



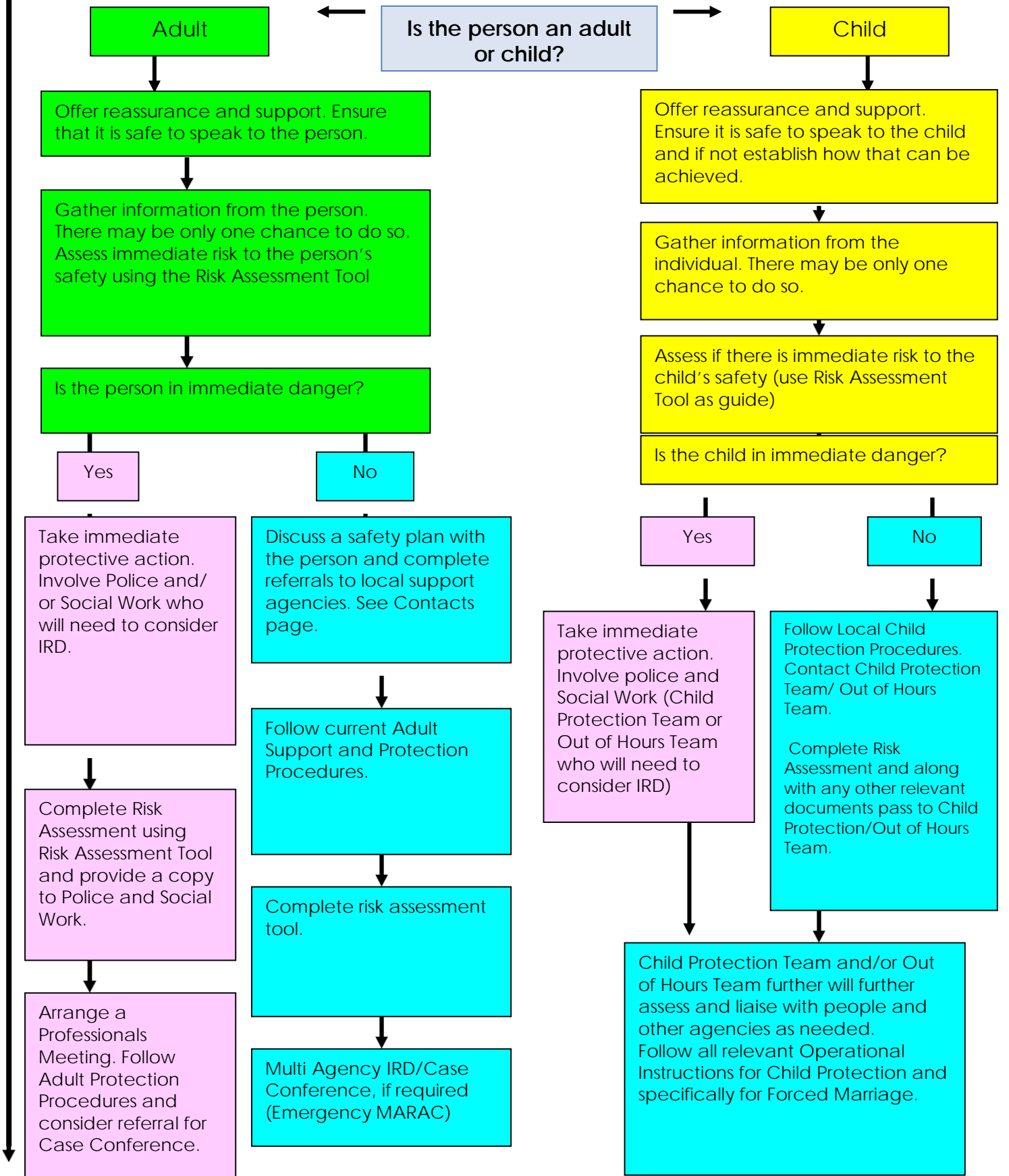
# **FORTH VALLEY MULTI-AGENCY PROTOCOL FOR FORCED MARRIAGE**

Version	Date	Author	Changes/comments
1.0	01.02.2019	FV PPP Group	

**YOU CAN CONTACT THIRD SECTOR SUPPORT AGENCIES AT ANYTIME THROUGHOUT ANY OF THE PROCESS**

**Responding to Forced Marriage**

**YOU CAN CONTACT THE POLICE AT ANYTIME THROUGHOUT ANY OF THE PROCESS**



# FORTH VALLEY MULTI-AGENCY PROTOCOL ON FORCED MARRIAGE

## 1. INTRODUCTION

“A Forced Marriage is a marriage in which one or both parties do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress includes both physical and emotional pressure. It is very different from an arranged marriage, where both parties give their full and free consent to the marriage.” (Scottish Government, 2015)

The implementation of this Forth Valley Protocol is intended to assist professionals, police, social work teams, voluntary sector partners, health and education (hereinafter referred to as practitioners) to effectively, consistently and safely deal with cases of Forced Marriage towards any person by:

Reducing the risk once these cases are identified:

- Initiating proportionate and effective joint short and longer term plans in order to support the victim and deal effectively with perpetrators of crime
- Maintaining and enhancing public confidence in the partner agencies to respond safely and proportionately to allegations of forced marriage.
- Facilitating the effective use of powers, national guidance and best practice in order to protect those living in Forth Valley from harm

The purposes of this protocol are to:

- Provide a partnership approach to the identification and provision of services to individuals who have been affected or are in danger of being affected by forced marriage
- Outline the processes involved in identifying and supporting victims and how the agencies involved at each stage can best co-ordinate their actions
- Provide a framework for sharing of information to assist the disruption of forced marriage
- Balance the rights of the individual with the wider public interest in cases where criminal proceedings are being considered

## **SCOPE**

This protocol applies to all victims or potential victims of forced marriage, male and female. Whilst the majority of victims of forced marriage are likely to be female, boys and young men may also be victims of forced marriage, particularly if they are homosexual in a culture which does not acknowledge or accept this. Any victims of forced marriage aged less than sixteen years of age must be dealt with under multi-agency child protection procedures. Where the age of a victim is uncertain and there are reasons to believe they may be a child it must be presumed they are a child and be dealt with under child protection arrangements pending verification of their age.

Where a child is thought to be at risk of significant harm the primary concern will be for their safety and the planning process must reflect this.

## **RELEVANT LEGISLATION**

Forced Marriage Statutory Guidance, 2014  
Anti-Social Behaviour Crime and Policing Act 2014 (Sec 122(2)) [from Sept 2014]  
Domestic Abuse (Scotland) Act 2011  
Family Law (Scotland) Act 2006  
Forced Marriage (Protection and Jurisdiction) (Scotland) Act 2011 Adult  
Support and Protection (Scotland) Act 2003  
Mental Health (Care and Treatment) (Scotland) Act 2003  
Adults with Incapacity (Scotland) Act 2000  
The Sexual Offences (Scotland) Act 2009  
The Prohibition of Female Genital Mutilation (Scotland) Act 2005  
The Children (Scotland) Act 1995  
Protection of Children (Scotland) Act 2003  
Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 Adult  
Support and Protection (Scotland) Act 2007  
Equality Act (2010)  
Human Rights Act  
(1998)

UN Convention on the Rights of the Child (UNCRC)  
UN Convention on the Elimination of all Forms of Discrimination against Women  
(CEDAW)

## **POLICIES**

Multi-agency Practice Guidelines – Handling Cases of Forced Marriage – 2014 – Scottish  
Government  
Multi-agency Practice Guidelines - Preventing and Responding to Forced Marriage – update  
2014 by the Scottish Government  
Equally Safe: Scotland's Strategy for preventing and eradicating violence against women  
and girls (June 2014)

## 2. DEFINITION OF FORCED MARRIAGE

As indicated above **Forced Marriage** is defined as a marriage conducted without the full and free consent of both parties (or in the case of some adults with support needs where they cannot consent) and where duress is a factor. Duress can include physical, psychological, financial, sexual and emotional pressure. A clear distinction must be made between a forced marriage and an arranged marriage.

The consequences of forced marriage can be devastating to the whole family but especially to the people affected who are most likely to be young people. They may become estranged from their families and wider communities, lose out on educational opportunities or suffer domestic abuse. Rates of suicide and self-harm are high.

Within Scotland a person commits an offence under the law if he or she uses violence, threats or other forms of coercion for the purpose of causing another person to enter into a marriage and believes that the conduct may cause the other person to enter into the marriage without free and full consent.

An **Arranged Marriage** is one in which the families of both spouses are primarily responsible for choosing a marriage partner for their child, young person or relative, but the final decision as to whether or not to accept the arrangement lies with the potential spouses. Both spouses give their full and free consent. The tradition of arranged marriage has operated successfully within many communities for generations.

In **Scotland**, a couple cannot be legally married unless both parties are at least sixteen years of age on the day of the wedding and are capable of understanding the nature of a marriage ceremony and of consenting to the marriage. Parental consent is not required.

### THE ONE CHANCE RULE

All practitioners working with victims of forced marriage need to be aware of the “one chance rule”. This means that they may only get one chance to speak to a potential victim and thus they may only have once chance to save a life. Therefore all practitioners working within all agencies need to be aware of their responsibilities and obligations when they come across anyone suspected of being a potential victim of Forced Marriage. If the victim is allowed to walk out of the door without support being offered, even if this is in terms of initial signposting, that one chance might be wasted.

### CHILD/ADULT PROTECTION

A victim or someone at risk of forced marriage is “a child or adult at risk” under the terms of the relevant legislation.

**All staff employed by a local authority, the police or the NHS are legally obliged to make a referral to the local authority if they know or suspect someone is “a child or adult at risk”.** Anyone in any doubt as to whether a case involving forced marriage is a child or adult at risk should contact the appropriate team manager.

### **3. RESPONDING TO FORCED MARRIAGE**

Presentation to agencies may initially be reported as a case of domestic abuse or self-harm. Spouses forced into marriage may feel unable to leave due to a lack of family support, economic pressures and other social circumstances. In some cases, they may fear having their own children taken away from them.

In process of interview and assessment if the worker ascertains that this is a case involving forced marriage the worker must speak to the team leader as soon as possible.

**The Worker and the Team Leader should refer to the Flowchart at the start of this document.**

#### **POSSIBLE INDICATORS**

##### **Workplace Indicators**

- Persistent absence
- Request for extended leave of absence and failure to return from visits to country of origin;
- Unable to attend business trips or functions
- Subject to financial controls
- Leaving work accompanied
- Unable to be flexible in their working arrangements
- Decline in behaviour, engagement, performance or punctuality

##### **Education indicators**

- Prevented from going to higher/further education
- Removal of person with a physical or learning disability from a day centre
- Surveillance at school/college by siblings or cousins
- Fear of forthcoming holidays
- Persistent absence
- Request for extended leave of absence and failure to return from visits to country of origin.
- Being withdrawn for school by those with parental responsibility
- Not allowed to attend extracurricular activities
- Sudden announcement of engagement to a stranger

##### **Health Indicators**

- Self-harm;
- Attempted suicide;
- Eating Disorders;
- Depression;
- Emotionally withdrawn with low self esteem
- Hair shaved or cut severely
- Accompanied to doctors or clinics and prevented from speaking to

health practitioner in confidence

- Taken to doctors to be examined to see if they are virgins
- Female genital mutilation.
- Substance misuse
- Early/unwanted pregnancy

### **Police Indicators**

- Reports of domestic abuse, harassment or Breaches of the Peace at the family home;
- Victim or other siblings within family reported missing
- Reports of other offences such as rape or kidnap
- Acid attacks
- Threats to kill and attempts to kill or harm
- Truancy or persistent absence from school.

## **RESPONDING TO FORCED MARRIAGE**

Cases of forced marriage can involve complex and sensitive issues and care must be taken to make sure that interventions do not worsen the situation. Agencies should take care to avoid agency generated risks. For example, mediation and involving the family can increase the risks to the person and should not be undertaken as a response to forced marriage.

As indicated above all practitioners working with victims of forced marriage need to be aware of the “one chance” rule. In this context when dealing with a situation where someone may be the victim of forced marriage workers should:

### **The Practitioner will:**

- Speak to the person, on their own, in a secure and private place
- Offer reassurance, particularly around confidentiality and support and gather relevant information (risk assessment tool can be used)
- Ascertain the wishes of the person – you can ask the question: “do you want to say no to this marriage?”
- Consider the need for immediate protection and placement away from the family.
- Maintain a full record of the decisions made and the reason for those decisions
- Inform the person of options and consequences
- have strategic discussion with their line manager to determine future action
- complete risk assessment form

### **The Line Manager will:**

- Decide what further information, if any, needs to be collected
- Decide what immediate action needs to be taken including consideration of a Forced Marriage Protection Order if relevant.
- Consider whether access to records needs to be restricted (consider if a family or community member works for the Local Authority/NHS/Police etc)
- Decide which other agencies need to be contacted

- Decide which organisation is most appropriate should an interpreter be required
- Consider whether there is a need for a place of safety if the person does not want to or cannot return home
- Consider if there is a risk of the person being taken out of the UK
- Consider arranging an Initial Referral Discussion with police
- Consider whether to call a case conference
- Ensure that a safety plan is in place if the person does not want to or cannot leave home
- Ensure that there is a facility for future contacts
- Discuss whether the person would like support from an agency with specialist experience
- Retain full and detailed records of all contact with the victim
- Consider limiting information access to worker and manager if data systems permit

At any time during an enquiry Police Scotland can be contacted and involved by either the victim or practitioner. When an enquiry is referred on to the Police, they will respond using their own Standard Operating Procedures (SOP)

Staff should also be aware that they, other colleagues within the organisation or others within the victim's support network may be approached and/or pressurised by a member of the victim's family, a family friend or a member of the community to give out information.

Staff are aware that relatives, friends, community leaders and neighbours should not be used as interpreters or advocates as they could be amongst the perpetrators of the forced marriage – despite any reassurances from this

Involving families in cases of forced marriage may increase the risk of serious harm to an individual. The family may deny that the individual is being forced to marry and they may expedite any travel arrangements and bring forward the wedding.

Staff should understand the danger of involving the family and the community in cases of forced marriage and recognise that any discussion with the family or any type of family involvement often places the person at greater risk of harm



#### **4. Forced Marriage Protection Order (FMPO)**

Part 1 of the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011 empowers the courts in Scotland to make a forced marriage protection order (FMPO) which can protect both adults and children at risk of being forced into marriage and can offer protection for those who already have been forced into marriage.

The provision in this Part are designed to enable the courts to tailor the terms of an FMPO to protect and meet the specific needs of victims of forced marriage or potential forced marriage. For example it might state that the protected person must be taken to a place of safety designated in the order, or that the protected person be brought to a court at such time and place as the court specifies; that any violent, threatening or intimidating conduct be stopped; that the protected person not be taken abroad; or that documents such as passports or birth certificates be handed over to the courts.

The decision to apply for a FMPO will be taken after discussion with the team Leader, Legal Services and the Service Manager. Legal services are responsible for preparing and presenting all applications to court. Staff involved will need to ascertain conditions to be attached e.g power of arrest, confiscation of passports, and confidential place of safety.

There needs to be consideration given to the place of safety and the location. It may be that an out of area placement is preferable for safety and reassurance reasons.

It is envisaged that in most cases initial enquiries and assessment will have taken place.

The FMPO will be only be granted for the purpose of protecting a person from being forced into a marriage or from any attempt to force the person into a marriage, or who has been forced into a marriage.

In the Act “force” includes

- (a) coerce by physical, verbal or psychological means, threatening conduct, harassment or other means,
- (b) knowingly take advantage of a person’s incapacity to consent to marriage or to understand the nature of the marriage

The court application may take time so need to ensure protected person has somewhere to stay while the application is proceeding.

#### **Relevant third parties**

Section 3 of the Act enables any person, with leave of the court, to apply for an FMPO. However, the victim, a local authority, the Lord Advocate Police Scotland and any other person specified by order may apply without leave.

#### **Content of order**

A protection order may contain prohibitions, restrictions or requirements which may include some of the following

- i. to take protected person to place of safety
- ii. to submit specific documents to the courts e.g passports, birth certificates
- iii. may require a person to refrain from threatening or intimidating behaviour

iv. power of arrest for breaching order

Where an FMPO application goes to proof, the court makes its decision on the civil burden of proof, on the balance of probability.

The order lasts as long as it is required. The court can specify a period of time or no time limit can be set. If no time limit is set, the order remains in force until the court recalls it. An interim order can be made to provide protection before a full order is made.

In certain circumstances a civil court can also make a FMPO on its own initiative without the victim or anyone else making a specific application to it. In criminal cases the court can refer the case to the Lord Advocate who can apply for a Forced Marriage Protection Order on behalf of the victim. This can happen if the victim is involved in another civil action (for instance, may be applying for a protective civil order) and the court considers that the circumstances of the matter are such that a FMPO should be made. If, in criminal proceedings, a court considers that an FMPO should be made (for instance, where trial evidence reveals that a person may be at risk of being forced into a marriage) it may refer the matter to the Lord Advocate, who may apply for an FMPO or take such other steps as are considered appropriate.

### **Variation or recall**

Whilst there is no right of appeal, it is possible for the order to be varied or recalled. The adult who is subject to the order, the council or any other person who has an interest can apply for the order to be varied or recalled.

### **Breach of FMPO**

Breach of a FMPO is a criminal offence and is punishable by imprisonment for up to 2 years and/or a fine of up to £10,000. The police may arrest without warrant any person who they reasonably believe is committing or has committed a breach of a FMPO.

As with any other civil order, the applicant or the protected person would be the person who would either go to court or report the breach to the police. However any person including, for example, a friend or relative of the protected person (even if not directly affected by the order) could report a breach of a FMPO to the police for investigation.

### **Planning**

Once the order has been granted and enacted it is important to ensure ongoing support and specialist help from groups who have a history of working with survivors of forced marriage

If the protected person is placed outwith local authority area arrangements need to be in place for ongoing support and future management.

### **Options**

In all cases, practitioners should discuss the range of options available to the person and the possible consequences. A spouse who is the victim of a forced marriage can initiate nullity or divorce proceedings to end the marriage but should be made aware that a religious divorce will not end the marriage under UK law.

### **If someone fears they may be forced to marry, they have limited choices:**

- To leave their family, start a new life and possibly have to remain in hiding
- To leave their family, start a new life knowing they may face a life of ostracism and

isolation

- To leave their family, start a new life and prosecute their family
- To return to their family and hope the situation can be resolved
- To seek legal protection.

**If someone is already trapped in a forced marriage, they have limited choices:**

- To stay with the marriage
- To end the marriage (annulment)
- To flee the marriage, start a new life and possibly have to remain in hiding
- To leave their family, start a new life knowing they face a life of ostracism and isolation
- To flee the marriage, start a new life and prosecute the family
- To leave the family and publicly refuse to sponsor their spouses visa application for entry into the UK.

### **Personal Safety Advice**

Research shows that leaving home is the most dangerous time for women experiencing domestic abuse and this is often the case when someone flees a forced marriage. Therefore if someone is planning to leave or the perpetrators suspect they might leave they should take measures to ensure their safety.

Even if someone is not ready or willing to leave they should still be advised of their options and helped with safety planning so they can take measures to protect themselves at home and make arrangements to leave home in an emergency.

Refer them, with their consent, to appropriate local and national support groups, counselling services and women's groups that have a history of working with survivors of domestic abuse and forced marriage.

Advise them of out of hours help and support services and how to contact them.

## USEFUL CONTACTS

<b>Clackmannanshire Women's Aid</b>	<p>Clackmannanshire Women's Aid aims to offer support, information and temporary accommodation for women and their children who have been physically, emotionally or sexually abused by a partner or former partner.</p> <p>01259 721407</p>
<b>Stirling Women's Aid</b>	<p>Stirling and District Women's Aid aims to offer support, information and temporary accommodation for women and their children who have been physically, emotionally or sexually abused by a partner or former partner.</p> <p>01786 469 518</p>
<b>Foreign &amp; Commonwealth Office Forced Marriage Unit</b>	<p>The Forced Marriage Unit is a single point of confidential advice and assistance for those at risk of being forced into marriage overseas.</p> <p>Telephone: 020 7008 0151          From overseas: +44 (0)20 7008 0151          Monday to Friday, 9am to 5pm          Out of hours: 020 7008 1500 (ask for the Global Response Centre)          Email: <a href="mailto:fmf@fco.gov.uk">fmf@fco.gov.uk</a>          Website: <a href="http://www.fco.gov.uk/forcedmarriage">www.fco.gov.uk/forcedmarriage</a></p>
<b>National Domestic Abuse Help Line</b>	<p>Tel 0800 0271234          Support is available 24/7</p>

<b>Shakti Women's Aid</b>	<p>Shakti offers support and information to all black minority ethnic women, children and young people who are experiencing or fleeing domestic abuse, forced marriage and other honour based violence issues. They also have refuge accommodation.</p> <p>Tel: 0131 475 2399 Open 10am-5pm Mon - Fri Website: <a href="http://www.shaktiedinburgh.co.uk">www.shaktiedinburgh.co.uk</a></p>
<b>Saheliya</b>	<p>Saheliya is an organisation, which provides a safe and confidential service that supports the mental health and wellbeing of Black and Minority Ethnic women in Edinburgh. Services include counselling, support, befriending and advocacy.</p> <p>Address: 125 McDonald Road, Edinburgh, City of Edinburgh EH7 Telephone: 0131 556 9302 Monday to Friday 9:00am to 5:00pm Website: <a href="http://www.saheliya.org.uk">www.saheliya.org.uk</a></p>
<b>ROSHNI</b>	<p>Roshni is a registered charitable organisation with offices in Glasgow and Dundee. The aim of the charity is primarily to ensure the safety of children, young people and adults within the minority ethnic communities.</p> <p>Address: Baltic Chambers. Suite 339. 50 Wellington Street, Glasgow G2 6HJ Tel: 0141 202 0608 Email: <a href="mailto:info@roshni.org.uk">info@roshni.org.uk</a> Website: <a href="http://www.roshni.org.uk">www.roshni.org.uk</a></p>
<b>Amina Muslim Women's Resource Centre</b>	<p>Amina works with mainstream agencies to establish the barriers that prevent Muslim women from accessing services and participating in society. They provide direct helping services and community development to Muslim women.</p> <p>Free phone helpline number: 0808 801 0301 Dundee: 01382 224 687 opening hours 9.30am to 5pm Glasgow: 0141 585 8026 Email: <a href="http://www.mwrc.org.uk">www.mwrc.org.uk</a></p>
<b>Beyond the Veil</b>	<p>Beyond the Veil educate and inform the public to clear misconceptions and myths surrounding Islam.</p> <p>Address: c/o 1 House O'Hill Road, Edinburgh, EH4 2AJ Email: <a href="mailto:nasim.azad69@yahoo.co.uk">nasim.azad69@yahoo.co.uk</a></p>
<b>Iranian &amp; Kurdish Women's Rights Organisation</b>	<p>The Iranian and Kurdish Women's Rights Organisation provide advice, support, advocacy and referral in Arabic, Kurdish and Farsi to help women, girls and men escape the dangers of "honour" killing, forced marriage and domestic abuse.</p> <p>Tel: 0207 920 6460 09:30 and 17:30 Monday to Friday Email: <a href="mailto:ikwro@yahoo.co.uk">ikwro@yahoo.co.uk</a></p>

<p><b>Scottish Women's Aid</b></p>	<p>Scottish Women's Aid does not offer direct services for Women. Services for women and children are provided by Clackmannanshire, Falkirk and Stirling Women's Aid</p> <p>Scottish Women's Aid is a good resource for workers.</p> <p>Scottish Women's Aid, 2<sup>nd</sup> Floor, 132 Rose Street, Edinburgh, EH2 3JD Tel: 0131 226 6609 Fax: 0131 226 2996 Email: <a href="mailto:contact@scottishwomensaid.org.uk">contact@scottishwomensaid.org.uk</a></p>
<p><b>Hemat Gryffe Women's Aid (Glasgow based)</b></p>	<p>Hemat Gryffe provides support, advice and temporary accommodation to women and children from the BME community who experience domestic abuse or forced marriage.</p> <p>Tel: 0141 353 0859 9-5 Mon - Fri Email: <a href="mailto:hemat.gryffe@ntlbusiness.com">hemat.gryffe@ntlbusiness.com</a></p>
<p><b>Rape Crisis (Scotland)</b></p>	<p>Rape Crisis Scotland (RCS) is the national office for the rape crisis movement in Scotland.</p> <p>46 Bath Street, Glasgow, G2 1hG Tel: 0141 331 4180 Fax and Minicom: 0141 332 2168 Email: <a href="mailto:info@rapecrisisScotland.org.uk">info@rapecrisisScotland.org.uk</a></p> <p>The Rape Crisis Scotland National Helpline provides crisis support for anyone in Scotland affected by sexual violence at any time in their lives. Rape Crisis Scotland Helpline: 08088 01 03 02 (free number) everyday, 6pm to midnight.</p>
<p><b>Archway</b></p>	<p>Archway Glasgow is Scotland's first Sexual Assault Referral Centre, providing forensic and medical assistance, as well as support and counselling for anyone who has recently been raped or sexually assaulted.</p> <p>Telephone: 0141 211 8175 Open 24 hours a day, 7 days a week.</p>
<p><b>UK Human Trafficking Centre</b></p>	<p>PO Box 4107 Sheffield South Yorkshire, S1 9DQ Tel: 01142 523 891 Email: <a href="mailto:info@ukhtc.org">info@ukhtc.org</a></p>

<b>Victim Support Scotland</b>	Practical and emotional support for Victims of Crime. Also support at court for victims and witnesses
<b>Forth Valley Rape Crisis</b>	<b>Forth Valley Rape Crisis</b> <a href="http://forthvalleyrapecrisis.org.uk">forthvalleyrapecrisis.org.uk</a> 01786 439244 (Mon – Fri 9.00am – 5.00pm) FVRC support is for people of all genders (over the age of 13) who have experience any form of sexual violence at any point in their lives

## ONE CHANCE CHECKLIST

You may only have one chance to speak to a potential victim of Forced Marriage and, therefore, only one chance to save a life.

- See the victim on their own – even if they are accompanied by others;
- See the victim immediately in a secure and private place where you will not be overheard;
- Reassure the victim about confidentiality and explain that you will not give information to family, friends or the community.
- Accept what is said
- Explain all the options to the victim and possible outcomes;
- Recognise and respect their wishes;
- Assess the risk faced by conducting an appropriate and thorough risk assessment.
- Contact as soon as possible the lead worker responsible for forced marriage. If the potential victim is under 16 refer to child protection inter-agency guidance; if an adult at risk, discuss with your adult support and protection lead and refer to inter-agency guidance.
- Agree a way to make contact safely. (For example agree a code word.);
- Obtain full details to pass on to the lead worker and record these safely;
- Provide contact details or help the victim to memorise your contact details and/or those of a support agency such as Women's Aid.
- Consider the need for immediate police involvement, protection and placement away from the family and arrange this if necessary. This includes any action to stop the victim from being removed from the UK;
- Do everything possible you can to keep the victim safe; and
- Get immediate advice if you are not sure what to do.

Victims can be male or female, but are most likely to be the latter.



## **ASSESSING RISK – ([See Appendix B for Risk Assessment Tool and Guidance](#))**

It is important to have a risk assessment framework which can help you to identify Forced Marriage risks and which agencies to involve in providing protection. You may also need to refer the person to MARAC (Multi Agency Risk Assessment Conference.) Points to consider whilst assessing risk include:

- Be open minded and flexible in your approach, a free flowing interview will uncover hidden issues
- Assess both the personal risks that a victim faces as well as the social/cultural practices that reinforce these. Try to establish what roles other family members (in the UK and outside UK) may play in the abuse and their potential risks.
- The presence of children increases the wider risk of Domestic Violence. If risk towards children is highlighted you should consider referral to Social Work to obtain a full assessment of the children's situation.
- It might be the victim's first attempt to seek help. Victims often have no experience of using support services and by seeking help they could also be deemed to have brought shame on the household/community
- Often victims do not want their loved ones arrested or go to prison which may bring shame upon their household so victims are reluctant to disclose the severity of their abuse and all the people that are involved
- Remember, forced marriage is much more than a forced wedding: young girls and women who are forced into a marriage are at risk of experiencing other forms of abuse which range from sexual violence to physical assault.
- Victims may not be familiar with the term 'forced marriage' and may not always know what is happening to them is forced marriage
- Victims may not know all the risks to them and that what they are experiencing is a breach of Human Rights
- Shame and therefore the risk to a victim may persist. Consider whether the victim's partner, children, associates or siblings are at risk. They may also suffer community/family pressures not to assist you.
- Authorities in countries from which some victims originate may support this practice and the victim may be concerned that you share this view or that you may return them to their family.
- Their immigration status may be dependent on their spouse and it may be used to dissuade them from seeking assistance.
- Victims are sometimes persuaded to return to their country of origin under false pretenses, when in fact the intention could be to harm them
- There is a Duty of Care to report danger to the victim even when consent has not been given.



## PERPETRATOR(S) DETAILS

### Person 1

<b>First Name</b>	
<b>Surname / Last Name</b>	
<b>Date of Birth and Age</b>	
<b>Place of birth</b>	
<b>Self defined ethnicity</b>	
<b>Religion</b>	
<b>Gender</b>	
<b>School or occupation</b>	
<b>Address</b>	
<b>Relationship to Victim</b>	

### Person 2

<b>First Name</b>	
<b>Surname / Last Name</b>	
<b>Date of Birth and Age</b>	
<b>Place of birth</b>	
<b>Self defined ethnicity</b>	
<b>Religion</b>	
<b>Gender</b>	
<b>School or occupation</b>	
<b>Address</b>	
<b>Relationship to Victim</b>	

**OTHER FAMILY MEMBERS (WHO MAY BE AT RISK)**

**Person 1**

<b>First Name</b>	
<b>Surname / Last Name</b>	
<b>Date of Birth and Age</b>	
<b>Gender</b>	
<b>Address</b>	
<b>Relationship to Victim</b>	

**Person 2**

<b>OTHER FAMILY MEMBERS</b>	
<b>First Name</b>	
<b>Surname / Last Name</b>	
<b>Date of Birth and Age</b>	
<b>Gender</b>	
<b>Address</b>	
<b>Relationship to Victim</b>	

## INCIDENT DETAILS

Description of incident: (include details of previous incidents, reported or unreported)

## RISK FACTORS – DOMESTIC ABUSE, STALKING AND HARRASSMENT & HONOUR BASED VIOLENCE (DAQ)

**All practitioners, as a matter of routine, should complete the Domestic Abuse, Stalking and Harassment and Honour Based Violence (DAQ) checklist and consider the existence of the established 15 high risk factors when dealing with potential incidents to inform their judgement and form an accurate risk assessment**

Q1. Has the current incident resulted in injury?	
Q2. Are you very frightened?	
Q3. What are you afraid of? Is it further injury or violence?	
Q4. Do you feel isolated from family/friends i.e. does (name of abuser(s)) try to stop you seeing friends/family/doctor or others?	
Q5. Are you feeling depressed or having suicidal thoughts?	
Q6. Have you separated or tried to separate from (name of abuser...) within the past year?	
Q7. Is there conflict over child contact?	
Q8. Does (...) constantly text, call, contact, follow, stalk or harass you?	
Q9. Are you pregnant or have you recently had a baby (in the past 18 months)?	
Q10. Are there any children, stepchildren, that aren't (...)s in the household? Or are there other dependents in the household (i.e. older relatives)?	
Q11. Has (...) ever hurt the child(ren)?	
Q12. Has (...) ever threatened to hurt or kill the child(ren)?	
Q13. Is the abuse happening more often?	
Q14. is the abuse getting worse?	

Q15. Does (...) try to control everything you do and/or are they excessively jealous?	
Q16. Has (...) ever used weapons or objects to hurt you?	
Q17. Has (...) ever threatened to kill you or someone else and do you believe them?	
Q18. Has (...) ever attempted to strangle / choke / suffocate /drown you?	
Q19. Does (...) do or say things of a sexual nature that make you feel bad or that physically hurt you or someone else?	
Q20. Is there any other person who has threatened you or who you are afraid of?	
Q21. Do you know if (...) has hurt anyone else?	
Q22. Has (...) ever mistreated an animal or the family pet?	
Q23. Are there any financial duties? For example, are you dependent on (...) for money/ have they recently lost their job/ other financial issues?	
Q24. Has (...) had problems in the past year with drugs (prescription or other) alcohol or mental health leading to problems in leading a normal life?	
Q25. Has (...) ever threatened or attempted suicide?	
Q26. Has (...) ever breached bail/an Order and/or agreement for when they can see you and/or the children?	
Q27. Do you know if (...) has ever been in trouble with the police or has a criminal history?	
<b>Risk Factors for HBV</b>	
<b>Truancing –</b> Is the victim truancing from school or are they being prevented from attending school?	

<p><b>Self-Harm –</b> Has the victim been self-harmed in any way? Does the victim feel suicidal?</p>	
<p><b>House arrest and being “Policed” at home</b> – Has the victim been subject to house arrest or the threat of house arrest?</p>	
<p><b>Fear of being forced into an engagement/marriage –</b> Does the victim fear a forced marriage?</p>	
<p><b>Pressure to go abroad –</b> Has the victim been pressured to go abroad/ to visit country of origin?</p>	
<p><b>Isolation –</b> Do you feel isolated and live in fear of being tracked down by family who may solicit the help of others?</p>	
<p><b>Attempts to separate or divorce</b> (child contact issues)</p>	
<p><b>Threats that they will never see the children again</b></p>	
<p><b>A Pre-marital relationship or extra marital affairs –</b> Does the victim have a boyfriend/girlfriend?</p>	
<p><b>Threats to Kill –</b> Has the victim been subject of threats to kill or inflict serious harm?</p>	
<p>How does the victims perceive the risk to themselves? Has the victim or any other member of their family been subjected to Female Genital Mutilation?</p>	
<p>Does the victim know or suspect the trigger for the reported incident? E.g. rumours, sexuality, westernisation</p>	
<p>Are there any other agencies involved in the family? E.g. Social services, health workers, education. Are there any children on CPR?</p>	



Have any other agencies been notified of current incident?	
Is the victim part of a close extended family/community network?	
Has the victim been subject of any abuse from the extended family/community?	

## 15 HIGH RISK FACTORS OF SERIOUS HARM AND HOMICIDE IN DOMESTIC ABUSE CASES

1	<b>Victim's perception of risk of harm.</b> Victims of domestic abuse often tend to underestimate their risk of harm from perpetrators of domestic violence. However, if they say they fear further harm to themselves, their child(ren) or someone else this should be taken seriously when assessing future risk of harm
2	<b>Separation (Child contact):</b> Victims who attempt to end a violent relationship are strongly linked to intimate partner homicide. Many incidents happen as a result of child contact or disputes over custody.
3	<b>Pregnancy/new birth (Under 18 months old):</b> Domestic abuse can start or get worse in pregnancy. Victims who are assaulted whilst pregnant, when they have recently given birth or who have young children should be considered as high risk. This is in terms of future harm to them and to the unborn/young child.
4	<b>Escalation:</b> Repeat victimisation and escalation must be identified. DA victims are more likely to become repeat victims than any other type of crime; as violence is repeated it gets more serious.
5	<b>Community Issues/Isolation:</b> needs may differ amongst ethnic minority victims, newly arrived communities, asylum seekers, older people, people with disabilities, as well as travelling or gay, lesbian, bisexual or transgender people. This might be in terms of perceived racism, language, culture, insecure immigrations status and/or accessing relevant support services. Be aware of forced marriage and honour based violence whereby family/community tries to restore their mistaken sense of honour and respect. Victims may be particularly isolated and/or vulnerable. Take their concerns seriously.
6	<b>Stalking:</b> Persistent and consistent calling, texting, sending letters, following. DA stalkers are the <u>most</u> dangerous. Stalking and physical assault, are significantly associated with murder and attempted murder. This is not just about physical violence but coercive control and jealous surveillance. Consider the perpetrator's behaviour and whether victim believes it is being done to deliberately intimidate.
7	<b>Sexual Assault:</b> Those who are sexually assaulted are subjected to more serious injury. Those who report a domestic sexual assault tend to have a history of domestic abuse whether or not it has been reported previously. Many domestic sexual offenders are high risk and potentially dangerous offenders. Be aware of the link between domestic and stranger rape.
8	<b>Strangulation (choking/suffocating/drowning):</b> Escalating violence, including the use of weapons and attempts at strangulation must be recorded when identifying and assessing risk. This includes all attempts at blocking someone's airway.
9	<b>Credible Threats to kill:</b> A credible threat of violent death can very effectively control people and some may carry out this threat.
10	<b>Use of weapons:</b> Abusers who have used a weapon, or have threatened to use a weapon, are at increased risk of violent recidivism.
11	<b>Controlling and/or Excessive Jealous Behaviour:</b> Complete control of the victim's activities and extreme jealousy are associated with serious violence and homicide. Consider honour based violence – the victim may not have the freedom of choice. Examples may include fear of or actual forced marriage, controlling sexual activity, DA, child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment, forced abortion The perpetrator may well try and control professionals as well.

<b>12</b>	<b>Child Abuse:</b> Evidence shows that both DA and child abuse can occur in the same family. Child abuse can act as an indicator of DA in the family and vice versa – please note if the child(ren) witness or hear the abuse.
<b>13</b>	<b>Animal/Pets Abuse:</b> There is a link between cruelty to animals, child abuse and DA. The use or threat of abuse against pets is often used to control others in the family. Abuse of animals may also indicate a risk of future harm.
<b>14</b>	<b>Alcohol/Drugs/Mental Health:</b> The abuser’s use of drugs and alcohol are not the cause of the abuse, as with all violent crime they might be a risk of further harm. Physical and mental ill health does appear to increase the risk of DA.
<b>15</b>	<b>Suicide-Homicide:</b> Threats from an offender to commit suicide have been highlighted as a Factor in domestic homicide. A person who is suicidal should also be considered homicidal.

## RISK MANAGEMENT ACTIONS

<p><b>Establish Regular Safe Contact</b></p>	<p>Provision of mobile phone to maintain 24/7 contact in early stage, using covert methods to establish regular contact with the victim, non-police e-mail and/or provide victim with a 'pay as you go' mobile phone.</p> <p>Establish a code word for use by the victim during telephone calls. Be conscious when using the telephone that individuals may not be who they purport to be or may be being threatened by their family as they speak.</p> <p>Ask victim to contact practitioner at least two/three days in advance if they decide to make any significant changes or decisions or decide to leave or return home.</p>
<p><b>Accommodation</b></p>	<p>If considering refuge accommodation it may be appropriate to approach a Women's Aid Organisation out with your area. Put contingency in place for relocation to another area if current location is found (work is ongoing to establish local arrangements for persons with no recourse to public funds)</p>
<p><b>Personal Safety Plan</b></p>	<p>Nominated safe contact, access to funds, passport, identification transport (spare car keys), change of clothes. Open a bank/savings account in their name, leave copies of important documents such as passport, national insurance number and birth certificate with police, social services or a trusted friend. Set up local agreements with housing, local government. Children need to be included in safety plan &amp; alternative escape plan for them may be found necessary. General safety advice for victims can be found at <a href="http://www.crimereduction.gov.uk/personalsafety">www.crimereduction.gov.uk/personalsafety</a></p>
<p><b>Victim Log</b></p>	<p>Advise victim to record details of all interactions that take place between themselves and the offender</p>
<p><b>Travel/Abduction precautions</b></p>	<p>At an early stage seek specialist advice from other units such as the Foreign and Commonwealth Office Forced Marriage Unit .</p> <p>Consider application for a Forced Marriage Protection order under Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011. A FMPO may, among other things, require a person to refrain from taking a protected person from, or to, such a place as the court may specify and submit to the court documents which the court may specify including passports and travel documents.</p> <p>If a FMPO is not granted or appropriate consider removal and retention of Passport. Check whether victim is on parent(s) passport or has dual nationality as may have two passports. Could flag their passports at Passport Office in case applications are made for new ones. Advise them to travel on their British passport if going abroad as easier to repatriate. Alert airports of possible travel and safety planning advice should be given to victim if they believe they will be</p>

	taken overseas.
	<p>Where travel is inevitable, obtain details of the itinerary and details of when they are going to return. Arrange for contact to be made on return. Obtain a statement saying the victim would like the authorities to take action to ensure his/her safety should they not return as arranged.</p> <p>If they are going overseas victim should be advised to take:</p> <ul style="list-style-type: none"> <li>• Contact details of Embassy/High Commission/trusted third party or Forced Marriage Unit at the FCO;</li> <li>• Secret stash of money, mobile telephone;</li> <li>• Copies of passport and tickets for themselves.</li> </ul>
<b>Referral to other Agencies</b>	Inform victim of services available from Women's Aid, Barnardo's and local authorities and other relevant agencies.
<b>Child Protection</b>	Where children are involved refer to local child protection procedures/guidelines.
<b>Vulnerable Adult</b>	Where the victim is identified as a vulnerable adult refer to local procedures.
<b>Move to another Local Authority area</b>	Where a victim moves to another Local Authority area ensure that the new force is notified of the circumstances.
<b>Vehicles</b>	Record full details of all vehicles belonging to perpetrators

## Warning Signs for Forced Marriages

