



Safeguarding Against Honour Based Abuse and Forced Marriage Procedure

All Services

This procedure provides guidance for all who work for or deliver services on behalf of the community of companies about how to recognise when a child or adult may be at risk from honour based abuse or forced marriage and how to respond.

The term 'child' or 'children' is used to refer to all children under the age of 18 years. Where the context specifically relates only to older children, the term 'young person' is used.

The term 'adult' in Scotland legally refers to anyone aged 16 and over, however the [Children and Young People \(Scotland\) Act 2014](#) defines a "child" as someone who has not attained the age of 18, therefore both Child & Adult Protection Procedures apply to all 16-18 year olds in Scotland. Following consultation with local authorities, the Polaris Community should implement Child Protection Procedures for all young people aged 16-18 in Scotland unless instructed by the relevant Local Authority that Adult Protection Legislation is more appropriate in an individual case.

As part of Polaris community, the term foster parent is preferred but it is recognised that foster carer is also used in legislation and within the community.

This procedure forms part of the Polaris Quality Management System in line with ISO-9001:2015 standards and applies to all companies within the community unless stated otherwise.

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	Safeguarding Adults Procedure
	Suite of Safeguarding Procedures

All Polaris companies are detailed in the current legal structure

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Honour Based Abuse – A Definition

Honour based abuse is a crime or an incident that may have been committed against somebody to protect or defend the honour of the family or community. It is often committed by family members or acquaintances who mistakenly believe someone has brought shame to their family or community by doing something that is not in-keeping with the traditional beliefs of their culture. For example, honour based abuse might be committed against people who:

- Become involved with a boyfriend or girlfriend from a different culture or religion
- Want to get out of an arranged marriage or do not want to enter into an arranged marriage
- Do not wish to be entered into a forced marriage
- Want to get out of a forced marriage
- Wear clothes or take part in activities that might not be considered traditional within a particular culture
- Behave in a way that is viewed to be untraditional or shameful.

Women and girls are the most common victims of honour based abuse; however, it can sometimes affect men and boys too. Crimes of 'honour' do not always include violence, which is why it is referred to here as honour based abuse. The concept of 'honour' is deemed to be extremely important for some people. To compromise a family's 'honour' is to bring dishonour and shame and this can have severe consequences. The punishment for bringing dishonour can be emotional abuse, physical abuse, family disownment and in some cases even murder. Crimes committed in the name of 'honour' might include:

- Domestic abuse
- Threats of violence, insults, abusive telephone calls
- Sexual or psychological abuse
- Forced marriage (marriage carried out without the consent of both people) - in some communities honour based abuse is closely linked to forced marriage, and a history of family or community forced marriage can be a strong predictor of honour based abuse for future generations (see below for further advice on forced marriage)
- Being held against your will (eg. 'house arrest') or taken somewhere you don't want to go, including forced repatriation
- Assault.

When honour based crimes involve a child, they will also constitute child abuse.

Recognition of Honour Based Abuse

Honour Based Abuse is a collection of practices which are used to control behavior within families to protect cultural and religious beliefs and/or honour. However, Honour Based Abuse is a cultural, not a religious practice. It impacts in a range of communities and the challenges for services include developing responses that keep people safe and hold perpetrators to account without stereotyping, stigmatising or making assumptions about any individual or community.

It is important that all those working with children or adults at risk have an understanding of the community they originate from, and whether any events or behaviour could be perceived to have "damaged" the honour of the family, community or both.

A number of reasons have been given for honour based abuse, including:

- Protecting family 'honour' or 'izzat'
- To control unwanted behaviour and sexuality (including perceived promiscuity or being lesbian, gay, bisexual or transgender)
- As a response to family, community or peer group pressure
- Strengthening family links
- Protecting perceived cultural or religious ideals (misguided or outdated)

- Retaining wealth, property or land within the family
- Preventing 'unsuitable' relationships
- Assisting claims for residence and citizenship in the UK
- Perceived immoral behaviour including:
 - inappropriate make-up or dress
 - possession or use of a mobile telephone
 - kissing or showing other forms of intimacy in public
 - rejecting a forced marriage
 - being a victim of rape or other serious sexual assault
 - inter-faith relationships
 - seeking a divorce.

Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. They may feel there is nobody they can trust to keep this secret from their family and they have no one to speak to about their situation – some may not be able to speak English. These feelings of isolation are very similar to those experienced by victims of other forms of domestic abuse and child abuse. It is only rarely that someone will disclose the fear of forced marriage. Consequently, they will often come to the attention of practitioners for behaviour that is consistent with distress.

People forced to marry, or those who fear they may be forced to marry, are frequently withdrawn from education, restricting their educational and personal development. They may feel unable to go against the wishes of their parents or wider family members and be threatened with disownment if they do – consequently they may suffer emotionally, often leading to depression and self-harm. The warning signs of honour-based crime may be linked to forced marriage. Risk factors of forced marriage can include, but are not limited to:

- A history of older siblings leaving education early and marrying early
- Depressive behaviour including self-harming and attempted suicide
- Unreasonable restrictions such as being kept at home by their parents ('house arrest') or being unable to complete their education
- Unexpected or extended absence during term time for a holiday or to visit sick relatives
- Removed from education during term time or not returned after the holiday period
- A person always being accompanied, including to school and doctor's appointments.

Families may feel shame long after the incident that brought about dishonour occurred. Therefore, the risk of harm to a child can persist for some time (if the child is in foster care, this should be acknowledged and planned for in the child-specific Safer Caring Plan). A child who is at risk of honour-based violence and/or forced marriage is at significant risk of

physical harm (including being murdered), neglect or both. They may also suffer significant emotional harm, as a result of a threat of violence or witnessing violence directed towards a sibling or other family member. This could happen during contact with family members, for example.

Definitions of Arranged and Forced Marriage

Forced Marriage

A forced marriage is where one or both people do not consent to the marriage and pressure or abuse is used to make the marriage take place or to force it to continue against the wishes of one or both partners. Forced marriage is against the law and a violation of a person's human rights.

Forced marriage is a form of domestic abuse. It can involve all the mechanisms of coercive and controlling behaviour, including grooming and physical, psychological, financial, sexual and emotional pressure to force the person to accept the marriage.

The abuse used can include violence intended to threaten, punish or serve as a warning to others against behaving in a similar way. This is often referred to as "**honour based**" **violence**. It can lead to death.

There is a clear distinction between the definitions of **forced marriage** and **arranged marriage**.

Arranged Marriage

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

In practice, however, it may not be clear to the practitioner if coercion has or has not been used in arranging a marriage, and ultimately only the partners can say if they felt coerced into accepting the arrangement or not. Forced marriage forms no part of any religion.

Professionals involved in a case of forced marriage may be concerned about seeming culturally insensitive. However, forced marriage is a gross breach of human rights and the laws of this country; such concerns are never an excuse for failing to provide assistance.

- Both men and women, whether gay, straight or transgender, can be victims of forced marriage
- Both men and women are perpetrators of forced marriage
- Most victims are women

- Forced marriage affects people from many communities and cultures
- Some forced marriages take place in the UK; others involve a partner coming from overseas or a British national being taken abroad.

Potential Warning Indicators

These could include:

- The adult talking about marriage, jewellery or wedding clothes
- Family member asking a professional to sign a passport application or visa immigration form
- Being taken away from a service, out of school or out of the country, without explanation (alternatively, entirely plausible explanations for travel may be given, such as holidays, visits to ill relatives, etc.)
- Changes in emotional or behavioural presentation, for example: Becoming anxious, depressed, frightened and emotionally withdrawn; exhibiting joy or excitement; signs of deteriorating mental health, or displaying signs of self-harm.

Care must be taken to not assume that an individual is at risk of forced marriage simply on the basis that they are being taken on an extended family holiday. These assumptions and stereotyping can cause considerable distress to families.

Motives for Forced Marriage

It is important to have an understanding of the motives for forced marriage; but these should **never** be accepted as justification.

Families may not be aware that organising the marriage of an individual who lacks capacity to consent would be illegal. Parents who force their children to marry may justify their action as protecting them, building stronger family ties or preserving traditions. They often do not see anything wrong in their actions and may be open about their intentions.

Some other general key motives for forced marriage can be:

- Controlling unwanted sexual behaviour (including perceived promiscuity, or being lesbian, gay, bisexual or transgender) - particularly the behaviour and sexuality of women
- As a 'cure' for homosexuality
- Controlling unwanted behaviour; for example, alcohol and drug use, wearing make-up or behaving in what is perceived to be a 'westernised manner'
- Preventing 'unsuitable' relationships; for example, outside the ethnic, cultural, religious or caste group
- Protecting 'family honour' or 'izzat'

- Responding to peer group or family pressure
- Achieving financial gain
- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideals
- Protecting perceived religious ideals, which are misguided
- Assisting individuals from abroad to obtain UK residence and citizenship, perhaps for financial gain
- Long-standing family commitments.

Additional motives where there are care and support needs could be:

- Obtaining a carer for the person with care and support needs
- Obtaining physical assistance for ageing parents
- Obtaining financial security for the person with care and support needs
- A belief that the marriage can 'cure' a disability or mental ill health
- A belief that marriage is a 'rite of passage' for all young people
- Mistrust that the health and care system will meet long term needs
- A fear that younger siblings may be seen as undesirable if older sons or daughters are not already married
- The marriage being seen as the only option or the right option (or both) – with no alternative.

Consequences of Forced Marriage for Victims

These can include:

- Being taken abroad and kept there without access to any money or phone
- Repeated sexual assault or rape of male or female victims
- Being the victim of domestic abuse or coercive and controlling behaviour from their partner or extended family members
- Being forced to undertake all household chores for the family
- Abandonment; the spouse without care and support needs may not want to provide their care and support, and could reject the adult
- May be subject to violence from their in-laws' family should they seek to leave the marriage
- If one person in the family has been forced, then it may mean that others may also be at risk, eg. other vulnerable adults, children or young adults
- Consequences of saying "no" may mean that others are then put at risk, threats may be made and the risk of violence escalates
- Being at risk of poor mental health and displaying signs of self-harm.

What to do if you have concerns about Honour Based Abuse and Forced Marriage

If you are concerned that a child, young person or adult is at risk of forced marriage and/or honour based abuse, it is essential that you recognise the seriousness and immediacy of the risk of harm, and act immediately.

Honour based abuse and forced marriage is child abuse when the victim is under 18 years of age and you must respond as you would with any other child protection concern. It is essential that you act in a manner that will not further jeopardise the child's safety.

It is vital that the following points are adhered to maintain the safety of the child:

- Under no circumstances should you allow the child's family or social network to find out about the allegation, so as not to put the child at further risk of harm
- Under no circumstances should you speak to the alleged victims in the presence of their relatives
- Under no circumstances should you approach the family or community leaders, do not share any information with them or attempt any form of mediation; in particular, members of the local community should not be used as interpreters
- Care must be taken to ensure that any person who has contact with, or information about, the child will not jeopardise their safety, either deliberately or inadvertently; this includes professionals (eg. Social Worker, Doctor, Police Officer, Solicitor), taxi drivers, and benefits staff etc.

It takes a lot of courage for a child or adult to report that they are afraid that they will be, or have been, subjected to honour based abuse, forced marriage or both. It is essential, therefore, that actions do not further jeopardise the child or adult's safety.

Where a child or adult discloses fear of honour based violence or abuse in respect of them or a family member, foster parents, adopters and staff should:

- Take the allegation seriously
- See the child, young person or adult at risk immediately, and in a secure and private place
- Seeing the child, young person or adult at risk on their own
- Explain that you will notify the child's Social Worker and the Police, as per the agencies Safeguarding Procedure
- A referral to children's services and the Police should be made immediately
- If the adult is a adult at risk as defined by the Care Act 2014 (England), the Adult Support and Protection (Scotland) Act 2007, Social Services and Well-being (Wales)

Act 2014, or the Adult Safeguarding Policy for Northern Ireland then you should also made a referral to the Local Authority / Trust Safeguarding Adults Team

- Contact the Police in relation to an adult whom does not fall into the definition of a Adult at Risk
- Explain to them the limits of confidentiality, what information will have to be shared, with whom and for what purpose
- Immediately discuss the concerns with the QA lead within your setting and your Manager
- Refer to the agencies Safeguarding Children or Adult Procedure for detailed information about what to do if you have concerns that a person is at risk of harm (if you have concerns about their immediate safety, you must contact the Police without delay)
- Seek advice and guidance from your manager or equivalent, but do not delay making a referral to the Local Authority or Trust in the area in which the child resides.

It is vital that you immediately make a full record of:

- What is said, by whom and in their own words
- Details about the alleged offender, including name, address, relationship, etc
- When and at what time
- What you have done
- What action you have taken
- Who you have referred the child or young person to
- What they have said to you about the referral and any subsequent action.

Do not involve families where there are concerns about honour based violence or forced marriage.

Involving families in cases of forced marriage is dangerous:

- It may increase the risk of serious harm to the victim. Experience shows that the family may punish them for seeking help
- Involving the family includes visiting the family to ask them whether they are intending to force their child to marry or writing a letter to the family requesting a meeting about their child's allegation that they are being forced to marry
- Interpreters should be on the approved list. Relatives, friends, community leaders and neighbours should not be used as interpreters in case they are linked to the group suspected of carrying out the crime - despite any reassurances from this known person.

In cases of violence in the name of honour and of forced marriage, it is essential to consider other siblings in the family that may be experiencing, or at risk of, the same abuse.

Accurate record keeping in all cases of violence/abuse in the name of honour is important.

Records should:

- Be accurate, detailed, clear and include the date;
- Use the person's own words in quotation marks;
- Document any injuries – include photographs, body maps or pictures of their injuries;
- Only be available to those directly involved in the person's case.

Practitioners must take care that information which increases the risk to the child is not inadvertently shared with family members.

The 'One Chance' Rule

All practitioners and staff working with victims of forced marriage / honour based violence need to be aware of the 'one chance' rule. They may only have one chance to speak to a potential victim and may only have one chance to save a life.

This means that all practitioners and staff need to be aware of their responsibilities and obligations when they become aware of potential forced marriage cases. If the victim is allowed to walk away without support being offered, that one chance might be wasted.

Coercion is likely to have been used with one or both spouses; by family members, friends and the wider community. This may include threats of violence, being held against their will, emotional threats and other forms of coercion and harassment, such as not being allowed to go anywhere without being accompanied by someone.

Legal Position

Honour based Abuse

Any criminal offence committed as so-called honour crime would be prosecuted for the specific offence committed e.g. common assault, GBH, kidnap, rape and murder.

Forced Marriage

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

The Anti-Social Behaviour, Crime and Policing Act 2014 made it a criminal offence, with effect from 16 June 2014, to force someone to marry (Protection and Jurisdiction) (Scotland) Act 2011. This includes:

- Taking someone overseas to force them to marry (whether or not the forced marriage takes place)
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they're pressured to or not)
- Breaching a Forced Marriage Protection Order is also now a criminal offence. The civil remedy of obtaining a Forced Marriage Protection Order through the family courts, as set out above, continues to exist alongside the criminal offence, so victims can choose how they wish to be assisted
- Forcing someone to marry can result in a sentence of up to seven years in prison
- Failing to comply with a Forced Marriage Protection Order can result in a sentence of up to five years in prison.

References and further information

- Karma Nirvana – charity working for the end of honour based abuse, various resources and links to help: [Karma Nirvana](https://www.karnanirvana.org/) 0800 5999 247
- Serious Crime Act 2015: [Serious Crime Act 2015](#)
- Anti-Social Behaviour, Crime and Policing Act 2014: [Anti-Social Behaviour, Crime and Policing Act 2014](#)
- [\(Protection and Jurisdiction\) \(Scotland\) Act 2011](#)

[The Right to Choose – Multi-agency Statutory](#)

[Guidance.https://assets.publishing.service.gov.uk/media/5a78d66ce5274a277e68fdb4/forced_marriage-right-to-choose.pdf](https://assets.publishing.service.gov.uk/media/5a78d66ce5274a277e68fdb4/forced_marriage-right-to-choose.pdf)

Multi-agency guidelines for dealing with forced marriage and multi-agency guidelines for handling cases of forced marriage:

<https://www.gov.uk/government/publications/the-right-to-choose-government-guidance-on-forced-marriage/multi-agency-statutory-guidance-for-dealing-with-forced-marriage-and-multi-agency-practice-guidelines-handling-cases-of-forced-marriage-accessible>

Applying for a Forced Marriage Order

<https://www.gov.uk/apply-forced-marriage-protection-order>

The Forced Marriage Unit (FMU) is the Government's central unit dealing with forced marriage casework, policy and projects: [Forced Marriage Unit](#)

Home Office Forced Marriage Website for information and practice guidelines for professionals protecting, advising and supporting victims

<https://www.gov.uk/guidance/forced-marriage>