

SCRUTINY COMMISSION – 2 MARCH 2011

**FINAL REPORT OF THE LIGHT TOUCH SCRUTINY REVIEW PANEL ON
FORCED MARRIAGE**

REPORT OF THE SCRUTINY REVIEW PANEL

Introduction

1. This report sets out the conclusions and recommendations arising from the Scrutiny Review Panel's examination to ensure that reasonable measures have been taken to meet the requirements of the Guidance provided in the "Multi-agency statutory guidance for dealing with forced marriage" and their efficacy.
2. It is important to acknowledge that forced marriage is a violation of human rights, and a form of child/adult/domestic abuse and should be treated as such: ignoring the needs of victims is not an option.

Scope of the Review

3. The Panel was asked to consider the policy and protocols of Leicestershire County Council as they relate to the prevention of forced marriage and, in particular:
 - To understand the prevalence of forced marriage within the county
 - To assess the effectiveness of council policies and protocols in reducing forced marriage

Membership of the Panel

4. The following members were appointed to serve on the Panel:

Mr P G Lewis CC

Mr J R Catt

The Deputy Commissioner Mr Lewis was appointed Chairman of the Panel in accordance with the new scrutiny structure agreed by the County Council on 8 July 2009.

Conduct of the Review

5. The Panel met on five occasions between 9th November 2010 and 13th December 2010. During the course of the review, the Panel:-
 - a) Received information on the national and local contexts for the identification of possible forced marriages.
 - b) Met with a representative of Leicestershire Constabulary to discuss the policies and the level of police involvement in preventing forced marriages.
 - c) Met with local authority officers and representatives of other government and

voluntary agencies involved in working for the prevention of forced marriages.

A full list of those who assisted the Panel is attached at Appendix A.

6. The Panel drew up a list of questions to raise with all the witnesses, to ensure consistency in the evidence, enabling common themes and issues to be identified. The table below details those questions and the key points that emerged from the meetings with witnesses. (Details of the evidence given in reply to these questions is contained in appendices C to J).

Question	Main points identified
<i>What arrangements are in place for identifying missing children who may have been taken abroad for marriage? Do we any reliable or indicative statistics? If pupils return to school after a long absence and there are indications that they may have been “married” are there any procedures in place to ensure that this is reported as a child protection issue?</i>	<ul style="list-style-type: none"> • GPs and Health Visitors not generally alive to the issue; • No national register to allow identification of missing children; • No system for tracking missing children from independent schools (many of which are religious schools).
<i>Where there are cultural pressures for forced marriage, are there any initiatives being undertaken to change the culture, targeting community influencers?</i>	<ul style="list-style-type: none"> • Religious leaders are clear that forced marriage is wrong but not willing to make this very clear to their communities; • Difficulty in obtaining co-operation from religious leaders who cannot speak English; • Difficult to reach and change views of key influencers in communities. Best hope may be improving women's education (particularly adults and encouraging them to learn English).
<i>Are there any statistics indicating any variance in suicide rates or reports of injuries for different communities in Leicestershire?</i>	<ul style="list-style-type: none"> • National figures indicate that the suicide rate in young women in Honour Based (HB) Communities is 35 time higher than the average and such deaths are disproportionately linked to fire. • The data on forced marriage show the great majority of the identified occurrences in the city and county have been in the 16+ age group with one below 14. • Karma Nirvana receive about 12K calls from Leicester(shire) but have no statistics specific to the County. • There are problems with the categorisation of Domestic Violence. It is often not properly reported (when it is reported). There is believed to be a considerable number of unreported incidents in H B Communities.
<i>Do we know the number of “religious marriages” taking place? Are any of these relating to marriages where a partner could be below the age of consent? Is there a programme to get the agreement of religious leaders that religious marriages should only take place after a civil</i>	<ul style="list-style-type: none"> • where a civil marriage is involved, the registrar will look out for any indication that there may be undue pressure on a partner to agree. If they are not happy that both parties are freely consenting, they will intervene and refuse to progress the

<i>ceremony to ensure that both partners have the full protection of marriage law?</i>	wedding. <ul style="list-style-type: none"> Most of the well established places of worship are now insisting on proof of a civil ceremony before they will take forward a religious marriage. There are still a number of communities where no checks take place and where people enter into a religious marriage only, without necessarily realising that this has no status in law.
Question	Main points identified
<i>Is the “One Chance Rule” understood by most relevant local authority officers and teachers?</i>	<ul style="list-style-type: none"> This is considered well embedded in the culture of most of the relevant agencies and very well embedded in police training. As always this remains subject to human factors. The policy is clearly laid down.
<i>How aware are young people of the protection available against forced marriage?</i>	<ul style="list-style-type: none"> Posters are available to be displayed in schools but some parent governors have objected and the posters have not been displayed in schools where they might have been most appropriate. The fact that it is a Child Protection issue needs to be emphasised and that it relates to basic Human Rights. Making sure that the issue is addressed before children reach marriageable age (school years 6 & 7) was considered vital. It should be an issue that is examined in Citizenship and should be looked at in a similar way to say “Knife Crime”.

Background

7. Forced Marriage can be defined as:

“A marriage where one or both spouses do not (or, in the case of some vulnerable adults, cannot) consent to the marriage and duress is involved.

Duress can include physical, psychological, financial, sexual and emotional pressure.”

Source: Multi-agency statutory guidance for dealing with forced marriage
<http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-right-to-choose>

8. Forced marriage always involves one or more elements of physical abuse, sexual abuse, emotional abuse and neglect. It is the case that this has, on occasion, led to suicide or murder.
9. Various cultures tolerate forced marriages, regarding them as necessary to maintain family honour. Such honour-based cultures (HBC) are not linked to any particular religion or race, although religious teachings can sometimes be perverted in order to support them. However it is important that people be made aware of the difference between forced and arranged marriages.

10. An arranged marriage is where a person requests another to identify and introduce someone to them as a suitable partner for marriage.
11. A forced marriage is where someone puts undue pressure on another to marry a particular person.

Summary of Conclusions

12. During the course of the investigation we have reached the conclusion that there is legitimate cause for concern that some young people from Leicestershire might be forced into marriage. This judgement is based upon the evidence provided to us suggesting that forced marriage does indeed exist in the County.

Recommendations

Within the Education Context

- (a) The Local Authority should ensure that School Governing Bodies are made aware of the nature of forced marriage, ideally at the start of Summer Term 2011, and asked to take reasonable measures to ensure young people are both made aware of the issue and also have access to help.
- (b) The Local Authority should request that schools ensure the difference between arranged and forced marriage is included within their Citizenship and Personal Development Curriculum. While it may be self evident, we believe it to be important that discussion should form part of this learning process, rather than simple instruction and explanation.
- (c) The Standing Advisory Committee for Religious Education (SACRE) should be requested to consider recommending that the Religious Education Curriculum include an understanding of the difference between arranged and forced marriage within the syllabus, at Key Stages 2/3 (years 6-8), within appropriate religious contexts.
- (d) Schools outside the control of the Local Authority - independent schools, academies and free schools - need to be aware of their duty of care with regard to safe-guarding pupils and their obligation to protect them from forced marriage. The Local Authority should exercise its duty to advise all such schools within the County during 2011.
- (e) Schools should be encouraged to incorporate a "Help Button", perhaps along the lines of the Facebook "panic button", within their Virtual Learning Environment (VLE) Home Page. This might also deal with such issues as reporting bullying, which is not unrelated to this issue.
- (f) Publicity about forced marriage, especially through the use of posters, should be displayed in locations where they can be seen by young people between the ages of 10 and 25 years. School Planners issued to pupils in Keystage 3, which are used for monitoring homework and which contain other useful advice, should contain information on the issue.

Within the Community Context

- (g) The video developed by Leicestershire Constabulary and the Prince's Trust - "An Insight into Forced Marriages & Honour Based Violence" – is a unique award winning DVD. It looks at Forced Marriage Issues and Honour Based Violence through the eyes of young people. This should be made more widely available through co-operation with the Local Authority.
- (h) The enforcement of the law over the issue of forced marriage needs to be publicised County wide, initially on a priority basis of perceived need, but then over an extended period to the whole population. It would be wrong to appear to stigmatise specific areas of the County, which might in so doing imply this was specifically a racial or faith issue. It is a concern to all citizens, both young and old.
- (i) We should seek to encourage an understanding of the difference between forced and arranged marriages, giving it a higher profile within the wider adult population, using the media, inter-faith groups, plus any other suitable avenue, such as further education colleges, universities and adult classes to promote open debate of these issues as part of citizenship discussions.
- (j) A specific programme to get community and faith leaders to discuss and review the issue of forced marriage within their communities, with particular emphasis on gender, sexuality and age, should be developed through the County's Community Services.
- (k) The Adult Learning Service should also take the opportunities offered through English Language classes to discuss the issues relating to forced and arranged marriage, thereby reaching in particular women from Honour Based Communities.

Within the National Context

- (l) The Government should be pressed, through MPs and other relevant agencies, to ensure that faith groups, who bring leaders from abroad into the UK, ensure they are made aware of the law on forced marriage. Such groups should be supported in assisting their incoming leaders to have or acquire a fluent grasp of English in order to freely relate and communicate with their communities, especially the younger generation.
- (m) Registrars undertaking civil marriages have procedures in place to ensure that both parties involved are freely consenting to a marriage. National Government should encourage those religious groups which do not have the facility to provide a marriage recognised by UK law, to insist participants have a civil ceremony as well as a religious ceremony.
- (n) Currently there is no system available to allow the whereabouts of children alleged to have left the County, or transferred to independent schools, to be reliably checked. This matter should be drawn to the attention of the Local Government Association (LGA), as an inter-authority organisation. The LGA should also be urged to provide a more unified approach across the whole country over the broader issues relating to forced marriage and missing children. The Panel suggests as a first step that this Report is forwarded to the appropriate section of the LGA.

- (o) GPs and NHS Health Visitors need to be made more alert to these issues. They should keep track of potential victims, and made aware of this through the local GP commissioning consortia.
- (p) Where a Forced Marriage Protection Order (FMPO) is used, serious consideration must be given by those involved in making such an order as to whether the young person is to be made subject to a care order, rather than just simply returned to his/her family.