, including seminars, conferences and workshops. It runs the National Honour Network Helpline where call handlers provide confidential listening support, options and guidance to all professionals, victims and survivors of honour based abuse. Call the Helpline on **0800 5999247** or visit the website www.karmanirvana.org.uk/

MixTogether is a charity that supports mixed couples (mixed race/ religion/ caste) who face opposition from family or community to their relationship. Find out more on their website www.mixtogether.org/

IKWRO the Iranian and Kurdish Women's Rights Organisation provides advice and support to Middle Eastern women and girls living in the UK who are facing 'honour' based violence, domestic abuse, forced marriage or female genital mutilation. Find out more on their website ikwro.org.uk/

National Domestic Violence Helpline (24 hour Freephone) run in partnership with Women's Aid and Refuge, is a national service for women experiencing domestic violence, their family, friends, colleagues and others calling on their behalf. Call the Helpline on **0808 2000 247**, email: helpline@womensaid.org.uk or visit the website www.nationaldomesticviolencehelpline.org.uk/

Simran's Link is a community website to share views and link people in the situation of disownment. The specific connection to being disowned relates to the misplaced notions of 'honour' and 'shame'. They view 'disownment' in this context as an act of abuse against the human rights of an individual. This website is to support, befriend, and offer a positive community to people affected in this way. Find out more at www.simranslink.org/

Asha offers safe temporary accommodation for South Asian women and children fleeing domestic violence, including forced marriage. Asha also shares advice on benefits, housing and legal issues for women and offers training programmes. Find out more at www.ashaforcedmarriage.org.uk/

Muslim Women's Network UK (MWNUK) works to improve the social justice and equality for Muslim women and girls. Visit their website www.mwnuk.co.uk/

Reducing the risk has lots of resources, some in languages other than English on their website at www.reducingtherisk.org.uk/

The Guardian Project is a new and innovative pilot across Greater Manchester to coordinate care and support for girls and young women (up to 21 years old) affected by or at risk of Female Genital Mutilation (FGM). The project brings together the expertise and knowledge of two specialist FGM organisations NESTAC and AFRUCA. The Project provides a bridge between professional services and potential victims (girls, young women and their families); addressing the gap in support and service provision for young girls around FGM. The project provides free services across Greater Manchester and is available five days a week.

<https://www.gmvictims.org.uk/services/the-guardian-project/263>

Telephone: 07449 651 677

Email: guardian.project@outlook.com

Appendix 1: Information Gathering Checklist Practitioners

Note: Some of the checklist only relates to forced marriage concerns so may not be applicable.

1. INITIAL CONTACT	TICK
Date of Report	
Full Name of person under threat (including nicknames and family names)	
Full Details of the Allegations	
Details about any threats, abuse, or other hostile action against the person, where reported by the victim or a third party	
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 secretly married?)	
Are there any other Family members at risk of forced Marriage or Honour based abuse / violence?	
THE PERSON	
Age / Date and Place of Birth	
Nationality (check if dual Nationality)	
Passport Details (both if dual national – passport number and issue date/place)	
Education or Employment Details	
National Insurance Number	
NHS Number	
Driving licence number	
Name and address of parents of those with parental / carer responsibility	
Any further background information e.g. school attended, involvement with Adults or Children’s social care, doctors or other health professionals.	
KEY INFORMATION TO BE CAPTURED	
A recent photograph and any other identifying documents, Distinguishing features such as birthmarks etc.	
DASH risk assessment to evaluate risks from domestic abuse	
SAFETY PLANNING	
List of friends and family who can be trusted and their contact details	
Establish an agreed code word to ensure persons handling case are speaking to the right person	
Establish a way of contacting them discreetly that will not put them at further risk	
Discuss safe places, emergency contacts such as 999	
2. IF YOU BELIEVE THE PERSON IS AT RISK OF GOING OVERSEAS IMMINENTLY	
A photocopy of their passport – encourage them to keep details of their own passport number, place, and date of issue	
Estimated return date – ask they make contact with you on return	
Written statement by the person stating they want Police, Adult or Children’s social care, a teacher or a third party to act on their behalf of the do not return by a certain date	
Details of the third party in order to maintain contact in case the person contacts them whilst overseas or on their return	

As much information as possible about their family – ensure this is fathered discreetly this could include;	
Father’s and or mother’s name	
Address where they may be staying overseas	
Potential spouse’s name (if known)	
Date of the proposed wedding (if known)	
Name of the potential spouse’s father (if known)	
Addresses of the extended family in the UK or overseas	
Details of any travel plans and people likely to accompany them	
Names and addresses of any close relatives remaining in the UK	
ADDITIONAL SAFETY PLANNING	
A safe means by which to contact them e.g., a mobile phone	
Information that only they would know (if the victim is a British national, this may assist subsequent interview at an embassy/British high commission in case another person of the same age and gender is produced pretending to be them)	
3. ADVISE RE THE FORCED MARRIAGE UNIT	
Report details of the case, with full family history, to the Forced Marriage Unit (FMU) www.gov.uk/guidance/forced-marriage	
Provide contact details of the agency and professional handling the case	
Encourage the person to get in touch with the Forced Marriage Unit directly – they will provide advice and support to anyone who fears they may be forced to marry.	
Reassure them that the FMU will only disclose information if a Data Protection Act exemption applies; for example to the police and social services where a child or young person is suffering or at risk of suffering significant harm - information will not be provided to friends, family or other third parties without consent, irrespective of how concerned they say they are	
REMEMBER	
If the family are approached, they may deny that the person is being forced to marry; they may move the individual concerned to another location, or expedite any travel arrangements and ultimately bring the marriage forward.	
KEY INFORMATION TO BE CAPTURED	
The person may be a dual national and have two passports; or if they are under 18 years they may be listed on their parents’ foreign passport	
British Embassies and High Commissions can only provide consular assistance to 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.	
4. ADDITIONAL INFORMATION IF OVERSEAS TRAVEL IS UNAVOIDABLE	
Advise them to contact the Forced Marriage Unit	
Advise them to take: <ul style="list-style-type: none"> - a mobile phone that will work overseas and which they can keep hidden - emergency cash (local currency) 	

<ul style="list-style-type: none"> - contact details of someone there they can trust to help them - the contact details of the agency and professional handling their case 	
<p>Encourage them to provide details of a trusted friend/advocate in the UK who they will be keeping in touch with, who can act on their behalf and whom you can approach if they do not return</p> <ul style="list-style-type: none"> - establish contact with the friend or advocate before the person departs and request that the friend or advocate makes a written statement of their support 	
<p>Ascertain whether they are dual nationals, as they may have two passports</p> <ul style="list-style-type: none"> - remind them about the implications of dual nationality 	
<p>If they are a British national, encourage them to memorise a telephone number and e-mail address of the British Embassy or British High Commission</p> <ul style="list-style-type: none"> - supply the address and contact number for the nearest British Embassy or High Commission 	
<p>If they are not a British national, advise them to contact the FMU, who can provide details of reliable NGOs overseas and the details of the Embassy of their own nationality</p>	

Appendix 2: Convening a safeguarding Strategy Meeting Checklist

Considerations	TICK
<p>The need for immediate protection and placement away from home must be considered. If the victim is in immediate danger, then protective action must be taken, either through:</p> <ul style="list-style-type: none"> - Police Protection or - an application for an Emergency Protection Order or - equivalent adult protection measures <p>NB extended family members are not an option for placement and it may be that the placement needs to be out of the local authority area in order to protect the victim</p>	
<p>Advice regarding decisions relating to legal proceedings should be sought from the Local Authority Legal Adviser</p>	
<p>Where the professionals involved in the safeguarding planning/Strategy meeting consider the victim is not in immediate danger, arrangements should be made for:</p> <ul style="list-style-type: none"> - a Section 47 (child) enquiry or - a section 42 enquiry for adults to be undertaken and - for the victim to be provided with information on rights, choices and support services in relation to forced marriage. 	
<p>At the close of the planning /Strategy meeting a date should be agreed to reconvene and discuss the outcomes from the Section 47 (child) enquiry or equivalent (adults)</p> <ul style="list-style-type: none"> - this meeting can be reconvened earlier should circumstances dictate - at the end of the Strategy meeting attendees should be provided with a photocopy of the Record of Statement, which should be read carefully and signed = any disagreement with the plan should be included on the Strategy document. 	
<p>Minutes from the planning /Strategy meeting should be circulated as soon as possible after the meeting</p> <ul style="list-style-type: none"> - At the very least, the decisions and recommendations from the meeting should be circulated to all those in attendance within one working day 	
<p>Parents of children should be informed of actions by the investigating team, unless to do so would place the victim at risk</p> <p>- if protective action has been taken, parents are not to be informed of the victim's whereabouts.</p>	
<p>If it is necessary to arrange an investigative Medical Assessment for emotional or physical illness, or to give attention to injuries, this should be undertaken with the necessary consents:</p> <ul style="list-style-type: none"> - there must be consideration as to whether using a medical practitioner from the local ethnic community may jeopardise or threaten the security of the victim - this should apply to all practitioners in the multi-agency workforce and not just medical practitioners 	

- if potential risk is identified then medical assistance is to be sought through another route.	
Prepare for planning / Strategy Meeting	
Invites to	
- Chair: Senior SW or SW Manager	
- Health Representatives	
- Police Representatives	
- Education – relevant school representative	
- IDVA and/or Community Domestic Abuse worker	
- Any significant other representative	
Agree a time and venue	
Take a copy of strategy document and agenda to meeting	
Planning/Strategy meeting/Record:	
Grade 8 or above in Children’s social worker to chair strategy meetings	
Grade 8 or above in Adult Social Care to chair strategy meetings	
SW Completes the planning/record of meeting	
Record who was invited as well as who attended	
Any disagreements to the meeting and any arrangements for escalation should be clearly recorded	
Conclusion of the meeting	
All attendees sign document clearly with name and organisation to confirm attendance	
Copies of the document to be made and given to all present	

Appendix 3: Greater Manchester Police policy guidance

Policy Statement

GMP is committed to giving victims of 'honour' based violence (HBV) and forced marriage (FM) a level of service that gives them the confidence to report incidents. 'Honour' based violence and forced marriage are a form of domestic abuse and, when dealing with incidents, officers and staff must always keep this at the forefront of their minds and deal with incidents taking cognisance of this policy and the domestic abuse policy. It should be noted, however, that although the new definition of domestic violence treats people aged 16 and over as adults, GMP will continue to deal with any forced marriage or 'honour' based violence incident as a child protection matter if it involves people under the age of 18.

HBV can impact on individuals in numerous ways and many victims suffer serious assault and even death at the hands of family members. GMP is committed to developing responses that keep people safe and hold perpetrators to account without stereotyping, stigmatising or making assumptions about any given individual or community.

Aims:

- to investigate all reports effectively, to bring offenders to justice and hold them accountable for their actions.
- to develop responses that keep people safe and hold perpetrators to account without stereotyping, stigmatising, or making assumptions about any given individual or community.
- to give victims the confidence to report incidents and keep them safe from further risk of harm.
- to deal with victims of 'honour' based violence effectively and by conducting thorough risk assessment processes with victims, endeavour to reduce the likelihood of future harm, including homicide, serious injury and acts of violence.

(ref: Forced Marriage and 'Honour' Based Violence Policy & Procedure GMP April 2014)

www.gmp.police.uk/