



Stolen Futures:

Trafficking for Forced Child Marriage in the UK



protecting children everywhere

Wilberforce Institute for the
study of Slavery and
Emancipation



STOLEN FUTURES:
TRAFFICKING FOR FORCED CHILD
MARRIAGE IN THE UK

Farhat Bokhari
ECPAT UK
2009

Information on ECPAT UK

ECPAT UK (End Child Prostitution, Child Pornography and the Trafficking of Children for Sexual Purposes) is a leading UK children's rights organisation campaigning to protect children from commercial sexual exploitation.

ECPAT UK works at the highest levels of government but also reaches out to practitioners and those working directly with children through research, training and capacity building.

ECPAT UK is the national representative of ECPAT International, a global movement in over 70 countries.

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ECPAT UK has found that children - using the UN Convention on the Rights of the Child definition where a child is every human being below the age of eighteen years - are being trafficked out of and into the United Kingdom for forced marriage. This includes British born children trafficked out of the UK to be forcibly married abroad and children who have been trafficked to the UK on the basis of a false promise of marriage only to end up in sexual exploitation. ECPAT UK has also found evidence that migrant children have arrived in the UK on forged identity documents to make them appear older having been forced into a marriage in their country of origin to a UK citizen, or more rarely, to be married in the UK.

In the UK forced marriage is recognised as a human rights abuse and a form of domestic violence. If a child is forced into marriage then it can also be considered child abuse. The range of human rights abuses experienced by its victims include rape and sexual assault, emotional and psychological abuse, enforced pregnancy and abortion, domestic violence and domestic servitude, denial of education, isolation and restrictions on freedom of movement. Being able to identify a child at risk of a forced marriage is a crucial first step in protecting that child from a life of violence and servitude.

The research for this report documented 48 cases of trafficking for forced child marriage, including cases where there were strong suspicions of an impending forced marriage involving the movement and potential exploitation of the child. There is little data on this aspect of trafficking internationally or within the UK, partly because of a lack of systematic data collection on child trafficking in all its forms. With the increasing profile and development in policy on forced marriage in the UK and elsewhere, attention on the links between forced marriage, child marriage and trafficking has been growing, albeit slowly. This exploratory study hopes to contribute to a clearer understanding of this issue from a UK perspective and to offer some new insights into how we may address the needs of the children involved.

It has long been recognised that the UK is a country of destination and transit with regard to human trafficking but this report demonstrates that it is also a source of trafficking of both British-born children and migrant children. Although the *UK Action Plan on Tackling Human Trafficking* acknowledges that there is a need to build a “better understanding of the nature and scale of all forms of trafficking as they present in the UK”¹, it makes no mention of trafficking for the purposes of forced marriage. The *United Nations Convention on the Rights of the Child*, which the

UK has ratified, calls on governments to protect children from all forms of sexual exploitation and sexual abuse and “all other forms of exploitation prejudicial to any aspect of the child’s welfare” and to “prevent the abduction of, the sale of or traffic in children for any purpose or in any form.”

The research outlined here has found that forced child marriage, where it involves the movement of a child for exploitation, is a manifestation of human trafficking. Child trafficking is not restricted to particular nationalities or countries, nor is it condoned by any religion. As part of an international movement, ECPAT UK rejects cultural stereotypes and can demonstrate through its work how child trafficking and other forms of violence are not confined to any particular ethnicity, creed or nationality. Child trafficking is a global challenge which impacts on every country both nationally and internationally.

In cases of trafficking for forced marriage it is important to consider how marriage takes on different forms and practices worldwide and in many regions is used to build or strengthen alliances between families and consolidate wealth. In some regions and countries this may include the betrothals of young children and even babies. Some marriage and kinship systems involve the practice of giving girls and women as gifts and this is accepted in certain cultures. In these situations, families may be offering their children for marriage in the hope that the marriage may benefit them financially and socially. Poverty or dominant notions of morality and honour that place a high value on a girl’s virtue are often significant factors in determining a girl’s risk of being trafficked for a forced marriage. In the UK context, children are being forced into marriages and trafficked to maintain family ties, improve a family’s economic position, both in the UK or abroad, and for spouses to gain permanent residence in the UK.

¹ Home Office & Scottish Executive (2007) *UK Action Plan on Tackling Human Trafficking*, The Stationery Office.

The Forced Marriage Unit (FMU), the central government unit dealing with forced marriage casework and policy, handles on average 300 to 500 cases of forced marriage annually, 30 percent of which are children. Most of these cases involve the person being taken abroad for a forced marriage. From research interviews and literature available it is widely believed that these figures may be just the tip of the iceberg and that more awareness and implementation of existing practice and guidance is urgently required to protect these individuals and prevent forced child marriage.

When ECPAT UK embarked on this project it did not set out to develop a set of policy or practice recommendations but it is hoped that this report will provide the impetus for multi-agency policy development work in the future. However, it is clear that there are two priority issues that stand out for urgent attention. The first is the need for more practitioner awareness that forced child marriage can be both a cause and consequence of human trafficking; and the next is the need for more research on the emotional and psychological impact of forced marriage on children.



2.1. Objectives

The primary purpose of this study is to determine if forced child marriage can be defined as child trafficking when certain pre-conditions are met. ECPAT UK has used the international definition of trafficking from the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000)*², also called the Palermo Protocol. The objective has been to explore the concept of exploitation and how this relates to the experience of children and young people forced into marriage. In order to analyse this relationship, the report:

- Uses a human rights-based framework to analyse and develop a conceptual understanding of forced child marriage and its relationship to child trafficking;
- Seeks to determine the nature of forced marriage cases of British born and migrant children that have been encountered by local authority social services, educational authorities, health services, police and non-governmental organisations (NGOs);
- Identifies awareness and examines how forced child marriage cases were dealt with by agencies;
- Examines the extent of multi-agency working.

The study is not intended to indicate prevalence – since at this stage robust quantitative data is not available – but to explore conceptual linkages and dilemmas and to consider gaps and barriers within services available to victims of trafficking for forced child marriage. It was felt that a qualitative methodology would be best suited to the study both to draw out information within case studies and investigate how and why safeguarding and service provision gaps still exist.

² See Section 3 for the definition of trafficking according to the Palermo Protocol.

2.2. Methodology

An extensive literature review was carried out using UN and regional human rights documents, NGO and government reports and statistical records and conference documents. Given the limited amount of literature on the intersection between forced child marriage and child trafficking, interlocking themes were explored through the research literature. These included forced marriage in the UK, child marriage, forced child marriage, bride wealth and dowry, anthropological and sociological studies on marriage, child trafficking in the UK, slavery and slavery-like practices in the context of trafficking and debates on the concept of exploitation. Research on forced marriage, domestic violence and mental health and service provision was also studied. Finally, government guidance and procedures relating to forced marriage and child trafficking were examined.

From June to August 2008, thirty-three semi-structured interviews, including two group and three telephone interviews, were conducted with practitioners and professionals with knowledge and experience of forced marriage. Since forced marriage cases can present as domestic violence and child protection concerns, those practitioners responsible for such caseloads were interviewed. Those interviewed included professionals from NGOs, social services, schools, police, health services, the criminal justice system and central government. The interview guide (included in Appendix 3) sought information on the nature of cases, particularly those dealt with during the last year. Most of the cases provided were within the last two years but a few date back to 2005 or earlier. The challenges facing practitioners in their efforts to protect children vulnerable to a forced marriage were also explored. It was beyond the scope of this research to interview those with a specific remit to support refugees and asylum seeking children, but in some instances information was provided on cases where a forced marriage victim was also a refugee or young person seeking asylum in the UK.

Table 1 – Respondents by Profession

Category	NGO	Health	Social Services	Education	Central Government	Police	Criminal Justice System	Total
Total	10	2	9	4	1	5	2	33

From previous ECPAT UK research experience it was felt that practitioners might not be wholly familiar with child trafficking issues and this may also be true for forced marriage cases. Therefore, brief vignettes were used to draw out case histories. Detailed field notes were kept and some of these were supplemented by audio recordings as permitted by the interviewees. Detailed notes were taken during telephone interviews.

Case studies have been anonymised with pseudonyms given to all children, and the location of the interviews and in some cases the nationality of the child withheld to avoid the possibility of identifying children. Names of all agency staff have been withheld to protect their identity and to ensure confidentiality but positions and agencies are identified. For the rationale behind selection of local authorities see below.

2.2.1. Sample selection and limitations

As identified in the government's 2006 forced marriage consultation summary, "A Wrong Not a Right"³ women's voluntary sector organisations receive the majority of referrals on forced marriage. A number of these organisations were contacted for this research. The researcher attended two conferences and one seminar on forced marriage to gather further data. One conference was organised by the Iranian and Kurdish Women's Rights Organisation (IKWRO) and held in London in April 2008. This conference focused on 'honour' crimes and forced marriage. The second conference, entitled "Challenging the Culture" was organised by the Foreign and Commonwealth Office's Forced Marriage Unit (FMU) and held in Birmingham in July 2008. The seminar was run by the Henna Foundation to launch a European network against forced marriage.

The sample for practitioner interviews was based on the decision to limit the research to London and one other region given time and resource constraints. The identification of local authorities was ascertained by;

- consulting the National Census 2001 data on ethnic distribution;
- referring to recent Metropolitan Police information on London boroughs with the highest reports of forced marriage incidents.

London, as the most ethnically diverse city in the UK, was chosen with four key boroughs selected. The boroughs and their significant ethnic communities are as follows: Tower Hamlets - South Asian; Newham - South Asian; Islington - African, Middle Eastern; and Camden - African, White Other. Birmingham - South Asian, Middle Eastern, was chosen as the second multi-ethnic city on which to focus but the response here from both the voluntary and statutory sectors was poor, despite repeated attempts requesting interviews via phone and email. As a result, other areas around Birmingham were also approached with interviews conducted with agencies in Walsall. The challenge of non-responsiveness was not confined to Birmingham, but included agencies in London, which meant the researcher had to extend the sample to other boroughs, including Hackney and Ealing. Contacts in Luton were also approached. It was beyond the scope of this report to interview children or young people because of the sensitive nature of the work, and the ethical and logistical issues that would need to be considered within a limited time.

From the outset it was appreciated that the sensitivity of the research subject would affect access to informants and their willingness to disclose cases. Concerns about reinforcing stereotypes regarding particular ethnic groups were raised since the issue of forced marriage is largely portrayed in the media as concerning British ethnic minority communities. However, other research in this area has found that not raising the issues can "contribute to the under-emphasising of issues of abuse and violence in South Asian communities by those who reify such communities, or those who are afraid that they may be perceived as racist if they challenge what are assumed to be cultural practices".⁴

- studying the population group previous research identified as having the highest incidence of forced marriages;

³ Foreign & Commonwealth Office, Home Office, Scottish Executive (2006) *Forced Marriage: A Wrong Not A Right, Summary of responses to the consultation on the criminalisation of forced marriage*. London: Forced Marriage Unit (FCU).

⁴ Chantler, K. (2003). *South Asian women: exploring systemic service inequalities around attempted suicide and self-harm*. *European Journal of Social Work*. 6(1), 33 - 48.

2.2.2. Data analysis

Data was analysed using the Palermo Protocol's definition of child trafficking and the *Council of Europe Convention on Action against Trafficking in Human Beings*, which uses the Palermo Protocol definition but broadens its scope to include trafficking within national borders and trafficking not connected with organised crime. In the forced child marriage cases included in this study the indicators used to assess a case as trafficking were the movement of the child, the nature of the exploitation and the degree of control over the child. Control, according to the Palermo Protocol, is not relevant for establishing a child as trafficked, but it can be useful when other information is unavailable. Exploitation is not defined by the Palermo Protocol, but some of the forms it mentions are defined under international law, particularly slavery or practices similar to slavery and servitude.

While every attempt has been made to confirm the accuracy of information, given the hidden nature of child trafficking and forced marriage and inconsistencies in reporting and recording systems, the level and detail of information given by interviewees was variable. Therefore, the data and case studies presented in this research generally provide indicative rather than conclusive evidence of the nature of child trafficking for forced marriage. Secondary data sources and research literature touching on the issues and themes identified were used to triangulate the information obtained.



3. Definitions

3.1. Trafficking

3.1.1. International conventions

Key international legislation requires signatory and ratifying states to enact specific measures to combat trafficking.

On 9 February 2006, the UK ratified the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* supplementing the *United Nations Convention against Transnational Organized Crime, 2000*, also known as the Palermo Protocol.

This key human trafficking protocol set the framework for the internationally accepted definition of trafficking, which it defines as:

(a) “*Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.*”

(c) *The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;*

(d) “*Child*” shall mean any person under eighteen years of age.

Thus children are given special consideration in the Palermo Protocol; the means, including their consent, through which their exploitation is achieved, is considered irrelevant. Children, by the very nature of their developmental status, are particularly vulnerable to trafficking – both within and across national borders. It is easier for traffickers to target them through coercion, deception or manipulation because of their dependence on adults for their survival and having fewer opportunities to escape an exploitative relationship.

Some children may not identify themselves as being exploited, therefore, even when a child agrees to be moved from place to place and/or exploited, such consent cannot be taken as “informed consent” and it must be recognised that children in this situation cannot be willing participants in their own exploitation. What is relevant to the trafficking of a child is that he or she is recruited, transported, transferred, harboured or received for the purpose of exploitation. The forms of exploitation, at a minimum, mentioned in the Palermo Protocol are not defined. However, some of these forms of exploitation are defined by other international conventions.

Also relevant is the *Council of Europe Convention on Action against Trafficking in Human Beings* (CECT) ratified by the UK on 17 December 2008. The CECT has adopted the Palermo Protocol definition of trafficking but with the additional recognition that it can be “national or transnational, whether or not connected with organised crime”.⁵ The CECT provides the most comprehensive protection and prevention framework for human trafficking to date and emphasises the development of a mechanism to identify victims of trafficking. Children are recognised as particularly vulnerable to trafficking and under the CECT are to be afforded a high level of protection and support.

3.1.2. UK legislation

In line with these international conventions the UK has enacted domestic legislation in the form of the *Sexual Offences Act 2003*, which criminalises trafficking for sexual exploitation into, within, or out of the UK. The equivalent Scottish provisions are contained in the *Criminal Justice (Scotland) Act 2003*. The *Asylum and Immigration (Treatment of Claimants, etc) Act 2004* makes it an offence to traffic for all forms of exploitation, including slavery, forced labour and the removal of organs.

Article 4 of the *Asylum and Immigration (Treatment of Claimants, etc.) Act 2004* states that a person is exploited if:

- (a) *he is the victim of behaviour that contravenes Article 4 of the Human Rights Convention (slavery and forced labour),*
- (c) *he is subjected to force, threats or deception designed to induce him:*
 - (i) *to provide services of any kind,*
 - (ii) *to provide another person with benefits of any kind, or*
 - (iii) *to enable another person to acquire benefits of any kind,*

⁵ *Council of Europe Convention on Action against Trafficking in Human Beings* (2005)
Available from http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Convtrn/CETS197_en.asp#P97_4091 (accessed 16.03.09)

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- (d) he is requested or induced to undertake any activity, having been chosen as the subject of the request or inducement on the grounds that:
- (i) he is mentally or physically ill or disabled, he is young or he has a family relationship with a person, and
- (ii) a person without the illness, disability, youth or family relationship would be likely to refuse the request or resist the inducement.

3.2. Marriage

3.2.1. International conventions

The right to free and informed consent in marriage is a basic human rights principle enshrined in all the major human rights conventions including the *Universal Declaration of Human Rights*, *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*.

3.2.2. UK legislation

The *Marriage Act 1949* and the *Matrimonial Causes Act 1973* govern the law on marriage in England and Wales. The minimum age at which a person is able to consent to a marriage is 16 years old and a person under the age of 18 may not marry without parental consent (as recently as 1929 this age was 12 years old for girls). This is also the case in Northern Ireland under the *Family Law Act 1995*. In Scotland under the *Marriage (Scotland) Act 1977*, there is no requirement for parental consent and a 16 year old is able to consent to marriage.

Table 2 - Minimum Age of Marriage in the UK

Country	Age of Marriage	Statute
England, Wales & Northern Ireland	18 16 with parental consent	Marriage Act 1949 Family Law Act 1995
Scotland	16 no need for parental consent	Marriage (Scotland) Act 1977 ⁶

Marriages conducted abroad that meet the legal formalities of that country are recognised in England and Wales, provided both parties have the legal capacity to marry. However, marriages conducted abroad, between persons not domiciled in the UK, that meet the legal requirements of capacity and validity of that country are recognised in England and Wales by the *lex loci celebrationis*⁷, even if the parties to the marriage may be too young to marry under the law in England and Wales.

In the UK a marriage of someone below 16 years of age is void without recourse to the courts. For those 16 years and older a marriage is voidable under the *Matrimonial Causes Act 1973* in Section 12 (c) when “either party to the marriage did not validly consent to it, whether in consequence of duress, mistake, unsoundness of mind or otherwise”.⁸ The meaning of duress has evolved in the courts to be interpreted in 1983 by the Court of Appeal as “whether the mind of the applicant (the victim) has in fact been overborne, howsoever that was caused”.⁹ Once forced into a marriage a young person has the option to seek a divorce or a decree of nullity. A decree of nullity to declare a marriage void must be obtained within three years of a forced marriage. It is notable that this time limit may be too short given that victims could be taken abroad for their marriage and return after the three years have passed or be too traumatised and vulnerable to be able to make such a decision within this timeframe.

3.3. Child Marriage

The *Convention on the Rights of the Child (CRC) 1989*, the most widely ratified UN convention, defines a child as anyone under the age of 18 years but does not directly mention child marriage. However, the articles highlighted below indicate that child marriage and its consequences would violate the principle of “the best interests of the child” being a primary consideration as noted in Article 3. The CRC requires states to guarantee a child’s right to health, education and freedom from all forms of “exploitation prejudicial to any aspect of the child’s welfare”. The UK ratified the CRC on 15 January 1992.

⁶ Marriage (Scotland) Act (1977). Available from www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1977/cukpga_19770015_en_1 (accessed 16.3.09)

⁷ Latin term for 'law of the place where the marriage is celebrated'.

⁸ Matrimonial Causes Act (1973). Available from http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1973/cukpga_19730018_en_1 (accessed 16.3.09)

⁹ Hirani v Hirani, [1983] 4 FLR 232, Court of Appeal.

Other international conventions, however, do mention child marriage, some even specifying a minimum age of marriage. *The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, ratified by the UK on 7 May 1986, says that the “betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage”. The CEDAW treaty-monitoring committee has called on states to legislate a minimum marriageable age of 18 years.¹⁰ *The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages 1964*, similarly calls on states to ensure consent, a minimum age for marriage and the registration of all marriages by a competent authority. In 1965 the UN General Assembly recommended that States not specify a minimum age for marriage less than 15 years of age.¹¹ However, the *African Charter on the Rights and Welfare of the Child 1990* stipulates that the minimum age should be 18 years; “Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be eighteen years”.¹² In 2005 the Parliamentary Assembly of the Council of Europe passed a resolution on forced marriages and child marriages in which it defined a child marriage as the union between two parties one of whom was under 18 years

of age. It called on the Council of Europe states to “take the requisite legislative measures to prohibit child marriage by making 18 years the minimum marriageable age”.¹³

3.3.1 Child marriage worldwide

Child marriage is a worldwide phenomenon with girls overwhelmingly more than boys being married at an early age. As Table 3 shows child marriage is most prevalent in Sub-Saharan Africa, Asia and the Middle East, but also has a presence in Eastern Europe and Latin America. Table 3 also shows that by the age of 19 years, 62 percent of girls are married in Niger and 51 percent in Bangladesh. Most research indicates that child marriage is practised more in rural areas and within poorer communities, although this does not preclude it from taking place in other contexts.

As mentioned above, the minimum age of marriage varies between different countries and is made more complicated because of parallel marriage systems - civil, customary and religious. Existing data is likely to give an underestimate given that data is difficult to gather because marriages are often not registered and ages of children are not always accurate since many of them may not be registered at birth.

Table 3 – Married adolescents: percentage of 15-19 year olds ever married (2000)

Country/Region	Boys	Girls	Country/Region	Boys	Girls
Africa			Europe		
Egypt	2.8	15.9	United Kingdom	0.5	1.7
Ethiopia	6.2	30.9	France	2.9	0.8
Malawi	5.7	43.6	Bulgaria	3.1	16.5
Gabon	2.3	15.9	Spain	0.7	2.3
Niger	4.2	61.9			
Botswana	3.2	5.8			
Asia			North America/Latin America		
Japan	0.3	0.7	USA	1.3	3.9
Bangladesh	5.0	51.3	Canada	0.3	1.3
India	9.5	35.7	Colombia	7.7	20.0
Malaysia	1.4	7.6			

Source: UN Population Division, Department of Economic and Social Affairs (2000)

¹⁰ CEDAW (1994) General Recommendation No 21: Equality in marriage and family relations. Article 16 (2). Available from <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> (accessed 18.3.09)

¹¹ UNHCHR (1965) Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages: General Assembly resolution 2018. Available from <http://www.unhchr.ch/html/menu3/b/64.htm> (accessed 18.3.09)

¹² African Charter on the Rights and Welfare of the Child (1990). Available from <http://www.africa-union.org/root/au/Documents/Treaties/treaties.htm> (accessed 18.3.09)

¹³ Council of Europe, Parliamentary Assembly (2005) Resolution 1468: Forced Marriages and Child Marriages. Available from <http://assembly.coe.int/Main.asp?link=http://assembly.coe.int/Documents/AdoptedText/TA05/ERES1468.htm> (accessed 18.3.09)

3.4. Servile Marriage and practices similar to slavery

Forced marriage and child marriage are considered practices similar to slavery as defined by the *UN Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery 1956* (hereafter Slavery Convention). The Slavery Convention calls on states to prescribe a minimum age and ensure consent and registration in an effort to eliminate servile marriage, defined as any institution or practice whereby:

- (i) *A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or*
- (ii) *The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or*
- (iii) *A woman on the death of her husband is liable to be inherited by another person;*

It also defines as a practice similar to slavery: *Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour.*

3.5. Forced Marriage

There is no internationally agreed definition of forced marriage. However, in the UK the *Forced Marriage (Civil Protection) Act 2007* (hereafter FMA) has amended the *Family Law Act 1996* and defines a forced marriage as:

A person (“A”) is forced into a marriage if another person (“B”) forces A to enter into a marriage (whether with B or another person) without A’s free and full consent.

It does not matter whether the conduct of B which forces A to enter into a marriage is directed against A, B or another person.

The FMA aims to protect persons at risk of being forced into a marriage as well as those already in a forced marriage. Force is defined to include coercion by threats or other psychological means. In its statutory guidance the government states that forced marriage is “an abuse of human rights and a form of domestic abuse and, where it affects children and young people, child abuse”.¹⁴

FORWARD, an international NGO working for the rights of African girls and women, believes that “any child marriage constitutes a forced marriage” because child marriages of anyone under 18 involve “pressure and emotional blackmail and children lack the choice or capacity to give their full consent”.¹⁵ Similarly the Forum on the Rights of Girls and Women in Marriage, of which both FORWARD and ECPAT UK are members, has found that being forced into a marriage and into non-consensual sex within marriage can have similar impacts for both girls and women, but girls face specific consequences in terms of their “health, social status and incapacity to determine their own lives”.¹⁶

The publication of *A Choice by Right* in 2000 by the Home Office Working Group on forced marriage¹⁷ was the first government investigation into the extent of forced marriage in England and Wales and put forward a number of recommendations that are still relevant today. It is now widely acknowledged, following their report, that there is a better understanding that forced marriage is not restricted to particular communities or ethnicities, is not condoned by any religion, that a person’s human rights cannot be overridden by culture or tradition and that there is a difference between forced and arranged marriages.¹⁸

3.5.1. Distinction between arranged and forced marriage in the UK

The government makes a distinction between forced and arranged marriage on the basis of consent. In an arranged marriage, “the families of both spouses take a leading role in

¹⁴ HM Government (2008) *The Right to Choose: Multi-agency Statutory Guidance for Dealing with Forced Marriage*, London: HM Government.

¹⁵ Forward, Child and Forced Marriage. [online] Available from <http://www.forwarduk.org.uk/key-issues/child-marriage>.

¹⁶ Ouattara, M, Sen, P. & Thomson, M. (1998). *Forced Marriage, Forced Sex: The Perils of Childhood for Girls in Violence Against Women*, UK: OXFAM.

¹⁷ Home Office. (2000). *A choice by right: the report of the working group on forced marriage*. UK: Home Office.

¹⁸ Khanum, N. (2008). *Forced marriage, family cohesion and community engagement: national learning through a case study of Luton*. Luton: Equality in Diversity.

arranging the marriage. The spouses have the right to choose – to say no – at any time. In forced marriage, there is no choice”.¹⁹ However, a number of studies have shown that this distinction is not so clear-cut and that victims themselves sometimes see their marriages as arranged and later some element of force, previously taken for granted as socially acceptable, may be acknowledged, leading to a redefinition of the marriage as forced.²⁰ In the case of children between the minimum age of marriage (16 with parental consent in the UK, otherwise 18) and 18 years of age the distinction between an arranged and forced marriage becomes problematic because children at these ages are emotionally, physically and financially dependent on their parents/guardians and are highly susceptible to emotional and other forms of manipulation.²¹ Thus arranged marriages are better thought of as applicable to persons 18 years and above.

3.6. Child Trafficking for Forced Child Marriage

The Slavery Convention definition of servile marriage and practices similar to slavery intersects with the definition of child trafficking in the Palermo Protocol where the combination of movement, exploitation and control are basic components of both of these definitions. The necessity of proving control in a trafficking situation, however, is relevant only to adults; children are seen as incapable of consenting to their own exploitation in the Palermo Protocol. The *ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* goes a step further, explicitly classifying child trafficking as one of many “practices similar to slavery.” Therefore, trafficking and forced child marriage intersect where children are recruited, harboured or transported, transferred or received with the intent to exploit the child in slavery-like conditions, such as servile marriage or domestic and sexual slavery.

The CRC also highlights the exploitative conditions from which states are expected to protect children, such as “economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development” as well as from all forms of sexual exploitation and sexual abuse and “all other forms of exploitation prejudicial to any aspect of the child’s welfare” and to “prevent the abduction of, the sale of *or traffic in children for any purpose or in any form*” (emphasis added).

ECPAT UK chose to conduct this research in recognition of the attempts to study the linkages between child trafficking and forced child marriage over the last decade. Previous reports have particularly focused on the abduction and sale of women into marriage, deception and coercion through offers of marriage that lead to sexual exploitation in prostitution, the role of international marriage agencies, the practice in some regions of the world of ‘temporary marriage’ and other traditional practices such as the exchange of women and girls to settle debt or disputes. There is recognition that children are vulnerable to trafficking which may be for the purpose of forced marriage reflected in the above mentioned conventions and laws. However, the literature connecting the two issues is limited and rarely addresses children as a separate category meriting a different focus due to their additional vulnerabilities. To date, neither current practice nor research gives sufficient recognition of the differential needs of children, as opposed to adults, who are exploited and harmed in this way.

¹⁹ Home Office. (2000). *A choice by right: the report of the working group on forced marriage*. UK: Home Office.

²⁰ Gangoli, G., Razak, A. & McCarry, M. (2006) *Forced Marriage and Domestic Violence among South Asian Communities in North East England*. UK: University of Bristol and Northern Rock Foundation.
A. Phillips, M. Dustin (2004) *UK Initiatives on Forced Marriage: Regulation, Dialogue and Exit*. LSE Research Online: London. Available at: <http://eprints.lse.ac.uk/546/>.

²¹ Moschetti, C.O. (2006). *Conjugal Wrongs Don't Make Rights: International Feminist Activism, Child Marriage And Sexual Relativism*, Ph.D. Thesis, University of Melbourne, Political Science Dept., Faculty of Arts. Cited in A/HRC/4/23.

4.1. Data collection

This study could not look at the prevalence or scale of child trafficking for forced marriage because the relevant agencies do not identify and record such data. This is in part because the linkage between trafficking and forced marriage has not been recognised but it is also compounded by the lack of systematic data collection for either trafficking or forced marriage. In both cases, lack of identification or awareness and under-reporting mean the present statistics are likely to be underestimates. However, the Foreign and Commonwealth Office's Forced Marriage Unit (FMU),²² operating since 2000, recorded over 1,300 cases of suspected forced marriage in the first nine months of 2008 and on average deals with 300 to 500 cases annually. On average each year 30 percent of their cases involve children, mainly girls, while 15 percent of the cases are male, mainly adult men.

Cases of trafficking and forced marriage may initially present to authorities as a missing person case or involve offences of child abuse, domestic violence, assault etc.²³ Police argue that forced marriage is not highlighted in crime reporting and recording because it is not a specific crime. Offences related to forced marriage are, however, recorded and in some instances forced marriage is noted as related to the offence. In relation to trafficking, local authorities are beginning to monitor and record it as a specific crime. The *Forced Marriage Civil Protection Act (2007)*, however, now mandates data collection responsibilities on local authorities.

4.2. Origins

Although forced child marriage is practised in many countries throughout the world, in the UK it has often been associated

with the British South Asian population (Bangladeshi, Pakistani and Indian). A women's helpline director suggested that growing awareness and reporting amongst this population group was because they are more settled in the UK and feel "empowered to do something about it (forced marriage) since ... they are more aware of their rights"²⁴ The same interviewee felt that "the girls who come from abroad are less likely to come forward. Often they do not have access to their passports and are dependent for accommodation and support upon their in-laws so they are less likely to find the courage to get away".²⁵

Many of the interviewees for this report recognised, however, that forced marriages are practised by a wide range of ethnicities and nationalities. This report found a total of 48 cases of forced child marriage and suspicions of impending forced child marriage involving movement and exploitation were additionally identified. The cases included in this report, and shown in the final figures in Table 4 and 5, are mostly those where victims were taken abroad for marriage to their parent's country of origin, although two young girls were taken to another location to be married; one to a neighbouring country in the Middle East and one to a European destination. However, in four cases, from 2006 to 2007, migrant girls from Somalia, Iraq, Iran and Bangladesh were married abroad in their country of origin and brought into the UK to live with their British spouse, and two girls of Middle Eastern origin were brought into the UK on promises of marriage but ended up being sexually exploited.

The final figure also includes cases where there were suspicions of an impending forced child marriage abroad. In some of these cases local authorities had attempted to remove the child from the family environment for their safety and protection.

Table 4 – Origin of Children

Origin	No. of Cases	Origin	No. of Cases
Bangladesh	13	Algeria	1
Pakistan	10	Unknown Middle East	2
Iraq	5	Georgia	1
Iran	2	Roma	1
Somalia	2	Jewish	1
Lebanon	1	Unknown	8
Turkey	1	Total	48

²² The FMU was set up as the Community Liaison Unit in 2000 and in 2005 it became a joint unit of the Foreign & Commonwealth Office and Home Office. It is the Government's central unit for dealing with forced marriage casework, policy and projects.

²³ Police Officer, Police Domestic Violence Unit, 1.8.08.

²⁴ Director, Domestic Violence Helpline, West Midlands, 25.6.08.

²⁵ Ibid.

As shown by Table 4 this report identified a range of different nationalities and ethnicities associated with cases of forced child marriage, with ten cases where ethnicity was not disclosed to the researcher. As reflected in previous research the largest number of cases were from the Bangladeshi and Pakistani population groups (23 cases), but a significant proportion of cases were of children of Middle Eastern ethnicities (11 cases), a small number from Africa (3) and one case from Eastern Europe. However, it was not always clear what the immigration status was of the Middle Eastern and African cases or if they had acquired British citizenship. Although the *UK Children Act 1989* states that children of any nationality are entitled to the same protection and support in the UK, their nationality is of paramount importance in repatriation to the UK if they are taken abroad for a forced marriage. The FMU only assists in the repatriation of British citizens, including those with dual nationality.

The majority of respondents felt that forced child marriages are not about religion, but one respondent²⁶ felt that they “are to do with the Muslim faith and Asian families” and that police officers on the street would share his opinion.²⁷ A community worker felt that the true scale of the problem is not highlighted enough by the FMU and that they focus “on Asian issues and problems”.²⁸

4.3. Age and gender

The largest age group identified in the cases of children forced into a marriage abroad or where there were suspicions of an impending forced marriage abroad consisted of those between the ages of 13 and 15 years. These were all girls. The next largest group was that of 16 to 18 year olds and in a number of cases ages could not be recalled by the respondents. However, there were cases of 13 to 14 year olds and one possible case where there were suspicions that a girl of 11 or 12 years old may have been married or engaged abroad. There was one case involving a boy.

Table 5 – Age and Gender of Children

Age	Female	Male	Total
Under 12	1	0	1
13-15	17	0	17
16-18	15	0	15
19-20 learning disability (see Section 5.3.2)	2	0	2
Unknown	12	1	13
Total	47	1	48

These findings are in line with statistics collated by the FMU where the majority of the cases since 2005 to 2008 have been between the ages of 16 and 23 years old and a few cases of 13 to 15 year olds, with one case of an 11 year old in 2007. One senior police officer noted that according to the Metropolitan Police figures those “most at risk are in the age range of 15 to 24 years”.²⁹

²⁶ Police Officer, London, 6.8.08.

²⁷ In their 2005 report the Forced Marriage Working Group found that forced marriages were not condoned by any major world faith and that consent was a principle of marriage in Christian, Hindu, Muslim and Sikh marriages (*A Choice by Right*, 2005). The Working Group also found that “history, time and place shape people’s motivations and experiences and the emerging new values in modern Britain and elsewhere will affect these behaviours and practices over time”.

²⁸ Community Advisor, Local Authority Children’s Services, London, 10.6.08.

²⁹ Police Officer, Metropolitan Police, London, 9.6.08.

5. Child Trafficking Routes into Forced Marriage

A 2007 report³⁰ by the UN Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children, provided a brief international overview of forced marriage in the context of trafficking in persons. According to the Special Rapporteur there are two broad categories within which trafficking for forced marriage of women and children may occur worldwide. These are, forced marriage as a method of recruitment for trafficking and forced marriage as a result of trafficking. This study has applied this framework to the cases in the UK.

5.1. Marriage as a Method of Recruitment for Child Trafficking

5.1.1. Sexual Exploitation

Previous research³¹ by ECPAT UK has documented how girls, particularly from Eastern Europe, are trafficked into the UK on promises of marriage, as fiancées or girlfriends hoping for a better life, only to be forced into sexual exploitation. Traffickers establish romantic relationships with girls in their country of origin and promise them marriage and a better life abroad. In other cases girls may travel abroad in response to marriage advertisements put up by marriage agencies, having only seen a picture of the person they are to marry or only spoken to them over the phone.³² Once the girls are abroad the relationship changes and becomes characterised by violence, rape, threats to the girl's family and debt bondage to ensure she does not leave. The girls may be sold or transferred to other traffickers whilst in the UK and could also be taken to other European cities to be sexually exploited.³³ To date, little is known about the traffickers but it would seem that most belong to organised criminal networks or informal networks of intermediaries.

Victims of trafficking for sexual exploitation, particularly those from ethnic groups with strong concepts of shame based on a woman's sexual purity, are unlikely to seek the support of services for this abuse or to disclose it. A few women's groups had suspicions of such cases but the victims were unwilling to disclose the full circumstances. Most interviews for this research did not reveal this form of trafficking. As trafficking has only become of growing concern in the UK in the very

recent past, it is not surprising that information about trafficking for sexual exploitation is still quite limited. One women's group did, however, identify a few cases where girls forced into marriages abroad and then brought to the UK were sexually exploited by their husbands in the UK. It is not entirely clear if they were married for the purpose of sexually exploiting them once in the UK, nor is it clear if these cases include girls below 18 years of age. The women's group identified these cases as trafficking.

We have cases in which husbands have taken money and got their wives to dance for their friends who are taking drugs or alcohol and one has even asked her to sleep with them. We have cases like that here. It's trafficking anyway, but they are married. (Director, Domestic Violence Helpline, London, 13.6.08)

In another case two young sisters travelled to the UK for a better life and marriage but were instead forced into prostitution by their aunt. The respondent noted that one of the girls was subject to immigration removal.

In one of our cases she has been deported; her aunt forced them into prostitution. Both of their cases were closed by the Home Office. They were two sisters, 17 and 18 years old, from the Middle East and the aunt forced them into prostitution and she received the money, not them. These were young girls and they came over with lots of imagination about this being a safe country with a better life and now they are facing such hard situations. The aunt lives in the UK. (Director, Domestic Violence Helpline, London, 13.6.08)

³⁰ Human Rights Council (2007) *Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children*. GE.07- A/HRC/4/23. Available from http://www2.ohchr.org/english/bodies/chr/special/sp_reportshrc_6th.htm (accessed on 18.3.09).

³¹ Somerset, C. (2004). *Cause for Concern*. London: ECPAT UK.

³² ECPAT Law Enforcement Group (2004) *Joint East West Research on Trafficking in Children for Sexual Purposes in Europe: The Sending Countries*. Amsterdam: ECPAT UK Law Enforcement Group.

³³ Bunyan, N. (2005, September 5). I've run out of tears, says girls sold around Britain as a sex slave at the age of 15. *The Daily Telegraph*. Available from <http://www.telegraph.co.uk> (accessed 16.3.09).

Under immigration rules, from 2004 a person younger than 18 years old could not enter the UK on a spousal visa and neither could the sponsor be younger than 18 years. In July 2008 the minimum age for the sponsor was increased to 21 years.³⁴ Despite the 2004 rule this study found that girls under 18 years of age were still coming into the UK on a spousal visa, some of whom appear to be travelling on falsified documents.

5.2. Forced Marriage as a Result of Trafficking

The FMU³⁵ and other research studies have documented the methods, motives and conditions of abuse and exploitation experienced by both children and adults forced into marriages abroad. The typical scenario has been for British girls, predominately from a South Asian background, to be taken abroad, either unaware of an impending marriage abroad, or after being psychologically and emotionally coerced into the marriage. Once abroad they often face physical and psychological violence, have their passports taken from them and may be imprisoned or have their movements closely monitored so they cannot leave or seek help. After the marriage is performed they could be left in the country abroad either permanently or for some years, but are usually brought back and expected to sponsor their husband to the UK. Girls may be brought back only once they have become pregnant or have had a child. This is believed to be a method to ensure that they do not leave the marriage on their return to the UK.³⁶

A few recent studies³⁷ have found that other migrant communities and nationalities are also involved in the practice of transnational forced marriages of children and women. However, little attention has been given to the circumstances and situation of girls forced into marriages abroad to British men, and then brought to the UK, or young girls brought to

the UK and possibly married here under religious rather than British civil law. These marriages can be characterised by domestic and sexual servitude, physical and psychological violence, and very often severe restrictions on movement. In some cases their husbands fail to support their residency in the UK and if they leave the marriage they have no support or protection due to their irregular immigration status, leaving them little alternative apart from returning to the abusive situation. Organisations such as Southall Black Sisters and Amnesty International are campaigning against the immigration rules that leave these girls and women at the mercy of their abusers.³⁸

Despite the extent of the abuse and exploitation these girls experience at the hands of their families, they are often reluctant to report a complaint against them. Many have been taught to obey and respect their elders; witnessing severe repercussions against those who have gone against their parents' wishes serves as a chilling effect for others.³⁹

A number of key themes emerged with respect to these cases.

5.2.1. Child Marriage

In an analysis⁴⁰ carried out by the international network Forum on Marriage and the Rights of Women and Girls, forced marriages and child marriages are seen as sexual exploitation, especially when the girl is under 16 years and the husband is significantly older. In 2004 the Observer newspaper⁴¹ reported that "community marriages are held in accordance with the religious laws of many south Asian, Turkish, Middle Eastern and North African cultures. After the ceremony, the girl is moved into the home of her 'husband'. She is raped in the name of marital sex, frequently abused by her new family and allowed to attend school only if it would attract the attention of the law if she left".

³⁴ Home Office UK Border Agency. (2008). *Marriage Visas: The Way Forward*. UK: Home Office UK Border Agency.

³⁵ Home Office. (2000). *A choice by right: the report of the working group on forced marriage*. UK: Home Office.

³⁶ Brandon, J. & Hafez, S. (2008). *Crimes of the Community - Honour-Based Violence in the UK*. UK: Centre for Social Cohesion.

³⁷ Khanum, N. (2008). *Forced marriage, family cohesion and community engagement: national learning through a case study of Luton*. Luton: Equality in Diversity.

³⁸ Amnesty International UK & Southall Black Sisters. (2008) *'No Recourse' No Safety*. London: Amnesty International UK & Southall Black Sisters.

³⁹ Community Care, (2006, November 16) My best friend was killed by her dad. *Community Care*. Available from <http://www.communitycare.co.uk/Articles/2006/11/16/102242/my-best-friend-was-killed-by-her-dad.html> (accessed 18.3.09).

⁴⁰ Forum on Marriage and the Rights of Women and Girls. (2001). *Early Marriage: Sexual Exploitation and the Human Rights of Girls*. UK: Forum on Marriage and the Rights of Women and Girls.

⁴¹ Hill, A. (2004, February 22). Revealed: The child brides who are forced to marry in Britain. *The Guardian*. Accessed 16.3.09, from <http://www.guardian.co.uk>. University Lecturer, West Midlands, 5.08.08.

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In the same article the director of a London based women's refuge said, "I've met quite a lot of young girls who were brought into this country by much older men. The youngest was a 12-year-old from Kashmir, who was brought over six years ago to marry her first cousin, a man in his late twenties". She added, "She worked in a factory in the north of England and though the whole south Asian community there knew she was married and had a son, despite being just 13, they didn't find it odd". The girl was abused and attempted suicide a number of times but only came to the attention of the women's refuge when she was older and able to escape.

A stark finding of this study is that child safeguarding professionals could also be aware of such marriages and yet fail to take action. In an academic study,⁴² set in Manchester and Birmingham, a woman described how she was forced into a marriage abroad 23 years ago at the age of 13. She was struck by the lack of questions asked on her return as a 14 year old pregnant child. No one asked her about what had happened to her even though she was seen by a whole range of health services, none of whom referred her to social services. She had been removed from school at 12 years of age and even though social services had been informed of her removal, no one did anything to explore her situation.

In many cases the age difference between the intended spouses was not entirely clear, but where age was known the spousal age gap was often significant. A police officer recalled:

A 14 year old girl was being forced into marriage to a 35 year old Pakistani man who was the brother of the mother's second husband. Social services didn't want to deal with it. I had to get the girl to a lawyer over the phone and went to court. The court made the girl a ward of court and asked for her passport to be taken and ordered social services to do a section 47 investigation. Social services were furious at me and I did it because I knew I could and had the confidence to do it. It went on for a bit but social services did a risk assessment. When I went to a meeting with the family present the social services manager said to the mother, 'we're not with them'. The girl was entitled to protection and the only way

*I could do that was because I knew that I could and had the knowledge and confidence to do it.⁴³
(Detective Constable, Domestic Violence Unit, 1.8.08)*

This does not seem to be an isolated incident and in some cases the children are never brought back to the UK. In one case a 13 year old was taken abroad and married, because she had reached puberty, to a much older man who was very abusive towards her.⁴⁴ It was only because of the severe abuse she was suffering that her brother finally brought her back to the UK. ECPAT UK's research on child trafficking in Wales has also come across a similar case. The local authority considered it to be an arranged marriage despite her age.

A 12 or 13 year old girl (at time of referral), from Pakistan, was brought over to live with her aunt. She was sent back to Pakistan for an 'arranged marriage' and became pregnant. This was not picked up until the baby suffered a non accidental injury. The local hospital did not make a referral about it even though they had a 13 year old giving birth in the hospital with no one having parental responsibility for the child. The girl also attended school but had stopped for two years and no referral was made about the fact that she was pregnant. They felt that the Sexual Offences Act did not apply as the baby was conceived abroad. (Bordering on Concern: Child Trafficking in Wales, ECPAT UK, 2009)

Although international media reports⁴⁵ have indicated the trafficking of Roma children for forced marriage, this study did not have enough information or cases to link the two. However, child marriage is reportedly common amongst some Roma settled in Britain and it is largely seen as a "cultural" phenomenon and children are considered to have given their consent and to be "ready for it".⁴⁶ The marriage is performed within the community and usually not legally registered. In the case below the mother came to realise her daughter was too young to have been married, opening up questions about the nature of consent in such cases and throwing into relief the pressure that parents may also face in conforming to cultural and traditional practices that are not in the best interests of their child.

⁴² University Lecturer, West Midlands, 5.08.08.

⁴³ Under the UK Children Act 1989 a Section 47 enquiry is a local authority's duty to investigate where there are child protection concerns.

⁴⁴ Police Officer, West Midlands Police, 18.07.08.

⁴⁵ Irish Times (2007, October 9) Gardai inquire into 12-year-olds forced to marry.

⁴⁶ Programme Coordinator, NGO, London, 21.7.08.

A few years back a 13 year old Roma girl had an arranged marriage and got pregnant. Her family arranged it. She was at school and the family could not hide it any longer, they had to come out and face it, so they disclosed it. But they didn't say that she was married. They said that she had a boyfriend who was no longer in this country and that she was keeping the baby. ... her mum was deeply ashamed of the fact that she allowed her daughter to get married so young. She admitted to me that she'd made a huge mistake and that she has learnt from it and won't do it again. She agreed to it in the first place because of huge pressure from her family and deep down she knew it wasn't the right thing to do, but in the end the pressure from the family was too strong and she wasn't able to say no. (Programme Coordinator, NGO, London, 21.7.08)

The case above highlights how child marriages are being carried out illegally in Britain today. In another case a 13 or 14 year old British girl from the Jewish Haredi community underwent a religious marriage ceremony with an adult. It is unclear if a Child Protection Order was made and whether she was taken into care by local authority. According to the social worker, "this is a very insular and segregated community and it is difficult for us to gain entry – we need Jewish social workers....to avoid detection they sometimes take the person to Israel or America".⁴⁷

5.2.2 Servile Marriage

Research by the International Planned Parenthood Federation and the Forum on Marriage and the Rights of Women and Girls⁴⁸ has found that forced marriages and child marriages are commonly characterised by violence and domestic and sexual servitude. As defined by the Slavery Convention they can be considered servile marriages, where girls have very few rights and means of escape.

The situation of foreign child brides brought into the UK is of particular concern. All the interviewees noted that these young girls lived in slavery-like conditions and were often deliberately isolated and imprisoned in their homes. They not only faced threats to ensure they did not attempt to leave but for many the fear of dishonouring their families by leaving was a strong factor curtailing any thought of escape.

In 2007 there was a case in which a girl, 17 years old, was treated as a house domestic slave. She had been married and brought here. We were contacted via the FMU and identified where she was, but the family was obstructive and did not let us enter the house. She was being used as a domestic slave. She was made to do all the work and cleaning and her mother in law and husband were verbally and physically abusive towards her. She was not allowed out or the opportunity to learn English and was very isolated. We have found that in some cases the abuse comes from the in-laws and mothers-in-law. The girls are forced to do household chores and receive no education and have no communication outside family – they are not even allowed out of the family home. (Detective Constable, Metropolitan Police, 9.6.08)

The situation of children trafficked to the UK for domestic servitude is in some ways similar to children trafficked into a servile marriage. Children trafficked for domestic servitude often arrive into the UK with an adult purporting to be their relative or guardian. Many families from West and Central Africa send children abroad to live with a relative or friend in the hope that they will gain a better education and a brighter future. Instead, some children have been forced into domestic servitude, experienced physical and emotional abuse, been neglected, had their passports and documents removed, denied their freedom of movement and an education. Given their vulnerability due to age, separation from their family and complete dependence on the receiving family, they are open to other forms of exploitation such as sexual exploitation and abuse.

In the cases of servile marriage noted in this research, interviewees identified the two year probationary immigration policy that stipulates no access to public funds, such as welfare benefits and housing, as an additional trauma for victims escaping a forced marriage. Women and girls left destitute by this rule can also become vulnerable to sexual exploitation.

The young woman has no power at all and she cannot speak English which is a barrier and in most of our cases the husband doesn't give them any money at all. Financially she has nothing and is asked to work in the family business. She can end up

⁴⁷ Community Advisor, Local Authority Children's Services, London, 13.6.08.

⁴⁸ International Planned Parenthood Federation & Forum on Marriage and the Rights of Women and Girls. (2007) *Ending Child Marriage: a guide for global policy action*. UK: IPPF.

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working all day from morning to 11pm at night. The reason is because he is her sponsor and she does whatever he says because if she doesn't then he will send her back. Those (no recourse to public funds) rules are not in favour of women. (Director, Domestic Violence Helpline, 13.6.08)

Under the UK Border Agency immigration rules, a foreign spouse must complete a two year probationary period in the UK while their marriage is subsisting. During this time they have no right to public funds (employment and health care are exempt) and if they leave their spouse they have no right to remain in the UK. However, in response to campaigns by women's rights groups a concession was introduced for victims of domestic violence in 1999 and amended in 2002. Domestic violence victims who leave their partner during the probationary period can stay in the UK but they have to provide evidence to substantiate their claim. Women's rights groups believe the level of evidence required is too difficult to obtain, especially by children under the control of their abuser, and means that most will remain trapped in an abusive relationship.⁴⁹ It also means that they are at risk of deportation if unable to prove domestic violence, without first being able to access legal services to change the status of their marriage.

Men, on the other hand, are considered less vulnerable in forced marriage situations because of the status they enjoy in some cultures as well as the fact that they generally possess more skills and education and consequently do not find themselves trapped in severely exploitative situations. Men or boys forced into marriages sometimes contribute to the abuse meted out to girls. In a 2005 case a police officer recalled how a young girl had been at the "beck and call of her mother-in-law, beaten and made to cook for them all. Her husband had also been forced into the marriage and that is why there was a hostile relationship on his part too. She lived in servitude and couldn't get access to support".⁵⁰ Refugee accommodation was later found for her.

5.2.3. Children at Risk

A number of local authorities and NGOs interviewed for this report spoke of currently dealing with suspected cases of potential or impending forced marriages of children. In such cases the children may contact NGOs or the local authority

directly because they fear being forced into a marriage, or concerned individuals and organisations refer cases to them. The majority of cases dealt with by police are those where the child has already been married. Not all of these will be cases of trafficking. In many of the cases these children come to the attention of the local authority for other issues, including a history of domestic violence in the family or 'honour' based parental control. Young girls exhibiting behaviour considered shameful – "running away from home, abortion or sexual relationships" – are seen as potentially at risk of being forcibly married.⁵¹

Other indicators that bring them to the attention of authorities include: cases of self-harm, injuries, adult sisters coming forward to protect younger siblings, violence against other members of the family resisting a forced marriage, the mother having gone through a child marriage herself and therefore the parents seeing nothing wrong with marrying early. Apart from parents, extended family and others are often implicated in forcing the child into the marriage or helping in the transport or receipt of the child.

Teachers reported suspicions about refugee children who they felt may possibly have already been married or whose marriages were planned. In both cases they reported a lack of motivation in school and the presence of controlling men as factors raising their concern.

There are some girls who don't make an effort to study at all. Some are brought to school by men who appear quite controlling but say they are her brother; we can't be sure. It's as if they, the girls, can't wait for school life to be over or they don't see the relevance of it since they are going to get married and become housewives. This is mostly the case for our refugee students. (Learning Coordinator, Secondary School, London, 22.7.08)

Some children at risk of a forced marriage are detected at the airport or other ports of entry to and exit from the country. These are generally not easily identified unless there are visible signs of struggle or violence. In 2008, police experienced in dealing with child trafficking cases dealt with a case of a child being taken to a Middle Eastern country.

⁴⁹ Amnesty International UK & Southall Black Sisters. (2008) *'No Recourse' No Safety*. London: Amnesty International UK & Southall Black Sisters.

⁵⁰ Police Officer, Domestic Violence Unit, 1.8.08.

⁵¹ Community Advisor, Local Authority Children's Services, London, 2.06.08.

We had a case a few months ago of a 16 year old girl from a Middle Eastern background. She had a boyfriend and her family did not approve of it and decided to take her (to their country of origin). She found out about their plans through her younger brother who told her that she was to be married there. The day before she was taken to the airport she was locked into her bedroom for twenty-four hours and then taken in a car by her uncle and father to the airport. She struggled with them at check in and again just prior to reaching airside when she tried to run away and her father grabbed her and dragged her back by her hair. Airport security called the police and the father was charged with assault. The girl had undergone false imprisonment and assault and we conducted an Achieving Best Evidence interview with her. She was taken to a refuge who agreed to keep her for a few weeks on the basis that social services would take care of her after that. (Detective Sergeant, Police Child Abuse Investigation Command, London, 9.7.08)

In whatever context the child may present to a professional the priority is to obtain as much information as is possible from the child and if considered to be in immediate danger to remove her or him to a place of safety.⁵² The risks of not doing so are understood by some local authorities with more experience in dealing with forced marriage. Nearly all the interviewees expressed a preference for placing children at risk of a forced marriage in a refuge, where they can be provided with a higher and more holistic level of care and security. Given the familiarity and closeness of certain communities, housing the children away from their local area is also considered essential, even though it has the negative effect of taking them away from any familiar sources of support.

Even when these children are placed in protective accommodation the risk to them of a forced marriage does not end. Their families will go to a lot of effort to locate them and there have been cases where girls have been abducted or disappeared from refuges and local authority accommodation. A number of horrific murders (so called 'honour' killings) of girls in the UK have followed their rejection of a forced marriage.⁵³

The case below demonstrates what can happen if there is a lack of a coherent response, information sharing and coordination between agencies when managing such cases. It also shows how migrant children are afforded less protection once taken abroad because of their immigration status.

In January 2007, a 16 year old Iraqi girl was forced by her uncle to withdraw from school with the intention to send her back to Iraq to marry. She came to the police. The family reported her as missing. Social services got involved and placed her in temporary foster care. But she succumbed to family pressure to return home and was back in the same situation and contacted social services urgently. She was removed from the family again and placed in supported housing services. Social services became aware there was no communication from her, pursued an Interim Care Order and her passport was seized. It had only a month before it expired. However, her uncle had applied for a new passport and the girl travelled on it out of the country. Back in Iraq we were supported by the FCO representative and a local NGO. But the girl was unable to travel back to the UK. There was difficulty in getting her out because of her insecure immigration status. At ages 16 to 17 there is a significant problem in accessing help - safe housing and accommodation. (Detective Constable, Metropolitan Police, London, 9.6.08)

Forced marriage practice guidance recommends caution with regard to contacting other agencies, approaching the family and placements of children with family members, relatives or friends. In some cases local authority social services have used signed agreements, with no legal standing, in a futile attempt to get parents to keep their daughters in the UK.

In one case social services shared information with a family about a 15-year-old girl who had left home and was in care. The family signed some papers with social services saying they would not take her abroad and if they do harm her then social services would get a court order to take the child from the family. But they still took her to Iraq and forced her into a

⁵² FCO (2004). *Young people and vulnerable adults facing forced marriage: practical guidance for social workers*. UK: FCO, Associations of Directors of Social Services, Home Office, Department for Education and Skills & Department of Health.

⁵³ Jason Burke (2000, October 8) Love, honour and obey – or die. *The Guardian*. Available from <http://www.guardian.co.uk/world/2000/oct/08/jasonburke.theobserver> (accessed 18.3.09).

marriage. She cannot come back. Social services put them under pressure to bring her back but I'm not sure if they will or not. It is not easy to find these girls again. The family can simply say that the husband has taken her somewhere and they don't know where she is; they can make many excuses for why she cannot come back. (Director, Domestic Violence Helpline, London, 13.6.08)

5.3. Child Trafficking for Other Purposes and Vulnerability to Forced Marriage

5.3.1. Domestic servitude

Further research may be necessary to unravel the situation where children are apparently being married to fulfil a family's desire for a domestic worker or carer for a disabled or special needs spouse. The cases presented in this study are of serious concern, particularly since they involve children, some under 16 years old, and where both spouses are sometimes forced into the marriage.

In the case below, the director of a marriage counselling centre saw the connection with trafficking but was uncertain of whether the girl was forced into a marriage, despite indicators showing lack of consent and vulnerability due to age and domestic servitude.

A Bangladeshi woman, who is now 22, was married at 16 when her father and her husband's father, who were friends, agreed that's how their marriages would take place. Her husband had been born and brought up here and she was born and brought up in some village in Bangladesh. Her husband was not working and on drugs; he used to beat her, as did the mother-in-law and sisters-in-law. She was like their slave. He was only 18 when he was married and she was 16. She was brought in really to help the mother-in-law take care of her four or five other children. They got the oldest son married hoping that this woman will come along and help the mother-in-law to bring up his siblings. So, maybe there is some kind of trafficking. (Director, NGO, London, 29.7.08)

In this study interviewees also spoke of young Asian girls and women from abroad who may be deceived into marrying a British man they thought was well-off, only to find themselves forced to work in a family business, for no pay, as well as doing all the domestic labour.

It is rooted in the concept of a better life in the West but they get a shock when the husband and family do not fit what they were led to believe. Sometimes the family is not as well off as they led her or her family to believe. In some cases the women have been taken to work in the factory (family businesses) and not paid or all the money is taken by the husband, as well as having to do all the housework. This is deception and not talked about much in this debate. One woman said why don't they publicise what life is like in the West for us so we know before we come. (University Lecturer, West Midlands, 5.8.08)

In a tragic case which appears to be trafficking for domestic servitude, a 14 year old girl died and her death was recorded as a suicide. Although not recent, this case is worth highlighting for two reasons. First, it shows how indicators can be missed by various agencies to leave a vulnerable child at risk of significant harm. Secondly, it shows that trafficking is complex: that victims often do not know they are trafficked; are unaware of the motives of those who traffic them and may be trafficked for one purpose but end up being exploited in a range of other ways, including the original intention. Victims of trafficking may have valid reasons for not disclosing their abuser, especially if this is a family member. As noted in ECPAT UK's report *Missing Out* "the basis for action should be suspicion of trafficking, not waiting for conclusive evidence. Child protection procedures should be invoked as soon as concerns are raised".⁵⁴

A girl was brought over from Bangladesh by her brother to act as the brother's and his wife's servant. Whether eventually she would have been married off to someone I don't know. She went to school initially and was quite bright at school, but they started keeping her away, keeping her in the house. And that's what she was doing, working in the house for them. She was kept away from the school. She drank – there is a question mark over this – bleach, swallowed it and that was what killed her. I think there is still a question mark over

⁵⁴ Beddoe, C. (2007). *Missing Out: A Study of Child Trafficking in the North-West, North-East and West Midlands*. UK: ECPAT UK.

whether she drank it or whether there was something more sinister. But she died. The drinking or ingesting of bleach is something I have heard of before as well. I don't know what that signifies. But it was put down as a suicide.

There are all sorts of issues for child protection around this and the part education played about finding out why she wasn't going to school. There had been some calls to police as well. She was 14 when she died and so whether it was about her getting older, of a marriageable age. There wasn't a proper concerted look at that child to see what situation she was living in. There were some calls to police but those were seen as a dispute between her sister-in-law and her and there wasn't really a proper investigation as to what the problem was. It was just that this is a disagreement between the two and just written off like that.

And very often at that age – at 14 and 15 – because they're older children, the proper referrals aren't made or proper enquiries as to what their situation really is. I think it's because sometimes they (agencies) don't look deep enough into what's facing them – whether they are busy or they have another call to go to or very often they just take the adult's word rather than the child's. They don't necessarily really listen to what a child is saying. It's easy sometimes when you have a more articulate adult saying this is what the situation is and not properly listening to what the child has got to say. There was certainly a lack of anyone getting the whole picture. Not sure if social services were involved. I think there was a lot of knowledge by different agencies but there was a lack of getting together, really what social services do when they look at a case conference. (Detective Inspector, West Midlands Police, 18.7.08)

5.3.2. Learning Disabilities

In the cases reported of young people with learning disabilities, practitioners were concerned that both children and vulnerable adults were being forced into marriages abroad. They were acutely aware that in these cases consent needed to be established and an assessment was necessary into whether the vulnerable person understood the nature of marriage and the sexual relationship within it. Children, mainly British girls, were taken abroad for marriage and then brought back to the UK where their husband's immigration was sponsored through them. In other cases, adult men with learning disabilities were married to migrant girls who have been brought into the UK to care for them and were often deceived about the disability.

Parents explained their motivations as protective and in the interests of seeking a carer for their child. One local authority safeguarding coordinator explained this was because “families want to care for their own and don't want an outsider to help out so they find a relative to help out. In Bangladesh they would get someone from a poorer background to come and help. But here we're asking them to accept a total stranger to come into their house (social workers, nurses etc.) and then there are issues of language, culture and religion”. Although this interviewee felt this explained why it was happening he did not think it was justified and stated that families needed to look for a professional carer rather than seeking one in a marriage partner.

A mother took her two severely disabled daughters to Bangladesh to be married. They were 19 to 20 years old but of a much younger mental capacity. The mother thought it was better for them to be married because, who would look after them after her death? Young women and men have both been forced into marriages in such cases. (Child Protection Coordinator, Local Authority Children's Social Services, 6.6.08)

In some cases parents deceived the spouse and his family about the disability of their child. In other cases, if the disability was known by the spouse it was later claimed that the full extent was not recognised. In such situations the motivation of gaining immigration to the UK may have acted as an incentive for the spouse or his family to agree to the marriage.

5.3.3 Female Genital Mutilation

This study came across one possible case connecting female genital mutilation (FGM) with forced marriage and trafficking. One respondent explained that “FGM is about marriageability”. According to a specialist⁵⁵ on the subject, “FGM is known to be a precursor to child marriage in communities where FGM is done as a rite of passage, while in communities which practice FGM but not as rite of passage, FGM is considered to be essential for marriage. In the UK this seems to be the case among many practicing communities who see FGM as essential for the marriage negotiation. We have heard anecdotal evidence of educated men rejecting women who have not had FGM done but this may not be a forced or a child marriage”. In the one case presented there was suspicion of FGM but it was later believed that this was not performed, even though no medical examination was conducted to verify the claim.

A 17 year old, originally from Georgia, was going to college but her mother found out she was sexually active, had a boyfriend and was showing 'bad' behaviour such as returning home late. She arranged for her daughter to travel to France to her uncle. She wanted her daughter to undergo FGM and get married. Her uncle came to the UK to take her to France and arranged for her to marry another Georgian. It is believed she was sent to a gynaecologist and her hymen was stitched up – it does not seem that she had FGM performed. The girl got in touch with a friend in the UK who sent her money to help her come back. The Georgian man she was supposed to marry failed to get a visa to France. (Community Advisor, Local Authority Children's Services, London, 13.6.08)



⁵⁵ Director, NGO, London, 6.08.08.

6. Motives and Methods of Control

6.1. Motives and Gain

Fundamental to an understanding of child trafficking for forced marriage and the causes and continuance of the practice is an understanding of differential marriage practices worldwide and their adaptation by diaspora or migrant communities. Similarly, it should be acknowledged that the concept of childhood varies where girls may be considered marriageable earlier than in other countries. This report does not aim to explore this diversity but notes that most research agrees that forced marriages are characterised by a lack of consent and choice; where the wishes and welfare of the child are ignored in the interests of the family. Children may not be thought of as individuals with rights of their own.

More specifically, a number of research studies in the UK have sought to establish why forced marriage takes place and the factors causing it. However, there are few in-depth reports on the marriage practices of different population groups, apart from a few studies on Pakistani and Bangladeshi communities. These studies suggest that for both groups marriage involves the exchange of brides and provides status within kin, demonstrates migrants' commitment to their relatives abroad, and forms economic and social alliances.⁵⁶ The Home Office Working Group on forced marriage categorised the motives for forced marriages into three broad groups - family, sexuality and independent behaviour and honour.⁵⁷ The most comprehensive study has come up with a longer list of motives whilst looking at a wide range of nationalities and ethnic groups.⁵⁸ These include motives to:

- Maintain the family's honour and pride in the eyes of the community
- Strengthen family ties with the community or extended family; sometimes in order to improve the family's financial position
- Control behavioural patterns in order to comply with the traditional norms of one's family or community
- Preserve and maintain the family's wealth, which is often in the family's native country
- Prevent relationships with individuals from outside one's ethnic, cultural, religious group or caste
- Assist relatives immigrating to the UK
- Fulfil long-standing family commitments and promises
- Maintain the order of marriage within siblings (in many cases it is the older siblings who marry first).

6.1.1 Family ties, economics and immigration

Most people interviewed for this report agreed that transnational forced marriages were primarily to do with the giving of girls and women to maintain family ties (cross-cousin or close kin marriages) and for economic reasons, but other reasons were also closely related.

The family is a motive. It is about internal deals with family that are made at a young age and family honour is tied up in it. This includes the motive of keeping bloodlines strong, land in the family, religion and getting a British passport. These may be the initial motivations but then if the person refuses force is used quite often. Family honour and that commitment are more important than the daughter's choice. (Central Government Official, London, 29.7.08)

Quite a lot of it is to do with property and family and economic gains. They bring them over from their own country and keep it all in the family; there is a lot of that. I think that is the primary motivation. Plus they feel that they are not being properly Pakistani by marrying somebody from here in order to retain the culture they think they need to marry someone from back home. For the girls coming in she is the brother's daughter so all the property stays in one family fold. If she wasn't related and they split up then she would get half of it and your family loses. Girls don't always get to own all this property or other benefits. And sometimes, they are brought in just to help out, more of a domestic help rather than a real marriage. (Director, NGO, London, 29.7.08)

Many also felt that assisting relatives to migrate to the UK was closely related to the objective of maintaining family ties and improving a family's economic position, both in the UK or abroad.

One young British girl was blackmailed into going abroad to get married. She was told she would be disowned if she did not agree. She got married but didn't like him. When she came back she had to bring him over because her family was beating her up. She did not want to go through with it and refused to sleep with him when he came over. She said to me: "I can't understand why they are doing

⁵⁶ Eade, J. & Yunas, S. (2002) *Community perceptions of forced marriage*. UK: Community Liaison Unit & FCO.

⁵⁷ Home Office. (2000). *A choice by right: the report of the working group on forced marriage*. UK: Home Office.

⁵⁸ Brandon, J. & Hafez, S. (2008) *Crimes of the Community - Honour-Based Violence in the UK*. UK: Centre for Social Cohesion.

this – nobody cares about me. They're just doing it for family". Her husband was the nephew of her mother. She is still in that marriage. (Director, Domestic Violence Helpline, West Midlands, 25.6.08)

6.1.2 Dowry and bride price

"In many cultures it is traditional for money or goods to exchange hands at the time of marriage. In some cases it is the husband or his family which pays bridewealth to the bride's family; this practice can evidently deteriorate into a form of 'purchase' for the bride and her services, and as such is prohibited by the Slavery Convention. In other cultures, it is the bride's family which must provide money or goods to the husband or his family and their failure to provide large enough amounts sometimes provokes acts of violence against the newly-married wife."⁵⁹ Mainly an Asian, Middle Eastern and African tradition, bridewealth and dowry can be seen as "trafficking exchanges, which expose girls to harm and exploitation in different ways".⁶⁰

For some communities, dowry is seen as a form of 'conspicuous consumption' connected to reputation and social status. Although some anthropological accounts argue that dowry is a form of inheritance for the bride, this is contested since the goods are often controlled by the groom and his household. Dowry is also seen as an economic transaction to compensate the groom's family for the bride's unproductive labour in Asian societies where women are largely relegated to the domestic sphere. In contrast bridewealth is given when the bride's labour is considered productive and given to her family to compensate them for the loss of her labour. Thus, marriage is a regulated affair focused on "wife-givers and wife-receivers and the control of female sexuality".⁶¹

However, in this study, dowry or bridewealth was not seen as a significant issue in cases of forced child marriage. Given that this study was relatively small-scale and limited in its scope, this may be an area worth investigating further.

6.2. Methods of Control

ECPAT UK has found that trafficked children mostly come to the attention of authorities if they manage to escape from the control of their trafficker, control that can be both physical and / or psychological. Such controls are part of the process of trafficking. Traffickers use a combination of methods to control victims, ranging from grooming and befriending, through to deception about the nature or conditions of work in the country of destination, to outright coercion and violence. In common with most cases, children's identification documents may be removed, they may be imprisoned by their traffickers, made to fear and distrust authority, threatened with abuse and physically or sexually abused or emotionally manipulated. Some may also be controlled through the use of culturally-specific rituals, combined with threats to their person and their family or through notions of honour and shame. Others are trafficked into debt bondage in which they have to pay a 'debt' to the trafficker covering ever-mounting travel and other costs.

Such cases highlight how difficult it is for children to escape. Similar methods of control to those above have been recounted in cases of forced child marriage. In such situations many of the children lack the confidence or knowledge of support services and may find it very difficult to disclose their experiences; being afraid that they will not be believed or of the repercussions from their family.⁶² They may even accept the violence they are facing and may want things to work out for the sake of their family's honour or feel a sense of guilt in not meeting familial expectations. The social costs of escaping the situation are acute and those who have done so often face social ostracism, stigma and rejection by their families and some even risk assault or murder by their own family or hired 'bounty hunters'.⁶³

Professionals face challenges in trying to stop such marriages from taking place. In most cases when children are being taken abroad or brought into the UK there is no visible sign of

⁵⁹ Anti-Slavery International (1995) *Contemporary Forms of Slavery Requiring Action by Governments: Examples of a Large-Scale and Persisting Problem in the 1990s*. Anti-Slavery International.

⁶⁰ Long, L. (2004) *Anthropological Perspectives on the Trafficking of women for sexual exploitation*. *International Migration*, 42(1), 5-31.

⁶¹ K. Gardner (1995) *Global Migrants, Local Lives, Travel and Transformation in Rural Bangladesh*. Oxford: Clarendon Press.

⁶² Izzidien, S. (2008). *I can't tell people what is happening at home: Domestic abuse within South Asian communities: the specific needs of women, children and young people*. UK: NSPCC.

⁶³ Martin Beckford (2008, November 21) Forced marriage cases up by 80pc this year as investigators find parents using 'bounty hunters'. *Telegraph*. Available from <http://www.telegraph.co.uk/news/uknews/3496442/Forced-marriage-cases-up-by-80pc-this-year-as-investigators-find-parents-using-bounty-hunters.html> (accessed 18.3.09).

struggle making the task of detection at ports of entry and exit difficult. However, the case highlighted earlier (see page 25), demonstrates how awareness and prompt action by airport police helped remove a child from being trafficked abroad. A 16 year old girl was being taken to fly overseas by her father for a forced marriage. Airport security called the police following a struggle between the girl and her father and the father was charged with assault.⁶⁴

to intentionally harm their child. But having said that some parents do not have the best interests of children in mind. They are thinking of family ties and control of women's and girls' sexuality in the way a typical patriarchal society works. (Legal Advisor, NGO, London, 27.6.08)

6.2.1. Deception and coercion

The use of deception and coercion are the most common methods to take British children abroad for forced marriages. Research by other organisations has documented how girls and boys are deceived about the purpose of their trip abroad to their parents' country of origin, only to be told once there that their wedding is being organised.⁶⁵ These children are often threatened or come under enormous family pressure to go ahead with the planned wedding or engagement. Given that young (and even older)⁶⁶ adults find such pressure or manipulation difficult to withstand, it is no surprise that most children succumb to parental coercion.

6.2.2. Control of sexuality

Some studies have shown that the control of a child's emerging sexuality is rooted in wider issues of the role of women in patriarchal cultures and in the concept of honour, particularly in South Asian and Middle Eastern cultures.⁶⁷

The control of sexuality is another critical issue identified in this study, which many felt predisposed children to a forced marriage. This often happened at an age when the child was beginning to explore her or his sexuality. In other cases, parents fear children getting involved in behaviours considered unacceptable and therefore organise their children's marriage in advance without the knowledge of the child or her or his consent.

A lot of the parents are thinking they are doing their best. To root their children into their culture but not

6.2.3 Missing children

Trafficked children going missing from local authority care is a significant problem identified by both ECPAT UK and government research.⁶⁸ These children once registered with the local authority go missing without trace because the trafficker still has control over them. The failure to identify these children as trafficking victims, disputes over age, and not providing safe and supportive accommodation can all contribute to a trafficked child going missing. In ECPAT UK's Missing Out (2007) report seven Somali girls, under 16 years old, were identified as brought into the North East of England for forced marriage and all went missing from local authority care.

An interview⁶⁹ for this research highlighted a more recent case of how age disputes can put a child at risk of further harm. A 14 year old ethnically-mixed Somali/Lebanese girl was identified as having been forced into a marriage abroad and brought to the UK. She was in the care of her grandparents abroad and sold into marriage – money was exchanged – to a man in his 30s, possibly of Somali origin who was settled in the UK. When rescued by police from a suspect address she stated she had been subjected to physical and sexual violence by her husband. Her husband had possession of all her documents and he claimed the girl was 24 years old and had travelled on a spousal visa. The husband is now untraceable. Although the girl was initially placed in foster care and had stated her age as 14, her age was disputed by the local authority even though the children's voluntary organisation dealing with her case firmly believed that she was under-age. She disappeared soon after leaving a note saying she felt she would never be believed.

⁶⁴ Police Officer, Police Child Abuse Investigation Command, London, 9.07.08.

⁶⁵ INTERIGHTS, Ain O Salish Kendra and Shirkat Gah (2000) *Home Office Working Group: Information Gathering Exercise on Forced Marriages*. UK.

⁶⁶ As in the widely-reported recent case of an adult Bangladeshi female doctor. Chris Smythe (2008, December 19) Parents drugged, bound and gagged doctor in forced marriage. Times. Available from <http://www.timesonline.co.uk/tol/news/uk/article5370592.ece> (accessed 18.3.09).

⁶⁷ Eade, J. & Yunas, S. (2002) *Community perceptions of forced marriage*. UK: Community Liaison Unit & FCO.

⁶⁸ Beddoe, C. (2007). *Missing Out: A Study of Child Trafficking in the North-West, North-East and West Midlands*. UK: ECPAT UK
Kapoor, A. (2007). *A Scoping Report on Child Trafficking in the UK*. UK: CEOP.

⁶⁹ Child Protection Coordinator, NGO, West Midlands, 18.6.08.

Stolen Futures: Trafficking for Forced Child Marriage in the UK

Another reason for children going missing in forced marriage cases is that many are running away from home to escape a potential forced marriage or simply the fear of it happening. Police and other agencies may have missing persons procedures in place, but not many include the FMU guidance which calls for exercising caution when contacting families or interviewing children, particularly in the presence of the family. It is common in forced marriage cases for parents to report their child as missing and to use the police to locate them. If returned to their family these children are at risk of being taken abroad for a forced marriage. Children may also find it difficult to disclose their concerns or abuse at the hands of their family, and this may be especially difficult for ethnic minority children who may be “reluctant to approach statutory agencies”.⁷⁰

An issue widely debated in the 2008 House of Commons Inquiry on Domestic Violence conducted by the Home Affairs Committee⁷¹ was that many children appeared to have been withdrawn from school and there were concerns that this could be for forced marriages abroad. In response to the inquiry the Department for Children, Schools and Families sent a letter to all schools to alert them to the risk of children taken out of school, especially before the summer holidays, and reminding them of their duties towards safeguarding children. In interviews for this report, teachers at one school, who were not aware of forced marriage practice guidance, did pick up on children going missing from school as a key issue for them. However, they were not aware of the specific actions to take in a forced marriage situation and how some of their actions could place a child at further risk.⁷²



⁷⁰ Izzidien, S. (2008). *I can't tell people what is happening at home: Domestic abuse within South Asian communities: the specific needs of women, children and young people*. UK: NSPCC.

⁷¹ House of Commons, Home Affairs Committee. (2008) *Domestic Violence, Forced Marriage and "Honour"-Based Violence: Sixth Report of Session 2007-08*. London: House of Commons & The Stationery Office.

⁷² Learning Coordinator, Secondary School for Girls, London, 22.7.08.

7. Mental Health Impact of Forced Child Marriage

Child trafficking is a serious human rights abuse in which a number of children's rights are violated. As victims of trafficking for forced marriage, children are likely to suffer physical and/or sexual abuse and emotional abuse. They are beaten, raped and in extreme cases murdered. Their development is compromised, often resulting in early pregnancy, social isolation, denial of education and skills. This kind of multiple trauma has been shown to have greater negative effects than a single traumatic experience.⁷³

Research shows that suicide is high in young Asian women compared to other groups and that it is highest amongst UK-born Asian women.⁷⁴ A family therapist at a Child and Adolescent Mental Health Service dealt with a case of attempted suicide. When asked, the therapist was not able to clearly identify forced marriage cases but recalled the following case.

I had a case of one person not agreeing with her arranged marriage and she was rejected by her family and in another case a girl refused to marry her parents' choice and her family rejected her. She had significant mental health problems. We pick them (cases) up after they have refused to go through with it and are dealing with the fallout. She came to our attention because she had taken an overdose and the psychiatric liaison services was concerned she may try again. She had been taken to Bangladesh and had refused to go ahead with the marriage and came back to the UK and stayed with a family relation. That placement broke down and she has now gone into foster care. Overdoses and wanting to die were common to both the cases. The girl herself told us about the forced marriage. She was isolated and ostracised but I don't know a huge amount about it. She carries a lot of guilt and thinks of herself as a bad Muslim and a bad daughter and this is the legacy of forced marriage. (Systemic Family Therapist, Local Authority Child and Adolescent Mental Health Service, London, 23.7.08)

This case highlights how even when children are no longer being exploited their trauma does not simply end. Their families and communities often ostracise them and being young and for the first time living without their family, they face isolation, suffer depression and are extremely vulnerable to feelings of guilt and shame.



⁷³ Zimmerman, C. et al (2006). *Stolen Smiles: A Summary Report on the Physical and Psychological Health Consequences of Women and Adolescents Trafficked in Europe*. London: The London School of Hygiene & Tropical Medicine.

⁷⁴ Chantler, K. (2003). South Asian women: exploring systemic service inequalities around attempted suicide and self-harm. *European Journal of Social Work*, 6(1), 33 - 48.

This research sought to establish and examine the connections between child trafficking and forced marriage using the international definitions of trafficking and of forced or servile marriage.

Given that case studies enabling such an analysis were limited, primary case data was sought and analysed. This small study highlights that child trafficking for forced marriage into and out of the UK is taking place; that child marriage is a motive for trafficking children into the UK and that there are cases where British children are vulnerable to being trafficked abroad for a forced marriage, and that once abroad the options to safely repatriate the child become limited. As the UN Special Rapporteur describes it; forced marriage is both a method of recruitment for trafficking and forced marriage occurs as a result of trafficking.

Implementation of existing guidelines and training on forced marriage is crucial. In relation to both trafficking and forced marriage there is a danger that agencies will fail to intervene because of a fear of offending various communities they know little about or contravening cultural practices. This manifestation of cultural relativism is misplaced and risks leaving children in situations of serious harm. Community engagement is necessary in order to foster open discourse on the issue amongst not just the affected communities but throughout the UK. However, this should not be carried out at the cost of marginalising or undermining women's and children's rights groups and their concerns. These groups have been at the forefront of campaigning on this issue, often at personal cost to themselves.

This research was undertaken in order to contribute to ECPAT UK's understanding of the manifestations of child exploitation and child trafficking in the UK. It is hoped that it will also inform and prompt debate on trafficking within those agencies working to end forced marriage. Clearly it would be welcome if agencies involved with forced marriage cases (e.g. teachers, police, children's services, NGOs etc) were fully aware of indicators of trafficking. In particular it is important for these organisations to be aware of the new arrangements following the implementation of the Council of Europe Convention against Trafficking in Human Beings (CECT) which should provide greater protection and support to victims of trafficking.

ECPAT UK did not set out to develop a set of recommendations for further action but it is hoped that this report will provide the impetus for multi-agency policy development work in this area. However, there are two key issues that that we want to highlight for immediate attention:

- The first is the need for more practitioner awareness that forced child marriage can be both a cause and consequence of human trafficking in order that they are equipped to take immediate action to safeguard children.
- The second is the need for more research; in particular deeper understanding is needed of the emotional and psychological impact of forced marriage on children.

ECPAT UK would also like to endorse the calls of other organisations that public policy should be reassessed in relation to the No Recourse to Public Funds immigration rule which leaves women in forced marriages with no option on leaving the marriage other than destitution. The effectiveness of the civil penalties contained in the Forced Marriage Act should also be analysed to understand whether a criminal offence (with extra-territorial applicability) should be introduced to act as a deterrent and to ensure full accountability of people involved in facilitating forced marriages.

The government has now recognised forced marriage as a type of exploitation faced by child victims of trafficking.⁷⁵ Forced marriage and underage marriage are listed in the risk matrix for identifying potential child victims of trafficking under the new National Referral Mechanism arrangements brought in when the CECT came into force on 1st April 2009. The implementation of the CECT is highly significant as these new arrangements and obligations offer the potential to provide improved protection for all child victims of trafficking including those children in forced marriage. But to achieve protection for all trafficked children there is a need for consistency across statutory and voluntary sector agencies in the identification and referral of victims of trafficking. ECPAT UK is playing its role in raising awareness of the processes through our training programme.

ECPAT UK hopes this research will make a contribution towards ending the practice of forced marriage as a cause and consequence of child trafficking.

⁷⁵ CEOP (April 2009) *Strategic threat assessment on child trafficking in the UK*, Child Exploitation and Online Protection agency

9. References

- AFRUCA. (2006). *Trafficking of African Children in the UK: Issues, Trends and Development – Submission to the UK Home Office Consultation*. London: AFRUCA.
- Amnesty International UK & Southall Black Sisters. (2008) 'No Recourse' No Safety. London: Amnesty International UK & Southall Black Sisters.
- An-Na'im, A. (2000). *Forced Marriage*. Retrieved March 16, 2009, from <http://www.soas.ac.uk/honourcrimes/FMpaperAnNa%27im.pdf>.
- Beddoe, C. (2007). *Missing Out: A Study of Child Trafficking in the North-West, North-East and West Midlands*. UK: ECPAT UK.
- Black, M. 1997. *Child Domestic Workers: A handbook for research and action*. London: Anti-Slavery International.
- Brandon, J. & Hafez, S. (2008). *Crimes of the Community - Honour-Based Violence in the UK*. UK: Centre for Social Cohesion.
- Christie, C. (2006). *London Procedures for Safeguarding Trafficked and Exploited Children*. London: London Child Protection Committee.
- Council of Europe Convention on Action Against Trafficking in Human Beings Chart of Signatures and Ratifications. (n.d.). Retrieved August 9, 2008, from <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=1&DF=&CL=ENG>
- Crawley, H. (2006). *Child First, Migrant Second: Ensuring that Every Child Matters*. London: Immigration Law Practitioners Association (ILPA).
- Dottridge, M. (2006). *Reference Guide on Protecting The Rights of Child Victims of Trafficking in Europe*. Geneva: UNICEF.
- Dowling, S., Moreton, K. & Wright, L. (2007). *Trafficking for the purposes of labour exploitation: a literature review*. London: Home Office.
- Eade, J. & Yunas, S. (2002) *Community perceptions of forced marriage*. UK: Community Liaison Unit & FCO.
- Eversley, J. & Khanom, H. (2001). *Forced marriages in the Bangladeshi Community: A Report*. UK: Queen Mary University of London.
- Every Child Matters. (2004). <http://www.everychildmatters.gov.uk>
- FCO. (2004). *Young people and vulnerable adults facing forced marriage: practical guidance for social workers*. UK: FCO, Associations of Directors of Social Services, Home Office, Department for Education and Skills & Department of Health.
- FCO. (2005). *Dealing with cases of forced marriage: guidance for educational professionals*. UK: FCO & Department for Education and Skills.
- FCO. (2005). *Dealing with cases of forced marriage: guidance for Police officers*. UK: FCO, Home Office & Association of Chief Police Officers.
- FCO. (2007). *Dealing with cases of forced marriage: practice guidance for Health Professionals*. UK: Home Office, FCO & NHS.
- Forced Marriage (Civil Protection) Act 2007.
- Forum on Marriage and the Rights of Women and Girls. (2001). *Early Marriage: Sexual Exploitation and the Human Rights of Girls*. UK: Forum on Marriage and the Rights of Women and Girls.
- Gangoli, G., Razak, A. & McCarry, M. (2006) *Forced marriage and domestic violence among South Asian communities in North East England*. Bristol: School for Policy Studies, University of Bristol.
- Gill, A. (2004). Voicing the silent fear: South Asian women's experiences of domestic violence. *The Howard Journal*, 43(5), 465-483.
- Gill, A. (2005). Governing violence: gender, community and state interventions. *Community Safety Journal*, 4(2), 37-45.
- Gilligan, P. & Akhtar, S. (2006) Cultural barriers to the disclosure of child sexual abuse in Asian communities: Listening to what women say. *British Journal of Social Work*, 36, 1361-1377.
- HM Government. (2006). *Working Together to Safeguard Children: a guide to interagency working to safeguard and promote the welfare of children*. UK: Department for Education and Skills.
- Home Office & Scottish Executive (2007) *UK Action Plan on Tackling Human Trafficking*. UK: The Stationery Office.
- Home Office (2003). *Forced marriage: update*. UK: Home Office.
- Home Office. (2000). *A choice by right: the report of the working group on forced marriage*. UK: Home Office.
- Home Office. (2006). *The National Domestic Violence Delivery Plan Progress Report 2005/06*. UK: Home Office.
- Hossain, S. & Turner, S. (2001). Abduction for Forced Marriage – Rights and Remedies in Bangladesh and Pakistan. *International Family Law*, April 2001, 15-24.
- House of Commons, Home Affairs Committee. (2008) *Domestic Violence, Forced Marriage and "Honour"-Based Violence: Sixth Report of Session 2007-08*. London: House of Commons & The Stationery Office.
- INTERRIGHTS., Ain O Salish Kendra., & Shirkit Gah. (2000) *Home Office Working Group – Information Gathering Exercise on Forced Marriages*. UK: INTERRIGHTS., Ain O Salish Kendra., & Shirkit Gah
- International Labour Organisation. (2005). *A Global Alliance against Forced Labour: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*. Geneva: International Labour Organisation.
- International Planned Parenthood Federation & Forum on Marriage and the Rights of Women and Girls. (2007) *Ending Child Marriage: a guide for global policy action*. UK : IPPF.
- Kapoor, A. (2007). *A Scoping Report on Child Trafficking in the UK*. UK: CEOP.
- Khanum, N. (2008). *Forced marriage, family cohesion and community engagement: national learning through a case study of Luton*. Luton: Equality in Diversity.
- London Safeguarding Children Board. (2007). *Community Partnership Project Report*. UK: London Safeguarding Children Board.
- Lord Laming. (2003). *The Victoria Climbié Inquiry: Report of an Inquiry*. Retrieved August 30, 2008 from <http://www.victoria-climbié-inquiry.org.uk/finreport/finreport.htm>
- Macey, M. (1999). Religion, male violence, and the control of women: Pakistani Muslim men in Bradford. *Gender and Development*, 7(1), 48-55.
- NSPCC. (2006). *Responding to Black and Minority Ethnic Children and Young People Affected by Domestic Violence: Conference Report*. UK: NSPCC.
- Phillips, A. & Dustin, M. (2004). UK Initiatives on forced marriage: regulation, dialogue and exit. *Political Studies*, 52(3), 531-551.
- Sanghera, J. Shame. (2007). UK: Hodder & Stoughton.
- Sen, P., Humphreys, C. & Kelly, L. (2003) *Violence Against women in the UK: CEDAW Thematic shadow Report*. UK: Womankind Worldwide.
- Somerset, C. (2004). *Cause for Concern*. London: ECPAT UK.
- Somerset, C., Donati, F., Plaza, P. & Gorton, J. (2003) *End Child Exploitation: Stop the traffic!* London: UNICEF UK.
- Southall Black Sisters. (2001). *Forced marriage: an abuse of human rights one year after 'A choice by right'*. UK: Southall Black Sisters.
- The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*. (2000). Retrieved September 8, 2008, from <http://www2.ohchr.org/english/law/protocoltraffic.htm>.
- UNICEF Innocenti Research Centre. (2001) *Early Marriage: Child Spouses*. Retrieved March 16, 2009, from <http://www.unicef-irc.org/publications/pdf/digest7e.pdf>
- Zimmerman et al (2006). *Stolen Smiles: A Summary Report on the Physical and Psychological Health Consequences of Women and Adolescents Trafficked in Europe*. London: The London School of Hygiene & Tropical Medicine.

Appendix 1 – Abbreviations and Acronyms

UKBA	United Kingdom Border Agency
CAF	Common Assessment Framework
CAMHS	Child and Adolescent Mental Health Services
CEOP	Child Exploitation and Online Protection Centre
CECT	Council of Europe Convention on Action against Trafficking in Human Beings
CRC	UN Convention of the Rights of the Child
DCSF	Department for Children, Schools and Families
ECPAT UK	End Child Prostitution, Pornography and the Trafficking of Children for Sexual Purposes
EC	European Commission
EU	European Union
FCO	Foreign and Commonwealth Office
FMU	Forced Marriage Unit
LSCB	Local Safeguarding Children’s Board
NAM	New Asylum Model
NGO	Non-Governmental Organisation
NRM	National Referral Mechanism
UKHTC	United Kingdom Human Trafficking Centre
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund

Appendix 2 – Borough Descriptions

Islington

The Borough of Islington is located in the North-Central region of London and is one of the UK's most densely populated areas (118.3 persons per hectare). Islington has an estimated population of 175,797, with 5.4% comprising of Asian or Asian British ethnic backgrounds and around 11.9% of persons possessing a Black or Black British identity.

Ethnic grouping in Islington:

<http://neighbourhood.statistics.gov.uk/dissemination/LeadTableView.do?a=3&b=276761&c=Islington&d=13&e=16&g=339271&i=1001x1003x1004&m=0&r=1&s=1220449208188&tenc=1&tdsFamilyId=87>

Camden

The Borough of Camden borders Central London. It has a population of 198,020, spread over 2,180 hectare (population density of 90.85 persons per hectare). Over half the population is ethnically White, with 10.4% classified as Asian or Asian British and 8.4% as Black or Black British.

Newham

The Borough of Newham is situated in East London and has a population of around 243,891 (67.34 persons per hectare). It is one of the most ethnically diverse areas in the country, with no significantly dominant group. Around 39.4 % of Newham's population is White, 32.5% are Asian or Asian British and 21.6% are of Black or Black British ethnicity.

Tower Hamlets

Tower Hamlets is located in the East End of London. The 2001 census revealed that the borough has a population of 196,106 made up of people from a variety of ethnic backgrounds. Over half of Tower Hamlets' population is from non-White British ethnic groups. A third is Bangladeshi, of whom half is under 20 years old, and 7% of the population is from African/Caribbean backgrounds. Sixty per cent of the White British population is over 30.

Hackney

Hackney has a population of 207,000, and its population density is high when compared to other boroughs in London, ranking third behind Kensington & Chelsea and Islington. The borough has 106.4 people per hectare, well above the London average of 45.6. Almost a quarter of Hackney's population is Black or Black British (24.7%). 59.4% are White, 4.2% classified as mixed ethnicity, 8.6% Asian or Asian British and 3.2% described as Chinese or other ethnic group.

Ealing

Ealing borders the boroughs of Brent, Harrow, Hammersmith & Fulham, Hounslow and Hillingdon and covers 55 square kilometres. The population is estimated at 305,300. Residents come from 173 different countries and approximately 60% are classed as White. The largest percentages of non-white ethnic backgrounds are Indian at 16%, and 5% being Black Caribbean.

Luton

Luton is located around 30 miles north of London and has a population of around 184,371 (42.53 persons per hectare). Around 18.3% of the population is Asian or Asian British, 6.3% are Black or Black British, with approximately 72% classified as White.

Birmingham

Birmingham is located in the West Midlands. It is England's second largest city and has a population of approximately one million people. The fifth largest airport in the UK is situated in the area which handles more than 9 million passengers per year. Its main routes are within Europe, Dubai and the Indian sub-continent. Birmingham has a long history of receiving migrants, including asylum-seekers, and about 30% of the population are from black and minority ethnic communities. Birmingham ranks second in the country, after London, in terms of the diversity of its population.

Appendix 3 – Interview Guide

Date of interview:

Place of interview:

Anyone else present:

1. Can you tell me a bit about your work and how it relates to protecting children vulnerable to forced marriage (or trafficking)?
2. How do you understand what a forced marriage is? How do you think this relates to children? What in your view is an arranged marriage? By what age do you think a person should marry?
3. What is your understanding of child trafficking?
4. Have you encountered cases such as the above (show scenarios) in your work? Details.
5. How many cases similar to the above would you say you have dealt with since last year? What is your perception of the scale of the issue?
6. Have you had suspicions concerning the circumstances, perhaps like the examples above, of any child or children you have met through your work? Probe.
7. Describe what happens when a child victim of a forced marriage or child at risk of a forced marriage presents to you?
8. Do you have established reporting procedures in relation to children in circumstances such as the above? Details.
9. How much awareness of issues relating to forced marriage is there among your staff?
How much awareness of child trafficking? Details. Discuss training.
10. Do you work with other agencies in relation to specific cases or suspected cases of such vulnerable children? Details.
11. What is your view on government guidance and procedures around this area?
12. What is your view on legislation to protect such children? Are you familiar with any of the legislation? Details.
If yes, what is your opinion of it?
13. Is there anything else you would like to talk about?
14. Do you have any questions for me?
15. If I have any other questions for you, would you mind if I contact you by email?

Appendix 4 – Vignettes/Case Scenarios

Scenario 1

A 16 year old has run away from home and says her parents do not approve of her boyfriend. She is afraid to go back home and thinks her family may be planning to take her abroad.

Scenario 2

A 17 year old tells of being brought to the UK to live with her husband and experiencing domestic abuse, made to work all hours and kept isolated in the home.

Scenario 3

A 15 year old has not attended school for over a month during term time. When contacted her family say she has gone abroad to live with the extended family.

Scenario 4

A child from abroad comes into the UK unaccompanied and is taken into care by social services. When questioned she discloses that she is here to marry. She later disappears from care.



Appendix 5 – United Nations Convention on the Rights of the Child (Extracts)

Article 2

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 3

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 12

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 19

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 24

States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

Article 28/9

States Parties recognize the right of the child to education... on the basis of equal opportunity.

Article 32

States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

Article 34

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.



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