

## APPENDIX I

Notes on comments provided in evidence re.

***Are Forced Marriage Protection Orders being used effectively and do all those to who it could be relevant aware of it and how to take action? Possible victims? Teachers, public authority officers and the general community?***

**Liz Rowbotham - NHS Leicestershire County & Rutland**

It is not normally considered appropriate for NHS staff to take forward but reports to the appropriate bodies to take action would be made if and when appropriate.

**Detective Inspector Peter Williams, Domestic Abuse and Safeguarding Adults Coordinator, Leicestershire Constabulary.**

Where children below the age of 17 are involved, investigations are undertaken by child abuse investigation units which have established links with the social care agencies. The Police Domestic Abuse officers are trained to deal with the issues and have initiated Civil Protection Orders when appropriate. He does not think the civilian agencies make full use of these measures. The original intention behind FMPO was that they were a tool principally for the use of civilian agencies. In practice it was the police who are taking the initiative in most case. He believes that staff within the agencies need further training and guidance in how to utilise these orders and in particular their legal advisers do not appear to appreciate just how powerful civil protection orders are. They enable action to be taken immediately and protect the child in the interim period between the ages of 16 and 18, with the gradual legal metamorphosis into a full adult.

An issue that has arisen from the police point of view is that of identifying children. Since children can be removed from the country and other children substituted, or where officers of the police or other agencies call to check out a situation, another child can be shown to them, it is essential that they have a reliable way of checking the identity of the child. The preferred method is a DNA sample. Under current law taking such a sample requires parental consent. Currently the police are taking the sample on the basis of "proportionality" under Human Rights Legislation, but this has never been tested in court. A change in the law may be required to legitimise the procedure.

Some teachers still regard forced marriage as a cultural matter and others still do not appreciate that it is an issue. It is very easy to turn a "blind eye" where the issue might be coming to the surface. Things are improving as the profile of the problem is raised, but there is more work to be done.

**Natasha Rattu, Karma Nirvana, Leeds**

One problem that has arisen with the act is that quite often the young person covered by the FMPO is left with the family. This can mean that they are even more strictly controlled in future and may mean that they do not have any

opportunity to speak out again if they are being coerced. In many cases it would be better if the young person were put into care, so that they can escape from their family.

A recent review indicated that, where the FMPO is not respected, the only sanctions used are fines (Max. £5K) and suspended sentences. KN would still favour criminal law to deal with anyone proved to have conspired in a forced marriage.

One way of increasing awareness of the issues, particularly for teachers and governors, would be for KN to put on one of their Road Shows for them in the County. These are free, except that a host needs to provide the venue and publicity. KN start taking bookings in January.

**Walter McCulloch, Assistant Director for Children's Services**  
**Chris Nerini, Head of Service, Extended Services and Family Support**  
**Leicestershire County Council**

The County has never taken forward a FMPO. Police are certainly aware of the law and it is believed that staff are reasonably aware of these orders. There is insufficient data available to make an informed judgement.

#### **HREC Meeting**

Whilst awareness has improved, there are still areas where the it needs a higher profile and utilisation improved where appropriate.