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**Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards**

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Journal of Adult Protection

## Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards

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### Introduction

The subject of forced marriage is receiving an increasingly high profile in both media and policy debate. With discussions frequently set within the context of violence against women, immigration control and cultural 'otherness', the practice is also widely acknowledged as an abuse of human rights (Clawson & Fyson, under review; Philips & Dustin 2004; Chantler et al, 2009; Gill & Mitra-Khan 2010; Chantler, 2012; Wind-Cowie et al, 2012). It is well established that the consequences of being forced to marry (or attempts being made to force a marriage) may include rape, pregnancy, physical, sexual and emotional abuse, kidnap, drugging and even death (HM Government, 2014). Forced marriage is therefore clearly a safeguarding issue and falls within the remit of adult safeguarding legislation, policy and practice. Safeguarding Adult Boards have a key role in identifying and preventing forced marriage, including forced marriage of people with learning disabilities.

Previous research has suggested that there is limited awareness amongst statutory and voluntary sector organisations of generic Government guidelines on forced marriage (Gangoli et al, 2006). It is likely that even fewer of these organisations are aware of the specific guidance on forced marriage of people with learning disabilities - first published by the UK Government in 2010, and subsequently updated in 2014 (HM Government 2010b; 2014). Given the central role which, at local level, this guidance gives to Boards the present study set out to explore the extent to which Boards were aware of and fulfilling their responsibilities in this area.

A forced marriage occurs where *'one or both spouses do not consent to the marriage but are coerced into it'* (UK Government, 2014, p7). Forced marriage is not condoned by any religious group (Groce et al, 2014), it is not a 'cultural tradition' and is different to an arranged marriage in which the family of both spouses take a leading role in orchestrating the marriage but the decision to accept the arrangement remains with the prospective spouses. Exact figures for forced marriages in the UK are not known, there is a lack of reliable data which makes determining the actual scale of the issue

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4 impossible (Philips & Dustin 2004), forced marriage is largely a hidden crime and cases  
5 reported are likely to represent the tip of the iceberg. The UK Government's Forced  
6 Marriage Unit (FMU) – a joint initiative between the Home Office and the Foreign and  
7 Commonwealth Office – was established in 2005 to tackle the problem of forced  
8 marriage. The FMU collates and publishes annual figures on all cases of forced marriage  
9 reported to them. It has seen a steady increase in the reported number of forced  
10 marriages, rising from 400 in 2007 (HM Government Select Committee, 2008) to over  
11 1220 cases in 2015 (FMU, 2015). However it has also been estimated that cases could  
12 be as high as 8000 per year (Kazimirski et al 2009). The FMU notes '*Despite the*  
13 *recorded numbers, forced marriage still remains a hidden practice, as many more cases*  
14 *remain unreported*' (HM Government 2014, p2).  
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22 It is well established that people with learning disabilities can be forced to marry (ACT,  
23 2012; FMU, 2013-2015) and there are examples of action to protect adults with learning  
24 disabilities from forced marriage being heard in the Court of Protection (Sandwell  
25 Metropolitan Borough Council v RG, GG, SK and SKG [2013] EWHC 2373 (COP)); XCC v  
26 AA & Anor (Rev 3) [2012] EWHC 2183 (COP) (26 July 2012)). These cases most often  
27 centre on whether or not the adult with learning disabilities has the capacity to consent  
28 to marry (Kroese & Taylor, 2011). The law says that nobody can marry unless they have  
29 capacity to consent – the Mental Capacity Act 2005 does not allow best interest decisions  
30 to be made about whether an individual should or should not marry. People with learning  
31 disabilities who have limited mental capacities may be at greater risk than other people  
32 of being forced, coerced or persuaded to marry (HM Government, 2014).  
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40 Forced marriage is frequently portrayed as a gendered issue, and an issue which  
41 primarily affects women from Asian communities (Gangoli et al, 2006). However, in  
42 reality forced marriage can affect men or women of any age and from any national or  
43 cultural background. In 2015 the FMU dealt with cases of forced marriage involving  
44 people from over 67 countries including Afghanistan, Somalia, Turkey and Sri Lanka and  
45 20% of victims were male (FMU, 2015). FMU statistics indicate that in the UK forced  
46 marriage of people with and without learning disabilities is most prevalent within  
47 Pakistani, Bangladeshi and Indian communities (FMU, 2015). This reflects the fact that  
48 the UK has large settled communities originating from these Asian countries, where  
49 marriage and honour are both held in high regard. Globally, forced marriage is not  
50 associated with particular countries but rather with particular cultures, especially those  
51 where the implicit moral code of conduct is based on collective responsibilities rather  
52 than individual rights (Srinivasan & Karlan, 1997). In such cultures, marriage, honour  
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4 and shame are connected by complex notions surrounding the status and reputation of  
5 wider family within the community with children being expected to obey their parents'  
6 wishes. Where a child (including a now-adult child) has a learning disability these  
7 cultural norms may interact with cultural (mis)understandings of disability and the belief  
8 that marriage can 'cure' learning disability (Ann Craft Trust (ACT), 2012; Groce et al,  
9 2014) to heighten the risk of forced marriage. This constellation of factors is believed to  
10 explain why the evidence shows that amongst people with learning disabilities, forced  
11 marriage is a matter which affects men and women in equal numbers (Clawson & Fyson,  
12 under review).

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19 The FMU first produced statutory guidance on forced marriage in 2008, this guidance  
20 was aimed at '*all persons and bodies in England and Wales who exercise public functions*  
21 *to protect adults with support needs from abuse*' (2008, p6). The guidance made clear  
22 that responsibility lay with local strategic bodies to lead the way in ensuring policy and  
23 practice was adequate for addressing the problem, stating that '*Multi-Agency Adult*  
24 *Protection Management Committees are likely to take a lead role in developing policies*  
25 *and procedures for inter-agency working and information sharing to protect adults ...*  
26 *from harm*' (p18). However, one weakness of this guidance was that it contained very  
27 little information about safeguarding vulnerable adults, including those with a learning  
28 disability, from forced marriage. This omission was partly addressed by the subsequent  
29 publication of multi-agency practice guidelines for working with people with learning  
30 disabilities at risk of forced marriage (HM Government 2010b). These guidelines were  
31 clear that local safeguarding policy and practice should address the specific needs of  
32 people with learning disabilities; it also recognised that structures and policies in place at  
33 the time may not have adequately protected people with learning disabilities:  
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43 *Existing structures may not always meet the needs of children and adults with*  
44 *learning disabilities; it may be that existing policies and procedures require*  
45 *adaptation to ensure the safeguarding needs to tackle this issue are met.*  
46 *Strategic bodies should ensure that their member agencies work effectively to be*  
47 *sure that existing policies and procedures include ways of meeting the specific*  
48 *needs of children and adults with learning disabilities. (FMU, 2010b, p7).*  
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53 This project therefore explored the extent to which Safeguarding Adult Boards have  
54 addressed the requirements of statutory and practice guidelines and incorporated  
55 suggestions into their local policies, procedures and practice with people with learning  
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4 disabilities at risk of forced marriage. The study was undertaken in 2012-13, by which  
5 time Boards might reasonably have been expected to implement the guidance.  
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## 8 9 **Methodology**

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11 The study consisted of two elements, which ran concurrently: a national survey of 127  
12 English Safeguarding Adult Boards and two interviews.  
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16 The first element was an online survey of English Boards. An email outlining the study,  
17 inviting participation and including a link to an online survey was sent to 127 Boards with  
18 a request that the survey was completed by the Board Manager or the Board Chair. The  
19 survey asked a set of sixteen simple, factual questions about the Boards' policies and  
20 procedures, and also provided space for additional qualitative comments. Fifty-eight  
21 Boards responded to the survey, giving a response rate of 46%.  
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26 The second element of the study was two interviews, one with the manager of a  
27 Safeguarding Adult Board and one with the manager of a Safeguarding Children's Board,  
28 with a view to comparing and contrasting their engagement with the issue of forced  
29 marriage of people with learning disabilities. Attempts were made to engage a number  
30 of other Safeguarding Board managers (the initial plan was to interview four  
31 Safeguarding Adult Board managers and four Safeguarding Children Board managers;  
32 the fact that so few were willing to engage may be some indication of the wider lack of  
33 engagement with this issue.) The interviews aimed to develop a deeper understanding of  
34 Board responses to cases of forced marriage of people with learning disabilities, how  
35 cases were recorded; how this information fed into local safeguarding policies; what  
36 training was available for frontline professionals, etc. Each interview lasted between 45  
37 and 55 minutes; both were audio recorded and fully transcribed prior to coding and  
38 analysis.  
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46 Quantitative data from the survey was used to provide descriptive statistics (see tables  
47 1-4, below). Qualitative data from both the surveys and interviews was combined and  
48 subject to a thematic analysis of content. Unless otherwise stated, quotes are from  
49 survey respondents.  
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53 This project was exploratory in nature and does not claim to provide definitive findings.  
54 However, it does provide some insights into the extent to which Boards are – or are not  
55 – engaging with the issue of forced marriage of people with learning disabilities. The  
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4 findings are discussed below in terms of their implications for safeguarding policy and  
5 practice.  
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## 10 Findings

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13 Overall, the findings from this study indicate a general lack of engagement on the part of  
14 Boards in the subject of forced marriage of people with learning disabilities. However, as  
15 will be shown, there were also indications that a small proportion of Boards did recognise  
16 this as an adult safeguarding matter they were working to address. The main themes  
17 which emerged from the qualitative data can be broadly summarised as (i) the extent to  
18 which Boards accepted and understood forced marriage in general, and forced marriage  
19 of people with learning disabilities in particular, as falling within their policy and practice  
20 remit; (ii) the extent to which Boards were or were not taking a cross-disciplinary local  
21 strategic lead on this issue; and (iii) what action Boards were taking to ensure that their  
22 workforce had the necessary skills and knowledge to respond appropriately and  
23 effectively to individual cases of forced marriage of adults with learning disabilities.  
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### 32 Engagement of local Boards with national policy

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35 National guidelines indicate that local Boards have a clear role to play in strategic  
36 decision making on safeguarding policy and practice. Responsibilities relating to  
37 safeguarding adults with learning disabilities at risk of forced marriage are outlined in  
38 statutory and practice guidance (HM Government 2008, 2010a, 2010b). Responses to  
39 the survey made clear that these responsibilities were being embraced by some, but not  
40 all, Boards. Although most Boards indicated that they were engaged with the issue of  
41 forced marriage in general, far fewer showed evidence of actively addressing the specific  
42 needs of people with learning disabilities.  
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50 (Insert table one here)  
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54 Most Boards (71%) had included forced marriage as a definition of abuse in the  
55 safeguarding policies they produced and more (74%) were sure that specific guidance  
56 was in place for single agencies on handling cases. The Safeguarding Adult Board  
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4 agreeing to be interviewed recognised that there was no reference to forced marriage in  
5 their safeguarding policy, although the Board website included resources focussed on the  
6 issue. However, despite a clear steer from the Forced Marriage and Learning Disabilities:  
7 Multi-Agency Practice Guidelines (HM Government, 2010b) on the need to be sure that  
8 policies meet the specific needs of people with learning disabilities, only a third (33%)  
9 had addressed this in their safeguarding policies. This is disappointing given that almost  
10 double (62%) stated they were aware of the practice guidelines.  
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16 The Statutory guidelines (HM Government 2008, 2010a) make clear that multi-agency  
17 strategies need to be in place for dealing with forced marriage. The survey responses  
18 demonstrated that only one third of Boards were sure they had a multi-agency strategy  
19 in place. The Safeguarding Adult Board agreeing to be interviewed acknowledged that  
20 although guidance on forced marriage is available for individual groups of staff such as  
21 social workers, police and health workers within their own agencies, the Board has a role  
22 to play in ensuring a multi-agency strategy works  
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28 *Obviously as a Board our role is to ensure that agencies are doing correct things*  
29 *around multi-agency well. But within their own organisations as ...pointed out*  
30 *they will have their own policies (Adult Board Interviewee)*  
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34 The survey results also demonstrated that few Boards (20%) identified involvement in  
35 regional networks looking at issues of forced marriage and fewer (9%) were involved in  
36 regional networks that considered the specific needs of people with learning disabilities  
37 thus reducing opportunities to develop shared policies and protocols and to share  
38 information and skills in working in this area. This finding however fits with comments  
39 made by some Boards that forced marriage is not a priority given competing demands  
40 for scarce resources, one noted 'This is has not been a priority area but is acknowledged  
41 as a risk issue'.  
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#### 46 47 Monitoring and strategic planning

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50 Safeguarding Adults Boards are intended to provide a forum for strategic discussion and  
51 planning on a range of issues including prevention of abuse. In order for improvements  
52 to be made to planning and responding to forced marriage Boards need to have  
53 knowledge about the numbers and types of cases within their geographical areas. The  
54 statutory guidelines (HM Government, 2010a) make clear that cases of forced marriage  
55 needed to be monitored and recorded.  
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9 Only 22% of Boards were aware of any cases of actual or threatened forced marriage of  
10 people with learning disabilities in their area and although it is clear that individual  
11 agencies may be recording cases, there is no consistent mechanism for numbers to be  
12 collated by Boards to aid strategic planning for resources and training. Five Boards were  
13 aware of one case and two were aware of two cases of forced marriage of a person with  
14 a learning disability in the previous year. Others were aware that data existed but did  
15 not know the numbers  
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21 *The Board keeps a database of all FM cases for adults*  
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24 *I would have to check the latest performance data...*  
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26 Interestingly, although neither Board interviewed were aware of cases being referred to  
27 them, their expectation was that they should be  
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31 *I would expect that information to come to the attention of our Safeguarding*  
32 *Strategic Team then I take that information to the Board. One hasn't come*  
33 *through to our attention (Adult Board interviewee)*  
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37 *I'd expect us to hear, yes...I'd expect a serious case review...Or a referral to our*  
38 *serious cases panel (Children's Board interviewee)*  
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41 However, both interviewees recognised that cases were not routinely being recorded as  
42 forced marriage and could potentially be recorded under a different category of abuse  
43 creating further difficulties with ascertaining actual numbers of cases. This was  
44 understood as linked to the problem of practitioners not recognising forced marriage  
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49 *Possibly in the future they'd refer it [forced marriage] in as well. People aren't*  
50 *always aware of what they see (Children's Board interviewee)*  
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53 *My understanding is that we don't routinely record information saying we've had*  
54 *a safeguarding referral relating to forced marriage...it could show up say, as*  
55 *emotional abuse... One of the issues is people's knowledge of forced marriage. So*  
56 *we could be dealing with something that has the elements of that in it but it has*  
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4 *gone through the system as nobody has put that title to it (Adult Board*  
5 *interviewee)*  
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9 One survey response recognised that a lack of robust reporting and recording system  
10 impacted upon their ability to respond strategically  
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13 *This is difficult as due to under-reporting and also recording issues it is hard to*  
14 *get an appreciation of the extent of the problem. Until we are aware of this it is*  
15 *difficult to gauge where this issue should be in the list of Board priorities*  
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19 If the specific needs of people with learning disabilities are to be included in strategy and  
20 policy development and implementation it seems reasonable to have a named specialist  
21 overseeing this process, indeed the statutory guidelines (HM Government, 2010a) make  
22 clear that agencies should have a lead specialist with responsibility for all forced  
23 marriages in their area. Only 14% of Boards were aware of this being the case in the  
24 agencies represented on the Board and of those only one specifically outlined someone  
25 with a responsibility for people with learning disabilities, whilst others gave more generic  
26 safeguarding responses, including 'Police lead'; 'The business manager for the Board';  
27 or:  
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34 *The Learning Disabilities Contract and Commissioning manager is the link – we*  
35 *also have links with the voluntary sector agencies who have expertise in forced*  
36 *marriage issues rather than LD specific issues.*  
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40 Just over half of Boards (55%) were aware of forced marriage being discussed at Board  
41 meetings. Neither of the Boards interviewed were aware of discussions taking place.  
42 Survey results showed discussions mostly centred around reviewing, developing and  
43 implementing policy, procedures and training as the following quotes demonstrate  
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47 *In relation to development of policies and procedures*  
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50 *Discussions regarding implementation of guidance locally*  
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53 Some discussions reflected the fact that it was not always clear where forced marriage  
54 should 'sit' within the safeguarding agenda or where information on forced marriage  
55 would go  
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*To decide if it sat in the vulnerable adults agenda or the domestic violence agenda.*

*Guidance goes to community safety partnerships and I wonder if some of this work sits there and doesn't come to the safeguarding Boards. I think there maybe something in there that is clouding the issues (Children's Board interviewee)*

Perhaps unsurprisingly, a smaller number of Boards (31%) had discussed forced marriage of people with learning disabilities at Board meetings. Here discussions centred on individual cases as well as policy development or implementation indicating that perhaps where people with learning disabilities are concerned Boards might work in a reactive rather than proactive way:

*We had a case where we worked with ... for a woman with LD who was coerced into marriage. We have also worked on another case where we asked ... to put a caveat on a LD woman being married.*

One Board did make reference to the need to develop a forced marriage policy that included people with learning disabilities and another very usefully drew upon the need for Children and Adult Boards to work together, particularly at the time of transition, although this point was not specifically linked to forced marriage:

*And also the issue of the interface between children's and adult services. It is easy for people with learning disabilities to disappear when they reach 18, with different eligibility in adult social care and the difficulty of getting different databases to share information between services.*

This theme was returned to by a number of Boards recognising the benefits of a more joined up approach and looking to develop policies on forced marriage across the Children's and Adults sectors:

*There is a HBA [Honour based abuse] sub group to the safeguarding adults and children's Boards which looks at HBA, FM [forced marriage] and FGM [female genital mutilation] and includes issues of LD...we have just developed an action plan and a directory of service for staff on national organisations.*

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*Have agreed to approach...[Children's Board] to develop a joint process to consider possible situations of forced marriage across children and adults.*

*Children and Adult Safeguarding Boards hosted a ...Domestic Violence Forum, Karma Nirvana and Forced Marriage Unit were guest speakers. A joint policy is being developed, updates given to both Boards.*

The need for a more joined up approach was also evident in Board responses relating to how well equipped frontline practitioners are to deal with forced marriage.

#### Knowledge and skills of frontline practitioners

Safeguarding Adult Boards have a role to play in ensuring that practice is continuously improving and that frontline practitioners are equipped with the skills and knowledge required to tackle abuse.

Insert table 3 here

The majority of Boards recognise that forced marriage is an issue that must be addressed. Over half (58%) stated that they considered forced marriage of people with learning disabilities to be an area of concern that the Board should address, worryingly however 42% said they did not think it was, did not know or provided no answer. Some Boards linked the issue to the more generic concept that any vulnerable person at risk would be a cause for concern rather than seeing forced marriage as a specific issue. Others recognised that although not high on the agenda it was something they planned for, whilst others still said it was not as a priority as it competes alongside other higher priorities

*We would attach equal importance to this issue as we would to all groups of vulnerable people.*

*We do not really have high numbers of concerns about forced marriage, however we do believe that it is a very important subject and that practitioners should be aware of guidance and how to respond.*

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4 *I don't think it's been high on the agenda for our safeguarding Board that I am*  
5 *aware of as unfortunately it is one area of safeguarding which completes*  
6 *alongside others.*  
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10 As noted earlier, many Boards did include forced marriage as a definition of abuse and  
11 had policies in place that reflected what was required of practitioners in dealing with  
12 such cases. However, although the majority were aware of the practice guidelines for  
13 working with people with learning disabilities (HM Government, 2010b) only 34% were  
14 sure that staff had access to them, thus almost two thirds were unaware if practitioners  
15 had access to this valuable resource. Additionally, the research found that some Boards  
16 were not equipping practitioners with the skills and knowledge required to adequately  
17 protect people with learning disabilities at risk from forced marriage. The statutory  
18 guidelines (HM Government, 2010a) make clear that training and awareness raising on  
19 forced marriage should be incorporated into existing training and staff should receive  
20 regular updates so they have the knowledge and skills required to respond. A lack of  
21 clarity emerged in the interviews around Board and individual agency responsibility for  
22 ensuring staff had access to policies and resources to improve knowledge and skills  
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31 *Individual agencies [have responsibility] with regards to safeguarding per se in*  
32 *relation to procedures but by being part of the Board ensuring that policies are in*  
33 *place and being adhered to. I expect that I as Chair can be re-assured that things*  
34 *are in place as far as possible. I realise that it's not a perfect world but where we*  
35 *are learning more and more I'd expect agencies to do something about it...I*  
36 *believe the role of the Board is to drive the agenda forward across the whole*  
37 *spectrum. (Adult Board interviewee)*  
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42 Safeguarding Adult Boards provide a forum for strategic discussion on training and  
43 guidance to be provided to practitioners. Just over a third (41%) of Boards stated they  
44 provided training which specifically offered practitioners the opportunity to develop their  
45 knowledge on forced marriage per se. However, reviewing the comments revealed that  
46 some Boards had provided 'one off events' and in others forced marriage was included  
47 within other training rather than being a stand-alone topic. A number of Boards  
48 commented that the topic of forced marriage was covered within other courses.  
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54 *This is incorporated into lots of other training packages so the message is*  
55 *regularly reinforced.*  
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4 And one survey respondent again saw the benefit of the Children and Adult Board  
5 working closely together  
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9 *The initial three courses were provided jointly by Children and Adults*  
10 *Safeguarding Board*  
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13 However, when it came to training on the issue of people with learning disabilities being  
14 forced to marry only 7% of Boards were sure that this was covered by their training  
15 packages. Two Boards were clear that courses looking at the issues for people with  
16 learning disabilities were available in their area. However, the comments reflected that  
17 for others the issues relating to people with learning disabilities were being addressed  
18 within broader safeguarding courses leading perhaps to the danger that the very specific  
19 issues relating to how forced marriages of people with learning disabilities differ to other  
20 forced marriages being missed  
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26 *We have asked our LD network to discuss this with LD service users and*  
27 *providers.*  
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30 *Half day awareness raising session – what it is, reasons for why it happens, how*  
31 *to respond (geared around young people but includes people with learning*  
32 *disabilities).*  
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37 It is the role of the each Board to assure itself that adequate safeguarding arrangements  
38 are in place. It is therefore perhaps a little concerning to note that only 3% of Boards  
39 were 'very confident' and a further 33% 'fairly confident' that the agencies represented  
40 on the Boards contained practitioners whom they considered to have the knowledge and  
41 skills required to adequately address the issue of forced marriage of people with learning  
42 disabilities.  
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47 Insert table 4 here  
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50 This worryingly means that 43% were 'not very' confident and 7% 'not confident' at all  
51 (14% did not answer). As might be expected, it was clear that Boards held differing  
52 views regarding staff groups with specific perceived expertise, for example some said  
53 they might have confidence in practitioners working directly with people with learning  
54 disabilities but not others or one type of practitioner group over another  
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4 *It is not an area we have a lot of expertise in given that we have only 1 case.*  
5 *Therefore practitioners in Adults (excluding LD) may not be as fully informed of*  
6 *the issues as those working within the LD service.*  
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10 *It would depend on the specific profession e.g. would have more confidence in*  
11 *the Police.*  
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14 Some Boards recognised that a lack of available training impacted upon ability of  
15 practitioners to respond appropriately  
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19 *Those who have attended the training should have the skills however there are*  
20 *lots of practitioners who don't attend training.*  
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23 *Training limited; [we] need to try and reach key information to children and*  
24 *vulnerable adults' workforce.*  
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28 But only three Boards explicitly recognised the specific difficulties arising from staff being  
29 (un)able to distinguish between forced marriage and arranged or consensual marriage in  
30 order to deal with it appropriately. This links with the finding outlined earlier that lack of  
31 recognition impacted upon appropriate recording  
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35 *I believe there is a real lack of awareness of the issue and confusion as to the*  
36 *difference between arranged and forced marriage. Also linking with issues of*  
37 *capacity...*  
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41 *My concern is that, although there is guidance available for staff, it is dependent*  
42 *upon staff recognising that forced marriage is an issue in a particular case. It also*  
43 *concerns me that there is no formal process to link children's and adults' services*  
44 *response to potential forced marriage situations.*  
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48 *If we are aware of an incident of forced marriage we would utilise the multi-*  
49 *agency procedures to address this. I am however not confident that it would be*  
50 *recognised as such in the first place.*  
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54 This is an area that Boards clearly need to address if forced marriage is to be recognised  
55 and responded to.  
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## Discussion

This research found inconsistencies in approaches to forced marriage, echoing Wind-Cowie et al's findings (2012) that there is a lack of understanding of forced marriage among frontline workers and commissioners and, additionally, although adequate guidelines and materials are available, these are often not incorporated into local government and NHS policies and strategic plans. The research findings demonstrate that although some Boards are engaged with the issue of forced marriage, many do not recognise the very specific needs of people with learning disabilities within their policy, planning or training. For some it is not a priority; more worryingly however, others do not see it as an issue they need to address at all. This gives cause for concern: previous research (Clawson & Fyson, under review; ACT 2012; Gangoli et al, 2006) and the present study demonstrate the difficulties many practitioners have in identifying cases of forced marriage, understanding the differences between arranged marriage and forced marriage and managing issues of consent (Kroese & Taylor, 2011).

The difficulties practitioners face in dealing with the problem is not unique to forced marriage however: Gilligan & Akhtar (2006) point to Cheetham's broader (1982) assertion that '*social workers are doubtful about their ability to judge needs and problems in unfamiliar cultures*' (2006, p1362); despite the passage of time, it would seem that many social workers struggle with being '*culturally competent*' (Jani et al, 2016). Boards are aware of practitioners' lack of knowledge and skills but need to take a more robust approach in addressing this deficit. The lack of access to specific guidelines and relevant training is a cause for concern for as Webb et al postulate "*The attitudes, knowledge base and behaviours of professionals are affected by the quality of training provided*" (2002, p407). Many marriages will go unnoticed without a workforce trained to understand the specific issues related to forced marriage of people with learning disabilities. It is therefore crucial that Boards play a leading role in ensuring all practitioners working with people with learning disabilities have the knowledge and skills to adequately recognise and address this issue.

## Conclusion

In 2012 when this research project was undertaken statutory and practice guidance (HM Government, 2009, 2010a; 2010b) set out the duties and responsibilities of those tasked



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4 with safeguarding adults from forced marriage including Safeguarding Adult Boards. The  
5 guidance stipulated that bodies with a safeguarding function should have policies and  
6 procedures in place to ensure people are protected from forced marriage and that a  
7 named person for ensuring cases are handled, monitored and recorded should be in  
8 place. The guidance foresaw Boards as having a leading role in the development of  
9 policies and practice for multi-agency working and information sharing. Since completing  
10 the research new legislation has been enacted which strengthens safeguarding policy  
11 and practice. The Care Act 2014 places Boards on a statutory footing and has introduced  
12 new safeguarding duties for local authorities. In addition, the act of forcing a person to  
13 marry was made a criminal offence in 2014 under s.121 of the Anti-social Behaviour,  
14 Crime and Policing Act. Boards should now be in a stronger position to tackle the  
15 problem of forced marriage of people with learning disabilities, this however will only be  
16 possible with a changed narrative on forced marriage which recognises learning disability  
17 as a vulnerability factor.  
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26 This paper demonstrates that forced marriage of people with learning disabilities raises  
27 many complex issues for Boards and the wider safeguarding community in terms of  
28 recognition of cases and planning for intervention. The updated statutory guidelines on  
29 forced marriage (HM Government 2014) places clear responsibilities on Chief Executives,  
30 directors and senior managers in ensuring that the workforce is adequately trained and  
31 that policies exist to tackle forced marriage. However, anecdotal evidence from  
32 practitioners and policy makers suggests that little has changed since this research was  
33 completed. Forced marriage policy and practice aimed primarily at protecting the general  
34 population is inadequate in meeting the specific needs of people with learning  
35 disabilities. Moreover, without clearer information on how many people are affected,  
36 Boards cannot strategically plan or estimate training and service requirements to protect  
37 people with learning disabilities.  
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45 More Boards need to develop structures which support practitioners to build a sound  
46 knowledge and skill base that recognises and responds to forced marriage of people with  
47 learning disabilities. In times of austerity it may not be financially or practically viable for  
48 Boards to provide specific training focussing on forced marriage of people with learning  
49 disabilities. Nevertheless, all Boards should provide training on forced marriage as a core  
50 element of their adult safeguarding training and all training on forced marriage should  
51 incorporate teaching on the specific features of forced marriage of people with learning  
52 disabilities. People with learning disabilities have a right to live their lives free from  
53 abuse. Forced marriage should be on the agenda of all Safeguarding Adult Boards in  
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4 order to ensure the risks are properly recognised and addressed in both policy and  
5 practice.  
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27

## 28 **References**

- 29  
30  
31 Ann Craft Trust (ACT) (2012) *Forced marriage of people with learning disabilities: final*  
32 *report*  
33  
34 Chantler, K. Gangoli, G. Hester, M (2009) 'Forced marriage in the UK: Religious, cultural,  
35 economic or state violence?' In *Critical Social Policy* vol. 29 no. 4 587-612  
36  
37 Chantler, K. (2012) 'Recognition of and Intervention in Forced Marriage as a Form of  
38 Violence and Abuse' in *Trauma Violence Abuse* 13: 176-183  
39  
40 Clawson, R & Fyson, R. (under review) 'Forced marriage of people with learning  
41 disabilities: a human rights issue' submitted to *Disability & Society*  
42  
43 Gangoli, G., Razak, A. & McCarry, M (2006) *Forced Marriage and Domestic Violence*  
44 *among South Asian Communities in North East England*. University of Bristol.  
45  
46 Forced Marriage Unit Home Office/Foreign and Commonwealth Office (2014) *Statistics*  
47 *January to December 2014* accessed at  
48 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/4](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412667/FMU_Stats_2014.pdf)  
49 [12667/FMU\\_Stats\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/412667/FMU_Stats_2014.pdf) on 25.02.15  
50  
51  
52  
53 Forced Marriage Unit Home Office/Foreign and Commonwealth Office (2015) *Statistics*  
54 *January to December 2015* accessed at  
55 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505827/Forced_Marriage_Unit_statistics_2015.pdf)  
56 [05827/Forced\\_Marriage\\_Unit\\_statistics\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505827/Forced_Marriage_Unit_statistics_2015.pdf) on 02.07.15  
57  
58  
59  
60

- 1  
2  
3  
4 Gill, A and Mitra-Khan, T (2010) 'Moving toward a 'Multiculturalism without culture':  
5 Constructing a Victim-Friendly Human Rights Approach to Forced Marriage in the  
6 UK' in Thiara, R, K & Gill, A (eds) *Violence Against Women in South Asian*  
7 *Communities: Issues for Policy and Practice*, Jessica Kingsley Publishers: London.  
8  
9  
10 Gilligan, P & Akhtar, S (2006) 'Cultural Barriers to the Disclosure of Child Sexual Abuse  
11 in Asian Communities: Listening to What Women Say' in *British Journal of Social*  
12 *Work* 36, 1361-1377  
13  
14  
15 Groce, N. Gazizova, D & Hassiotis, A (2014) *Forced Marriage among Persons with*  
16 *Intellectual Disabilities: Discussion Paper Working Paper 27* Leonard Cheshire  
17 Foundation and University College London  
18  
19  
20 HM Government (2008) *The Right to Choose: Multi-agency statutory guidance for*  
21 *dealing with forced marriage* Forced Marriage Unit  
22  
23 HM Government (2009) *Multi-agency practice guidelines: Handling cases of Forced*  
24 *Marriage* Forced Marriage Unit  
25  
26 HM Government (2010a) *The Right to Choose: Multi-agency statutory guidance for*  
27 *dealing with forced marriage* (2<sup>nd</sup> Edition) Forced Marriage Unit  
28  
29 HM Government (2010b) *Forced Marriage and Learning Disabilities: Multi-agency*  
30 *practice guidelines* Forced Marriage Unit  
31  
32 HM Government (2014) *The Right to Choose: Multi-agency statutory guidance for*  
33 *dealing with forced marriage* (3<sup>rd</sup> Edition) Forced Marriage Unit  
34  
35  
36 HM Government Select Committee on Home Affairs Appendix 79 (2008)  
37 [http://www.publications.parliament.uk/pa/cm200708/cmselect/cmhaff/263/263w](http://www.publications.parliament.uk/pa/cm200708/cmselect/cmhaff/263/263we106.htm)  
38 [e106.htm](http://www.publications.parliament.uk/pa/cm200708/cmselect/cmhaff/263/263we106.htm) accessed on 05.07.16  
39  
40  
41 Jani, J. Osteen, P & Shipe, S (2016) 'Cultural Competence and Social Work Education:  
42 Movement toward assessment of practice behaviours' in *Journal of Social Work*  
43 *Education* Vol 52 Issue 3 pp311-324  
44  
45 Kazimirski, A. Keogh, P. Kumari, V. Smith, R. Gowland, S. Purdon. S & Khanum, N  
46 (2009) *Research Report - Forced Marriage Prevalence and Service Response*  
47 Department for Children, Schools and Families  
48  
49  
50 Kroese, B.S & Taylor, F (2011) 'It's OK, you get used to it: Forced marriage and learning  
51 disabilities' in *Journal of Critical Psychology Counselling and Psychotherapy* 11 (3)  
52  
53 Phillips, A & Dustin, M (2004) 'UK Initiatives on Forced Marriage: Regulation, Dialogue  
54 and Exit' in *Political Studies*: VOL 52, 531-551.  
55  
56  
57  
58  
59  
60

1  
2  
3  
4 Srinivasan, B & Karlan, G (1997) 'Culturally Responsive Early Intervention Programs:  
5 issues in India' in *International Journal of Disability, Development and Education*,  
6 44:4, 367-385  
7  
8

9 Wind-Cowie, M., Cheetham, P. & Gregory, T (2012) *Ending Forced Marriage*. London:  
10 Demos.  
11

12 Webb, E. Maddocks, A & Bongilli, J. (2002) 'Effectively Protecting Black and Minority  
13 Ethnic Children from Harm: Overcoming Barriers to the Child Protection Process'  
14 in *Child Abuse Review* Vol 11: 394 410.  
15  
16  
17  
18  
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**Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards**

Table one: application of policy

Question	Answer				Total
	Yes	No	Don't know	Did not answer	
Is forced marriage included within the definition of abuse used in your safeguarding policies and procedures?	41 71%	9 15%	1 2%	7 12%	100%
Does your safeguarding policy include specific guidance on forced marriage?	43 74%	7 12%	2 4%	6 10%	100%
Does your safeguarding policy include specific guidance on forced marriage of people with learning disabilities?	19 33%	26 45%	6 10%	7 12%	100%
Do you have in place a multi-agency strategy for forced marriage?	19 33%	30 52%	2 3%	7 12%	100%
Are you aware of the <i>Forced Marriage and Learning Disabilities: Multi-Agency Practice Guidelines (2010b)</i> ?	36 62%	13 23%	2 3%	7 12%	100%
Do agencies represented on the Safeguarding Board contribute to regional networks on forced marriage?	12 20%	14 26%	24 41%	8 13%	100%
Do agencies represented on the Safeguarding Board contribute to regional networks on forced marriage of people with learning disabilities?	5 9%	17 29%	29 50%	7 12%	100%

## Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards

Table 2: Monitoring and Strategic planning

Question	Answer				Total
	Yes	No	Don't know	Did not answer	
Have you had discussions concerning forced marriage of people with learning disabilities at your Board meetings?	18 31%	30 52%	4 7%	6 10%	100%
Have you had discussions concerning forced marriage at your Board meetings?	32 55%	18 31%	2 4%	6 10%	100%
Are you aware of any cases of forced marriage of people with learning disabilities in your area?	13 22%	33 57%	4 7%	8 14%	100%
Do you have a named specialist for people with learning disabilities at risk of forced marriage?	8 14%	34 59%	9 15%	7 12%	100%

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### Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards

Table 3: Knowledge and Skills of frontline practitioners

Question	Answer				Total
	Yes	No	Don't know	Did not answer	
Do all frontline practitioners have access to a copy of the <i>Forced Marriage and Learning Disabilities: Multi-Agency Practice Guidelines (2010b)</i> ?	20 34%	15 26%	16 28%	7 12%	100%
Do you consider forced marriage of people with learning disabilities to be an area of concern for your Board?	34 58%	8 14%	8 14%	8 14%	100%
Does your area offer a specific training course on forced marriage?	24 41%	19 33%	7 12%	8 14%	100%
Does your area offer a specific training course on forced marriage of people with learning disabilities?	4 7%	34 58%	12 21%	8 14%	100%

**Safeguarding people with learning disabilities from forced marriage: the role of Safeguarding Adult Boards**

Table 4 Confidence in frontline practitioners

	Very Confident	Fairly Confident	Not Very Confident	Not Confident	No answer	Total
How confident are you that frontline practitioners have the knowledge and skills to adequately address the issue of forced marriage of people with learning disabilities?	2 3%	19 33%	25 43%	4 7%	8 14%	100%

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