

Honour based Abuse, Forced Marriage and Female Genital Mutilation: a Policing Strategy for England, Wales & Northern Ireland – Eradicating Honour based Abuse, Force Marriage and Female Genital Mutilation Together

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Author:	Commander Mak Chishty
Force/Organisation:	Metropolitan Police
NPCC Coordination Committee Area:	Crime Operations
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This revised strategy have been produced and approved by the NPCC Crime Operations Coordination Committee on the 8 December 2015. Guidelines/Strategy produced by the NPCC should be used by chief officers to shape police responses to ensure that the general public experience consistent levels of service. The operational implementation of all guidance and strategy will require operational choices to be made at local level in order to achieve the appropriate police response and this document should be used in conjunction with Authorised Professional Practice (APP) produced by the College of Policing. It will be updated and re-published as necessary.

Any queries relating to this document should be directed to either the author detailed above.



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FOREWORD

As the National Police Chiefs' Council's Lead for Honour based Abuse, Forced Marriage and Female Genital Mutilation, I'm committed to working in partnership to see the sustained prevention and eradication of these harmful practices whilst bringing offenders to justice.

Such crimes and abuses of individual's human rights must be challenged on every level to achieve their eradication. I'm dedicated to providing a strong leadership role in achieving this objective.

I will work with the police forces across England, Wales and Northern Ireland (as covered by NPCC) and the College of Policing to ensure that the police service consistently delivers a high quality service to victims, survivors, affected communities and partners to realise our aims.

These harmful practices affect some of the most vulnerable in our society and also represent some of the gravest forms of child and human rights abuses.

I recognise that the police service cannot achieve this goal by itself and that to achieve sustained progress the police service cannot work in isolation. I am steadfast, as is the police service in my commitment to working in effective partnership across government, with victims, survivors, all communities, NGOs, CPS and other professionals to prevent such crimes, protect and safeguard victims, potential victims & survivors and raise awareness whilst doing all that we can to bring offenders to justice.

I also recognise the reach of hatred and extremist ideology into the homes of families and communities through social media which aim to radicalise and generate extremism and hate.

The recent proliferation and practice of this extremist ideology means that women and young girls are often first to become victims by the loss of their human rights, face abuse and be subjected to violence. In real terms this means that we need to be alert to the potential of greater harm through extremism which may be masked beneath a false veil of honour or religious practice.

I look forward to working with you and I commend this strategy to you.



Commander Mak Chishty
National Police Chiefs' Council Lead for Honour
based Abuse, Forced Marriage & FGM



1. EXECUTIVE SUMMARY

1.1. *The Police Service's vision remains nothing less than the total eradication of Honour Based Abuse (HBA), Forced Marriage (FM) and Female Genital Mutilation (FGM) from all communities.*

1.2. This was our ambition in 2008 when ACPO published the first national policing strategy to tackle Honour Based Violence (as it was known as then) & FM and it remains so today with the addition of FGM. We have seen evidence from across the country that there has been progress made in tackling such harmful practices. The Police Service continues to demonstrate national leadership and commitment to drive the response to realise the overarching aims of saving lives and protecting victims and survivors.

1.3. **Progress on the then 2008 Honour based Violence Strategy**

1.4. The police service has made notable progress since the first national policing strategy was published in October 2008, with a large number of the recommendations having been completed or otherwise becoming obsolete after being overtaken by other developments. This 2015 strategy represents the start of a transformational strategy that will take the police service further in contributing to the overall vision to prevent and eradicate Honour based Abuse, Forced Marriage and FGM.

1.5. Achievements include:

- The adoption of the HBV definition by all police forces across England, Wales and Northern Ireland;
- Publication of an ACPO Communication Strategy;
- All forces have an HBA/FM and FGM force champion(s) leading their work. The Police Leads work in collaboration with 13 CPS FGM Regional Leads;
- There is a local, regional and national police meeting structure in place for learning and sharing best practice;
- A comprehensive package of public protection training, which incorporates HBV, FM and FGM;
- Development of a joint police and CPS training package, which had been rolled out across the CPS' 13 regions and their police force customers between July – December 2014;
- 42/42 forces in England and Wales have signed protocols with the CPS for the investigation and prosecution of FGM;
- HBV matters are incorporated into UK Protected Person Service Processes;
- Working in effective partnership across HM Government and with strategic and operational NGOs;
- Publication of the College of Policing FGM Authorised Professional Practice.



2. CONTEXT

2.1. In order to achieve common goals we need to have a shared understanding of what Honour based Abuse, Forced Marriage and FGM is, are defined in law and otherwise how they co-exist with other forms of Violence Against Woman and Girls.

2.2. Honour based Abuse (HBA)

2.2.1 In line with current thinking the NPCC has moved to a new title of this strategy and subject area i.e. Honour based Abuse, which is accompanied by a detailed definition, which can be found at appendix A.

2.2.2. The National Police Chiefs Council's definition of **Honour based Abuse** is:

2.2.3. 'an incident or crime involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse), which has or may have been committed to protect or defend the honour of an individual, family and or community for alleged or perceived breaches of the family and / or community's code of behaviour'.

2.2.4. There is currently no statutory definition of HBA.

2.3. Forced Marriage (FM)

2.3.1. Forced marriage is a criminal offence in England and Wales under section 121 of the Anti-Social Behaviour Crime and Policing Act 2014.

2.3.2. The legislation criminalises the use of violence, threats of violence, deception or any other form of coercion or in the case of people with learning disabilities cannot consent for the purpose of forcing a person into marriage or into leaving the UK with the intention of forcing that person to marry.

2.3.3. Coercion can include physical, psychological, financial, sexual or emotional pressure.

2.3.4. In addition people who lack capacity (as per the Mental Capacity Act 2005) to consent to marriage cannot give informed consent to marry.

2.4. Female Genital Mutilation (FGM)

2.4.1. Female Genital Mutilation (FGM), also known as Female Genital Cutting and by many other terms and is a criminal offence in England, Wales and Northern Ireland under the Female Genital Mutilation Act 2003. The offence covers mutilation of a girl's or woman's labia majora, labia minora or clitoris.

2.4.2. City University, London and Equality Now have produced a Prevalence Study relating to FGM based on the 2011 census data. This study highlights the scale of our partnership challenge now and to the future.

2.4.3. Useful links can be found in Section 7.



3. STRATEGIC INTENT

- 3.1. The police service is committed to playing a key role within the coalition of partners in eradicating honour based abuse, forced marriage and female genital mutilation, increasing the confidence of victims, survivors & affected communities and in identifying, prosecuting and bringing offenders to justice.
- 3.2. To achieve this aim, this ¹Honour based Abuse (which includes Forced Marriage and Female Genital Mutilation) Strategy will support the police service to:
- Build the trust and confidence of affected communities in the police service so that they seek our help directly;
 - Tackle and reduce the under-reporting of all forms of Honour based Abuse;
 - Provide an effective proactive response on every occasion; recognising & responding effectively to risk, keeping victims' safe and holding offenders to account;
 - Proactively engage with communities, raising awareness and identifying victims, prospective victims and perpetrators;
 - Demonstrate the Police Service's leadership on the issues as well as playing an effective role in the coalition of partners to tackle HBA;
 - To gain a better understanding of the scale of the problem.
- 3.3. There are also three key principles, which underpins all that we do:
- That victims have got a fundamental right to be believed;
 - Putting victims, their safety (safeguarding) and well-being at the heart of our responses and investigations; and
 - That the victim's personal details will be stored, managed and handled with integrity and confidentially.

3.4. Role of the Police Service

- 3.4.1. We must be clear with victims, NGOs and other partners what the police service's role is within the coalition of partners charged with the responsibility of tackling Honour based Abuse (including Forced Marriage and FGM).
- 3.4.2. The police service's core responsibilities are:
- Protecting life and property;
 - Preventing and Detecting crime;
 - Maintenance of HM The Queen's Peace;

which the police service must do in a professional, effective, efficient and legitimate way.

- 3.4.3. That said the police can only deliver its role and achieve its objectives with the consent and support of the public. One of the fundamental cornerstones of British Policing is policing by and

¹ Any reference to Honour based Abuse in this strategy also includes Forced Marriage and Female Genital Mutilation. See definition in appendix A.



with consent of the public, therefore our proactive engagement and work with the community, other public authorities and third sector agencies is crucial if we are to deliver our services in an effective and efficient way. In the context of HBA this includes actively working with affected communities, the wider community, statutory agencies (including social care, health, education, local authorities, Children & Adult Safeguarding Boards etc) and specialist non-government organisations (NGOs).

4. CONTENTS

4.1. In *Moving Forward to 2018* the police service aims to achieve its strategic intentions through the following programme of work:

4.2. **Prevention - Together we will work with communities & other partners to make harmful practices dishonourable in our communities. By supporting community driven solutions we will tackle and dismantle the generational cycle of offending.**

4.3. **We will do this by adopting measures including:**

- Commissioning a National Problem Profile to understand the national picture and to identify affected communities to better focus our energy, work and resources;
- Supporting police forces to understand the local picture, by identifying, measuring and understanding the extent and nature of harmful practices within their force (local) and regional areas e.g. flagging of crimes and incidents;
- Consistency of the police service's approach to data recording and collection;
- Developing a programme of regular and sustained engagement with leaders of all religions and faiths to secure their support to publicly denounce harmful practices;
- Developing a comprehensive community engagement programme given the essential importance of ²**community driven solutions**, which ensures that we meet with, engage with and listen to communities;
- Working with DfE, Head Teachers and Boards of Governors to initiate & take forward a schools engagement programme to educate & empower our young people to tackle & dismantle the generational cycle of offending;
- Working with the local, regional and national third sector agencies to identify: communities' knowledge gaps, emerging issues and learning;
- Championing, influencing and delivering marketing campaigns which drive and deliver our key message that HBA/FM and FGM are crimes and safely signpost victims and prospective victims to the police and specialist support agencies;
- Developing a communication strategy that will deliver key messages focused on communities, the police service, social care, education and health care providers and other partners whilst focusing on deterring offenders;
- Working with victims, survivors, communities and NGOs through a sustainable engagement network to enhance their trust & confidence in the police service, empower victims & survivors and improve the police service's knowledge & influence what we do.

² Given the deeply ingrained cultural nature of harmful practices it is our contention that **Community Driven Solutions (CDS)** are essential to change mindsets and behaviour within affected communities. CDS is not about: accessing communities through gatekeepers, having community problem solving or paralegal processes, which are often led by men discussing individual HBA, FM cases etc. Networks of influential Community Champions & Role Models from within affected communities are 2 such CDS options, which we advocate.



4.4. Protection - *Together we will work to do all that we can to keep people safe by removing, minimising or controlling risks and preventing crime.*

4.5. We will do this by adopting measures including:

- Working with police & College of Policing colleagues and others to develop effective risk management processes to identify, assess and effectively manage risk(s);
- Working with the College of Policing to improve investigation standards;
- Making documented risk management processes a key benchmark to a qualitative investigation to protect victims , prospective victims & witnesses;
- Working with the local, regional and national third sector agencies to support them to develop medium to longer term support infrastructure for victims and survivors;
- The further development of the NPCC's policy for the ³inter-force transfer of Honour based Abuse cases to improve the investigation of cases, understand & minimise risks and to safeguard victim(s). To better understand each force's role in this process too;
- Working with the National Probation Service and Community Rehabilitation Service regarding the management of convicted HBA perpetrators to reduce risk(s) posed by them in the community;
- Making effective use of FGMPOs to safeguard victims & prospective victims and FMPOs & other Criminal Justice Orders to manage offenders' behaviour as part of an integrated plan of protection and ensure that officers have sight of these orders nationally e.g. using PNC / PND;
- Working with national and international law enforcement partners and others to protect victims, enhance our knowledge, identify travelling offenders and build our intelligence capability to tackle offenders and bring them to justice e.g. by working with the UK Protected Persons Service, National Crime Agency, Europol and Interpol;
- Ensuring police officers, the police service and partners have a shared understanding of the ***One Chance Rule***.

4.6. Prosecution - *Together we will work to improve what we do, prosecute and bring more offenders to justice through conviction. Alongside the criminal justice process we will prioritise the safety of victim and others affected. This is our duty and commitment to victims and survivors.*

4.7. We will do this by adopting measures including:

- Working jointly with the College of Policing and CPS to develop practical tools to support frontline investigators and prosecutors. This will be informed by a specific questionnaire to specialists;
- Operating to the principle that victims have a fundamental right to be believed we will work with the College of Policing, Police Forces, Criminal Justice agencies and others to promote this principle and influence systems and processes;

3. The completed inter-force transfer document must be stored securely and be capable of immediate retrieval



- Engaging with Criminal Justice agencies to help ensure the effective implementation of legislation including supporting any training initiatives within the CPS and judiciary;
- Identify gaps in the UK and International legislation to support the principle of ‘Justice Seen. Justice Done’;
- Working to develop an international law enforcement coalition to tackle HBA, FM and FGM maximising intelligence opportunities, tackling travelling offenders, tackling so-called ‘cutters’ and those involved in the infrastructure support to HBA offenders;
- Working with the College of Policing to develop a comprehensive tactical options menu & resources guide to equip investigators to investigate cases more effectively to achieve the best possible evidence and to protect victims;
- Working with the College of Policing to develop a comprehensive tactical options menu & resources guide to equip investigators to investigate cases more effectively to achieve the best possible evidence and to protect victims;
- Working with the College of Policing to develop a trained cadre of tactical advisors to support police leaders, investigators and first responders;
- Working with Criminal Justice partners to provide appropriate support and protection to victims during the criminal justice process.

4.8. Partnership – *Together the police service will collaborate and work in and with an effective coalition of partners to create a safer future for our younger generations so they can realise their full potential and have the freedom to make life choices.*

4.9. We will do this by adopting measures including:

- Working with statutory and non-statutory partners to agree common definitions, a common understanding and consistent & joined up approaches;
- Working with our communities, NGOs & statutory agencies to support victims, survivors & communities to better understand prevalence, obtain community intelligence and focus on areas of greatest risk;
- Working with our communities, NGOs and statutory agencies to support victims, survivors and communities to develop problem solving activities in high risk or prevalent areas;
- Working with NGOs and statutory agencies to support victims and survivors to the longer term;
- Forming an effective coalition with the fullest range of statutory and voluntary partners including communities at neighbourhood, force, regional, national & international levels to raise awareness, share information & intelligence;
- Working with partners to develop reporting mechanisms including on line, third party, assisted reporting, Apps and other technology solutions;
- Working with the College of Policing and other partners on a regional basis to quality assure decisions post investigation and post prosecution to identify learning so that we can be the very best that we can be.



4.10. Core Principles

4.10.1. Further to the 3 core underpinning principles as previously highlighted it is essential that active regard is given to the following:

- **That victims have got a fundamental right to be believed**

4.10.2. This lies central to the decision making of our officers and staff when interacting with victims of HBA crimes and incidents. It is not for officers and staff to make subjective judgements about people's lifestyles. Invariably such assessments are wrong, leading to inappropriate and ineffective decision-making exposing the victim and others to risk. Victims need to know and understand that we believe them unless of course there is clear and unambiguous evidence to the contrary. The purpose of the police investigation is to prove or disprove that a crime has taken place and if a crime has taken place to identify the suspect(s) and gather good quality evidence, which allows the CPS to make a prosecution decision.

4.10.3. In such cases it is important that police investigators conduct a victim led investigation, which secures the trust and confidence of the victim, prospective victim and witnesses in the case. In any investigation it is essential to consider the wishes of the victim whilst making some key decisions e.g. the decision to arrest suspect(s) who invariably – but not exclusively - will be family members. This places a significant burden on victims and the onus for a decision on whether or not to arrest the suspect(s) shall rest with the primary responder and/or secondary police investigator. Whilst the first ACPO HBV strategy described a *zero tolerance* approach to this crime genre and its suspect(s) it is the National Police Chiefs' Council's (NPCC) position that considered decisions to arrest suspect(s) must be made on a case-by-case basis with active consideration to factors such as the wishes of the victim, seriousness of the crime(s) suspected of, likelihood of re-offending and the level of overall risk presented / faced etc. Ultimately the decision to arrest is one for the police officer to make.

- **Putting victims, their safety (safeguarding) and well-being at the heart of our initial responses and investigations**

4.10.4. This supports the 3 core policing principles. When a victim approaches the police for help there is evidence to believe that the risks to them will exponentially increase. We must do all that we reasonably can to protect victims and confidentially work with them and others e.g. NGOs & CSP partners to keep them safe. Victims need to know this. Police investigators must consider the victim's safety in all the decisions that they make and at every juncture of an investigation. If a victim does not feel safe and doesn't believe that the police officers are taking their safety seriously it is unlikely they will participate in a police investigation.

and

- **That their personal details will be stored, managed and handled with integrity and confidentially**

4.10.5. Victims and NGOs tell us that feelings of safety lie at the centre of the victim's trust and confidence in the police investigator, the police service and other agencies involved. The safe handling, management and storage of the victim's personalised data complement the matter of victim safety and feeling of well-being. Given the diversity of the police service, which includes representation from HBA affected cultures; the potential accessibility to the victim's personalised data is a core concern of victims and NGOs.



4.10.6. This raises two main issues:

- i) Controlling access to HBA victim's personalised data through restrictions to crime / incidents reports, intelligence reports (local Force Intelligence systems and National e.g. Police National Database), missing person reports and inter-force case transfers, and
- ii) Given the diversity of our workforces it's essential that Force Chief Officers ensure that there are appropriate HR Employee policies in place for supervisors and colleagues to safely manage, protect and secure the well-being of employees who identify themselves as a victim or prospective victim of such crime types. In addition forces need to consider that some of its employees may actually be perpetrators of HBA crimes and incidents or otherwise condone it. Accordingly Forces must consider restriction levels to HBA personalised data on the identified IT systems and operate regular audits of the same.

4.11. Governance & Delivery

4.11.1. The National Policing Lead for Honour Based Abuse, Forced Marriage and Female Genital Mutilation is responsible for overseeing and driving this strategy. This post-holder answers to the Chair of the Violence & Public Protection (VPP) Board, as the NPCC Business Area Lead.

4.11.2. In terms of delivery the NPCC Lead will be further supported by Force and Regional Subject Matter Leads in the delivery of the strategy's accompanying action plan, the outcomes of which will periodically reported to the VPP Board.

4.11.3. The HBA National Lead will develop products and guidance to deliver the aims of the strategy through advisory groups of operational staff operating at regional and national level, experts and key statutory and non-statutory stakeholders.

4.11.4. The HBA NPCC Lead, under the guidance and direction of the Business Area Lead approves the distribution of guidance and supporting products except where:

- they place a mandatory commitment on any organisation ;
- they are deemed to be contentious or where there is significant opposition during public consultation;
- they require significant financial contribution from agencies, which have not agreed to the expenditure;
- implementation of the guidance would have significant financial implications for the police service;
- implementation of the guidance would be likely to damage the trust and confidence of the community or parts of the community in the police.

4.11.5. If any of the above circumstances are present or foreseeable, the Business Area Lead will refer the matter to the College of Policing Professional Committee and/or National Policing Council for consideration.



4.12. National Partnerships

4.12.1 The HBA National Lead or their nominee represents the police service on all national and international bodies that require partnership activity. The Criminal Justice system response to Honour Based Abuse, Forced Marriage and Female Genital Mutilation is coordinated under the Government's Violence Against Women & Girls strategy and associated inter-Ministerial Groups, which brings together all relevant government departments and key stakeholders.

4.13. Strategic Owner

4.13.1. On behalf of National Police Chiefs' Council, the owner of this strategy is Commander Mak Chishty, Metropolitan Police Service the National Policing Lead for Honour Based Abuse, Forced Marriage and Female Genital Mutilation.

4.14. Status under the Freedom of Information Act 2000

4.14.1. This document is a public record. It can be published on any website that the public have access to and should be made available as required.



5. ABBREVIATIONS

ACPO Chief Officers	Association of	HM	Her Majesty
CAADA Against Domestic Abuse	Coordinated Action	MARAC	Multi-agency risk assessment conference
CDS Driven Solutions	Community	MOJ	Ministry of Justice
CPS Prosecution Service	Crown	NPCC	National Police Chiefs' Council
CSP Partnership	Community Safety	NGO	Non-Governmental Organisation
FGM Mutilation	Female Genital	NPIA	National Police Improvement Agency
FGM/C Mutilation / Cutting	Female Genital	PNC	Police National Computer
FGMPO Protection Order	Female Genital Mutilation	PND	Police National Database
FM	Forced Marriage	UNICEF	United Nations International Children's Emergency Fund
FMPO Protection Order	Forced Marriage	VPP	Violence and Public Protection
HBA	Honour Based Abuse	WHO	World Health Organisation
HBV Violence	Honour Based		



6. APPENDIX A

Defining Honour based Abuse

There is currently no statutory definition of Honour Based Abuse.

There remains much debate amongst practitioners and academics about honour based abuse. The use of the term *'honour'* in relation to abuse perpetrated against women, men and children is an oxymoron and which continues to be challenged by many, which is understandable.

There is not, and indeed cannot be any honour or justification for the abuse of human rights of and crimes committed against women, men and children. There is only shame and dishonour in the perpetration of such crimes and abuses of human rights. Throughout this strategy the term honour based abuse has been adopted to frame the various forms of abuse and violence that take place as a result of notions of honour and in line with the terminology used by academics and others.

'Honour based abuse' is a term for the many abuses against women, men and children. Societies have used cultural and/or religious justifications for male violence against women & girls and other people, based on traditional notions of patriarchy, women as property and acceptable behaviour, whereby an individual, family and community's honour is weighted on women and girls.

Such notions are often supported by varying degrees of social collusion and approval.

Honour based abuse sits within the wider framework of violence against women & girls. This acknowledges the gendered nature of honour based abuse as the vast majority of victims and those at risk are female and that honour based violence takes place overwhelmingly within families. However there remains the issue of male victims and their ability to access services and safety.

There is less consensus that honour based abuse should sit within the framework of domestic abuse. Some of the reasons cited for this include the nature of honour based abuse as being different to domestic abuse in that the perpetrator is NOT necessarily an intimate partner or family member and that there may be multiple perpetrators including other family & community members. The collective nature of honour based abuse offending makes it distinct from domestic abuse. Please see HM Government's updated ⁴domestic abuse definition and that provided by ⁵Refuge.

Although cases show that much of the abuse does originate from intimate partners and the immediate family, further abuse can be instigated by extended family members and members of the community who support the family's actions or collude in or perpetrate the violence on behalf of the family.

In 2007 ACPO developed a 'front line' working definition to enable our police officers and staff members to readily identify what they were dealing with so that they could take effective action to safeguard victim(s), survivor(s) and witness(es) and signpost them to specialist support. This

⁴ <https://www.gov.uk/domestic-violence-and-abuse>

⁵ <http://www.refuge.org.uk/get-help-now/what-is-domestic-violence/>



working definition has now been updated to reflect the developing understanding of this subject area.

The National Police Chiefs Council's definition of **Honour Based Abuse** is:

'an incident or crime involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse), which has or may have been committed to protect or defend the honour of an individual, family and or community for alleged or perceived breaches of the family and / or community's code of behaviour'.

Further Explanation

'**Honour based Abuse**', which includes forced marriage and female genital mutilation (FGM) is a fundamental abuse of Human Rights. It very frequently involves the commission of crimes.

There is no honour in the commission of murder, rape, kidnap and the many other acts, behaviour and conduct which make up 'violence in the name of honour'. Such crimes are shameful and bring dishonour on the perpetrators.

Honour based Abuse is a collection of practices, which are used to control behaviour within families and/or communities to protect perceived cultural & religious beliefs and/or honour. Such violence can occur when perpetrators perceive that a relative or community member has shamed the family and / or community by breaking their honour code or code of behaviour. An honour code can define a family's mindset, way of life or lifestyle.

Women and girls are predominantly (but not exclusively) the victims of 'honour based abuse', which is used to assert male power in order to control female autonomy and sexuality.

'Honour Based Abuse' can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and / or community members.

Examples may include murder, un-explained death (suicide), fear of or actual forced marriage, controlling sexual activity, domestic abuse (including psychological, physical, sexual, financial or emotional abuse), child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment, forced abortion. This list is not exhaustive. Such abuse cuts across all cultures, nationalities, faith groups and communities. It transcends national and international boundaries.

We have learnt that concepts of honour and shame have long been associated with Lesbian, Gay, Bisexual and Transgender (LGBT) people in affected communities, where there are actual or threatened forced marriages and where the potential for other forms of honour based abuse are seen as a significant and real threat.

In addition we know that Romany Gypsies and Irish Travellers as racial groups have their own honour code, which governs the conduct of women and girls.

Forced Marriage is a violation of internationally recognised human rights and is a specific criminal offence in England, Wales, and Scotland, under sections 121 and 122 of the Anti-social behaviour Crime and Policing Act 2014.

European Convention on Human rights ARTICLE 12 [Right to marry]:



Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

UNICEF reports that an estimated 10 million girls each year are married before the age of 18, many of them as young as eight years old to men who may be three or four times their age.

Child marriage cuts across countries, cultures, religions and ethnicities: 46 per cent of girls under 18 are married in South Asia; 38 per cent in sub-Saharan Africa; 29 per cent in the Americas; 18 per cent in the Middle East and North Africa; as well as in some communities in Europe and North America (Source: UNICEF).

In calendar year 2014 HM Government's ⁶Forced Marriage Unit (FMU) gave advice or support in 1267 cases involving people from 88 different countries, which is further broken down as:

- 79% of cases involved female victims and 21% involved male victims;
- Where the age was known, 11% of cases involved victims below 16 years, 11% victims aged 16-17, 17% victims aged 18-21, 14% victims aged 22-25, 8% involved victims aged 26-30, 7% victims aged 31+;
- In 32% of cases the age of the victim was not known;
- 135 cases involved victims with disabilities;
- 8 involved victims who identified as lesbian, gay, bisexual or transgender;
- Of the 88 different countries this included Pakistan (38.3%), India (7.8%), Bangladesh (7.1%), Afghanistan (3%), Somalia (1.6%), Turkey (1.1%), Iraq (0.7%), Sri Lanka (1.1%) and Iran (1.0%). The origin was unknown in 3.5% of cases.
- Within the UK the regional distribution was: London 23%, West Midlands 11.9%, South East 10.8%, Yorkshire and Humberside 8.9%, North West 8.1%, East 4.7%, East Midlands 4.4%, Scotland 2.3%, South West 1.7%, Wales 1.4%, North East 1.3% and Northern Ireland 0.7%. The region was unknown in 20% of cases.

It is essential to identify and draw the distinction with arranged marriages, which are fully supported in our multi-cultural and diverse society, where the arrangement is based on compatibility, choice and consent (informed & free consent).

As can be seen from FMU's cases there is evidence to support that LGBT people from affected communities are being forced into marriage to conceal their sexual orientation and / or their gender identity.

In addition there is also evidence, which highlights that people with learning disabilities have been or are being forced into marriage. It is suspected that there are a number of ⁷reasons for this including;

- Parents wishing to find a partner / carer for their disabled adult children, who can then care for them as the parents grow older;

⁶https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412667/FMU_Stats_2014.pdf

⁷http://www.enpccrafttrust.org/Forced_Marriage.php



- Marriage is a means of improving the chances of getting a visa to the UK. A person with learning disabilities may be seen as easier to deceive or coerce into such a marriage and into then acting as a visa sponsor;
- Families may believe that marriage will “cure” learning disabilities and / or allow a person with learning disabilities to lead a “normal” life.

We need to be clear what the consequences of forced marriages are too. They include: unlawful imprisonment and restriction of freedom of movement and association, sexual assault, abduction and kidnapping, rape, enforced pregnancy, domestic abuse, double forced marriage and abandonment too.

Female Genital Mutilation (FGM) is an offence under the Female Genital Mutilation Act 2003. The offence covers mutilation of a girl’s or woman’s labia majora, labia minora or clitoris.

The World Health Organisation (WHO) has classified FGM into four main types:

Type 1 – Clitoridectomy: partial or total removal of the clitoris (a small, sensitive and erectile part of the female genitals) and, in very rare cases, only the prepuce (the fold of skin surrounding the clitoris).

Type 2 – Excision: partial or total removal of the clitoris and the labia minora, with or without excision of the labia majora (the labia are the ‘lips’ that surround the vagina).

Type 3 – Infibulation: narrowing of the vaginal opening through the creation of a covering seal. The seal is formed by cutting and repositioning the inner, or outer, labia, with or without removal of the clitoris.

Type 4 – Other: all other harmful procedures to the female genitalia for non-medical purposes, e.g. pricking, piercing, incising, scraping and cauterising the genital area.

FGM has been documented as taking place in more than 28 countries in Africa and is found in Middle Eastern and Asian countries. UNICEF estimates that 125 million women and girls globally have undergone FGM and that 3 million girls in Africa are at risk each year. Due to inter-marriages and migration FGM is now both a domestic and international problem, making it a global issue.

A recent prevalence study published by City University, London and ⁸Equality Now that an estimated 137,000 women and girls with FGM, born in countries where FGM is practiced, were permanently resident in England and Wales in 2011. Over half of the women aged 15 – 49 years with FGM, 53,000 were born in countries with almost universal Type III FGM.

From 1996 – 2010, 144,000 girls were born in England and Wales to mothers from FGM practicing countries. We know that girls born to mothers with FGM are at high risk of undergoing FGM. Regional breakdowns of the prevalence estimates, published in 2015, concluded that while urban areas, and specifically London, have the highest estimated prevalence, every area is likely to be affected in some way. All areas, local authorities and professionals should ensure that they are aware of and take action to prevent and tackle FGM.

It is believed that the majority of girls undergo FGM between the 0 -15 years, although is known to be practised outside this age range with older women who are married or re-married e.g. re-infibulation following childbirth and women who are forced to undergo FGM by husbands and / or his female family members.

⁸ <http://www.equalitynow.org/sites/default/files/FGM%20EN%20City%20Estimates.pdf>



The type and degree of FGM practiced and the reasons that cultures and communities so practice vary. In deed there are regional variations in the same countries. However it appears that many practice FGM because of out-dated notions of honour, perceived culture and/or religious practices and for some communities it is driven by superstition and myth. There isn't a holy book that advocates this practice and it is believed that FGM pre-dates religion.

As with other forms of Honour based Abuse, FGM may be initiated to control female autonomy and sexuality and is linked to coming of age, purity, virginity, chastity, marriageability and fidelity with a clear connection to the individual's honour and therefore the family's honour. A girl who has not undergone FGM may face stigma, discrimination and accusations about perceived promiscuity, bringing shame to herself and her family thereby presenting other risks.

Honour based Abuse is a cultural and not a religious phenomenon. Given the deeply ingrained cultural nature of offending communities which practice such harmful practices and abuse therefore bear a specific responsibility to influence change. This may include not being involved in or condoning behaviour, which could act as a catalyst for offending too. Assumption, subjectivity, and perceptions can often generate inaccurate suspicions about the alleged conduct of a girl or woman leading to them coming to harm. Practicing communities can change this by speaking out against Honour based Abuse in all its forms.



7. Useful Links

Honour based Abuse

<http://www.college.police.uk/What-we-do/Learning/Curriculum/Protection/Pages/default.aspx>

Forced Marriage

<http://www.legislation.gov.uk/ukpga/2014/12/section/121/enacted>

[http://www.cps.gov.uk/legal/h to k/honour based violence and forced marriage /](http://www.cps.gov.uk/legal/h%20to%20k/honour%20based%20violence%20and%20forced%20marriage/)

[Multi-agency statutory guidance for dealing with forced marriage 2014](#)

[Multi-agency practice guidelines: Handling cases of forced marriage 2014](#)

[Forced marriage e-learning for professionals](#)

[How to apply for a Forced Marriage Protection Order](#)

Female Genital Mutilation

<http://www.legislation.gov.uk/ukpga/2003/31/contents>

[http://www.cps.gov.uk/legal/d to g/female genital mutilation/](http://www.cps.gov.uk/legal/d%20to%20g/female%20genital%20mutilation/)

<https://www.gov.uk/government/publications/female-genital-mutilation-multi-agency-practice-guidelines>

[http://www.city.ac.uk/_ data/assets/pdf file/0004/282388/FGM-statistics-final-report-21-07-15-released-text.pdf](http://www.city.ac.uk/_data/assets/pdf_file/0004/282388/FGM-statistics-final-report-21-07-15-released-text.pdf)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417131/20150325SeriousCrimeActCircular.pdf

<https://www.gov.uk/government/publications/mandatory-reporting-of-female-genital-mutilation-procedural-information>

<https://www.fgmelearning.co.uk/>

<https://www.app.college.police.uk/app-content/major-investigation-and-public-protection/female-genital-mutilation/>

