



Suffolk
Safeguarding
Partnership

Honour Based Abuse, Forced Marriage and Female Genital Mutilation Guidance

Policy Version History

Version	Date	Author	Update/Change	Endorsed by CYP PP and LIG
1	01/09/2017	Tracy Murphy	Update on MASH Referral Process.	Yes
2	03/08/2020	Tracy Murphy	Addition of new Government guidance July 2020 and change of logo.	Yes

Honour Based Abuse

The term Honour Based Abuse (HBA) is the internationally recognized terms describing cultural justifications for violence and abuse. It justifies the use of certain types of violence and abuse against women, men and children. The Association of Chief Police Officers (ACPO) defines HBA as 'A crime or incident, which has or may have been committed, to protect or defend the honour of the family and/or community'. This may include genital mutilation and/or forced marriage.

There is not specific offense of 'honour based crime'. It is an umbrella term to encompass various offences covered by existing legislation. Honour based violence can be described as a collection of practices, which are used to control behavior within families or other social groups to protect perceived cultural and religious beliefs and/or honour. It is a violation of human rights and may be a form of domestic and/or sexual violence. There is no, and cannot be, honour or justification for abusing the human rights of others.

In terms of Domestic Abuse risk assessment, HBV is a significant risk factor for victims and must be regarded as a significant predictor of the likelihood of future harm or homicide.

Forced Marriage

There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranging the marriage, but the choice of whether or not to accept the arrangement still remains with the prospective spouses. However, in forced marriage, one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In the cases of some vulnerable adults who lack the capacity to consent, coercion is not required for a marriage to be forced.

The UK Government regards forced marriage as an abuse of human rights and a form of domestic abuse, and where it affects children and young people, child abuse. It is a criminal offence.

It can happen to both women and men, although many of the reported cases involve young women and girls aged between 16 and 25. There is no "typical" victim of forced marriage. Some may be over or under 18 years of age, some may have a disability, some may have young children and some may also be spouses from overseas.

To address the increasing scale and extent of forced marriage, the UK Government established the Forced Marriage Unit (FMU) in 2005. The FMU is a joint Home Office and Foreign and Commonwealth Office Unit – the role of the FMU is to provide direct assistance, through information and support, to victims, as well as undertaking a full and comprehensive programme of outreach activity, raising awareness and providing advice to professionals and communities.

In 2013, the Forced Marriage Unit (FMU) received calls in relation to a possible or actual forced marriage in over 1300 cases, involving 74 different countries. A number of other

cases also come to the attention of the police, children and adult social care services, health, education and voluntary organisations.

Despite the recorded numbers, forced marriage still remains a hidden practice, as many more cases remain unreported. However, with the ever-increasing levels of support now being made available, along with wider awareness-raising on how this support can be accessed, it is anticipated that there will be an increase in the number of reported cases.

Forced marriage of any person, regardless of gender, age, disability, ethnic origin or sexual orientation, is unacceptable. Consequently, effective handling of forced marriage and related cases should form part of existing child and adult protection structures, policies and procedures.

In March 2014 the Anti-Social Behaviour, Crime and Policing Act became statute making it a criminal offence to force someone to marry in England and Wales. Section 121 of the 2014 Act provides that:

1. A person commits an offence in England and Wales if he or she:
 - (a) uses violence, threats or any other form of coercion for the purpose of causing another person to enter into the marriage, and
 - (b) believes, or ought to reasonably believe, that the conduct may cause the other person to enter into the marriage without free and full consent.
2. In relation to a victim who lacks capacity to consent to marriage, the offence under subsection (1) is capable of being committed by any conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).
3. A person commits an offence under the law of England and Wales if he or she practices any form of deception with the intention of causing another person to leave the United Kingdom, and intends the other person to be subjected to conduct outside the UK that is an offence under subsection (1) or would be an offence under that subsection if the victim were in England and Wales.

In addition to the specific offences of forced marriage, there are still a number of other offences that may nevertheless be committed. Perpetrators – usually parents or family members – may also be prosecuted for offences including fear or provocation of violence, common assault, actual bodily harm, grievous bodily harm, harassment, common assault, kidnap, abduction, theft (of passport), threats to kill, false imprisonment and murder. The Crown Prosecution Service is responsible for making the decision for which offence(s) the perpetrator(s) should be prosecuted. Sexual intercourse without consent is rape, regardless of whether this occurs within a marriage or not.

The maximum penalty in a criminal court for the forced marriage offences is seven years imprisonment.

Forced Marriage Protection Orders

Forced Marriage Protection Orders can also be sought under section 4A of the Family Law Act 1996 (“the 1996 Act”). The 1996 Act makes provision for protecting both children and adults at risk of being forced into marriage and offers protection for those who have already been forced into marriage. The terms of orders issued under the Act can be tailored to meet the specific needs of victims.

Under section 120 of the 2014 Act, the maximum penalty for breach of a forced marriage protection order is five years imprisonment

Risk Factors, Signs and Symptoms

This list refers to some of the risk factors, signs and symptoms. It is not exhaustive.

- Absence and persistent absence.
- Fear about forthcoming school holidays.
- Requests for extended leave of absence and failure to return from visits to country of origin.
- Siblings forced to marry.
- Early marriage of siblings.
- Family disputes.
- Unreasonable restrictions.
- Prevented from going on to further/higher education.
- Accompanied to doctors or clinics.
- Depression/Isolation
- FGM

Forced Marriage and Missing People

Missing people, especially young women or girls, require further consideration when assessing their motivations for ‘running off’. Documented cases have shown that girls and young women have, for instance, left a family home in order to escape both arranged and forced marriages.

Workers in agencies need to be aware that family and community members may attempt to enlist the Police and other agencies in their efforts to locate someone who has ‘gone missing’. They may seek to embellish the report by exaggerating the subject’s vulnerability, when in fact the person is actually trying to flee forced marriage. Family and community may also allege false crimes and name the missing person as the perpetrator, again, to enlist Police resources into finding the subject. There have been cases in the UK where families and community members have attempted to thwart Police investigations into missing people by withholding information or actively seeking to misdirect Police enquiries.

Female Genital Mutilation (FGM)

What is FGM?

FGM is a procedure where the female genital organs are injured or changed and there is no medical reason for this. It is frequently a very traumatic and violent act for the victim and can cause harm in many ways. The practice can cause severe pain and there may be immediate and/or long-term health consequences, including mental health problems, difficulties in childbirth, causing danger to the child and mother; and/or death.

The age at which FGM is carried out varies enormously according to the community. The procedure may be carried out shortly after birth, during childhood or adolescence, just before marriage or during a woman's first pregnancy.

Types of FGM

FGM has been classified by the World Health Organisation (WHO) into four 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; and
- 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.

Prevalence of FGM in England and Wales

The prevalence of FGM in England and Wales is difficult to estimate because of the hidden nature of the crime. However, a 2015 study¹¹ estimated that:

- Approximately 60,000 girls aged 0-14 were born in England and Wales to mothers who had undergone FGM (see Annex B for risk factors); and
- approximately 103,000 women aged 15-49 and approximately 24,000 women aged 50 and over who have migrated to England and Wales are living with the consequences of FGM. In addition, approximately 10,000 girls aged under 15 who have migrated to England and Wales are likely to have undergone FGM.

Female Genital Mutilation Act 2003

In England, Wales and Northern Ireland all forms of FGM are illegal under the Female Genital Mutilation Act 2003. Scotland has its own FGM Act.

- It is an offence if anyone aids, abets, counsels or procures any form of FGM for a girl or a woman for cultural or non-medical grounds.
- This act makes it an offence to take a UK national or resident overseas for the purpose of or to aid and abet, procure or carry out FGM.

- Any UK National or resident is protected.
- A person is guilty of an offence if he/she aids a girl to carry out FGM on herself.
- There are defenses with regard to this Act. No offence is committed by an approved person (i.e. midwife or medical practitioner or person training to fulfill these roles) if they perform such a surgical procedure necessary for the girl's physical or mental health or in relation to a birth or labour.
- The penalty for FGM is up to 14 years of imprisonment.

Section 5B of the 2003 Act introduces a mandatory reporting duty which requires regulated health and social care professionals and teachers in England and Wales to report 'known' cases of FGM in under 18s which they identify in the course of their professional work to the Police.

The duty applies to all regulated professionals (as defined in section 5b (2) (a), (11) and (12) of the 2003 Act) working within Health or Social Care, and teachers.

Risk Factors, Signs and Symptoms

These are some of the indications that FGM may be planned or a risk.

- **Any female child who has a sister who has already undergone FGM must be considered to be at risk, as must other female children in the extended family.**
- Parents from practicing communities state that they or a relative will take the child out of the country for a prolonged period.
- A child may talk about a long holiday to her country of origin or another country where the practice of FGM is prevalent, including African countries and the Middle East.
- A child may confide to a professional that she is to have a 'special procedure' or to attend a special occasion.
- A professional hears reference to FGM in conversation, for example a child may tell other children about it (be aware of the wide variety of descriptions).
- A child may request help from a teacher or another adult.
- Any female child born to a woman who has been subjected to FGM must be considered to be at risk, as must other female children in the extended family.

Indications that FGM may have already taken place include:

- A child may spend long periods of time away from the classroom during the day with bladder or menstrual problems.
- A child may have difficulty walking, sitting or standing.
- There may be prolonged absences from school.
- Professionals need to be vigilant to the emotional and psychological needs of children who may be/are suffering the adverse consequence of the practice e.g. withdrawal, depression.
- Recurrent Urinary Tract infections, complaints of abdominal pain.
- Regular requests to be excused from PE.

Confidentiality in Cases of Suspected Honour Based Abuse, Forced Marriage and FGM

Confidentiality is an extremely important issue for any individual, child or adult, threatened with, or already in, a forced marriage. Careful consideration must be given to what information is shared and to whom. This applies to practitioners as well as members of the family or the community. If a child or vulnerable person is in a place of safety any disclosure, which could lead to them being traced, could put him/her at considerable risk of harm from family or others. The best interests of the individuals must be the paramount consideration.

What to do if you have Concerns

For Teachers:

Do not contact family members if you suspect there is a potential forced marriage.

A child at risk of forced marriage may also be at risk of honour based violence. Extreme caution should be taken in sharing information especially if honour based violence is suspected.

If you have concerns that a child is at risk contact the Customer First Free phone number.

Customer First: 0808 800 4005

Out of Hours Emergency Duty Service: 0808 800 4005

Or

Suffolk Constabulary: Force Operations: 101 or 01473 613500

For urgent cases or if the child is in immediate danger always call 999

Making a Referral

You can call the Professional Consultation Line on 0345 6061499 to speak with a MASH social worker or use the new webchat facility.

If you have a concern about a child or an adult and wish to make a safeguarding referral you will need to use the relevant Suffolk County Council Portal.

The first time you complete a form you will be asked to create a new portal account. It's quick and easy to register for an account, and it means the information you send to us is secure.

Access the [Children and Young Peoples Portal](#)

There are user guides and video guidance available if you need help using the portal.

[Access the Children and Young People's Portal User Guides and Video Guidance](#)

General Advice and Information

If you, or someone you know would like to speak to someone about forced marriage, female genital mutilation, honour based violence or any kind of domestic abuse, there are many organisations in Suffolk that can help. You can also call Suffolk Police on 101 and ask for their Domestic Abuse Team. Alternatively, there are a number of national organisations that you can speak to, all of their contact details are below.

For more information see the Suffolk Safeguarding Partnership Website page on Honour Based Abuse and Violence and the page on Forced Marriage.

Further National Guidance and References

The Forced Marriage Unit

Telephone: +44 (0) 20 7008 0151

Email: fmf@fco.gov.uk

HM Government 2020: [Multi-agency statutory guidance on FGM](#)

HM Government 2014: ['The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage'](#)

HM Government (2014): [Multi-agency practice guidance: handling cases of forced marriage](#)

Home Office, e learning module FGM: How to recognise and prevent it'
www.fgmelearning.co.uk

E-learning for healthcare, e-learning modules for healthcare professionals in England
www.e-lfh.org.uk/programmes/female-genital-mutilation/

Home Office (2015): [FGM Resource Pack](#)

NHS Choices: [FGM Guidance for professionals](#)

College of Policing (2015): [Authorised Professional Practice: Female Genital Mutilation](#)

Details of National Support Groups

[Freedom Charity](#)

Celebrates the UK's cultural diversity and all the traditions that these bring – but it makes a clear distinction between an arranged marriage and a forced marriage.

[Southall Black Sisters](#)

A not for profit organization set up in 1979 to meet the needs of black (Asian and African Caribbean) and minority ethnic women.

[Karma Nirvana](#)

They have one clear aim: to stop the scandal of forced marriage and honour-based violence.

[Kiran Support Services](#)

A project set up in 1990 to meet the needs of women from the Indian sub-continent experiencing domestic abuse.