INTRODUCTION

In June 2007, the City of Hamburg, Germany, hosted the first in a series of conferences funded by the European Commission’s Daphne Project. The series is designed to spread best practice between Member States, and events are scheduled to take place in the Netherlands, Turkey, Sweden and Austria over the next 18 months.

Three months later, the Foreign & Commonwealth Office (FCO) welcomed partner countries to London to learn about the work of the Forced Marriage Unit (FMU), a joint unit between the FCO and the Home Office. Through the work of the FMU, the UK is a world leader in providing end-to-end assistance to British victims and potential victims of forced marriage, both in the UK and overseas.

The conference was designed to increase understanding of the motivating forces behind forced marriage and identify some of the barriers to effectively tackling the problem. Central to the success of the UK’s approach to tackling forced marriage has been our commitment to partnership working, and this was the predominant theme of the conference.

Delegates came from across Europe to hear from UK police forces, from the Crown Prosecution Service, Local Safeguarding Children Boards, representatives from across the voluntary sector and from officials from the British High Commission in Islamabad. Male and female survivors of forced marriage also talked about their experiences and provided suggestions for future action.

PLENARY SPEAKERS

Full presentations can be downloaded from www.fco.gov.uk/FMUConference.

Peter Abbott - Forced Marriage Unit

Peter Abbott’s presentation focussed on the establishment of the FMU and the unit’s main achievements to date. He recommended that in order to tackle forced marriage effectively, partnership working is vital. Working with professionals across government and the voluntary sector is the only way to provide potential victims and survivors with the support they need. He also encouraged other countries to be bold in their response to forced marriage and not to use “cultural sensitivity as an excuse for moral blindness”. Delegates heard that the UK had been able to take such a strong stance on forced marriage due to the unwavering support of government Ministers.

Aisha Gill - Newham Asian Women’s Project

Aisha Gill gave a theoretical overview of the causes of forced marriage. She emphasised that an understanding of the socio-cultural context of forced marriage was vital in recognising the subtle differences between coercion and consent. She
suggested that there was a continuum between arranged and forced marriages and often methods of coercion can be so subtle it is very difficult for outsiders to recognise when a marriage is forced. Regularly non-negotiable cultural codes are used to exert control over individuals and often these are difficult to define. Delegates heard that in order to provide comprehensive and appropriate support to victims of forced marriage one must have an understanding and appreciation of these cultural codes.

**Jasvinder Sanghera - Karma Nirvana**

Jasvinder Sanghera gave an overview of her personal experiences. As a young woman she escaped a forced marriage and has since had to live her life as an outsider, marginalised by both her community and family. Jasvinder Sanghera also spoke about her sister who was a victim of domestic violence and committed suicide. Jasvinder stated that suicide rates were 2-3 times higher in the Asian community and in her opinion this was a result of the practice of forced marriage and the principle of ‘Izzat’ (honour). Delegates also heard about the plight of survivors and how often individuals suffer intense isolation and loneliness resulting in a loss of a sense of self. In order to combat this Karma Nirvana and the FMU are establishing a Survivors Network which will offer peer counselling and advice.

**Diana Barton - Co-ordinated action Against Domestic Abuse**

Diana Barton spoke about recent developments in tackling domestic violence. She introduced the Multi-Agency Risk Assessment Conference (MARAC) as a tool that has been developed to reduce the risk of homicide in cases of domestic violence and also to increase protection for children. MARAC’s identify high-risk victims and together, through a process of information sharing, develop a safety plan. The role of Independent Domestic Violence Advisors (IDVA) has also been newly created. These are specialist case workers who represent victims in high risk cases. IDVAs are usually responsible for 80% of the actions agreed at the MARAC. Diana Barton emphasised the need for simple and safe tools for IDVAs and other practitioners to use in order to advise and support victims of forced marriage.

**Nazir Afzal - Crown Prosecution Service**

Nazir Afzal gave a presentation on prosecuting Honour Based Violence (HBV). He introduced the topic by outlining details of some very high profile murders, in which honour had been the motivating factor. According to recent research 1 in 10 Asians feel they can murder a member of their family in the name of honour. He stated that the CPS can make the prosecution process easier for the victim by being creative and thoughtful to the needs of the victim. In a recent trial a video link to the court was used so the victim did not have to see the accused. In addition a female intermediary was used to put questions to the victim. Also a female judge was requested. Delegates heard that more needed to be done to support victims of HBV, for example training for witnesses and experts and the creation of an online tool which could be a centre of excellence for those tackling HBV.

**Anne Marie Hutchinson - Dawson Cornwell Solicitors**

Anne Marie Hutchinson spoke about the use of civil legislation as a measure to combat forced marriage. She stated that civil legislation could be used to protect and prevent, assist repatriation and also to restore (for example ongoing injunctions and protection). She also emphasised the importance of using third parties to apply for protection on behalf of the victim. Delegates heard examples of case law and also the legal procedures to be followed in cases of forced marriage.
DI Brent Hyatt – Metropolitan Police

DI Brent Hyatt gave an overview of the investigation into the murder of Heshu Jones. He outlined the challenges and difficulties the police faced in investigating the murder and presented the lessons he personally learnt as a result of the case. He emphasised the need for using robust and thorough risk assessment processes when dealing with victims of forced marriage.

Helen Rawlins and Albert David – British High Commission, Islamabad

Albert David gave an overview of the differences in motivations for marriage between Pakistan and the UK. In Pakistan, the main motivation for marriage in Pakistan is the bringing together of two families. This is more important than romantic attachment. Marriage is seen as a method to increase social standing and to create alliances. Whilst arranged marriage is a very common practice, understanding and awareness of forced marriage is increasing. Helen Rawlins described the awareness raising work that the High Commission had sponsored in Pakistan. This included community workshops, mobile theatre, lectures, adverts on public transport and televised debates. Delegates also heard described the role of the High Commission in carrying out welfare visits, assisting in rescue operations and facilitating repatriation.

WORKSHOPS: DAY ONE

Workshop 1: Motivations and Risk Factors

Shahien Taj  
**Henna Foundation**

Philip Balmforth  
**West Yorkshire Police**

Delegates discussed a variety of motivations and risk factors in this workshop. Parents often used forced marriage as a method of controlling behaviour, particularly behaviour that they saw as being too westernised (smoking, drinking, sexual promiscuity, homosexuality). Assisting claims for residence or citizenship is also a motivation for forced marriage, as is the desire to provide a carer for a disabled family member. Long-standing arrangements may have been made between families that need to be honoured, and families may see a need to maintain a "pure" bloodline.

Young men and women are particularly at risk of forced marriage if they have brothers or sisters who have been forced into marriage before them, if the woman is pregnant by another man, if they have "inappropriate" boyfriends or girlfriends or if they are gay or lesbian.

Delegates heard that victims are often taken overseas on a pretext. Parents may say that they want their son or daughter to see where the family is originally from. They may say they're going on a family holiday, to see an ageing or sick relative, or for a better education.

The workshop also looked at some of the considerations a victim has to take into account, including the pressure to maintain the family honour, the conflict between maintaining tradition and wanting to integrate (the "turbulence of modernity") and the shifting requirements of a family structure based on inter-dependence and a Western culture predicated on independence.
Workshop 2: Identifying Barriers to Partnership Working

DC Yvonne Rhoden Metropolitan Police
Rebecca Lythe Islington Safeguarding Children Board

Delegates in this workshop used two case studies to highlight some of the difficulties of working together with a large number of statutory partners. Both cases involved a multi-agency response, involving social services, education professionals, the police and the Forced Marriage Unit.

Delegates agreed that the biggest barrier to effective partnership working was the lack of awareness and understanding surrounding a variety of issues related to black and minority ethnic (BME) communities. Risk assessments were very difficult to do if you were not aware of the issues. Other barriers to effective partnership working included the existence of different definitions of forced marriage and other honour-related crimes, the lack of training and resources, and the potential differences between local and national-level approaches to tackling the problem.

German delegates discussed the need for inter-religious dialogue and the need to approach the issue of forced marriage in the wider context of integration. There was also the need to incorporate forced marriage into wider policies, such as labour and economic policy. There was a clear difference between Germany and other European countries. Germany's strong federal structure meant that local knowledge of the issue might be better but that this needed to be matched by a national approach to rescuing and repatriating German nationals overseas.

Workshops: Day Two

Workshop 1: The Role of the Voluntary Sector

Fazal Mahmood Positive East
Hannana Siddiqui Southall Black Sisters

Delegates began this workshop by hearing about the role of the third sector, and discussing some of the needs and objectives that the third sector had in comparison with central Government. "Collaboration not competition" was the overall philosophy that was recommended, but delegates pointed out that competition was often inevitable due to dwindling financial support from central Government. This was a repeated theme throughout this workshop, not just from UK delegates from across Europe. It was argued that more funding needed to be made available to the entire voluntary sector, but especially to those agencies providing specialist support to BME victims.

One of the main roles of the voluntary sector is to hold the Government to account, but also to develop the way in which Government operates. Delegates heard how one organisation had successfully lobbied the Government to take a more interventionist approach to forced marriage.

Delegates from Sweden described the situation where they felt pressurised to merge with local Government in order to safeguard their existence. Other delegates urged them to retain their independence and to explore the possibility of joining together with other organisations. Dutch delegates expressed the opinion that voluntary sector organisations in the Netherlands did not co-operate and that frequently philosophical differences were the cause of non-co-operation.
Workshop 2: The Needs of Survivors

Imran Rehman Karma Nirvana
Shaminder Ubhi The Ashiana Project

Delegates heard from facilitators that victims may experience feelings of guilt, isolation, depression and low self-esteem. After escaping a forced marriage, they may find it difficult to form intimate relationships and may deliberately put themselves in 'risky' situations. Anger and frustration can be manifested in various forms of self-harm such as cutting, over-dosing, eating disorders or substance abuse.

Support for survivors of forced marriage must be robust enough to be able to address these feelings and behaviours. Confidential advice must be given and culturally-specific support made available. Non-judgemental staff within a safe, supportive environment are crucial. But practical support is important, too, such as assistance with applications for welfare benefits, registration with a GP, continuing education, applications for re-housing, access to employment opportunities, reporting to the police etc.

With only one male support worker for victims of forced marriage in the UK, it was clear that more provision needed to be made for men (although this should always be balanced with the need to provide aid for female victims, who make up the majority of cases).

Taking the long view, delegates briefly discussed the need to have survivors who were strong and confident enough to speak out in public against forced marriage, using their experiences as a way to connect with both the general public and with victims and potential victims. This required much greater levels of support and encouragement, as well as robust protection against potentially hostile responses.

Conclusions

European Member States are clearly at very different stages of developing a comprehensive approach to tackling forced marriage. Some countries have a well-developed police response, others have committed academics studying the problem from a theoretical perspective, and others have a vocal and energetic voluntary sector offering refuge provision to victims. But very few countries have begun the process of joining up all these agencies under a national Government lead. Delegates emphasised the fact that different European countries have different BME populations: Turkish in Germany, for example, or Moroccan in the Netherlands. This meant that different methods may need to be employed to reach affected communities.

In closing the conference, several areas for further action were highlighted. Firstly, European colleagues were urged to make use of existing best practice to convince their national Governments to start developing strategies to combat forced marriage. The FMU made clear that they were happy to engage at a Government-to-Government level if that would help. The FMU are also there as a source of information and informal advice, and encouraged all delegates to make use of their expertise. European delegates were also advised to be courageous and told that they should not be afraid of delivering difficult messages. Those who work in this area will often face opposition of all kinds, and it is important to be clear about why you are doing what you are doing.

There were also recommendations for the FMU. Much closer engagement with Multi-Agency Risk Assessment Conferences was recommended, and work has already begun to take that forward. Further work with colleagues in education, such as teachers, headteachers, local education authorities, was also highlighted as a key aim.
The Forced Marriage Unit
- The Journey So Far -
Forced marriage is domestic violence

Forced marriage is an abuse of human rights

“Multicultural sensitivity is no excuse for moral blindness.”

(Mike O’Brien, Solicitor-General and former Home Office Minister)
Who are we and what can we do to help?

- FCO offering consular assistance since 1999.
- 2000: Publication of “A Choice by Right”, the report of the working group on forced marriage
- 2005: Forced Marriage Unit established.
- FMU is now the Government’s one-stop shop for:
  - Researching and developing effective Government policy
  - Awareness raising
  - Casework
    - Reluctant Sponsors
    - Consular
What is a Forced Marriage?

“A marriage conducted without the valid consent of both parties where duress (emotional pressure in addition to physical abuse) is a factor.”

- A Choice by Right (June 2000)
Why do forced marriages happen?

• Controlling unwanted behaviour and sexuality, particularly that of women, and preventing ‘unsuitable’ relationships
• Peer group or family pressure
• Protecting perceived cultural or religious ideals which can often be misguided
• Attempting to strengthen family links
• Family honour or long-standing family commitments
• Ensuring land remains within the family
• Assisting claims for residence and citizenship
• Providing a carer for a disabled family member / reducing the ‘stigma’ of disability
How big is the problem? Who is affected?

• A hidden problem which remains under-reported, but in the FMU we handle approximately 5,000 enquiries and around 300 cases per year

• Both young women and young men (who constitute 15% of the cases we deal with)

• Majority of individuals we deal with are aged 15-24, but 30% of our cases are minors, some as young as 10 years old

• Majority of cases from South Asia: Pakistan (65%), Bangladesh (25%), India

• Some cases from other countries including Cyprus, Jordan, Mauritius, Sri Lanka, Somalia, Mali, Norway, Bosnia and Hong Kong
Forced Marriage & Faith

No major world religion countenances forced marriage. Freely-given consent is a prerequisite for all Christian, Sikh, Muslim, and Jewish marriages.

What does the Koran say about marriage?

According to the Koran, marriage is an institution designed for mutual companionship, love and respect.

“And among Allah’s signs is this: that He created for you spouses from among yourselves, so that you might find rest in them; and He has set between you love and compassion” (Koran, 30:21)

“They [spouses] are a garment for you and you are a garment to them” (Koran, 2:187)
Forced Marriage Casework - how can we help?

How do we learn of a case?
- An individual contacts us in UK or at Post overseas fearing or fleeing a forced marriage
- A third party contacts us on behalf of an individual at risk
- An individual has already been forced into a marriage and wishes to prevent the spouse coming to the UK

What do we do … in the UK?
- Provide support, information and contacts (lawyers, social services, refuges, counsellors, voluntary organisations)
- Work with police, social workers, teachers, welfare officers, health professionals in UK to protect people at risk
- Arrange safe accommodation in UK
- Provide information on options and services after a forced marriage
Forced Marriage Casework - how can we help?

Overseas...

- Liaise with posts and NGOs overseas,
- Speak to individuals alone
- Help them to get to High Commission/Embassy
- Arrange safe accommodation overseas
- Organising repatriation - and rescues in extreme cases
- Organising emergency flights and travel documents with safe pick-up and transport from airport
Why isn’t Forced Marriage a Criminal Offence?

In 2005, the Government carried out a national consultation on whether or not to introduce a specific criminal offence for forced marriage.

- The majority of respondents felt that the disadvantages of new legislation outweighed the advantages.
- Many worried that criminalising forced marriage would force the issue underground.
- Victims of forced marriage are often unwilling to take action against their parents, and many respondents felt that the legislation would not be used.

The Government decided not to introduce specific legislation in June 2006.
Forced Marriage (Civil Protection) Act 2007

• Courts have power to make Forced Marriage Protection Orders.

• Breach of an injunction would not itself be a criminal offence, but would be a contempt of court. Courts would have the full range of sanctions available to them, including imprisonment.

• Enables people to apply for an injunction at the county courts, rather than just the high courts.

• Enables third parties to apply for an injunction on behalf of somebody else.

• Places FMU Guidelines on a statutory footing.

• Training and implementation will start at the end of 2007.
Forced marriage is domestic violence

Forced marriage is an abuse of human rights

“Multicultural sensitivity is no excuse for moral blindness.”

(Mike O’Brien, Solicitor-General and former Home Office Minister)
Jasvinder Sanghera

Honour Abuse

-the victim's story –

October 2007
IZZAT - shame and honour -

‘The worth of an Asian girl is defined by how she conducts herself.’

‘It is the daughter’s duty to carry the family honour.’
HONOUR STATISTICS

- At least 12 honour killings per year (Cowan 2004)
- 117 Murders Reviewed to identify link to honour killings?
- FCO deal with 300 cases annually, 30% of which involve minors aged 11-39 yrs. FMU
- Asian women are 2-3 times more likely to commit suicide, self harm
- Thought are women driven to commit suicide, is suicide cleaner than murder?
HONOUR VIOLENCE

• An example:

• A mother holds down the legs of her pregnant daughter while her son strangles her to death and then stands in the dock and defended her actions in the name of honour
Why?

Why is izzat so powerful and persuasive?

Why is izzat more important than a person’s human rights?

Right to life, personal liberty, security & equality
HONOUR VIOLENCE

• How does honour impact on a woman?
  – Living in fear of immediate and extended family
  – Feeling of being monitored/watched/controlled
  – Creates dependency, isolation and loneliness
  – Loss of sense of self – not an individual in her own right
  – Ashamed, silenced - betrayal
REAL EXPERIENCES OF HONOUR

- Recent izzat research asked three generations of Asian women a series of honour related questions
  (Mental Health Trust Derby and Karma Nirvana research, June 2004)
  - Group 1: aged 16-25
  - Group 2: aged 26-40
  - Group 3: aged 41-57
  - A focus group exploration on the impact of izzat, shame, subordination and entrapment on mental health and service use in South Asian women living in Derby June 2004
WHAT IS HONOUR?
Groups definitions of honour:

- No single meaning
- Consists of a learnt complex set of rules that an Asian woman has to follow in order to protect the family ‘name’ and maintain family position
- Group 1: “It’s like the weather, you can’t question it, izzat is there, it’s always been around … izzat is special control”

Quotes
- “Izzat is the biggest issue in the Asian woman’s life” - Groups 1,2,3
- “It has more impact on the woman’s life than the man’s. It affects how she dresses, behaves inside and outside the house, who she can talk to, marry, and have as friends” - Group 2
- “With every bad word a reputation can die” Group 1
- “Izzat puts more stress on any daughter and woman” Group 3
- ‘Handing down’ of attitudes through generations
Narratives From Interviews
2006 - 2007

- Mere suspicion can lead to gossip & abuse
- A negotiation of freedom
- Resistance catalyst for regime of surveillance
- Concept of honour used in relation to family & wider community acceptance, linked to image
- Honour ‘izzat’ translated as the emotion shame
- Experience of guilt & feelings of shame due to having asserted personal freedom
FEEDBACK

• All women were asked the question:
  – If you had to choose between ‘izzat’ and your daughter – which would you choose?
  – Members of the two older generations said izzat every time

• “Izzat is almost like a veil…so it is impossible for people to talk about their feelings openly and honestly” Group 1
  – All consuming and powerful ‘fear’ of protecting family honour and izzat

• Izzat prevents women from seeking help
Tackling Forced Marriage—an Overview of Partnership Working

Diana Barran

www.caada.org.uk
Introduction

• Where is the overlap with existing partnership working in domestic violence?
• Where are the gaps?
• How can we help safely as generalists?
Background Info

• What is a MARAC or Multi-Agency Risk Assessment Conference?
• What is an Independent Domestic Violence Advisor?
What is a MARAC?

• A multi agency meeting to:
  – Identify the highest risk victims of intimate partner and extended family violence
  – Share information
  – Identify a safety plan
  – Prioritize resources

• Goal is to avoid homicide and serious harm
What is an IDVA

- Specialist trained caseworker
- Focus on high and very high risk victims
- Normally the victim’s ‘representative’ at MARAC
- Responsible for c.80% of actions from MARAC
- Goal is safety
Snapshot of England and Wales

- 275 trained IDVAs supporting 20,000 victims per annum
- 250 more to be trained in coming 12 months
- Over 70 MARACs now operating nationally
- Will rise to 100 within 12 months
- Cases of HBV and DV within a forced marriage now appearing at MARACs
3 Categories

- Fear of Forced Marriage
- Imminent Forced Marriage
- Domestic abuse develops following Forced Marriage, including extended family violence
Fear/Imminent Risk of Forced Marriage

• Where does MARAC fit?
  – May get information in relation to parent that highlights risks to children
  – Could inform relevant agencies of who might be at risk
  – Could share information about specific indicators of risk e.g. truanting
  – BUT not typically an emergency meeting

• Overlap with MARAC limited

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Forced Marriage and DV/HBV

- Where a Forced Marriage has already occurred and domestic abuse/extended family violence has developed the MARAC should be able to help address safety
The Steps in the Process

- Risk Assessment
- Referral
- Information Gathering
- Information Sharing
- Action Plan
- Secure storage of data
Risk Assessment

• Potential Benefits
  – Risk indicator checklist adapted for use by generic practitioners
  – Wide base of people who are now able to identify FM and DV

• Potential Risks
  – Stress need to identify who is ‘safe’ to talk to and who is ‘not safe’
Referral Process

- **Potential Advantages**
  - Referrals can come from any agency
  - Gives professionals somewhere to take their concerns
  - No need for criminal behaviour to be established to refer

- **Potential Risks**
  - Agenda circulated to all signatories to information sharing protocol
Information Sharing/Gathering

- **Potential Advantages**
  - Broadest possible picture of risks and abuse,
  - Clarify range of potential victims
  - Clarify range of potential perpetrators
  - Highlight victim’s fears
  - Named practitioner identified to liaise with victim

- **Potential Risks**
  - In some agencies, e.g. health, wider range of practitioners are contacted to gather information
  - Occasionally information may need to be shared with someone outside the meeting

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Safety Plan

• **Potential Strengths**
  - Can address key issues such as isolation, lack of support services
  - Links with CJ S, civil courts, practical resources
  - Links with Child Protection
  - Allows prioritisation of resources
  - Can make links with MARAC in another area

• **Potential Weaknesses**
  - Less likely to be able to keep victim safe in own home
Storing Information

• Guidance:
  – Information Sharing Protocol must cover the safe storage of sensitive data
  – Each agency must be responsible for its own data storage

• Potential Risks
  – Could be seen by someone who puts the victim at greater risk
Next Steps

• Reinforcing training of both MARACs and IDVAs in relation to Forced Marriage and so-called ‘HBV’
• Focusing with local areas to ensure that appropriate referrals reach the MARAC
• Reinforcing the need to keep and share information as safely as possible
• Build links between local MARACs and national specialists
THE CONTEXT

- CPS/Police National Conference
- DV Project
- UK response
- International response
NOTABLE FACTS

• One in 10 young Asians said that they could justify the murder of someone who had supposedly dishonoured their family (BBC Survey September 2006).

• More than a dozen women are killed every year in this country in the name of honour but they are only part of thousands that are killed for the same reasons across the world.

• Murdered because:
  • She wanted to learn to drive
  • She wanted to leave her husband who had beaten her
  • She wanted to report child abuse by a relative
  • Her brother’s friend had an innocent picture of her on his mobile phone
  • She was the victim of rape
Murder is but the tip of the iceberg when we consider the number of women that commit suicide, the number of sexual offences, abductions, assaults, false imprisonments, and forced marriages that are carried out in the name of honour.
SOME CASES

- Samaira Nazir
  - The investigation and prosecution/witness care
  - The consequences/impact
- Alisha Begum
  - The prosecution
  - International co-operation
- Sajhda Bibi
  - International co-operation
- Dosanjh
  - The plan
  - The investigation/prosecution
  - Benaz Mahmood
    - Organised execution?
  - Surjit Athwal
    - No body doesn’t mean no prosecution
    - Playing the long game
SOME CASES

- Arash Ghorbani-Zarin
  - The hitman
  - The sentence

- Iraqi Case
  - The need for community intervention

- B – the Egyptian case
  - A link with radicalism/extremism?

- HAMPSHIRE MARITAL RAPE – special measures for victims
WHAT ARE WE DOING?

• Prosecuting with the full force of the law those that harm others in the name of honour

• Domestic Violence Crime and Victims Act 2004

• Multi-Agency approaches to prevention – missing children

• Dialogue with communities especially children

• The need for a centre of excellence to build capacity amongst NGOs and Statutory Agencies
DIFFICULTIES WE HAVE EXPERIENCED

- Lack of support/co-operation for prosecution
- Lack of knowledge, experience of investigators and prosecutors
- Shortage of experts
- Community priorities
ADDRESSING DIFFICULTIES

• Continuing to raise public awareness

• Training of prosecutors and investigators on issues over and above domestic violence – Flagging of cases, using all investigative tools, robust prosecutions – the CPS project

• Increasing the cadre of experts

• Better witness/victim care

• Multi-agency training to address knowledge gaps
WORKING WITH THE COMMUNITY

• Acknowledging that the silent majority ignores violence against women

• Supporting those involved in the protection of women from violence

• Challenging and confronting views which may not be openly expressed
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FORCED MARRIAGE EU
CONFERENCE, LONDON
24-25 OCTOBER 2007

Forced Marriage    Teertha Gupta
Anne-Marie Hutchinson OBE
Forced Marriage Procedure

- Forced Marriage cases from the English perspective – how cases are heard and orders made.
Forced marriage

- 400-500 cases reported to FCO per year (1 in 5 are actually reported.
- 15% are male victims
- Most reports in England are currently from Asian Communities.
- Nothing from Chinese Communities
- Linked to honour murders
Forced Marriage Procedure

The Family Proceedings Court jurisdiction:
• Limited remedies
• Constraints of Statute
• No international element
• No wardship

The County Court jurisdiction:
• Before the Circuit Judge or a District Judge
• Few cases with an international element
• No Tipstaff
• Applications for orders with an extra territorial effect
The High Court Jurisdiction

- The ex parte “without notice” procedure full and frank application. London: 10:30 and 2pm and out of hrs
- Before a High Court Judge or local s.9 judge-experienced in international cases and unhesitating in protective approach.

Victims of (alleged) forced marriage: VFM
- Wardship if under 18 can counter an ostensible parental decision
- ‘New’ jurisdiction over 18 to ascertain her independence (Re SK)
- The Inherent jurisdiction (Re SA)
- Disclosure of social services records ‘invitation’ to attend Interim care order on the back of s.37 report
The Tipstaff

- Contact details of the Tipstaff:
- Tipstaffs, Office, Room M9, Royal Courts of Justice, Strand, London, WC2A 2LL. Tel: 020 7947 6200 / 6713 (Business hours Mon-Fri), Fax 020 7947 6664. 01375 378805 (Out of Hours emergency use only 24/7, 365 day Cover).

- Tipstaff: Richard Cheesley
- Assistant Tipstaff: Sally Land
- " " Leigh Avis

-
Tipstaff orders

USE OF LOCAL POLICE

(i) Location Order
Inform/Confirm the child’s whereabouts
Stay put injunction
Passports taken in the interim

(ii) Collection Order
Child handed over

(iii) Stand alone Passport Order
passports taken and stay put injunction

(iv) Stand alone Port Alert via Tipstaff [separate to one via police.]
New Tipstaff orders

• 450 plus orders a year only 10% from outside London.
• All s.9 judges and district registries are fully equipped to deal with these applications. The associate/court clerks have them on their databases. Circuit urgent court business mechanisms.
• Procedure: call tipstaff first (ideally before he goes to bed).
Disclosure Orders

- Ancillary orders to find a VFM
- Telecom Order
- Credit card order
- Dept of Work and Pensions
- Invitation to Foreign Embassies: have passports been issued?
- Use of British Embassies and High Commissions. (Jan ’04 Fam Law)
- The Inland Revenue-taxes and child benefit within the inherent jurisdiction of the High Court.
Forced Marriage Procedure

- Further ancillary orders to effect the return of a child:
- Attendance at court of relatives following passport orders execution.
- Enforcement if there has been a breach of an order with a penal notice attached.
Forced Marriage Procedure

- Sequestration of assets.
- Joinder of relatives as co-defendants in wardship proceedings.
- Orders for VFM to attend High Commission in the foreign country
Forced marriage

- Case law:
- **KR (Abduction: Forcible Removal by Parents) [1999] 2FLR 542** (Singer J.)
- **P v R (FORCED MARRIAGE: ANNULMENT: PROCEDURE) [2003] 1 FLR 661** (Coleridge J.)
- **RE SK (PROPOSED PLAINTIFF) (AN ADULT BY WAY OF HER LITIGATION FRIEND) [2005] 2 FLR 230** (Singer J.)
- **RE E (AN ALLEGED PATIENT); SHEFFIELD CITY COUNCIL v E AND S [2005] 1 FLR 965** (Munby J.)
- **M v B, A and S (By the O.S.) [2006] 1 FLR 117** (Sumner J.)
- **RE SA [2005] EWHC 2942 Munby J.**
- **NS v MI [2006] EWHC 1646 Nullity procedure**
Forced marriage

Publications:
• Social work guidance
• Police Guidance
• Teachers’ Guidance
• Forced marriage unit (4 years)
• Legal aid.
Forced marriage, a child Example:

1. A 17 year old has been in touch with her local police and social services making allegations of domestic violence and that her parents and brother have threatened to send her abroad to be married. She is a student at sixth form college. Following a number of days in a refuge and a family meeting presided over by the police she has decided to go home. No SS orders are put in place.
Forced marriage example

1. a) She writes to the police/ss and says that she is going to attend her grandmother’s funeral of her own free will. Her family are going with her.

b) She disappears and a police search discovers bin liners in the garden shed with all her belongings. Police are told that she is on holiday at her extended family abroad
3. Ex Parte applications: Disclosure, injunctions return/interview followed by inter partes orders to ensure return. Next friend litigation-solicitor for the child.

4. Upon return the young woman is met airside by the Police and considers whether she wishes to give evidence against her family in a criminal case.
Forced marriage examples

Forced marriage, an adult examples:
• Re SK
  Ex parte order
• Re SA
  Inter partes order
Facts of the case:
  Profoundly deaf, half blind young woman on the verge of her 18th birthday. Complaints about threats to kill and forced marriage from a young woman who wanted an arranged marriage with a Pakistani man but to continue to live in England.
Forced Marriage Procedure

• IN THE HIGH COURT OF JUSTICE No.
• FAMILY DIVISION
• PRINCIPAL REGISTRY
• IN THE MATTER OF S (D.O.B .......91) (a minor)
• AND IN THE MATTER OF THE SUPREME COURT ACT 1981
• BETWEEN:
  • S
  • (BY HER NEXT FRIEND ANNE-MARIE HUTCHINSON)
• Plaintiff
  • -and-
• ..........  
• First Defendant
• -and-
• ..........  
•  Second Defendant
Forced Marriage Procedure

• Before The Honourable Mr Justice ........ sitting in chambers on the 2nd day of October 2006.
• Upon Hearing the solicitor and next friend for the Plaintiff ex parte,
• And further to the order made on this day directed to the High Court Tipstaff,
• And Upon reading the originating summons herein together with its supporting affidavit of Anne-Marie Hutchinson together with the appended exhibit.
• And upon the solicitors for the Plaintiff undertaking to issue the said Originating Summons herein forthwith together with a sworn version of the said affidavit.
• AND WHEREAS S a British citizen, ordinarily resident in England and currently travelling in ........, is hereby made a Ward of this Honourable Court.
• AND WHEREAS in consequence of the fact that this court has ordered that S become a Ward of this Court:
this court is empowered today and is required to exercise its custodial jurisdiction over her and to ascertain her best interests and to facilitate and protect those best interests.

**S** may not be married to any persons without the specific leave of this court.

AND WHEREAS this honourable court is anxious to protect and secure her well-being and best interests and to ensure that she may freely express her wishes concerning her country and place of residence.

It is ordered:

**S** shall be and remain a ward of this Honourable Court during the her minority, namely until she is eighteen years of age.

a) **S** is to be returned to the jurisdiction of England and Wales forthwith.

b) The First and Second Defendants are specifically ordered to return or cause the return of the minor to the jurisdiction of England and Wales forthwith.
Forced Marriage Procedure

• Every person in a position to do so shall co-operate in assisting and securing the immediate return to England of S a ward of this Honourable Court and in arranging for her to be placed in contact with the British High Commission in … and to facilitate her travel to the said British High Commission.

• This court invites all judicial and administrative bodies in the State of …… to render assistance in establishing the whereabouts of the ward of this Honourable Court and in arranging for her to be placed in contact with the British High Commission in …… and to facilitate her travel to the British High Commission with a view to her being repatriated.

• This matter is to be listed for further consideration/ determination by the applications judge of the High Court Family Division on Friday 6th October at 2pm T/E 30mins. Subject to confirmation with the Clerk of the Rules. It being recorded that the 2pm listing is to enable the solicitors for the Plaintiff to verify whether the ward has been brought back to England.
Forced Marriage Procedure

- The Defendants are prohibited whether by themselves or by instructing or encouraging any other person whether in the United Kingdom or in …… from:
  - Threatening, intimidating or harassing the said ward;
  - Using violence on the said ward
  - A Power of Arrest is attached to 6b) above until 6th October 2006.
- Pending further order the First and Second Defendants shall not cause or permit the said ward to be married.
- Permission is granted to disclose this order and the originating summons together with the supporting documentation to the Foreign and Commonwealth Office, to the relevant Social Services Department and to ……. Constabulary.
Forced Marriage Procedure

- The relevant social services department is invited to attend or be represented at the hearing on 6th October 2006 and is to file and serve a short report of its involvement in the ward’s family to date with specific reference to the Social Services Guidance on dealing with cases of alleged forced marriage.
- Permission is granted for the Plaintiff to commence these proceedings by way of her litigation friend.
- A penal notice is attached to paragraphs 2(b), 6, 7 and 13 of this order.
- Permission is granted on an interim basis only until 6th October 2006 for the Plaintiff not to disclose or serve the evidence filed in support of today’s application on the Defendants in this case.
- The Defendants are to attend the said hearing on 6th October 2006 personally.
- Costs Reserved.
- Dated this day of October 2007
Forced marriage Nullity

- Nullity petitions:
- International Family Law Article March 2006 and recently reported as NS v MI EWHC 1646 (2006 Oct. Fam Law)
- Adult client.
- In Open court-relatives and ‘friends’.
Forced Marriage Procedure

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Anne-Marie Hutchinson OBE
Dawson Cornwell, London
hutchinsonona@dawsoncornwell.co.uk

END
The International Response - Rescues and Repatriation:

Before I share with you our experience of how we deal with forced marriage cases in Pakistan, the strategies that we have developed over the years to rescue victims of forced marriage, the much needed after care and repatriation to the UK. I would like to say a few words regarding the local view of family and marriage in our society.

To begin with, the family, in Pakistani society, social life revolves around the family, it is the basis of social organization, and it provides its members with both identity and protection. The extension of family leads to Biradari (tribe), the members of a Biradari (tribe) neither hold moveable property in common nor share earnings, but the honor or shame of individual members affects the general standing of the biradari (tribe) with the community. A common proverb expresses this view: “One does not share the bread, but one shares the shame”.

Secondly marriages, marriage in our social set up is a means of allying two extended families; romantic attachments usually have little role to play. Marriage is a process of acquiring new relatives or reinforcing the ties one has with others and increasing the social standing in the extended community.

Arranged marriages have been a common phenomenon of our society. This is basically due to two principal considerations. First, as I have mentioned earlier marriage in our society unites two families, not just two people. In addition, marriages can be valuable tools in creating alliances, therefore, they must be considered carefully and even negotiated. Secondly, spouse selection is seen as being too important a decision to be left up to inexperienced young people. Parents are presumed to have the experience needed to help their children find a partner who is appropriate for them.

Over the years our experience whilst working with the immigrant community suggests that they do not assimilate and are actually fixed in their cultural mores to the time when they immigrated. It is like time has stood still for them. It is usually these families of immigrants who force their children to marry without their consent and it is these families who are our principal customers.

Working locally:

Keeping in view the culture, traditions and practices in Pakistan, dealing with forced marriages as a human rights issue of individual cases has been a combination of challenges for us, the most important being to ensure that the human rights of young British Nationals are upheld and protected. They are offered effective and efficient services as soon as we can. However whilst doing so we have to ensure that we do not breach the limits of the cultural sensitivities and traditions of the communities. The family set up in Pakistan is such that a forced marriage case cannot be dealt with in its individuality, behind the scenes it not only affects the honor of the extended family but the community as whole. But being sensitive to the culture or traditions does not mean that we compromise the safety or rights of a victim.
We as a team in Islamabad have a strong belief that the majority of our success stories whilst working with forced married victims are a mere reflection of the resources invested in cultivating a very useful partnership with the local authorities. Be it police, judiciary, civil society organizations, media or the ministries, today we have a tested and trusted network of friends and we heavily rely on their co-operation and assistance. Through our continuous efforts we have reached a stage where police officers and civil servants are not only working with us but are coming forward and joining hands in our campaign against forced marriages.

However it was not an easy task to get this far. In the year 2000, when we started our journey by discussing the issue with the authorities in Pakistan the overall response was very cold, answer being “this does not happen in Pakistan”. They were unable to differentiate between arranged and forced marriage. For us this was a challenge – a challenge to not only make them understand the difference between forced and arranged marriage but also to explain the detrimental effects it has on the lives of young people and family networks in the years to come.

We accepted this challenge and seven years down the road although our journey still continues we can see a significant change. What we see today is increased awareness, change in the attitude, perception and approach of the Pakistani authorities both at the highest and grass root levels. Not only is there a willingness to discuss the issue they are also willing to offer help in dealing with cases.

Apart from creating awareness regarding the issue, on an operational level the most important aspect of our work is to rescue victims and repatriate them. In doing so our closest ally has been the department of police and judiciary, more so the police. It is the department of police with whom we share our success equally when it comes to rescuing victims and ensuring that they are not physically abused and saved from the stigma of being raped. The importance of our partnership is evident from the fact that more than 75% of all our rescues are carried out with the assistance of police.

Considering the level of assistance required from the police during rescues we have to have a very good working relationship at both senior and junior levels, as both have their own advantages. Having the confidence and support of a senior official means complete co-operation of the junior staff that accompany us on rescue missions.

During the initial years whilst we are developing a working relationship with the police we worked closely with the judiciary to resolve forced marriage cases by filing Habeas Corpus petitions. Although a habeas corpus petition ensured that a victim would be produced in the court however we soon realized that the problem with filing habeas corpus petitions was having little or no control over the events as they occurred. It was usually not possible to meet the victims before they were produced in the court thus making it impossible to ensure that they are aware of what services and support we could provide if the victim decided to come with us; this left them in an uncertain situation. This uncertainty combined with the emotional psychological pressure applied by the
family who were with the victim all the time led to a situation where the majority of the victims decided to stay with the family.

Keeping in view these disadvantages and being able to establish an effective network among the department of police the *Habeas Corpus* petitions are no longer being used however they remain as a back up option.

**Rescues:**

It all starts from knowing about a case. There are different ways of how we get to know about a case; although the prime source of information is the Forced Marriage Unit in London, however sometimes we are contacted either directly by the victim or through a sympathetic friend or family member locally.

Based on the initial information the first and most important step is to establish a contact with the victims. It is usually possible through the mobile phone that the victims have either brought with them from the UK or smuggled in by a local friend or family member. This contact is vital in planning a rescue as it gives us first hand knowledge of the victim’s plight, information about the family and the exact whereabouts. A direct contact with the victim ensures that they are fully aware of what to expect when we arrive at their doorstep. It gives them the time to think, make a decision and be prepared to leave.

Once we have the detailed information regarding a case and the victim’s agreement to be rescued, we contact a senior police officer of the concerned area. During this call we give sketchy information about the case, request their assistance and agree to a date to conduct the rescue. On the day of the rescue, a team comprising of two officers (one locally engaged and one UK based) accompanied by a guard with two cars and drivers leave the High Commission early in the morning, depending on the distance to travel, sometimes we stay overnight in the nearest town.

Once with the senior police officer we reveal the details of the case and have his expert opinion on how to go ahead with the rescue. The senior officer would refer us to the local police station instructing them to arrange officers to accompany us to the house where the victim is kept against their will.

This is when it all begins; the head of the police station would either accompany us himself or depute one of his deputies along with three to four other junior officers armed with AK 47’s to accompany us in the police pickup. Although we would prefer a more discreet police presence we have to go with their judgment. Before leaving the Police Station we would brief the officers accompanying us regarding our expectation from them. An important aspect at this stage is to ensure that the officers accompanying us do not get over enthusiastic and yet make them feel that their presence is vital, making sure that we have complete control of the situation.
Once at the house we first speak to the family and explain the reason for visiting them with a request to see the victim. At this stage we split our roles, the local officer works with the family and the police explaining what happens if the victim wishes to leave with the High Commission. The UK based officer spends as much time as possible with the victim explaining once again what would happen if they left the house with us. This process could be quick but only in the case where we have had a prior contact and the victim is mentally prepared to leave with us with their belongings packed.

If there has been no prior contact with the victim then this process could prove to be exhausting for both us and the victim. First of all it is a shock for the victim to see us accompanied by the police at their door step. They are unaware of what is happening, they are not ready for it, undecided about what to do, unaware of what would happen if they leave with us or stay back, most worrying factor for them is the role of the police. This is when we have to spend a lot of time with the victim, help them to make a decision, however making sure that we do not influence their decision. Before leaving the house we would inform the head of the police party regarding the wishes of the victim and ask for his assistance to make sure that our departure is unhindered.

**Care and support after rescue:**

Leaving their family and deciding to come with the High Commission is a very big decision, in some cases it could mean being alienated from the family for a considerable period of time or in some cases for ever. The feelings of being isolated, vulnerable and the uncertainty regarding the future could make the journey from the house to the High Commission very long. Although we are there and try our best to encourage them and give an overview of the assistance and support available both here and in the UK however we are aware that we are not trained social workers or counselors.

This is where our partnership with a local non-government organization proves vital and comes into action. The organization has a shelter facility backed up with a holistic range of services through professionals such as counselors, medical doctors, psychologists and social workers. This ensures the much needed after care and support to the victim, while we work with FMU regarding the repatriation back to the UK.

In the end I would like to share some of the importance lessons that we have learnt over the years whilst working with the families, local authorities and communities and they are

- Be aware of the cultural sensitivities
- Respect and listen their view
- Do not be intrusive, rude or challenging
- Do no impose your ideas
- Be flexible
- Build trust
- Remain calm
Albert has spoken about the need to develop a network of partners so that we have the tools in place to deal with individual cases. Working against cultural practices and traditions that are embedded in society and have come to be seen as part of that society’s religious beliefs is not easy.

Working with the local authorities to change their practices and perceptions on forced marriage, we soon realised that to effect real change we also needed to engage with the community itself. I would like to talk about the proactive work that we do with the community which helps to create a more supportive environment for our casework.

We identified a need for an awareness raising campaign to open a debate on the issue of forced marriage. We wanted to get people thinking about and discussing the issue. To realise that there is a difference between an arranged marriage and a forced marriage. Our objective was to make forced marriage socially unacceptable. We called this project “The Right to Choose.”

But there was a danger that a campaign initiated and led by the British High Commission could be seen as the British authorities interfering with Pakistan’s domestic affairs. The solution was to find a local partner to work with - a civil society organisation from within the community. The partner we identified was SACH, a Non Government Organisation working on human rights issues. SACH were already providing multidisciplinary services to the survivors of violence and torture. Albert has referred to their refuge, where victims of forced marriage can stay before returning to the UK.

SACH were willing to run the Right to Choose campaign. The campaign was centred in areas with a very high concentration of British nationals – Mirpur, Jhelum and Gujar Khan. It included a number of different activities:

- **Workshops** to raise awareness and sensitise participants to the issues around forced marriage. A series of workshops was held in each area targeting different groups such as schools, community leaders or journalists.
- Using **art** as a tool for social change. Colleges were invited to take part in a poster exhibition.
- A mobile **theatre** to help spread the message within the communities.
- **Promotional materials** such as leaflets and posters developed using the artwork from students.
- **Lectures** in colleges.
- Using **buses** to advertise key messages from the campaign.
- Print and electronic **media consultation**
- **Research** into the attitudes and practices of marriage in the target areas.
The campaign culminated in a public debate in Islamabad involving leading figures from the police, judiciary, human rights organisations and the Chairman of the Council of Islamic Ideology.

We believe that the Right to Choose project was very successful in raising awareness of forced marriage in the target communities and increasing understanding that it is a human rights abuse.

We think it is important to build on this with a continuing programme of outreach and public diplomacy work. Recent activities include articles on our work in a major national newspaper and the inflight magazine for PIA. We have a banner at Islamabad airport giving contact details for British nationals who may be victims of forced marriage. And we are working with the presenter of a popular discussion programme to have a programme focussing on forced marriage broadcast from Mirpur, the area where we have the most cases.

We also engage with the community in more direct ways. In a 3 month period at the beginning of this year the High Commission dealt with 3 cases in the same area, each requiring a welfare check or a rescue. Our regular visits to the area with armed police officers raised alarms within the community. During a visit to the house of one of the victims we were told that the community thought we were intruding on their privacy and interfering with their values and traditions.

This was worrying, as our approach is to try to build trust. We want to avoid being seen as trying to destroy traditional values and family structures. To address the problem we took advantage of a visit by two members of FMU to arrange a meeting with elected representatives of the area to give them an opportunity to air their concerns and give us an opportunity to try and get our message across. Some participants remained unconvinced, but a few acknowledged that forced marriage does happen and agreed to work with us on future cases.

Another example is in an area of 3 or 4 villages in NWFP which have a very large cluster of British nationals but where the family system is extremely conservative and honour crimes are common. We have built up a close working relationship with the local Nazim or elected representative. We have set up an information kiosk to help local residents access passport forms and other information from the High Commission but this also means we can display material on forced marriage. When we went to inaugurate the kiosk we took the opportunity to have a healthy discussion with the local councillors. If we hear about a potential case in this area, we will always discuss the best handling strategy with the Nazim.

We can only help in those cases that we hear about. This year we have dealt with a record number of cases. We are sure that our awareness raising work in Pakistan combined with the FMU's work in the UK has helped to get the message across both to the victims themselves and other members of the community that forced marriage is wrong and we can help the victims.
Although our campaign was targeted at British nationals, we believe that it has helped to raise understanding of forced marriage as a human rights abuse across society as a whole. This has helped other parts of the community to address the issue. In February this year the ruling party proposed a bill against forced marriage. This still has to complete its passage through Parliament, but it is a positive step.

Amongst the many positives, I would like to mention a few words of caution. The approach which Albert and I have described of patient engagement with the authorities and the community has brought us excellent results. But it is very resource intensive and it takes time. The High Commission in Islamabad has been working on forced marriage for 7 years and we still have a long way to go.

We have chosen to work outside the courts and to rescue and repatriate victims through persuasion rather than through the judiciary. This means that we can respond to cases more quickly and sensitively. It reduces the impact on the victim and on the family. But there are risks. As there has been no legal ruling that the victim is leaving of their own free will, unhappy family members could take legal action on abduction or other charges. As Head of the Consular Section I have diplomatic immunity. But the civil society partners that we work with do not have this protection.

It is important to have in place mechanisms to counter legal action. We and SACH are currently working together to try and rebut charges of abduction against SACH. The victim was repatriated 3 years ago and she has started a new life in the UK. We have no way of contacting her to show to the courts that she is in the UK of her own free will.

We now always ensure that we give SACH a formal referral letter if they support victims on our behalf. We have a service level agreement to provide an official framework for the work that they are doing for us. Victims are asked to sign statements that they are staying in the shelter of their own free will. These are simple measures, but we hope that they will help to protect SACH in the future.

We don’t want to spend our time working together to counter malicious allegations. We want to spend it working together to help the victims of forced marriage.
DUAL CITIZENSHIP

- Goes back to grandparent – cannot be renounced.
- Does NOT apply in India.
Some excuses used for travel

- We want to show you home.
- A family “holiday” via “Umra/Hajj”.
- See relatives/Grave illness.
- Family wedding/funeral.
- To sort out your divorce.
- To remove your “Black Magic”.
- Better education.
ISLAMIC MARRIAGE

- If conducted in Islamic Country a VALID marriage under British Law if divorce needed will need Islamic and County Court divorce.

- If NON Islamic Country NOT valid under British Law.
FORCED MARRIAGE
All incidents
1 September 2006 to 31 August 2007

<table>
<thead>
<tr>
<th>Victim Ethnicity</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian or Asian British</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>207</td>
</tr>
<tr>
<td>Bangladeshi</td>
<td>3</td>
</tr>
<tr>
<td>Indian</td>
<td>7</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
</tr>
<tr>
<td>Pakistani</td>
<td>188</td>
</tr>
<tr>
<td>Not stated</td>
<td>3</td>
</tr>
<tr>
<td>Mixed White and Asian</td>
<td>4</td>
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</tbody>
</table>

75% of these were recorded in the Bradford District.
**FORCED MARRIAGE**

**Age on contact with Police**

<table>
<thead>
<tr>
<th>VICTIM AGE</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;16</td>
<td>5</td>
</tr>
<tr>
<td>16-18</td>
<td>54</td>
</tr>
<tr>
<td>19-24</td>
<td>114</td>
</tr>
<tr>
<td>25-34</td>
<td>26</td>
</tr>
<tr>
<td>35-44</td>
<td>5</td>
</tr>
<tr>
<td>45-54</td>
<td>3</td>
</tr>
</tbody>
</table>

Victim age is the age shown when the victim made contact with the police, not the age when married or to be forced into marriage.

Victoria Climbie Inquiry
2003
The basic requirement is that children are kept safe is universal and cuts across cultural boundaries. Every child living in this country is entitled to be given the protection of the law, regardless of his or her background. Cultural heritage is important to many people, but it cannot take precedence over standards of childcare embodied in law.
Every organisation concerned with the welfare and protection of children should have mechanisms in place to ensure equal access to services of the same quality, and that each child, irrespective of colour or background, should be treated as an individual requiring appropriate care.

Victoria Climbie Inquiry 16.10
VICTIMS CONSIDERATIONS

- Pressures of maintaining family honour
  - Guilt and bullying tactics
  - Jirga (assembly of elders which takes decisions by consensus)
  - Sharam (shame/modesty)
  - Battle of the sexes
  - Izzat (reputation/family honour)
  - Morals of Faith Practice vs Honouring family Transnational kinship relations
  - Isolation & lone responsibility of blackening family name
  - Denial of Human Rights
  - Community leadership/advocates/guardian 'power brokers'

- Consequence
  - Risk & compromise to emotional and physical well being
  - Secret, limping & Bigamous marriages

- Confusion
  - Clash of social norms
  - Culture and religion
  - Inter-dependence vs independence

- Conflicts
  - Patriarchal systems, traditions, customs and values
  - East vs West dynamics
  - Turbulence of modernity
Honour Based Violence

Basic Terminology Toolkit

- Self-harm and (virgin) suicides
- Forced Marriage & 'Honour' based violence (HBV)
- Practitioner tear factors: political correctness
- DV vs. HBV = differing motivations & push factors
- Preservation of blood lines, clan (khandan)
- Continuity of trans-national kinship relations
- Actions veiled in the name of "honour"
- Jirga (assembly of community elders who make decisions by "their" consensus)
- HBV = no time lines or geographical boundaries
- 'Specialist' risk assessment models
- Foreign and Commonwealth Office: Forced Marriage Unit
- Honour codified behaviour
- Rescue and repatriation exercises
- Safeguarding lives
- Practitioner guidelines: Education, Police, Health & Social Services
- Abandoned wives phenomena
- No recourse to public funds
- No religious justification or foundation

© Henna Foundation
Diversity of Honour related violence

- The Drivers……
- The Motivators……
- The Push factors……

THE SOCIAL CONTEXT AND LIVING EXPERIENCE IS DIFFERENT
WIDER SCOPE OF MOTIVATIONS
THE COMMODITY FACTORS

- Retaining land within the family
- Sense of ‘owing’ to family/relatives abroad
- Achieving Political leadership/owing favours abroad
- Long standing issues of family revenge
- Financial gains
- Gaining entry to UK and Europe
MOVE OUT OF COMFORT ZONES

‘THINK’

BEYOND EURO-CENTRIC TEMPLATES
Wise Owl of the West
CLIENT DRIVEN
Identifying Barriers to Partnership Working

Rebecca Lythe
Islington Safeguarding Children Board

Yvonne Rhoden
Violent Crime Directorate
Metropolitan Police
Identifying Barriers to Partnership Working

Forced Marriage

‘A marriage conducted without the valid consent of both parties, where duress is a factor’.
Identifying Barriers to Partnership Working

Case Studies
Identifying Barriers to Partnership Working

- 17 year old British born Pakistani origin
- Has a global disability and was referred to Children’s Services because of physical abuse.
- At high risk of sexual exploitation.
- Family exerting pressure to attend a family wedding in Pakistan.
- Several multi agency Domestic Violence planning meetings convened.
Identifying Barriers to Partnership working

- 12 year old British born Bangladeshi origin schoolgirl
- Disclosure whilst at school of possible forced marriage
- Mother had previously requested 1 year absence from school
- Head teacher contacted Social Services
- Multi agency strategy meeting convened
- Prohibitive Steps order obtained granting shared parental responsibility with Social Services.
Victoria Climbie Inquiry 16.11

‘There can be no excuse or justification for failing to take adequate steps to protect a vulnerable child, simply because that child’s cultural background would make the necessary action somehow appropriate. This is not an area in which there is much scope for political correctness.’
Identifying Barriers to Partnership Working

- Forced Marriage – a hidden problem?
- Does current policy/procedure in related areas reflect forced marriage?
- Would interagency training improve responses to Forced Marriage?
- Multicultural sensitivity – a help or hindrance to intervention/prevention?
- What does success look like and how can it be achieved in a multi-agency environment?
Identifying Barriers to Partnership working

What do you think might be the barriers to partnership working?
Identifying Barriers to Partnership Working

“Murder in Purdah”
The Third Sector

Its role in partnership and policy development

Fazal Mahmood
Community Development Officer
Positive East- who are we?

Mission Statement

"To improve the physical, economical, emotional and psychological quality of life for individuals and communities affected by HIV across East London"
• **What is our aim?**

• Our aim is to create a safe environment for people to come and receive peer and professional support. Central to all our services is the principle of self empowerment i.e. people, where ever possible, should be independent and in control of their lives. To help maintain independence and not create dependence.
Positive East Gay Men’s Team

Mission Statement

• To build, strengthen and enable our communities in East London.”

• This now includes the Lesbians, Bisexuals and Trans communities
Our services

• Groups
• 1:1
• Outreach
• Police Liaison / Hate Crime / 3rd Party Reporting
• Helpline
• Website
• Community Development
• Positive Life
• Friday Lunchtime Group
• Workshops on Thursdays
• Himat
• Kaleidoscope
• Stop smoking
How do you engage with the third sector?

We know that working with the third sector brings opportunities and benefits but…..

- What does the third sector mean to you

- How do you balance the drive for money with the benefits of the third sector

- How can you ensure equal partnership relationship with the third sector

- How do you start engaging with the third sector
Things to think about

• In terms of engaging and working with the third sector, where are you now
• What do you need to learn/understand about the third sector
• What barriers or issues are you facing in engaging with the third sector
• What needs to be done to remove the barriers
Contact details

Fazal Mahmood
Community Development Officer
020 7791 2855
07958690156
fazal.mahmood@positiveeast.org.uk
Ashiana Network
Stopping violence in our lives and in our communities
Women’s Services

- Temporary, safe and supportive housing for women experiencing domestic violence
- Specialist refuge for women fleeing forced marriage
- Floating support
- Outreach service
- Counselling
- Support group
Ashiana Youth Services

• A programme of preventative educational and advice work in schools across East London with 11-16 year olds, which is not gender or race specific
• Counselling & support services for young people affected by domestic violence
• Teens project
• Workshops for young people in colleges across East London on Domestic Violence and related issues
Ashiana Training Services

• Community outreach work at a variety of levels with the statutory and voluntary sector aimed at raising awareness about domestic violence and related issues.

• Training on Domestic Violence, Domestic Violence and Cultural Issues, Forced Marriage.
Ashiana Statistics
April 06 – March 2007

Ashiana worked with 595 women

• 33 accessed refuge accommodation
• 164 referred to other refuges
• 172 women had no recourse to public funds/insecure immigration status
• Most common perpetrators were family members (41.9%) and husbands (32.7%)
Specialist refuge providers like Ashiana attempt to provide housing and support to women that present with a multiplicity of problems and issues. These can include:

- Self harm
- Depression
- Eating disorders
- Language issues
- Immigration Issues
- Access to health services
- Forced marriage
- Honour crimes
- Community and family pressures
Some of the presenting issues included:

- Forced Marriage (56.6%)
- Language Needs (43.8%)
- Depression (67.3%)
- Self-harm (24.4%)
- Drug/Alcohol issues (5.1%)
- Disability (5.8%)

Ashiana Statistics
April 06 – March 07
Complex Needs

Typically our clients experience the following:

- Feelings of guilt
- Isolation
- Depression
- Low self-esteem
- Difficulty in forming intimate relationships
- Putting themselves in ‘risky’ situations
- Anger and frustration that is manifested in various forms of self-harm such as cutting, over-dosing, eating disorders, substance misuse
Rebuilding Lives

• Confidential advice and support
• Culturally specific support
• Non-judgemental staff
• A safe, supportive living environment
• Practical support e.g. application for welfare benefits, registration with a GP, continuing their education, applications for re-housing, access to employment opportunities, reporting to the police
Rebuilding Lives

• Emotional support in dealing with the mixture of feelings experienced by our clients e.g. guilt, confusion, anger, frustration

• Access to other services e.g. legal advice, specialist counselling

• Longer term support
Contact Details

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