

Family Justice Council response to the Forced marriage statutory guidance consultation paper July 2008

1. Is there too much information in the introduction or is this amount of detail useful?
 - Yes, it is useful
2. Is there enough information about what the guidance is for and how it will be useful?
 - Yes
3. Are paragraphs 12-16 specific enough about the intended audience? Does there need to be more detail? If so, who should be included?
 - Yes , Helpful to add that the role of the Chief Executive and Senior Managers is to ensure that their frontline staff are fully aware and trained in this area.
4. Would it be useful to have a very specific list of all agencies that have responsibilities to protect children, adults and vulnerable adults (for example, sections 2.3 – 2.6 Working Together to Safeguard Children)?
 - Yes, as an addendum
5. The Forced Marriage (Civil Protection) Act 2007 provides for a relevant third party to apply for a forced marriage protection order on behalf of a victim. Should a relevant third party be subject to this guidance?
 - Yes.
6. Do paragraphs 27-30 provide an accurate sample of key motivations encountered by practitioners handling forced marriage cases?
 - Yes
7. Do paragraphs 32-39 effectively outline the key consequence of forced marriage for the victim?
 - yes
8. Does the chart accurately reflect the symptoms of forced marriage as encountered by practitioners? Is the chart clear or would it be better in another format?
 - Yes, the chart is clear and helpful.
9. Is there any other existing guidance that would be useful to include in paragraph 50?
 - No

10. Do paragraphs 49-58 explain clearly enough that as forced marriage is a form of child abuse, domestic abuse/ adult abuse, existing policies and procedures on child abuse, domestic abuse/ adult abuse should be utilised to protect victims and potential victims of forced marriage?
 - Yes.
11. Can existing mechanisms for monitoring and evaluating cases of child/adult/domestic abuse be used for monitoring and evaluating cases of abuse associated with forced marriage?
 - Yes
12. Are existing risk assessment modules used by statutory agencies sufficient for assessing risk in cases of forced marriage? If not, what changes should be made to these models in order for this to be the case?
 - Yes
13. Are the dangers of family mediation and the importance of confidentiality adequately covered? Is the guidance on this clear?
 - Often victims feel able to trust family members, friends and community members; this can lead to a breach of confidentiality and further problems for the victim. The agency should be under a duty to ensure that the victim is made aware of this possibility before proceeding with any request to approach any family member, friend or community member.
14. Do the “common Actions” outlined in chapter 5 adequately cover all key areas where agencies should have statutory guidance? Are the “common Actions” covered in sufficient detail?
 - Yes
15. Does the guidance in paragraphs 86-88 give practitioners clear instructions on the dangers of involving families in cases of young people facing forced marriage?
 - Yes to an extent, however, family group conferences should not be held save in exceptional cases. There must not be any burden on the victim to agree to a family conference.
16. Do practitioners feel that they are able to consider and respond to the difficulties in assessing forced marriage under the existing assessment Framework (paragraphs 89-92)? If not, how can this be addressed?
 - Not easily. All 3 main parts of the assessment should consider the question ‘What is the expectation of the transition from child to adult?’
17. Are paragraphs 93-95 explicit enough about the importance of sharing information between agencies in cases of forced marriage? If not, how can this be improved?
 - No. Sharing the information is the first step it is also important to ‘share’ the response. It is best to have a joint approach to ensure the good work of one agency is not inadvertently undone by another.
18. Do paragraphs 96-99 address sufficiently clearly the need to immediately protect some children and young people facing forced marriage?
 - Yes

19. Is the relationship between this guidance and existing safeguarding well defined? Are there any problems that could arise from this relationship?
 - Yes, Problems could be in delaying the necessary action; time could be lost when following procedures and guidance.
20. Do paragraphs 100-102 provide enough information when read in conjunction with *Working Together* or does there need to be more information so that this document can “stand alone”? –
 - Yes it provides enough information.
21. Does the guidance (particularly paragraphs 47-82 & 103-113) effectively cover the risks to vulnerable adults facing forced marriage?
 - Yes, subject to Q.13
22. Should additional provisions be made in this guidance for vulnerable adults?
 - Yes, however where the vulnerable adult has entered into a marriage, some provision should be in place to alert the professionals, who should then engage with the vulnerable adult and assess the situation with particular regard to whether or not there is a forced marriage issue.
23. Is the relationship between these statutory obligations and the practice guidelines made clear?
 - Yes
24. Does this guidance provide an adequate framework of obligations for statutory agencies handling forced marriages?
 - Yes, subject to Q.22
25. Does the guidance, when read in conjunction with the practice guidelines, provide practitioners with a clear steer towards a victim-centric approach?
 - Yes, subject to Q.13
26. Do practitioners see forthcoming resource issues inherent in meeting the obligations outlined within this guidance?
 - Yes
27. Is the guidance specific enough to be understood by all agencies with responsibility to victims of forced marriage whilst also being achievable?
 - Yes
28. Are there any additional issues that should be addressed in the guidance?
 - More detail on the ‘immediate protection’ would be useful; Para 96 should be expanded with this detail.

Who we are

The Family Justice Council was established in the summer of 2004, following a public consultation. Its main remit is to promote an interdisciplinary approach to the needs of family justice and through consultation and research to monitor the effectiveness of the system and advise on reforms necessary for continuous improvement. One of its main terms of reference is the provision of advice and the making of

recommendations to Government on changes to legislation, practice and procedure, which will improve the workings of the family justice system. Its members consist of a representative cross section of those who work in, or have an interest in, the family justice system.

Family Justice Council

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