



Foreign &
Commonwealth
Office



Home Office

FORCED MARRIAGE CASE HANDLING GUIDE

for MPs and CONSTITUENCY OFFICES



The Forced Marriage Unit is a joint
Foreign and Commonwealth Office
and Home Office unit

Forced marriage is an abuse of human rights

The aim of this guide is to help Members of Parliament and their staff when they are faced with issues related to forced marriage. It offers background on the issue and gives suggestions of best practice for supporting victims and dealing with their families. It gives details of the Government's Forced Marriage Unit (FMU) and of non-governmental organisations (NGOs) that can offer help and advice and also gives contact details of UK Embassies/High Commissions overseas.

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

Universal Declaration of Human Rights, Article 16 (2)

THE DIFFERENCE BETWEEN ARRANGED AND FORCED MARRIAGE

A clear distinction must be made 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 intended spouses. In **forced marriages**, one or both spouses do not consent to the marriage and some element of duress is involved. Duress includes both physical and emotional pressure.

There is no 'typical' victim of forced marriage. Victims can be male or female, young or old, some may be disabled, some may have young children and some may be spouses from overseas. Victims often face real challenges when seeking help in these cases. They may fear reprisals from their families and/or the wider community if their family or

community becomes aware that they have sought help. In most cases seeking help can put victims at greater risk of harm. Whatever their circumstances, all cases should be approached with an open mind and each victim handled as an individual.

INCIDENCE OF FORCED MARRIAGE

In 2008, over 1,600 incidences of suspected forced marriage were reported to the FMU by individuals, NGOs and other agencies. Of these, the FMU directly intervened to help victims in 420 cases, which included overseas assistance and support to reluctant sponsors in immigration cases. There was an increase of over 100% in the number of reluctant sponsors cases in 2008 against the same period for 2007.

Cases also come to the attention of the police, social care services, health, education and voluntary organisations. Others go unreported. With greater awareness of the help available, the number of cases reported is likely to increase. About a third of cases reported involve children and young people under the age of 18.

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 the Middle East, Europe and Africa. Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas or a British citizen being sent abroad.

"Multicultural sensitivity is not an excuse for moral blindness."

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

MOTIVES PROMPTING FORCED MARRIAGE

Parents who force their children to marry often justify their behaviour as protecting their children, building stronger families and preserving cultural or religious traditions.

They 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 marriage for every religion.

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 should be recognised as **a form of domestic violence, a human rights abuse**, and, where it involves those under 18, **child abuse**.

Forced marriage and domestic violence

Forced marriage is recognised as a form of domestic violence. Government work on domestic violence is brought together in the cross-government National Domestic Violence Delivery Plan coordinated by the Home Office. The Home Office has also published a guide for MPs on domestic violence, available for download at www.crimereduction.homeoffice.gov.uk/domesticviolence/domesticviolence065.htm.

THE FORCED MARRIAGE UNIT (FMU)

The Government response to forced marriage is taken forward by a wide cross-section of departments and agencies. The Foreign and Commonwealth Office, Home Office, Ministry of Justice, the Department for Children, Schools and Families (DCSF), the Department of Health and others are all heavily involved. The joint Foreign and Commonwealth Office/Home Office Forced Marriage Unit is the UK's 'one-stop shop' for leading the development of government policy on forced marriage, coordinating outreach projects and providing support and information to those at risk.

Casework

The FMU provides confidential information and assistance to potential victims and concerned professionals. It works with partners both in the UK and overseas to ensure that all appropriate action is taken to prevent a forced marriage taking place – in some instances this involves rescue and repatriation. The FMU also provides support and information to individuals who have already been forced to marry.

All caseworkers in the FMU have experience of the cultural, social and emotional issues surrounding forced marriage. The FMU can offer advice and support to anyone in the UK regardless of nationality. However, overseas British Embassies and High Commissions can only provide consular assistance to British nationals, and in certain circumstances to EU or Commonwealth nationals (but not in the country of their own nationality).

The staff in the FMU can offer information and support to your constituents who:

- fear that they are going to be forced into a marriage (in the UK or overseas)
- fear for a friend or relative who may be forced into a marriage (in the UK or overseas)
- have already been forced into a marriage and want to consider their next steps.

If your constituent ever feels in danger they should contact the police on 999

HOW TO CONTACT THE FORCED MARRIAGE UNIT

- If you or your constituent need further information and advice:

Call the Forced Marriage Unit,
Monday–Friday
09.00–17.00
020 7008 0151

or write to:
Forced Marriage Unit
Room G/58
Old Admiralty Building
London SW1A 2PA

or email:
fmf@fco.gov.uk

- You can also direct your constituent to the website at: www.fco.gov.uk/forcedmarriage.
- If your constituent requires emergency assistance overseas out of office hours they should call 020 7008 1500 and ask to speak to the Foreign and Commonwealth Office Global Response Centre.
- If your constituent requires emergency assistance in the UK, they should call the police on 999.

KEY FACTS

For the period January to December 2008, statistics from the FMU show the following:

- 1,618 suspected incidents of forced marriage were reported.
- In 420 cases the FMU provided direct support to victims:
 - 213 assistance cases overseas (where a victim was rescued and/or repatriated to the UK)
 - 207 immigration cases (where the victim had already been forced into marriage, and then forced to sponsor their spouse's visa for settlement in the UK).
- 39% of overseas cases involved minors (14% were under 16 years old).
- 85% of reports were from female victims, 15% from male victims.

- 57% of all reports concerned British Pakistanis.
- 13% of all reports concerned British Bangladeshis.
- 7% of all reports concerned British Indians.
- The regions with the highest reports were London, the North West and West Midlands.
- Nearly a quarter of all nationally reported incidences originated in London.

GUIDELINES

The FMU has produced guidelines for professionals. Under the Forced Marriage (Civil Protection) Act 2007, the FMU issued multi-agency statutory guidance on 25 November 2008 setting out the strategic responsibilities that public agencies must have regard to in order to improve the handling of forced marriage cases.

The FMU will also publish revised multi-agency practice guidelines for professionals in summer 2009. These guidelines give practitioners such as the police, social workers, health professionals and education professionals step-by-step practical advice on how to deal with cases effectively.

MATERIALS

The FMU has a range of free awareness-raising materials that may be of use to you and your constituents. Materials include information leaflets, posters, a training DVD, and handbooks for survivors. To order copies of these materials please email the FMU at fmf@fco.gov.uk.

In addition, the DCSF has designed materials specifically for young people and schools. These are available to download from www.everychildmatters.gov.uk/socialcare/safeguarding/forcedmarriage/, or to get hard copies of these materials please ring 01325 391271.

THE FORCED MARRIAGE (CIVIL PROTECTION) ACT 2007

- The Act, which came into force on 25 November 2008, provides measures for the courts to prevent forced marriages from occurring. The courts have the power to make Forced Marriage Protection Orders to stop someone forcing another person into marriage. The courts have a wide discretion in the type of orders they can make to enable them to respond effectively to the individual circumstances of a case and to prevent a forced marriage from occurring.
- Where a forced marriage has taken place, the courts are also able to make a Forced Marriage Protection Order to protect the victim and help remove them from that situation.
- The court may add a power of arrest where violence is threatened or used and the court considers that there will be inadequate protection without it.
- Where there is significant risk of harm, either to the intended victim or to somebody else in connection with the intended marriage, the court can also add a power of arrest.
- If a person breaches an order they may be arrested and brought back to the original court for consideration of the alleged breach. This applies to anyone who is alleged to have breached the order, not just the original person named on the order.
- Breach of an order is not itself a criminal offence but it is a contempt of the civil court, and courts have the full range of sanctions available to them, including imprisonment.
- Your constituent can apply for a Forced Marriage Protection Order themselves. An application may be made by any other person with the leave of the court. Local authorities will also be able to make a direct application to the court as Relevant Third Parties from late 2009.
- If your constituent requires further details about the Act and applying for a Forced Marriage Protection Order, you can refer them to the HM Courts Service website at www.hmcourts-service.gov.uk/cms/14490.htm.

WHAT SHOULD YOU DO IF A POTENTIAL VICTIM SEEKS YOUR HELP?

DO:

- ✓ See the victim immediately in a secure and private place.
- ✓ Insist on seeing the victim on their own – even if they attend with others.
- ✓ Contact the FMU as soon as possible, and give the victim the Unit's details.
- ✓ If an adult approaches you, do everything in your power to persuade them to engage with the police. The individual may be at significant risk of harm and engaging with the police will provide opportunities for police and partner agencies to minimise that risk, working with the victim in a sensitive manner.
- ✓ If a minor (under 18 years old) approaches you, refer to the local authority children's social care services if there is any suspicion that the child may have been harmed, or be at risk of harm.
- ✓ Refer to the local police Child Protection Unit if there is any suspicion that a crime has been, or may be, committed against a child, or if the victim has children under 18 years old.
- ✓ If the victim is a British national and is travelling imminently, give them the details of the British Embassy or High Commission in the country they are travelling to. Try to gather as much information from them as possible, e.g. passport details, dates of travel and destination.
- ✓ Handle all confidential information in a sensitive manner and store or retain it securely (as required).

WHAT SHOULD YOU DO IF A CONSTITUENT APPROACHES YOU WITH SUSPICIONS THAT SOMEONE THEY KNOW COULD BE A POTENTIAL VICTIM?

- ✓ You should take the necessary steps outlined on page 9 and ask your constituent to contact the FMU as soon as possible, and give your constituent details of the FMU to pass on to the victim.

In all cases

DO NOT:

- ✗ Treat such allegations merely as a domestic issue or an acceptable cultural issue and send the victim back to the family home.
- ✗ Ignore what the victim has told you or dismiss out of hand the need for immediate protection.
- ✗ Approach the victim's family, friends or people with influence within the community, without the express consent of the victim, as this will alert them to your enquiries and could increase the risk to the victim.
- ✗ Contact the family in advance of any enquiries, either by telephone or letter.
- ✗ Attempt to be a mediator.

Mediation, reconciliation and family counselling as a response to forced marriage can be extremely dangerous. There have been cases of victims being murdered while mediation was being undertaken. Do not undertake any of these activities, as you may unwittingly place a victim in further danger.

WHAT SHOULD YOU DO IF YOU ARE APPROACHED BY A CONSTITUENT REGARDING A SETTLEMENT VISA APPLICATION OR AN APPLICATION FOR INDEFINITE LEAVE TO REMAIN?

- You may have families come to your surgery asking you to lobby on their behalf about a visa entry query or an Indefinite Leave to Remain (ILR) application.
- Most cases will be genuine, but in some, the family may be acting against the wishes of the sponsor as they may be forcing them to sponsor a visa for the husband or wife whom they were forced to marry.
- You will need to consider carefully whether it is right to act for them in support of a visa application or an application for ILR.
- You may unknowingly be supporting a forced marriage.

DO:

- ✓ Take all the information possible and have an open mind.
- ✓ Contact the FMU immediately to check whether it is aware of the case and to discuss your concerns. The FMU will treat the information in confidence and may be able to make discreet enquiries into the case with the UK Border Agency.
- ✓ If the matter involves a visa, speak to the sponsor alone, even if they or their family are hesitant about this.
- ✓ Handle all confidential information in a sensitive manner and store or retain it securely (as required).

DO NOT:

- ✗ Ask the sponsor in front of their family whether they genuinely support the visa application.
- ✗ Convey to the family your concerns about the individual.
- ✗ Attempt to be a mediator.

BRITISH EMBASSIES/HIGH COMMISSIONS

If your constituent is a British national and is travelling abroad, you should provide them with the following contact details for UK Embassies/High Commissions in the countries where most, but not all, forced marriage consular casework occurs. Please contact the FMU or consult the Foreign and Commonwealth Office website (www.fco.gov.uk) if you require further details of any other British High Commission or Embassy.

UK

LONDON

Forced Marriage Unit
Room G/58
Old Admiralty Building
London SW1A 2PA

Email address:
fmu@fco.gov.uk

Office hours:
Mon–Fri 09.00–17.00

Out of office hours:

Mon–Sun
Global Response Centre

Telephone:
020 7008 0151

Telephone:
020 7008 1500

BANGLADESH

DHAKA

British High Commission
United Nations Road
Baridhara
Dhaka 1212

Telephone:
(00) (880) (2) 8822705–9

Facsimile:
(00) (880) (2) 8823437

Postal address:
PO Box 6079, Dhaka 1212

Office hours (GMT):
Sun–Wed 03.00–10.15
Thurs 03.00–09.00

Local time:
Sun–Wed 08.00–15.15
Thurs 08.00–14.00

BANGLADESH

SYLHET

British High Commission
House 37A
Kumarpara
Sylhet

Telephone:
(00) (880) (821) 724694

Facsimile:
(00) (880) (021) 720070

Office hours (GMT):
Sun–Wed 03.00–10.15
Thurs 03.00–09.00

Local time:
Sun–Wed 08.00–15.15
Thurs 08.00–14.00

ETHIOPIA

ADDIS ABABA

British Embassy
Comoros Street
Addis Ababa

Telephone:
(00) (251) (11) 6610588

Facsimile:
(00) (251) (11) 6614154

Consular facsimile:
(00) (251) (11) 6414154

Postal address:
PO Box 858, Addis Ababa

Office hours (GMT):
Mon–Thurs 05.00–13.00
Fri 05.00–10.00

Consular
Mon–Fri 05.30–09.00

Local time:
Mon–Thurs 08.00–16.30
Fri 08.00–13.00

Consular
Mon–Fri 08.30–12.00

INDIA

MUMBAI (BOMBAY)

Office of the British Deputy
High Commissioner
Naman Chambers
C/32 G Block
Bandra Kurla Complex
Bandra (East)
Mumbai 400 051

Telephone:
(00) (91) (22) 6650 2222

Facsimile:
(00) (91) (22) 6650 2324

Office hours (GMT):
Mon–Thurs 02.30–10.30
Fri 02.30–07.30

Consular
Mon–Fri 03.00–08.30

Local time:
Mon–Thurs 08.00–16.00
Fri 08.00–13.00

Consular
Mon–Fri 08.30–13.30

INDIA

NEW DELHI

British High Commission
Shanti Path
Chanakyapuri
New Delhi 110021

Telephone:
(00) (91) (11) 2687 2161

Facsimile:
(00) (91) (11) 2687 2882

Consular facsimile:
(00) (91) (11) 2611 6094

Office hours (GMT):
Mon–Fri 03.30–07.30
08.30–11.30

Local time:
09.00–13.00
14.00–17.00

PAKISTAN

ISLAMABAD

British High Commission
Diplomatic Enclave
Ramna 5
PO Box 1122
Islamabad

Telephone:
(00) (92) (51) 2012000

Consular enquiry line:
(00) (92) (51) 2012951

Facsimile:
(00) (92) (51) 2279356

Consular email address:
cons.islamabad@fco.gov.uk

Office hours (GMT):
Mon–Thurs 03.00–11.00
Fri 03.00–07.00

Local time:
Mon–Thurs 08.00–16.00
Fri 08.00–12.00

**PAKISTAN
KARACHI**

British Deputy High
Commission
Shahrah-E-Iran
Clifton
Karachi 75600

Telephone:
(00) (92) (21) 5827000
Facsimile:
(00) (92) (21) 5827005

<i>Office hours (GMT):</i>		<i>Local time:</i>	
Mon–Thurs	03.30–11.00	Mon–Thurs	08.30–16.30
Fri	03.30–07.30	Fri	08.30–12.30

**TURKEY
ISTANBUL**

British Consulate General
Mesrutiyet Caddesi No 34
Tepebasi Beyoglu 34435
Istanbul

Telephone:
(00) (90) (212) 334 6400
Facsimile:
(00) (90) (212) 315 6401
Consular facsimile:
(00) (90) (212) 334 6407

Consular email address:
Cons-istanbul@fco.gov.uk

<i>Office hours (GMT):</i>		<i>Local time:</i>	
Mon–Fri	06.30–11.00 11.45–14.45	08.30–13.00 13.45–16.45	

**YEMEN
SANA'A**

British Embassy
938 Thaher Himiyar Street
East Ring Road (opposite
Movenpick Hotel)
PO Box 1287
Sana'a

Telephone:
(00) (967) 1308 100
Facsimile:
(00) (967) 1302454

Consular email address:
Consularenquiries.sanaa@fco.gov.uk

<i>Office hours (GMT):</i>		<i>Local time:</i>	
Sat–Wed	04.30–11.30	07.30–14.30	

NATIONAL SUPPORT AGENCIES

This section gives details of national professional/support agencies including telephone numbers and an explanation of the service. You should refer your constituents to any of the following services if they require further advice and support.

THE ASIAN FAMILY COUNSELLING SERVICE 020 8571 3933

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

ASHIANA (LONDON) 020 8539 0427

This project provides temporary, safe and supportive housing for South Asian, Turkish and Iranian women who are experiencing domestic violence and a safe house for young women who are at risk of forced marriage.

THE ASHIANA PROJECT 0114 255 5740

Ashiana is an Asian women's refuge, located in South Yorkshire. It is run by women who understand the cultural background and specific needs of Asian women, and offers advice, support and safe accommodation to women and children fleeing violence and abuse at home.

CARELINE 020 8514 1177

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

CHILDLINE 0800 1111

This service provides comfort, advice and protection for any child or young person with a problem.

FORWARD 020 8960 4000

FORWARD is an African Diaspora led UK-registered campaign and support charity dedicated to advancing and safeguarding the health and rights of African girls and women, in particular female genital mutilation (FGM) and forced and child marriage.

THE HONOUR NETWORK KARMA NIRVANA 0800 5 999 247 01332 604098

The Honour Network is a helpline manned solely by survivors of forced marriage. The network is designed to provide emotional and practical support to those escaping forced marriages.

IRANIAN AND KURDISH WOMEN'S RIGHTS ORGANISATION 020 7490 0303 07862 733511

IKWRO provides advice, support, advocacy and referral in Arabic, Kurdish, Turkish, Dari and Farsi to women, girls and couples living in Britain, in particular helping women facing domestic violence, forced marriage and 'honour'-based violence. Their mission is to protect Middle Eastern women at risk of 'honour' killings, domestic violence, forced marriages and female genital mutilation, and to support them in upholding their right to live without fear or oppression.

MIND 0845 766 0163

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

NATIONAL DOMESTIC VIOLENCE HELPLINE 0808 2000 247

This 24-hour helpline is run in partnership between Women's Aid and Refuge. This service provides information, support and practical help, 24 hours a day, seven days a week, to women experiencing domestic violence. It can refer women and their children to refuges throughout the UK.

NEWHAM ASIAN WOMEN'S PROJECT 020 8472 0528

This project provides advice and support for women and children who are subject to forced marriage and 'honour'-based violence.

NSPCC 0808 800 5000

This free, 24-hour helpline provides information, advice and counselling to anyone concerned about a child at risk of abuse.

REUNITE INTERNATIONAL CHILD ABDUCTION CENTRE 0116 255 6234

Reunite is the leading charity specialising in international parental child abduction. It operates a 24-hour advice line providing advice, support and information to parents, family members and guardians who have had a child abducted or who fear abduction.

SAMARITANS 08457 90 90 90
jo@samaritans.org

This is a 24-hour helpline and email service that provides confidential support to any person in emotional distress.

SOUTHALL BLACK SISTERS 020 8571 9595

Southall Black Sisters provides information, advice, advocacy, counselling and support to women and girls from black and minority ethnic communities who are escaping domestic violence, forced marriage and 'honour'-based violence.

NOTES

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If you want to speak to someone in the Forced Marriage Unit
or to request more copies please contact:

Call the Forced
Marriage Unit,
Monday–Friday
09.00–17.00
020 7008 0151

or write to:
Forced Marriage Unit
Room G/58
Old Admiralty Building
London SW1A 2PA

or email:
fmu@fco.gov.uk