

What to do if forced marriage is suspected – information for practitioners

If you suspect that a vulnerable adult is at risk of forced marriage it is crucial to take action to ensure they are safeguarded from harm. The UK Government's Forced Marriage Unit ask people to remember the One Chance Rule – this highlights that you may only have one chance to protect someone; failing to take action may result in a forced marriage taking place. If your inaction results in someone being taken abroad to be married this further complicates attempts to protect them from harm.

Forced marriage can come to the attention of practitioners in health social care, education, etc. in a number of ways:

- They may suspect something as a result of seeing warning signs
- The victim may disclose that a forced marriage is being planned or has taken place
- A relative/friend or friend of the victims may report that a forced marriage is being planned or has taken place
- They may receive information or a formal referral from another practitioner.
- They may be contacted by the Government's [Forced Marriage Unit](#) or [UK Visas and Immigration](#) (UKVI). The UKVI flags up any visa applications for entry into the UK where the [sponsor](#) appears to have a learning disability (e.g. because of the benefits they are claiming) and may ask the local authority in which the sponsor lives to find out whether they have the capacity to consent to marry.



What to do if someone discloses that they are being forced to marry

If someone discloses to you that they are being forced to marry:

Do

- Take the disclosure seriously.
- Recognise and respect the person's wishes.
- Reassure them about confidentiality (that you are not going to inform their family).
- Collect as much information as possible.
- Seek further information and support from the FMU.
- Keep detailed records of what has been said and done.

Do not

- Dismiss what you've been told.
- Approach other members of the family or local community to discuss the issue
- Breach confidentiality.
- Try to be a mediator.



What to do in situations where a family doesn't understand that they are forcing someone to marry

In many cases the person with the learning disability will be living with family members who are involved in arranging the forced marriage. Marriage plans, which the family may be open and happy about, could be shared with the practitioner. This is particularly true in cases where family members believe that marriage is a good option because it will provide a carer for their relative. Many families do not fully understand the concept of 'capacity to consent' and would therefore not recognise that a marriage is forced when capacity is lacking. In these situations, it may be more helpful to understand the marriage as 'unlawful' rather than 'forced'. This type of situation will need sensitive handling to ensure that the person with a learning disability is safeguarded from harm, particularly if the family is adamant that marriage is the right option. The family may need support to understand the concept of capacity to consent and forced marriage. Please see the [resources page](#) of our website for more advice and information about this.

Each situation must be dealt with sensitively but first and foremost the person with learning disabilities must be safeguarded from harm and their human rights must be respected. Their capacity and willingness to consent to marriage should be assessed, as should the level of risk which marriage may pose to their health and wellbeing.

In circumstances where you have reason to suspect that a forced/unlawful marriage is being planned, or has already taken place, the following actions (in no specific order) should be taken:

- ✓ Follow local safeguarding procedures and discuss the case with a safeguarding specialist with expertise in forced marriage
- ✓ Contact the police if you consider a crime has been committed or the person is at immediate risk of harm.
- ✓ Consider contacting the [Forced Marriage Unit](#) for support and guidance
- ✓ Ensure you have read the [statutory guidance](#) and [multi-agency practice guidelines](#) on forced marriage



- ✓ Establish whether the person with learning disabilities has capacity to consent to marriage, wants to be married and is of a legal age to do so.
- ✓ If the person do not have capacity/do not want to be married/are not of a legal age explain to the family why the marriage should not happen if this will not put the potential victim at greater risk.
- ✓ Consider the level of risk and whether or not it is safe for the victim to remain at home. If not, explore the alternative options available.
- ✓ Explain to the family any legal implications of continuing to organise a marriage, if this will not put the victim at greater risk.
- ✓ Explain to the family any safeguarding concerns, if this will not put the victim at greater risk.

If there are concerns that any of the above actions (e.g. speaking to the family about your concerns) could place the victim at greater risk, then local adult safeguarding procedures should be followed. In some situations, professionals may wish to apply to the Court of Protection to safeguard someone. This may include making an application to the courts for a [Forced Marriage Protection Order](#). Please see [Information Sheet 2](#) for further information about the law in relation to forced and unlawful marriage.

In any situation where a family have (directly, indirectly or without realising) revealed to you that they are planning a marriage for someone with a learning disability who you believe may lack the capacity to consent, **do not:**

- ✗ Ignore the issue.
- ✗ Assume the family will stop organising the marriage because you have talked to them about it.
- ✗ Ignore the person's views, especially if coercion is suspected.
- ✗ Leave the person at risk of harm.
- ✗ Place yourself at risk of harm.
- ✗ Lose contact with the family or person.



This process should not be used to prevent a person with a learning disability from getting married if they have the capacity to make that decision and it is their choice to get married. The right of adults with capacity to choose to marry is enshrined in law under the [Human Rights Act 1998](#), in which Article 12 states that: *'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.'*