

SI0718

# HONOUR BASED VIOLENCE AND FORCED MARRIAGE

**SI Identification Number** SI0718

**Policy Ownership** Crime Operations Department

**Initial Publication** 20/12/2018

**Review Cycle** 5 Years

**Reviewed**

**Last Amended**

**Governing Service Policy** Vulnerability

**Cancellation of** SP 02/2011  
SP 03/2011  
SP 09/2011

**Classification** **OFFICIAL [PUBLIC]**

The aim of this Service Instruction is to provide the Police Service of Northern Ireland with clear information on how to respond to and investigate instances of honour based violence and forced marriage.

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## 1. Objectives

The objectives of the Police Service of Northern Ireland (PSNI) in responding to honour based violence and forced marriage are:

- To assess and manage the risks to victim(s) and associated persons (including children, vulnerable adults, etc.) through appropriate interventions.
- To investigate all reported incidents of honour based violence and forced marriage in a consistent, thorough and proactive manner, in line with investigative standards.
- To work in partnership with other agencies and organisations to collaboratively address honour based violence and forced marriage.

## 2. Definitions

### HONOUR BASED VIOLENCE

The College of Policing's definition of Honour Based Violence (HBV) 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'.

There is no offence of honour based violence per se; it acts as the motivation behind many criminal offences.

### FORCED MARRIAGE

A clear distinction must be made between a forced and an arranged marriage. In an arranged marriage the families of both spouses take a leading role in choosing the marriage partner, but the choice whether or not to accept the arrangement remains with the young people. A forced marriage is where one or both people do not (or in cases of people with learning disabilities, cannot) consent to the marriage and pressure or abuse is used. This can be through physical, psychological, sexual, financial and emotional pressure.

[Section 16 of The Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act Northern Ireland 2015](#)

makes provision for the offence of 'forced marriage'.

The High Court or a County Court may issue a Forced Marriage Protection Order (FMPO) to protect a person from being forced into a marriage or from any attempt to be forced into a marriage; or a person who has been forced into a marriage. Police should consider that for a court to grant a FMPO it must have been satisfied that the applicant requires protection from the respondent. As breach of a forced marriage protection order is a criminal offence, failure to exercise a power of arrest may leave a victim at risk from further offences and officer(s) failing to discharge their statutory duties under the Police Act. The PSNI may also be vulnerable to legal challenge in these circumstances. [See Multi-Agency Practice Guidelines: Handling cases of Forced Marriage \(2014\)](#) for step by step advice for various professionals, including police.

### 3. Outline

There is no “honour” in murder or the abuse of an individual’s human rights, but for the purposes of this document the term “HBV” is being used in line with that widely used by our partner agencies. HBV is a generic term and covers all “honour crimes”, Forced Marriage (so often the

driver for or context in which HBV is committed) and Female Genital Mutilation (FGM) – which is covered in SI28/17 Sexual Violence and Abuse.

HBV 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, and triggered by what might seem a trivial transgression. Just the perception or rumour of immoral behaviour may be sufficient to lead to murder. Such trigger events may include kissing, intimacy in a public place, sexual orientation, smoking in public, rejection of religion or religious instruction and/or arranged or forced marriage.

When dealing with HBV, missing person enquiries or murder in the name of so-called honour, it is vital to retain an open mind. Family members and/or individuals from within the community concerned may support the primary offender(s), by seeking to mislead, obstruct or undermine the police investigation. Where a victim has fled, be aware that members of the family may make false allegations against the victim in an attempt to cause police to track

them down. This may be in the guise of missing person reports or an alleged crime.

They may also employ bounty hunters/contract killers to trace, return the victim and/or kill them. Carefully consider third party missing person reports.

Relatives may seek to mislead, by presenting to police another family member, as being the person police are seeking.

Equally, when dealing with HBV cases, consider why the family have not reported the individual missing. Take allegations of threats to kill seriously and assess the credibility of such threats based on the antecedents and victimology.

In all cases when responding to reports of HBV, the victim's immediate safety must be the overriding concern. At the earliest opportunity the Duty Sergeant must be informed and satisfied that appropriate resources have been allocated to this incident and the Investigating Officer (IO) has support, if required. It must be borne in mind that a victim of HBV may have overcome immense cultural and probably personal beliefs, to make contact with the police.

Many victims do not wish to criminalise their parents, families or cultures and in doing so become isolated. They may be reluctant to provide statements or engage with the criminal justice process.

Nevertheless, they still face the possibility of serious violence which often presents a threat to life. It is therefore vital that police respond immediately in a caring, empathetic manner, effectively to keep the victim safe.

The police are under a duty to protect the victim or potential victim, notwithstanding the victim's possible lack of support for the criminal justice process.

## **4. Multi-Agency Response to Honour Based Violence and Forced Marriage**

The PSNI is committed to working with all interested parties to end an ethos that seems to think that honour based violence is acceptable.

Relevant joint agency documents in responding to HBV and FM should be considered including PSNI / Public

Prosecution Service (PPS) Service Level Agreement for the Investigation, Management and Prosecution of Domestic Violence and Abuse Cases; and Multi-Agency Practice Guidelines: Handling cases of Forced Marriage (2014) for step by step advice for various professionals, including police in responding to forced marriage.

## 5. Key Roles/Responsibilities in Responding to Honour Based Violence and Forced Marriage

It is unlikely that the police or any single agency will be able to meet all the needs of someone who is affected by forced marriage or honour based violence.

Although the police will play a key role in protecting the interests of the individual they should be ready to use any statutory or voluntary agency that can provide assistance safely.

[Appendix 'A'](#) - Priority Action Checklist and below details officer/staff responsibilities:

### **Station Enquiry Assistants (SEA)**

Police staff must know what to do if a HBV victim or potential victim attends a police station or reports to them a HBV crime or incident. Common incident reports may include assaults, harassment, fear of or actual forced marriage, threats to kill, murder, domestic abuse, child abuse, unexplained death, suicide and attempted suicide, kidnapping or false imprisonment, rape, child abuse, missing persons and truancy from school.

This list is not exhaustive and in some cases the HBV motive will be obvious but this is not always so e.g. a child or young person who has chosen to flee the family may be reported as missing without the forced marriage aspect of the case being apparent when the report is made.

### **Contact Management Centre (CMC)**

Call handlers play a very significant part in collating important and accurate information about HBV incidents and may influence both positively and negatively a victim's experience of and confidence in the police in particular and the victim's likelihood of staying with the process. They should adopt the following approaches when confirming information:

- Immediately inform the CMC supervisor;
  - If it is safe to do so, check if the victim/caller is out of ear shot of the alleged perpetrator;
  - If the victim is in immediate fear, advise them and the caller (if not the victim) to go to a rendezvous point to be met by an officer;
  - Elicit as much information as possible. Confirm regularly throughout the call what the caller is saying or seek clarification and spellings where the details are difficult to understand. The serial should then be restricted to ensure confidentiality of information, with details of the victim such as the name and address only being disclosed to police officers/police staff on a “need to know” basis;
  - Similarly on Niche, access control lists should be applied in all but exceptional cases. This will prevent unauthorised access to the identities of involved persons, sensitive statements etc. Where, however, the incident indicates a kidnap has occurred; this matter will be referred, reflecting current reporting protocols for kidnap;
  - Where calls are cut off this requires an urgent reassessment of the call grading as the safety of the caller might be further threatened;
  - Before any return calls are made liaise with the CMC supervisor – it may be the offender who answers the phone;
  - It is the responsibility of the person closing the Command and Control log that involves HBV to ensure that the correct qualifier is used - Honour Based Incident (HONC).
- Attending/Investigating Officer**
- Police officers and police staff should maintain an open mind on the distinct possibility that HBV may be a factor in a whole range of incidents. As soon as police consider an incident to be HBV:
- Immediately contact a duty supervisor;
  - Speak to the victim alone and provide reassurance about confidentiality and that any threats to their safety are taken



- very seriously. Recognise and record the victim's wishes;
- Obtain as much information as possible as there may not be another opportunity to make contact. Police may only get one chance to help the victim escape their situation. This should include:
    - i. a full account of the family tree, both immediate and extended;
    - ii. the faith and religious standing of the family within the community;
    - iii. any relevant cultural issues and addresses of relatives within the United Kingdom (UK) and abroad;
    - iv. any history of HBV/FM within the family and/or siblings that have previously suffered HBV/FM, or younger siblings that may be vulnerable in the future.
  - All HBV and FM incidents will automatically be classified as 'high risk' of serious harm, however, it is important to complete the DASH and HBV Dash Risk Assessments to identify specific risk indicators which may assist in the Multi-Agency Risk Assessment Conference (MARAC) process (as appropriate).
  - The welfare of the victim and others at risk is paramount - take positive action to safeguard victim and/or children/vulnerable persons in household. If the violence has occurred due to the victim having a partner not approved by family members, consider the safety of that other person.
  - Consider taking the victim and any others at risk to a safe place. Where the victim has gone into a safe place, advise the victim to change their mobile phone number if they have one so that relatives cannot make direct contact;
  - Where a child has been assaulted (regardless of other victims), email the Central Referral Unit in C7 Public Protection Branch (PPB) with details to determine whether a PPB D/Constable should be tasked to respond to the incident as a child abuse allegation. The investigation, however, remains with the Attending Officer until it is transferred to PPB. This does not negate the need for Social Services to be informed, as appropriate.
  - Brief supervisor as to incident, investigative and safeguarding actions taken and risk assessment.

## **Sergeant**

Duty supervisors must take immediate responsibility for managing the incident, securing of evidence and the safety of the victim. The primary aim is to preserve life by protecting the victim.

- Ensure the Central Referral Unit is informed (re child/vulnerable adult referrals).
- Contact the C7 PPB D/Sergeant for Domestic Abuse Adult Safeguarding (DAAS) within office hours, and outside office hours, the C7 PPB on call Duty D/Sergeant, who will decide what action is to be taken. Any delay in informing them needs to be balanced with the need to protect life from any imminent threat;
- Review the risk assessment and document the decision-making on the Occurrence Entry Log (OEL);
- Assess the risk to other parties including partners, children, siblings, associates and the person reporting;
- Give careful consideration to suitable places of safety and consider police protection if a young person under 18 is believed to be at risk of significant harm.

Advice could be sought during office hours from the PPB Child Abuse D/Sergeant, or outside hours, via the C7 PPB on call Duty D/Sergeant;

- A Community Impact Assessment (CIA) should be considered. The decision to complete, or not, and the rationale for this decision should be recorded on the OEL.

## **Central Referral Unit (CRU)**

- All reports and referrals of HBV will be made to the Central Referral Unit in C7 PPB by email, where any child safeguarding issue will be assessed and a determination made as to who is best placed to investigate this crime.
- Workflow incidents for review (as applicable) to Public Protection Unit.

## **Public Protection Branch (PPB)**

In addition to the points contained in the section [‘Attending/Investigating Officer’](#), as there may still be outstanding actions after the initial uniform response and subsequent transfer of investigation to PPB, officers should also:

- Conduct investigation and consider risk assessment, identifying further safeguarding actions as necessary;
- Ensure early contact with the Forced Marriage Unit (FMU) in respect of relevant allegations/concerns. The FMU is a joint Foreign & Commonwealth Office and Home Office unit which provides advice and support to victims of forced marriage as well as to professionals dealing with cases. The assistance provided ranges from simple safety advice, through to aiding a victim to prevent their unwanted spouse moving to the UK ('reluctant sponsor' cases), and, in extreme circumstances, to rescues of victims held against their will overseas. See link for more information and contact details: [Legislation on Forced Marriage](#);
- Where appropriate, cases will be referred to a Multi-Agency Risk Assessment Conference (MARAC), a case conference and/or a Local Area Public Protection Panel (LAPPP). The chair must ensure that only essential representatives are present when the case is heard and consideration given to the recording of details under restricted access;
- Take a photocopy of the passport. (There may be two passports if the person has dual nationality). If they fear being taken abroad advise them not to travel but if such travel is unavoidable encourage them to make the journey on the British, Irish or other European Union (EU) passport only, as it is easier to repatriate when travelling on this;
- When a victim is moved to another district or police area (e.g. An Garda Síochána or in Great Britain) as part of a safety plan the PPB D/Constable must ensure that the receiving district or Police Service is briefed on the circumstances and risk.
- Give the victim the option to give their Deoxyribonucleic Acid (DNA), fingerprints and a photograph.

## 6. Key Controls Checklist

	Responsible	Compliance
1	CMC	Appropriate qualifier used on C&C when closing (HONC).
2	Attending/Investigating Officer	Conduct checks on household, children, firearms, civil orders, etc.
3	Attending/Investigating Officer	Assess risk. Take positive action to safeguard victim and/or children/vulnerable persons in household. Inform CRU in C7 PPB of any child victim via email.
4	Attending/Investigating Officer	Take preliminary action in relation to any crimes, i.e. preservation of scene.
5	Attending/Investigating Officer	Brief Sergeant as to incident, action and risk assessment, pending transfer to C7 PPB.
6	Sergeant	Consider initial investigative and safeguarding actions as well as risk assessment. If in agreement with the foregoing, inform Attending/Investigating Officer. Refer investigation to C7 PPB for investigation. Urgent or live matters reported to police during day-time hours at the weekend should be referred to the C7 PPB on call D/Sergeant.
7	Attending/Investigating Officer	Upon approval by supervisor, update Contact Management Support Unit with details of risk assessment and consent to refer to support agency.
8	Central Referral Unit	Check risk assessment and refer to specialist support agency (if appropriate).
9	Central Referral Unit	Workflow actions as appropriate to Attending and/or Investigating Officer in relevant Public Protection Unit.
10	Public Protection Unit	Undertake investigation. Ensure early contact with Forced Marriage Unit for assistance. Inform C7 PPB Duty Officer of any urgent or live matters reported to police at the weekend.
11	Public Protection Unit	Consider risk assessment and refer to MARAC (as well as other safeguarding measures, as appropriate).

Please refer to the attached Appendices for additional assistance when responding to HBV and FM.

## Appendix A Flowchart Process

<b>Contact Management Centres/Dispatchers (CMC)/Station Enquiry Assistants</b>	
Upon receipt of a HBV/FM incident/crime a new Command and Control serial will be commenced.	
Obtain necessary information to ensure appropriate action is taken and to identify repeat victims and vulnerability issues. If in doubt simply ask the victim sensitively/carefully about their needs/worries/concerns.	
When closing it is essential that the appropriate qualifiers are correctly entered to ensure that the incident is properly recorded as a HBV/FM incident with HONC closing code.	
Contact Management Centre Supervisors should regularly check that Command and Control serials are fully completed and comprehensively updated and that the appropriate closing codes and qualifiers are included.	
<b>Attending / Investigating Officer</b>	
Attending Officer will attend the scene of the HBV/FM incident/crime.	
Take preliminary investigative action, identify and assess risk reflecting the DASH Risk Assessment as well as the specific HBV DASH Checklist. Seek consent for support agency referrals.	
Consider and implement safeguarding actions to manage risk to victim and other vulnerable persons in household including referral to Social Services. Update OEL as to actions. When closing C&C serial, inform CMU of HBV/FM sub-type closing code (HONC).	
Where a child has been assaulted (regardless of other victims), email CRU with details to identify whether specialist IO should be tasked to respond to incident as a child abuse allegation. The investigation, however, remains with the Attending Officer until otherwise informed. This does not negate the need for Social Services to be informed, as appropriate.	

Brief Sergeant about HBV incident (investigative and safeguarding actions) as well as risk assessment. Upon authorisation of Sergeant, contact - Contact Management Support Unit (CMSU) with details of risk assessment, including consent to refer to support agency, if appropriate.	
<b>Supervising Sergeant</b>	
Review the DASH Risk Assessment, investigations and ensure actions to safeguard the victim and any children/vulnerable persons have been taken.	
Record reviews and directions on NICHE OEL. Supervise initial response/early investigative actions pending briefing of incident to relevant Public Protection Unit.	
<b>Contact Management Support Unit</b>	
Record answers to all DASH questions. Record consent (if given) for referral to specialist agency.	
<b>Central Referral Unit</b>	
Check accuracy and relevance of DASH Risk Assessment contents against incident. Refer to domestic abuse/HBV history and recommend risk classification, referring to appropriate unit/officer.	
If consent has been given to referral to specialist agency, complete External Referral Form (ERF) and email to appropriate branch/agency. Update OEL once referral forwarded to relevant agency.	
<b>Public Protection Unit</b>	
Conduct investigation following transfer and satisfactory briefing from uniform personnel.	
Consider risk assessment, identify further safeguarding actions as necessary and refer to MARAC if appropriate. Ensure early contact with Forced Marriage Unit for assistance.	

## **Appendix B Contact Us**

### **Service Instruction Author**

Public Protection Branch

### **Branch Email**

[PublicProtectionSecretariat@psni.police.uk](mailto:PublicProtectionSecretariat@psni.police.uk)