

**Our safeguarding arrangements will effectively  
prevent and respond to adult abuse**

# **SAFEGUARDING ADULTS WORKBOOK**

**Module Four**

**Forced Marriage**



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Revision Number	Date Approved by the Board	Change Record	Links to Other Policies
Two	01-May-17		
Three	01/09/2018 (Business Unit)		

## Introduction

This workbook has been developed for staff and volunteers who have completed Safeguarding Adults awareness training, which may have been through attending a tutor-led course, completing an e-learning course or the TSAB Safeguarding Adults Awareness workbook. This workbook will build on your prior learning and is module 4 of 8. The modules are as follows:

<b>Module 1:</b>	Learning from Serious Instances of Abuse and Neglect
<b>Module 2:</b>	The Mental Capacity Act & Deprivation of Liberty Safeguards
<b>Module 3:</b>	Domestic Abuse
<b>Module 4:</b>	Forced Marriage
<b>Module 5:</b>	Female Genital Mutilation
<b>Module 6:</b>	Prevent
<b>Module 7:</b>	Modern Slavery
<b>Module 8:</b>	Self-Neglect.

You must complete all sections of the workbooks and return them to your Manager for assessment. When you have successfully completed all of the modules, you will be issued with a certificate and your training records will be updated: the workbooks will be returned to you to be used as a reference tool.

In the appendices, you will find the current Teeswide Inter-Agency Safeguarding Adults Policy and Procedures for reference purposes.

The workbook has been checked for legal accuracy and is accurate as of Sept 2018. Suggested study time to be allocated to complete this module: 3 hours.

Once you have completed the workbooks please forward the **Certificate of Completion** page to the Teeswide Safeguarding Adults Board, Business Unit, using the contact details below, who will make a record of completion and issue a certificate.

Teeswide Safeguarding Adults Board Business Unit, Kingsway House, West Precinct, Billingham, TS23 2NX Email: [tsab.businessunit@stockton.gov.uk](mailto:tsab.businessunit@stockton.gov.uk)

This workbook is aligned with nationally recognised competencies. It is based on the Bournemouth University National Competence Framework for Safeguarding Adults, reviewed in 2015, and mapped against the Safeguarding Adults: Roles and competences for health care staff-Intercollegiate Document issued August 2018.

On completing of this workbook, you will be able to:

### **Level 1 (Foundation)**

1. Understand and demonstrate what Adult Safeguarding is
2. Recognise adults in need of Safeguarding and take appropriate action
3. Understand dignity and respect when working with individuals
4. Understand the procedures for raising a Safeguarding Concern
5. Have knowledge of policy, procedures and legislation that supports Safeguarding Adults activity
6. Ensuring effective administration and quality of safeguarding processes.

Target groups: **Alerters and NHS Level 1 & part of Level 2**

Including: All staff and volunteers in health and social care settings, all frontline staff in Fire and Rescue, Police and Neighbourhood Teams and Housing, Clerical and Administration staff, Domestic and Ancillary staff, Health and Safety Officers, staff working in Prisons and custodial settings, other support staff, Elected Members, Governing Boards and Safeguarding administrative support staff.

Although the word 'Alerter' is used here in conjunction with the national competency framework, the term 'Safeguarding Concern' was introduced in April 2015 to replace this.

### **Level 2 (Intermediate)**

1. Demonstrate skills and knowledge to contribute effectively to the safeguarding process
2. Have awareness and application of legislation, local and national policy and procedural frameworks.

Target Groups: **Responders, Specialist Staff and NHS Level 2 & 3**

Including: Social Workers, Senior Practitioners, Social Work Team Managers, Voluntary and Independent Sector Managers, Heads of Nursing, Health and Social Care Provider Service Managers, Safeguarding Adult Co-ordinators, Police Officers, Probation Officers, Community Safety Managers, Prison Managers, MCA Lead, Best Interests assessors (including DoLS), Advocates, Therapists, Fire and Rescue Officers, staff working in Multi-Agency Safeguarding Hubs.

## Forced Marriage

### Some Useful Definitions

An adult is defined as any person aged 18 years or over. Family members are defined as mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in-laws or stepfamily.

### Forced marriage

A forced marriage is a marriage in which one or both spouses do not (or, in the case of some adults with learning or physical disabilities, cannot) consent to the marriage and duress is involved. Duress can include physical, psychological, financial, sexual and emotional pressure. In cases of vulnerable adults who lack the capacity to consent to marriage, coercion is not required for a marriage to be forced.

### Honour-based violence

The terms “honour crime” or “honour-based violence” or “izzat” embrace a variety of crimes of violence (mainly but not exclusively against women), including assault, imprisonment and murder, where the person is being punished by his/her family or their community. They are being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour. In not following this correct code of behaviour, the person shows that they have not been properly controlled to conform by their family and this is to the “shame” or “dishonour” of the family.

Welchman and Hossain state “The term, crimes of honour, encompasses a variety of manifestations of violence against women; including murder termed “honour killings”, assault, confinement or imprisonment and interference with choice in marriage where the publicly articulated justification is attributed to a social order claimed to require the preservation of a concept of honour vested in male family and/or conjugal control over women and specifically women’s sexual conduct – actual, suspected or potential.”

### Relevant third party

The Family Law Act 1996 (inserted by the Forced Marriage (Civil Protection) Act 2007) provides for three types of applicant who may apply for a forced marriage protection order (see section 3.15.7). They are the victim, anyone on their behalf with the permission of the court and a relevant third party. A relevant third party may apply on behalf of a victim and does not require the leave of the court. A Local Authority is a Relevant Third Party.

## Understanding the Issues around Forced Marriage

*A forced marriage “is a marriage conducted without the valid consent of both parties, where duress is a factor” “A Choice by Right” HM Government, 2000*

### What is the difference between forced and arranged 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 whether or not to accept the arrangement remains with the prospective spouses.

In forced marriage, one or both spouses do not (or, in the case of some adults with disabilities, cannot) consent to the marriage but are coerced into it. Duress can include physical, psychological, sexual, financial and emotional pressure.

*“A person knows when they are being forced into a marriage against their will – that must be the starting point.” (Young woman, Leicester)*

Consent is essential to all marriages – only the spouses will know if they gave their consent freely.

#### **Remember**

**If families have to resort to violence or coercion alluded to above to make someone marry, that person’s consent has not been given freely and therefore it is a forced marriage.**

“Multi-agency practice guidelines: Handling cases of Forced Marriage 2014’

## Frequency of Forced Marriage

The UK Government and the Welsh Assembly Government regard 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 can happen to both men and women although most cases involve young women and girls aged between 13 and 30.

There is no “typical” victim of forced marriage. Some may be under 18 years old, some may be over 18 years old, some may have a disability, some may have young children and some may be spouses from overseas.

The majority of cases of forced marriage reported to date in the UK involve South Asian countries. This is partly a reflection of the fact that there is a large, established South Asian population in the UK. However, it is clear that forced marriage is not solely a South Asian problem and there have been cases involving families from East Asia, the Middle East, Europe and Africa. Some forced marriages take place in the UK with no overseas element, while others involve a partner coming from overseas or a British national being sent abroad.

In 2012, the Forced Marriage Unit had to give advice or support related to possible forced marriages in 1,485 cases. In 2013, that number had dropped to 1,302. In 2014, the FMU gave advice or support related to a possible forced marriage in 1267 cases.

The FMU obviously will not deal with every case of forced marriage in the country, just those it has been made aware of so the true scale of the issue is unclear. The FMU notify Local Authorities of cases reported so action can be taken through the courts.

**Source:** [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/412667/FMU\\_Stats\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412667/FMU_Stats_2014.pdf)

## **Motives Prompting Forced Marriage**

Perpetrators who force their children to marry often justify their behaviour as protecting their children, building stronger families and preserving cultural or religious beliefs. They often do not see anything wrong in their actions. Forced marriage cannot be justified on religious grounds; every major faith condemns it and freely given consent is a prerequisite of all religions.

Perpetrators often believe that they are upholding the cultural traditions of their home country when in fact, practices and values may have changed. Some parents come under significant pressure from their extended families to get their children married. In some instances, an agreement may have been made about marriage when a child is only an infant.

### **Some of the key motives that have been identified are:**

- Controlling unwanted behaviour and sexuality (including perceived promiscuity, or being lesbian, gay, bisexual or transgender) - particularly the behaviour and sexuality of women
- Controlling unwanted behaviour, for example, alcohol and drug use, wearing make-up or behaving in what is perceived to be a “westernised manner”
- Preventing “unsuitable” relationships, e.g. outside the ethnic, cultural, religious or caste group
- Protecting “family honour” or “izzat”
- Responding to peer group or family pressure
- Attempting to strengthen family links
- Achieving financial gain
- Ensuring land, property and wealth remain within the family
- Protecting perceived cultural ideals
- Protecting perceived religious ideals which are misguided
- Ensuring care for a child or adult with special needs when parents or existing carers are unable to fulfil that role
- Assisting claims for UK residence and citizenship
- Long-standing family commitments.

While it is important to have an understanding of the motives that drive parents to force their children to marry, these motives should not be accepted as justification for denying them the right to choose a marriage partner and enter freely into marriage.

Forced marriage is a form of violence against women and men, domestic abuse, a serious abuse of human rights and, where a minor is involved child abuse.

## **Aggravating Factors**

There is evidence to suggest that there may be factors that increase the risk of someone being forced into marriage. These factors include bereavement within the family. Occasionally, when a parent dies, especially the father, the remaining parent may feel there is more of an urgency to ensure that the children are married. A similar situation may arise within single parent households or when a step parent moves in with the family. Sometimes, when an older child (particularly a daughter) refuses to marry, the younger female siblings are forced to marry in order to protect the family honour or to fulfil the original contract.

Women and girls may have an increased risk of forced marriage if they have disclosed sexual abuse. Parents may feel that this has brought shame on the woman or girl and that ensuring that she is married may restore honour to the family. They may also feel that marriage will put a stop to the abuse.

A person may be at greater risk if they are lesbian, gay, bisexual or transgender, as their parents may feel that by forcing the individual to marry their sexuality or gender identity will not be questioned. Parents may also do so out of a mistaken belief that this will “cure” their son or daughter of what they perceive to be abnormal sexual practices.

## **The Victim**

Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. They may not feel there is anyone they can trust to keep this secret from their family and they have no one to speak to about their situation – some may not be able to speak English. These feelings of isolation are very similar to those experienced by victims of other forms of domestic abuse and child abuse. Only rarely will someone disclose fear of forced marriage. Therefore, they will often come to the attention of practitioners for behaviour consistent with distress.

Young people, particularly girls, forced to marry or those who may be forced to marry, are frequently withdrawn from education, restricting their educational and personal development. They may feel unable to go against the wishes of their parents and be threatened with disownment if they do – consequently they may suffer emotionally, often leading to depression and self-harm.

These factors can contribute to impaired social development, limited career and educational opportunities, financial dependence and lifestyle restrictions. Studies have shown that self-harm and suicide are significantly higher among South Asian women than other groups and contributory factors include lack of self-determination, excessive control, weight of expectations of the role of women and anxiety about their marriages. A learning or physical disability or illness adds to a young person's, or an adult's, vulnerability and may make it more difficult for them

to report abuse or to leave an abusive situation. Their care needs may make them entirely dependent on their carers.

### **Consequences of Forced Marriage**

Women forced to marry may find it very difficult to initiate any action to end the marriage and may be subjected to repeated rape (sometimes until they become pregnant) and ongoing domestic abuse within the marriage. In some cases they suffer violence and abuse from the extended family, often being forced to undertake all the household chores for the family. Victims frequently end up trapped in a relationship marred by physical and sexual abuse. The impact this has on children within the marriage is immense. Children may learn that it is acceptable to be abusive and that violence is an effective way to get what you want. They may learn that violence is justified, particularly when you are angry with someone. Children witnessing abuse can be traumatised because witnessing persistent violence undermines children's emotional security and capacity to meet the demands of everyday life.

Children's academic abilities can be affected. Witnessing violence as a child is associated with depression, trauma-related symptoms and low self-esteem in adulthood.

Both male and female victims of forced marriage may feel that running away is their only option. For many people, especially women from black and minority ethnic communities, leaving their family can be especially hard. They may have no experience of life outside the family – leaving may mean they lose their children and friends. For many, finding accommodation for themselves and their children can be very difficult – especially for those who do not have leave to remain and therefore do not have recourse to public funds.

Living away from home with little support can make people, particularly women, more isolated, thus making it more likely that they will return to the abusive situation. In addition, leaving their family (or accusing them of a crime or simply approaching statutory agencies for help) may be seen as bringing shame on their honour and on the honour of their family in the eyes of the community. This may lead to social ostracism and harassment from the family and community. For many, this is simply not a price they are prepared to pay.

Those who do leave often live in fear of their own families who will go to considerable lengths to find them and ensure their return. Families may solicit the help of others to find family members who have run away, or involve the police by reporting them missing or falsely accusing the person of a crime (for example theft).

Some families have traced individuals through medical and dental records, bounty hunters, private investigators, local taxi drivers, members of the community and shopkeepers or through National Insurance numbers, benefit records, school and college records. Sometimes, having traced them, the family may murder them (so called “honour killing”) or subject them to further violence or abuse.

If a person does not have indefinite leave to enter, exceptional leave to remain, indefinite leave to remain, refugee leave, humanitarian protection, discretionary leave or a right of abode in the UK, then they are likely to have a restriction on receiving public funds (no recourse to public funds). Public funds include income support and housing benefit.

### **Women trapped in a forced marriage often suffer violence, rape, forced pregnancy and forced childbearing.**

Many girls and young women are withdrawn from education early. Some are taken and left abroad for extended periods, which isolates them from help and support – this limits their choices so that often they go through with the marriage as the only option. Their interrupted education limits their career choices. Even if women manage to find work, however basic, they may be prevented from taking the job or their earnings may be taken from them. This leads to economic dependence, which makes the possibility of leaving the situation even more difficult. Some may be unable to leave the house unescorted – living virtually under “house arrest”.

### **Potential Warning Signs of Indicators**

Both men and women facing forced marriage may become anxious, depressed and emotionally withdrawn with low self-esteem. They may come to the attention of practitioners for a variety of reasons, some of which are described below. Whilst the factors set out below may be an indication that someone is facing a forced marriage, it should not be assumed that it is forced marriage simply on the basis that someone presents with one or more of these warning signs. These warning signs may indicate other types of abuse that will also require a multiagency response.

There have been occasions when women have presented with less common warning signs, such as cut or shaved hair as a form of punishment for disobeying or, perhaps, “dishonouring” her family. In some cases, a girl may report that she has been taken to the doctor’s, to be examined to see if she is a virgin. There have been reports of women presenting with symptoms associated with poisoning. In certain communities, it is important that women undergo female genital mutilation (FGM) before being able to marry – usually this will be performed during childhood but there have been reports of young girls or young women undergoing FGM just before a forced marriage. FGM has been illegal in

the UK since 1985 and it is also a criminal offence to take someone overseas for the purposes of FGM.

### **The “One Chance” Rule**

All practitioners working with victims of forced marriage and honour-based violence need to be aware of the “one chance” rule. That is, they may only have one chance to speak to a potential victim and thus they may only have one chance to save a life. This means that all practitioners working within statutory agencies need to be aware of their responsibilities and obligations when they come across forced marriage cases. If the victim is allowed to walk out of the door without support being offered, that one chance might be wasted.

### **Difficulties When a Forced Marriage Takes Place Overseas**

For many people, especially women, it may be their first experience of travelling overseas. If they are being held against their will and forced to marry there are various difficulties they may encounter if they want to return to the UK. They may find it impossible to communicate by telephone, letter or e-mail. They may not have access to their passport and money. Women may not be allowed to leave the house unescorted. They may be unable to speak the local language.

Often they find themselves in remote areas where even getting to the nearest road can be hazardous. They may not receive the assistance they expect from the local police, neighbours, family, friends or taxi-drivers. Some find themselves subjected to violence or threats of violence. Even if the authorities in the UK are aware of the whereabouts of British nationals overseas, it may not be possible to provide suitable assistance to reach the area or to rescue them.

Therefore, it is always advisable to warn victims not to travel overseas.

### **Consider risks to others - ‘Think Family’**

Consideration must also be given as to whether anyone else is at risk as a result of Force Marriage. This may include children or other adults with care and support needs. Whilst actions may be limited in relation to the individual themselves, there may be a duty to take action to safeguard others. Should there be a concern that a parent may be neglecting children in their care, concerns must be reported to Children’s’ Social Care. See: **Safeguarding and Promoting the Welfare of Adults and Children at Risk Guidance** (signposted on page 17).

## Potential Signs or Indicators

*These indicators are not intended to be exhaustive.*

### Education

- Absence and persistent absence
- Being withdrawn from school by those with parent responsibility
- Request for extended leave of absence and failure to return from visits to country of origin
- Removal from a day centre of a person with a physical or learning disability
- Fear about forthcoming school holidays
- Not allowed to attend extra-curricular activities
- Surveillance by siblings or cousins at school
- Sudden announcement of engagement to a stranger
- Decline in behaviour, engagement, performance or punctuality
- Prevented from going on to further/higher education

### Employment

- Poor performance
- Poor attendance
- Limited career choices
- Not allowed to work
- Unable to attend business trips or functions
- Subject to financial control, e.g. confiscation of wages / income
- Leaving work accompanied
- Unable to be flexible in their working arrangements

### Family History

- Siblings forced to marry
- Early marriage of siblings
- Self-harm or suicide of siblings
- Death of a parent
- Family disputes
- Running away from home
- Unreasonable restrictions, e.g. kept at home by parents (“house arrest”) & financial restrictions

### Health

- Accompanied to doctor’s or clinics
- Self-harm
- Attempted suicide
- Eating disorders
- Depression
- Isolation
- Substance misuse
- Early/unwanted pregnancy
- Female genital mutilation

### **Police**

- Victim or other siblings within the family reported missing
- Reports of domestic abuse, harassment or breaches of the peace at the family home
- Female genital mutilation
- The victim reported for offences e.g. shoplifting or substance misuse
- Threats to kill and attempts to kill or harm
- Reports of other offences such as rape or kidnap
- Acid attacks

## **Legal Position**

### **S 121 Offence of forced marriage:**

- 1) A person commits an offence under the law of 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 a marriage, and
  - (b) Believes, or ought reasonably to 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 coercion).
- 3) A person commits an offence under the law of England and Wales if he or she:
  - (a) Practises any form of deception with the intention of causing another person to leave the United Kingdom, and
  - (b) Intends the other person to be subjected to conduct outside the United Kingdom that is an offence under subsection (1) or would be an offence under that subsection if the victim were in England or Wales.

There are a number of civil and family orders that can be made to protect those threatened with, or already in, a forced marriage. For children, an application for a care or supervision order can be made under the Children Act 1989 or wardship proceedings may be issued in the High Court. Adults can seek an order for protection from harassment or non-molestation.

Forced marriage protection orders can also be sought under the Family Law Act 1996. The 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 s120 of the Act, the maximum penalty for breach of a Forced Marriage Protection Order is five years imprisonment.

Some forced marriages will be legally valid until they are annulled or a divorce is granted by the court. Others will not be legally valid but may also need to be annulled. There are strict legal requirements that govern whether a marriage is valid under UK law and the rules for recognising a marriage vary depending in which country the marriage took place. When considering the validity of a marriage, particularly a marriage that took place overseas, specialist legal advice should be sought. Agencies should not assume that a marriage is invalid because it was forced as this will most often not be the case.

### **Capacity to consent and the Mental Capacity Act 2005**

The Mental Capacity Act 2005 applies to all people aged 16 and over. It aims both to empower people to make decisions for themselves whenever possible and to protect those who lack capacity to do this. The Act starts from the basis that, unless proved otherwise, all adults have the capacity to make decisions. Individuals may lack capacity if they are unable to:

- Understand information given to them.
- Retain that information for long enough to be able to make the decision.
- Weigh up the information available to make the decision.
- Communicate their decision to others.

Where someone is found to lack capacity to make a particular decision, others may be permitted to make decisions on behalf of that person, so long as any such decision is made in the best interests of the person who lacks capacity.

For example, family and professionals might decide that it is in a person's best interest to live in a certain place, even though the person themselves lacks the capacity to consent to such a decision. However, there are certain decisions which cannot be made on behalf of another person and this includes the decision to marry. There is therefore no legal basis on which someone can agree to marriage, civil partnerships or sexual relations on behalf of someone who lacks the capacity to make these decisions independently. However, families sometimes do believe they have the "right" to make decisions regarding marriage on behalf of their relative.

### **Capacity to consent to marriage:**

If a person does not consent or lacks capacity to consent to a marriage, that marriage must be viewed as a forced marriage whatever the reason for the marriage taking place. Capacity to consent can be assessed and tested but is time and decision-specific.

## **The Mental Capacity Act 2005:**

### **The five statutory principles which underpin the legislation are:**

- A person must be assumed to have capacity unless it is established that they lack capacity.
- A person is not to be treated as unable to make a decision unless all practicable steps to help them to do so have been taken without success.
- A person is not to be treated as unable to make a decision merely because they make an unwise decision.
- An act carried out or decision made under this Act for or on behalf of a person who lacks capacity must be done, or made, in their best interests.
- Before the act is carried out, or the decision is made, regard must be paid to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

## Honour Based Killings

### Case Study 1

### Rania Alayed (1988 – 2013)



Rania who had been living on Teesside was murdered by her husband in a pre-planned attack, for bringing 'dishonour' to his family after filing for divorce.

Throughout her marriage, the mother of three suffered domestic abuse by her husband, beating her when he did not like the food she had prepared for him. He also reportedly raped and throttled her.

As a result of the abuse, Rania "sought help from the Citizens Advice Bureau, the police, and eventually a solicitor" as well as her family. She told a friend of her fear after her husband had been seen angrily shouting that he would kill her.

Upon murdering his wife at his brothers' home, Rania's husband donned her clothes and left the house with Rania's dead body in a suitcase. The suit case containing the body was subsequently found in North Yorkshire.

The husband was sentenced to life imprisonment, whilst his brothers were also sentenced for their part.

### Case Study 2

### Banaz Mahmud (1986 – 2006)



Banaz was murdered for having an affair after leaving her violent husband. Her decomposed body was found in a suitcase three months after she went missing. After subsequent failed attempts, she was murdered by her father, uncle and a group of family and friends.

In the hours leading up to her pre-planned murder, Banaz was raped and physically abused by her murderers. They then concealed the murder by burying the corpse in a garden.

Banaz came to the police on a number of occasions saying she would be murdered, even naming the perpetrators.

The cousins who carried out the murder were sentenced to life imprisonment, whilst other family members including her father were also sentenced for their part.

### Case Study 3

### Rukhsana Naz (1979 – 1998)



Murdered by her family after they believed she had insulted their honour with her adulterous pregnancy and refusing to have an abortion via a paracetamol overdose to induce a miscarriage.

Rukhsana, 19, who was seven months pregnant, had hoped to divorce her husband, whom she had only seen twice since her arranged marriage at the age of 15 and marry her lover.

Rukhsana was strangled by her brother with a piece of plastic flex while her mother held her down. Her body was unceremoniously dumped; by burying her body in waste ground.

Both mother and son were sentenced to life imprisonment for the murder. Her mother told the court "We didn't want to kill her - it was written in her fate."

## Useful References and Websites

**Care Act 2014 - Care and Support Statutory Guidance** (Revised Feb 2017)

<https://www.tsab.org.uk/wp-content/uploads/2015/11/Revised-Care-Act-Guidance-Annotated-Chapter-14-20160311.pdf>

**Forced Marriage Unit:** <https://www.gov.uk/stop-forced-marriage>

**MCA 2005 - Code of Practice**

<https://www.gov.uk/government/publications/mental-capacity-act-code-of-practice>

**Multi-agency practice guidelines: Handling cases of Forced Marriage:**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/322307/HMG\\_MULTI\\_AGENCY\\_PRACTICE\\_GUIDELINES\\_v1\\_180614\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/322307/HMG_MULTI_AGENCY_PRACTICE_GUIDELINES_v1_180614_FINAL.pdf)

**Teeswide Safeguarding Adults Board's Policies, Procedures and Guidance webpage including:**

- Decision Support Guidance
- MCA and Deprivation of Liberty Safeguards Policy
- Safeguarding and Promoting the Welfare of Adults and Children at Risk Guidance

<https://www.tsab.org.uk/key-information/policies-strategies/>

**Teeswide Safeguarding Adults Board - Prevention Information Sheet:**

<https://www.tsab.org.uk/key-information/prevention/self-neglect/>

**Teeswide Safeguarding Adults Board - Safeguarding Adults Reviews Reports**

<https://www.tsab.org.uk/key-information/safeguarding-adult-review-sar-reports/>

**Teeswide Safeguarding Adults Board - You Tube Channel (Playlist):**

[https://www.youtube.com/channel/UCMxNFNZsoxlc3YZEVXisx\\_w](https://www.youtube.com/channel/UCMxNFNZsoxlc3YZEVXisx_w)

## Teeswide Safeguarding Adults Concern Form

<https://www.tsab.org.uk/report-abuse/>

**Teeswide Safeguarding Adults Inter-Agency Procedure Summary**

In accordance with the Care Act 2014, safeguarding duties apply to an adult who:

- has needs for care and support (whether or not the local authority is meeting any of those needs); and
- is experiencing, or at risk of abuse or neglect; and
- as a result of those care and support needs is unable to protect him/herself from either the risk, or the experience, of abuse or neglect

The adult experiencing, or at risk of abuse or neglect will be referred to the **adult** throughout this procedure.

	Stage of Procedure	Role	Responsibility	Maximum Timeframe	
ENQUIRY PHASE	<b>1</b>	<b>Concern</b>	<ul style="list-style-type: none"> <li>• Take immediate action to safeguard anyone at risk of abuse or neglect</li> <li>• Report and record concerns that an adult maybe at risk of abuse or neglect</li> <li>• Establish the <b>adult's</b> views, wishes if appropriate</li> <li>• Where an adult dies and abuse or neglect is suspected, a concern must be raised</li> </ul>	Person raising concern	<p>Immediate</p> <p>Inter-agency concern form completed within 1 day</p>
	<b>2</b>	<b>Decision Making</b>	<ul style="list-style-type: none"> <li>• Decision made as to whether the Inter-agency Safeguarding Procedure is appropriate to address the concern or whether more information is required as part of the enquiry</li> <li>• Decision support guidance used to inform the decision making process</li> <li>• Ensure that the views and wishes of the <b>adult</b> are taken into account</li> <li>• Determine who will undertake the initial enquiry if not the LA</li> </ul>	Designated Officer	Within 3 days of receiving the concern

	Stage of Procedure	Role	Responsibility	Maximum Timeframe
		<ul style="list-style-type: none"> <li>Consider alternative action if safeguarding procedures are not appropriate</li> <li>Consider providing feedback to the person raising the concern.</li> <li>If the concern relates to a deceased adult, consideration to be given to raising a SAR notification</li> <li>If the adult dies after the safeguarding concern has been raised, the enquiry will continue</li> </ul>		
3	<b>Initial Enquiry</b>	<ul style="list-style-type: none"> <li>Further information gathered from identified sources in order to inform the decision as to whether to progress into safeguarding procedures</li> <li>Seek or review the <b>adult's</b> views and wishes including their desired outcomes</li> <li>Consider whether the <b>adult</b> requires an independent advocate to support them</li> <li>Consider providing feedback to the person raising the concern *</li> </ul>	Safeguarding partners; <b>adult</b> , their advocate, relative and carers	Within 3 days of receiving the concern
4	<b>Decision Making</b>	<ul style="list-style-type: none"> <li>Decision made as to whether the safeguarding procedures are appropriate to address the concern or whether more information is required as part of the enquiry</li> <li>Decision support guidance used</li> <li>Consider the <b>adult's</b> views and wishes including their desired outcomes</li> <li>Consider whether the <b>adult</b> requires an</li> </ul>	Designated Officer	Within 7 days of receiving the concern, if more time is required, the reason for the extended timescale must be recorded.

ENQUIRY PHASE

	Stage of Procedure	Role	Responsibility	Maximum Timeframe
		<p>independent advocate to support them</p> <ul style="list-style-type: none"> <li>Consider alternative action if safeguarding procedures are not appropriate</li> <li>Consider providing feedback to the person raising the concern *</li> </ul>		
5	<b>Strategy Meeting</b>	<ul style="list-style-type: none"> <li>Designated Officer co-ordinates the strategy discussion/meeting</li> <li>Agencies invited to attend the strategy discussion to ensure they are prepared for the meeting and have the relevant information available to contribute to information sharing and decision</li> <li>If the strategy discussion has taken place via telephone to ensure the adult is protected, then face-to-face strategy meeting will be convened at the earliest opportunity</li> <li>Formulate a Inter-agency safeguarding plan if needed</li> <li>Determine who will undertake the further enquiry if not the LA</li> <li>Agree timescale for completion of enquiry</li> <li>Involvement of the <b>adult</b>, their advocate, relative or carers to ensure that their views, wishes and desired outcomes are central to the process</li> <li>Consider alternative action if safeguarding procedures are not appropriate</li> </ul>	Designated Officer/all attendees	Within 7 days of receiving the concern, if more time is required, the reason for the extended timescale must be recorded.

	Stage of Procedure	Role	Responsibility	Maximum Timeframe
		<ul style="list-style-type: none"> <li>Consider providing feedback to the person raising the concern *</li> <li>If a subsequent safeguarding concern is raised during an open safeguarding episode, this new concern must be explicitly considered and if necessary, a further face-to-face strategy meeting must be held</li> </ul>		
6	<b>Further Enquiry</b>	<ul style="list-style-type: none"> <li>Agencies will provide an update on actions allocated at the previous strategy meeting</li> <li>Co-ordination and collection of information about the safeguarding concern and the context in which it happened</li> <li>On-going activity to address any protection needs</li> <li>Involvement of the <b>adult</b>, their advocate, relative or carers to ensure their views, wishes and desired outcomes are central to the process</li> <li>Identified lead investigator to report back to the Progress Strategy Discussion/Meeting every 28 days if the enquiry takes more than 28 days</li> </ul>	Identified Lead Investigator	Within the timeframe agreed at the Strategy Discussion/Meeting
7	<b>Progress Strategy Discussion/Meeting</b>	<ul style="list-style-type: none"> <li>Review progress of enquiries, or if concluded evaluate the outcome</li> <li>Review the views, wishes and desired outcomes of the <b>adult</b></li> <li>Review the interim safeguarding plan</li> <li>Develop full safeguarding plan if needed</li> </ul>	All attendees	Within 28 days of the initial Strategy Discussion/Meeting

	Stage of Procedure	Role	Responsibility	Maximum Timeframe
		<ul style="list-style-type: none"> <li>Set a date for the next Progress Strategy Discussion/Meeting if needed</li> <li>Decision made to conclude Safeguarding Adults Procedures if appropriate and outcome recorded</li> <li>Consider providing feedback to the person raising the concern *</li> </ul>		
8	<b>Review</b>	<ul style="list-style-type: none"> <li>Review progress of enquiries</li> <li>Review the views, wishes and desired outcomes of the <b>adult</b></li> <li>Set a date for the next Progress Strategy Discussion/Meeting if needed</li> <li>Decision made to conclude Safeguarding Adults Procedures and outcome recorded and evaluated</li> <li>Establish and record whether the <b>adult's</b> desired outcomes have been met and to what extent (MSP Survey)</li> <li>Consider whether alternative action is required if safeguarding procedures have been concluded</li> <li>Provide feedback to the person raising the concern *</li> </ul>	All attendees, the adult, their advocate, relative and carers	Within 28 days of the Progress Strategy Discussion/Meeting

\* Particularly when the person raising the concern has an ongoing relationship with the adult

**Teeswide Safeguarding Adults Board  
Safeguarding Adults Workbook  
Module Four Assessment**

Notice to Learners: You should complete the following questions without any help and submit answers to your line manager.

**Question1**

What is the difference between forced marriage and arranged marriage?

Forced marriage is:

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Arranged marriage is:

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## Question 2

Please answer **true** or **false** to the following questions:

a) Men cannot be forced into a marriage.

True / False

b) Forced marriage is an abuse of human right.

True / False

c) Forced marriage is **not** a form of domestic abuse

True / False

d) Forced marriage is a form of child abuse.

True / False

## Question 3

List 5 key motives that have been identified as promoting forced marriage.

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_

**Question 4**

List 3 aggravating factors that increase the risk of someone being forced into marriage.

- 1. \_\_\_\_\_  
\_\_\_\_\_
- 2. \_\_\_\_\_  
\_\_\_\_\_
- 3. \_\_\_\_\_  
\_\_\_\_\_

**Question 5**

What is the 'ONE CHANCE' rule?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<b>Name</b>	
<b>Job Role</b>	

## Evaluation

### Name:

Once completed please forward the workbook evaluation (*i.e. this page*) and the Certificate of Completion) to the Teeswide Safeguarding Adults Board, Business Unit, using the contact details below, who will make a record of completion and issue a certificate. Completion records may be shared with the training leads of your commissioning organisation to ensure that your staff development record remains up to date.

**Teeswide Safeguarding Adults Board Business Unit, Kingsway House, West Precinct, Billingham, TS23 2NX** Email: [tsab.businessunit@stockton.gov.uk](mailto:tsab.businessunit@stockton.gov.uk)

<b>Why did you complete this workbook?</b>	Module Four
<b>Where did you do your training?</b>	
<input type="radio"/> Home <input type="radio"/> Work <input type="radio"/> Mixture	
<b>Overall, how satisfied were you that the workbook gave you the information that you needed to know?</b>	
<input type="radio"/> Very satisfied <input type="radio"/> Satisfied <input type="radio"/> Partly satisfied <input type="radio"/> Dissatisfied	
<b>What is the most important thing you have learned from this workbook?</b>	
<b>How will you use the information from this workbook in your day to day work?</b>	
<b>Would you recommend this workbook to other people? Please explain.</b>	
<b>Is there any aspects of the workbook you feel could be improved?</b>	
<b>Manager / Supervisor: Please provide feedback on how the learner managed this learning experience.</b>	

## Adult Safeguarding Workbook Certificate of Completion – Module Four

I have discussed the completion of the workbook with my manager / assessor.

Name (*please print*): \_\_\_\_\_

Signature of employee: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

### Declaration:

I have seen the workbook completed by \_\_\_\_\_  
(*as it will appear on the certificate*) and I can confirm that I am satisfied that they now  
have a good knowledge and understanding of Forced Marriage.

Name (*please print*): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

### Details of Manager / Assessor:

Job Title: \_\_\_\_\_

Organisation: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_