



5 December 2005

Anna Bishop  
Forced Marriage Unit  
G 55 Old Admiralty Buildings  
London SW1A 2PA

Dear Ms. Bishop,

**Re: 'Forced Marriage: A Wrong not a Right:' Government Consultation on Forced Marriage**

The Women's Resource Centre greatly welcomes the Home Office's consultation paper on whether forced marriages should be criminalised. We fully endorse Southall Black Sisters' response to the consultation and **urge the government not to introduce a new offence against forced marriage.**

We hold the following objections with regard to the creation of a new offence:

- We do not feel that a new and separate offence of forced marriage would add much to the criminal law. There are already various offences that can be committed under forced marriage which include kidnapping, threats to kill, abduction, imprisonment and assault, including sexual assault. **We should rely on the existing criminal law and put our energies into ensuring that forced marriage is recognised and treated as a crime across all the relevant statutory agencies and communities.**
- Forced marriage should not be treated separately from strategies and policies on domestic violence, since the same imperative - protection via the same laws, mechanisms and resources (criminal law, civil law remedies, child protection measures, safe accommodation etc) - are involved albeit with some additional considerations. **Treating forced marriage as if it is some 'exotic' issue which requires its own strategies and solutions taking into account community sensitivity, spells dangers for Black and Minority Ethnic women and may set a dangerous precedent.**
- Forced marriage should be publicly recognised and treated as a crime and a serious form of violence against women. **We believe that it**

**should be placed within the wider legislative and policy framework on domestic violence.**

- **The proposed criminal offence cannot adequately address the question of emotional, psychological and financial pressure which is often applied by parents in order to obtain ‘consent’ in a forced or even ‘arranged’ marriage.** Such pressures do not fall within the ambit of existing criminal law and is unlikely to do so under the suggested proposals without undermining fundamental principles of criminal law.
- **We are concerned that a new offence would not necessarily lead to prosecutions.** The current shortcomings of the criminal justice system, namely, the lack of will to implement the criminal law and to account for failures in those cases where women have chosen to seek redress through the criminal justice system, would make it difficult to prosecute.

Victims of forced marriage are likely to be young, vulnerable women who are still at a formative stage and are emotionally and financially dependent on their families. We are concerned that these women will find it difficult to prosecute against family members. Furthermore, a victim may feel shame and guilt if her parents are jailed as a result of a successful prosecution. In such circumstances, the likelihood of suicide and self harm may also increase.

- **We believe that a new offence might drive the problem of forced marriage underground.** There is a risk that some parents wishing to circumvent the criminal law will take their children abroad, under the pretext of a holiday and then, having forced them to marry will leave them there. For these reasons, great care must be taken to ensure that introducing a new offence of forced marriage will not drive even more families to abduct or take their children abroad and leave them there.
- **We believe that any new law, which is not backed by adequate resources, will be of little value.** All support groups working on forced marriage are faced with a serious lack of funds to assist women in making the choice to leave violent and abusive families and live independently. There are no guarantees from the Government that resources will be put in place to ensure that the choice to prosecute can be exercised without fear of safety, destitution and lack of support.

Whether or not a new law is introduced, we recommend that the Government provides additional resources to support women’s voluntary and community organisations working with women affected by forced marriage. We greatly welcome the Forced Marriage Unit’s decision to make funds available for a pilot survivor network and support the continuation of this funding.

- We support the alternatives to the creation of a new criminal offence against forced marriage laid out by Southall Black Sisters in their response to the consultation.

**We strongly encourage the Home Office to work in partnership with the women's voluntary and community sector, in particular with Black and Minority Ethnic women, to combat forced marriage.**

These groups have decades of experience in identifying the needs of BME women and communities, and in providing services to suit their needs.

The Women's Resource Centre (WRC) is a membership based second-tier, umbrella body providing infrastructure support, information and capacity building to voluntary and community organisations working to improve the status women. The majority of our member groups operate in Greater London and 40% are BME organisations.

Regards,

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