

## **Forced Marriage and ‘Honour’-based violence**

### **Driver – Political, Social, Legal**

Related Drivers – Victims & Witnesses, Collection and Storage of Personal Information, Violent Crime – Domestic Violence, Violent Crime – Sexual Violence, Violent Crime – Gun and Gang Related Violence, Violent Crime – Knife Crime

### **Background**

This section focuses forced marriages and ‘honour’-based violence. In particular, it focuses on recent developments in the area of forced marriage including the Forced Marriage Unit and the Forced Marriage Act (Civil Protection) 2007 along with the difficulty in identifying ‘honour’-based crime.

### ***Political Context***

The Forced Marriage Unit (FMU) was established to act as the Government’s central point for forced marriage casework, policy and projects and provides information and assistance to both potential victims and professionals. The FMU’s two year strategy<sup>1</sup> is based on recommendations from the consultation ‘*Wrong not a right*’<sup>2</sup>. The strategy sets out three main objectives:

- Increase education and work to raise levels of awareness of forced marriage within affected communities and professionals
- Engage in a more joined-up work with statutory agencies and ensure that best practice is shared effectively
- Work with partners in the police and criminal justice system to ensure that existing legislation is used effectively in cases of forced marriage<sup>3</sup>

Activities included in this strategy to meet the above objectives include working with Association of Chief Police Officers (ACPO) to develop a programme of work to target honour based violence, including forced marriage and strengthen the police response in cases of forced marriage.

A report published by the Home Affairs Committee in June 2008, [Domestic violence, forced marriage and ‘honour’-based violence](#), called on the Government to implement a national strategy to ensure that there is better education and early intervention to prevent domestic violence - including ‘honour’-based violence and forced marriage.

The Committee also found that the lack of any comprehensive data on forced marriage made it difficult for agencies to understand the nature of the issue and formulate appropriate responses. The Committee recommended that the Government implements a single performance management framework on the collection and reporting of domestic violence including ‘honour’ violence data, to apply across all relevant Government agencies.

In the report, Commander Steve Allen, stated there were specific questions and factors to identify 'honour'-based violence included in the police domestic violence risk assessment tool under development. ACPO noted the need for specialist guidance and training for all agencies, including the police.

Evidence from the e-Consultations which took place during the writing of the report suggested that many police officers still lack understanding of the issues. This suggests that training has not yet been consistently and fully implemented. Recommendations from the report include:

- The police must ensure that work is under way to implement consistent risk assessment across all forces, in partnership with other agencies
- Police service renews its efforts to ensure that every police officer is trained to respond to domestic and 'honour'-based violence and forced marriage. Comprehensive, accredited training must be implemented swiftly. HM Inspectorate of Constabulary (HMIC) should ensure that, as part of its inspection regime, it assesses whether, and to what standard, forces have implemented training
- ACPO has not yet published its strategy and action plan on 'honour'-based violence, and urge it to do so
- Consider that in some cases of extreme 'honour'-based violence, victims face a particular danger from organised conspiracies. It recommended that the police develop a victim protection programme, along the lines of those offered to court witnesses or gang members, for such cases. Entry onto a programme must not be dependent on giving testimony in court.<sup>4</sup>

Additionally the Independent Police Complaints Commission (IPPC) report into the honour" killing of Banaz Mahmood made a number of recommendations designed to improve policing practice.<sup>5</sup> These include reinforcing of knowledge about domestic and honour based violence.

## **Social Context**

'honour'-based violence occurs in communities where the concepts of honour and shame are fundamentally bound up with the expected behaviour of families and individuals, particularly that of women. There have been a number of high-profile "honour killings", the most extreme form of so-called 'honour'-based violence, in the UK in recent years. In other circumstances, the victim can be subjected to long-term low-level physical abuse and bullying as 'punishment' for 'bringing dishonour on the family'.

The perception of violence in this context as a 'cultural' practice has in the past granted immunity to perpetrators of these violent crimes. In recent years, however, 'honour'-based violence has been denounced in simple terms, both in the UK and internationally, as a grave abuse of human rights.<sup>2</sup> **Error! Bookmark not defined.**

Even less data is collected on 'honour'-based violence than forced marriage. Crimes connected with these forms of violence have not until now been separately or comprehensively recorded by any agency, making it likely that they are even more under-reported than other forms of domestic violence. Home Office figures suggest there are around 12 honour killings a year,<sup>6</sup> but as 'honour'-based violence is often a hidden problem with the criminal justice system either it is possible that this particular form of violence is mistaken for suicide or the motive for murder is not detected.

The Government's Forced Marriage Unit, which handles approximately 5,000 enquiries and 300 cases per year concerning young British nationals at risk of being forced into marriage overseas, believes that forced marriage is vastly under-reported.<sup>2 6</sup> The majority of individuals dealt with by the unit are aged 15–24, but 30% of cases involve minors (under 18) with 85% of the unit's caseload involving women, but 15% involving men. The unit's caseload has increased by around 50% in recent months, seemingly corresponding to a rise in general public awareness of the issue.

A recent report on the incidence of forced marriage in Luton concluded that "there are over 300 approaches to external bodies for advice of some sort [on forced marriage] in Luton per year".<sup>7</sup> Although the report concluded that these figures may include a degree of double counting, it suggests that the evidence from interviews demonstrates that the incidence of forced marriage is likely to be far higher nationally than the 300 cases per year referred to the Forced Marriage Unit.

## **Legal Context**

Forced marriage is not a criminal offence. However there are a range of current criminal offences and civil remedies which are relevant in cases of and forced marriage and 'honour violence', including assault and battery, threats to kill, public order offences, harassment, sexual offences, kidnap and child cruelty.

The Forced Marriage (Civil Protection) Act 2007<sup>8</sup>, which came into force in autumn 2008, enables victims and third parties to seek an injunction to prevent a forced marriage and also puts forced marriage guidelines on a statutory footing (for police, education, health and social services professionals). While forced marriage is not itself made a criminal offence (in the same way that domestic violence is not), breach of an injunction would be a contempt of court and courts would have the full range of sanctions available to them, including imprisonment. The first phase of implementation will enable people to apply for an order at specified county courts rather than just the high courts

## **Potential Skills Needs**

**Analytical skills** – to identify signs of forced marriage of 'honour'-based violence

**Communication skills** – to communicate with communities and families regarding the issue of forced marriage and 'honour violence'

**Data collection and management skills** – recording and collecting data in line with a particular system

**Information sharing skills** – to provide effective information to partner agencies

**Inter-agency working skills** – to work effectively with two or more governmental agencies

**Multi-agency working skills** – to work with other agencies to provide better services to those suffering from mental health problems

**Partnership working skills** – to work effectively with other agencies to a common goal and standards

**Risk assessment skills** – accurate of assessment of those involved in cases of forced marriage and ‘honour’-based violence

**Risk management skills** – manage and mitigate risk associated with those with mental health problems

**Victim and witness care skills** – to treat victims and witnesses appropriately and sensitively

<sup>1</sup> [Forced Marriage Unit \(2007\) \*Two year strategy 2007-2009\*. London: Forced Marriage Unit.](#)

<sup>2</sup> [Foreign & Commonwealth Office & Home Office \(2006\) \*Forced Marriage: Wrong Not a Right\*. London: Foreign & Commonwealth Office.](#)

<sup>3</sup> [Home Office statement from website.](#)

<sup>4</sup> [House of Commons Home Affairs Select Committee \(2008\) \*Domestic Violence, Forced Marriage, and ‘Honour’- Based Violence\*. Sixth Report of the 2007-08 Session. HC 1165. London: The Stationery Office Limited.](#)

<sup>5</sup> [Independent Police Complaints Commission \(2008\) \*Investigation into MPS and West Midlands Police dealing with Banaz Mahmood\*. London: IPCC.](#)

<sup>6</sup> Bloomberg.com Press Release, 17 January 2007, ‘UK ‘Honour Killings’, cloaked in family silence, stymie police’.

<sup>7</sup> Dr Nazia Khanum OBE (March 2008) *Forced marriage, family cohesion and community engagement: National learning through a case study of Luton*. p 42.

<sup>8</sup> [Forced Marriage \(Civil Protection\) Act 2007.](#)