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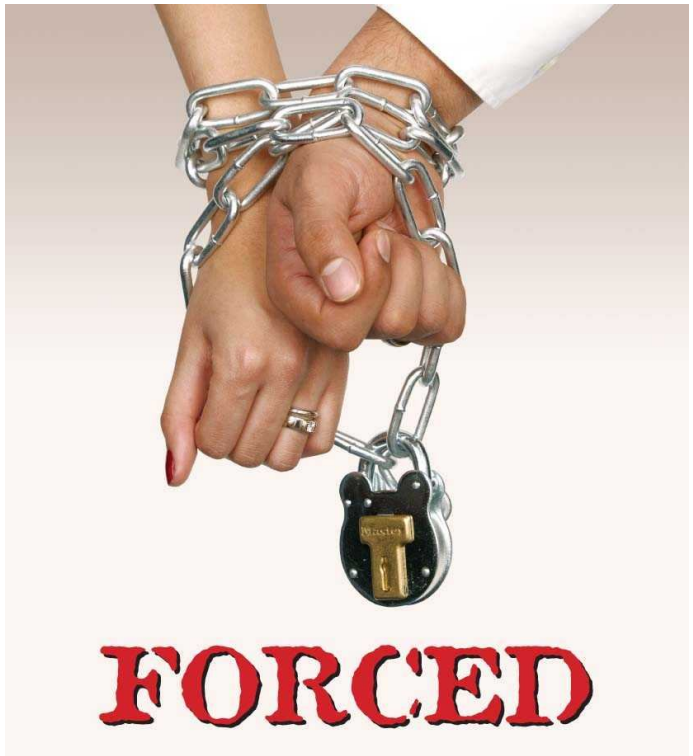
Forced Marriage Unit:



Forced Marriage in the UK

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

-A Choice by Right (June 2000)

Widened definition – Statutory Guidance (Nov 2008)

Duress also includes: sexual, financial and psychological abuse

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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.

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Who are we and what can we do to help?

- FCO offering consular assistance to British Nationals overseas since 1999.
- Home Office Working Group set up in 2000
- 2005: Forced Marriage Unit established.
- FMU is now the Government's one-stop shop for:
    - Developing effective Government policy, including action plan and project fund
    - Awareness raising –outreach, UK and overseas, publicity campaigns
    - Casework – National Helpline Mon-Fri , 9am-5pm
        - Reluctant Sponsors
        - Consular
        - Domestic

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Who is affected?

- Both **young women and young men** (who constitute around 14-15% of the cases we deal with).
- **Majority of individuals we deal with are aged 15-24.**
- In 2009 – 1682 calls to helpline and 377 cases with direct FMU support.
- **37.5% of assistance cases involved minors, 16.5% involved under 16s**
- Country Breakdown of Cases: In 2009 - Pakistan (56%), Bangladesh (10%), India (8%), Turkey (2%), Africa (1%), Afghanistan (1%)
- 14% of cases solely UK based or of unknown origin.
- **Forced marriage exists in other communities - around 7% of all cases.**

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UK Regional Breakdown of Reports: 2009

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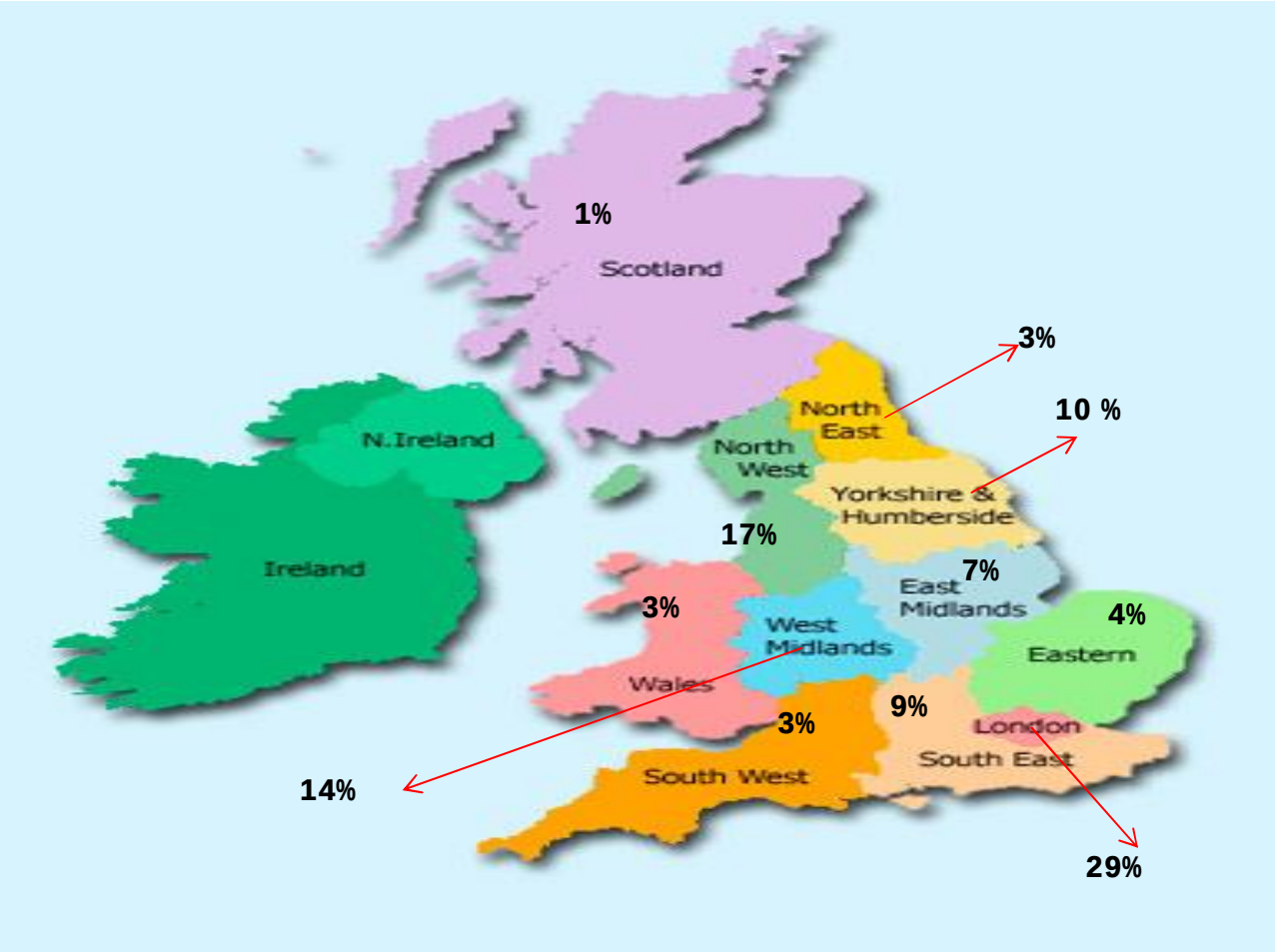

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Jan – Sept 2010

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- 1241 calls to helpline and 361 cases with direct FMU support
- 87% female and 13% male - where the gender was known.
- 20% of assistance cases involved minors (8% under 16)
- Pakistan - 50%, Bangladesh -11%, India - 8%, Africa - 5%, Turkey - 2%, Afghanistan, Iran and Iraq - 1%, and other known countries 4% and 16% solely linked to the UK or of unknown origin.
- London (23%), West Mids (14%), North West (13%), Yorks and Humber (8%), South East (8%), East Mids (5%), E. Anglia (4%), North East (3%), Scotland (3%), South West (2%) and Wales (1%)
- -33 learning disabilities, 14 physical disabilities and 2 with both of these.

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Breakdown of Referrals to the FMU 2008 – 2010?

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- Victim – around 23%
- Police – around 20%
- Friend – around 11%
- Social Services – around 8%
- NGO – around 6%
- Education – around 6%
- Health – around 1%

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Case Study…

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Sonya's Story FM Timeline

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- **Nov 09** Sonya (18) taken out of College by her father. Taken to Somalia
- **Jan 10** College Tutor contacts FMU. A student had approached them after receiving a text from Sonya saying that she was being beaten and that her family were planning to force her into marriage.
- Teacher contacts Sonya to ask further questions directed by FMU. Father had believed her to be "perverted" by the UK and was planning to leave her in Somalia for some time. She was to be married prior to return to UK.
- No British representation in Somalia – so contact made between Sonya and BE Addis Ababa. She had undergone abuse but not in immediate risk of further abuse or marriage. Ongoing contact established between Sonya and BE.
- Sonya's father returned to the UK. She remained in Somalia but said that marriage threat had dissipated after his departure.

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Sonya's Story Cntd…

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- **Feb 10** – Sonya contacted BE Addis, said that her uncles were looking at potential partners for her.
- Student support officer approached father in UK at our request (routine enquiry). He said that Sonya would be staying in Somalia to look after her sick grandmother and would not return to the UK.
- Father told to arrange for Sonya to be presented in the BE in Ethiopia. Family made Sonya call student support to say that she was fine. She then told the officer quietly that she was terrified.
- Solicitor applied for FMPO, father made to surrender passport to Tipstaff and arrange for the safe return of Sonya.
- Sonya was met off of the plane in the UK by social workers and the police at Heathrow. She then went onto to a refuge.

Responding to Forced Marriage: Implementation

"Multicultural sensitivity is no excuse for moral blindness"

- Mike O'Brien former Home Office Minister

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Criminalising Forced Marriage

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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.

- **Many of the actions taken to force someone into marriage already include criminal offences**

The previous Government decided not to introduce specific legislation in June 2006.

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Forced Marriage (Civil Protection) Act 2007 England/Wales – (in force from 25 Nov 08)

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- Courts have power to make Forced Marriage Civil Protection Orders – 210 orders taken out up to the end September 2010 since implemented in Nov 08.
- Breach of an order 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 county courts, rather than just the high courts.
- Orders can still be taken out even if other orders are in place and also when criminal proceedings are taking place.
- Enables third parties to apply for an injunction on behalf of somebody else – LA's designated RTPs from 1 Nov 09.
- Prohibit, or restrict behaviour or conduct; surrender travel documents; relate to conduct inside or outside of England and Wales.
- **Allowed Statutory Guidance on FM to be issued to agencies.**

HM Government Statutory and Multi-Agency Practice Guidelines:

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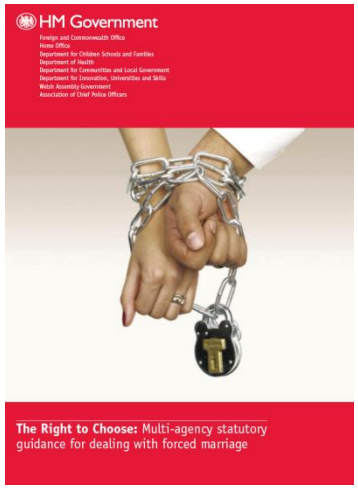
Statutory Obligations under FMCPA:

- Senior Management Commitment
- Defined Roles & Responsibilities
- Clear Lines of Accountability
- Staff Training & Awareness Raising
- Signposting Practice Guidelines
- Monitoring and Evaluation
- Record Keeping
- **Risk Assessment – on-going/links**
- Confidentiality
- Victim-centred Approach
- Danger of Family Mediation
- Agency-specific requirements



• Police, Social Care, Health, Education and Housing Professionals.

• Best practice guidance – All Cases - UK & overseas, including legal remedies – detailed step by step guidance for each practitioner field.

•Published as single volume last summer -Updated to complement statutory guidance and replaces previous single agency guidelines.

•E- learning – www.fmelearning.co.uk

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Immigration Policy

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- Work with UKBA cuts across different Directorates
- UKBA Consultation in 2007 – Marriage to Partners Overseas
- Marriage the way Forward –UKBA proposals following the consultation
- Key issues for FM:
  - Increase in marriage visa age 18-21yrs (Nov 2008)
  - Code of Practice (March 2009)
  - Declaration of intention to sponsor (ongoing)
  - Pre –entry English language test (November 2010)

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What else…?

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- Enhanced data collection system
- Developed Posters, leaflets, cards for Schools
- Posters in different languages
- Engaging with sector
- Introduced Domestic Programme Fund
- Strengthened work with High Commissions/Embassies
- Published a case handling Guide for MPs
- Community engagement strategy UK and Overseas
- Publicity campaigns

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Next Steps

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- Review of the implementation of the statutory Guidance
- Publication of multi-agency practice guidelines to support those working with victims of forced marriage with learning disabilities
- Review of the FMU's 2 year Action Plan
- VAWG Strategy

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- **Do you need further information?**
- **Please contact:**
  - **Suzelle.Dickson@fco.gov.uk**
  - **fmu@fco.gov.uk**
  - **020 7008 0151**
- **www.fco.gov.uk/forcedmarriage**
- **Leaflets and guidance available**