

Pan - Merseyside

‘Honour’- Based Abuse and

Harmful Practices Protocol



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Partnership



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1 About this protocol:

- 1.1 This protocol sets out the processes and procedures that can support and guide professionals to respond and safeguard those at risk/under threat of 'Honour'-Based Abuse (HBA) and other harmful practices. The protocol refers to both adults and children.
- 1.2 The protocol is designed for all professionals, services, agencies or anyone that is concerned about someone at risk within the Merseyside region.
- 1.3 It is vital that this protocol is used alongside any existing safeguarding procedures or policies that you have within your organisation. Please also consider other local and national procedures.
- 1.4 The primary objective is to safeguard the communities within Merseyside.
- 1.5 If you or the person you are concerned about are in danger and require immediate intervention/safeguarding, **ALWAYS CONTACT THE POLICE ON 999.**

2 Objectives:

- To facilitate a multi-agency approach to HBA and harmful practices, to understand the issue, respond effectively, and ensure cultural understanding and intersectional awareness in all interventions
- To ensure that action taken by the respective agencies will be conducted in a timely manner, in cooperation where necessary and aimed at working with those affected by or potentially at risk of HBA and harmful practices in accordance with the terms of Working Together 2023.
- To facilitate and co-ordinate a response to referrals of possible and actual HBA and harmful practices, to ensure there is trauma-informed care to support and empower survivors and anyone at risk or under threat.
- To ensure a high-quality, cultural understanding, and intersectional service to those experiencing or at risk of HBA and harmful practices, including but not exclusively the use of the criminal justice system, and that partner agencies are clear about their respective roles and responsibilities to protect those at risk and under threats.
- To provide guidance that enables parties to apply a consistent approach to appropriate information sharing locally.
- To ensure that all materials to be kept confidential and if imported on databases, will be redacted and access is restricted.
- All parties to the protocol will review and monitor the progress of this process via the working group. Each agency will nominate a representative to be part of this working group. A review should take place every 12 months of the agreement being signed by all the agencies to ensure relevancy.
- To ensure that all actions, interventions, and support services are appropriately trained in HBA and harmful practices and have a good cultural understanding and informed by intersectionality, recognising the diverse and intersecting identities of those affected by HBA and harmful practices.

3 Introduction

- 3.1 'Honour'-based abuse and harmful practices have been wrongly perceived by those who practice them as cultural and traditional practices. Harmful practices like HBA, forced marriage (FM), female genital mutilation (FGM), virginity testing, breast ironing and many others are types of abuse continue to be kept hidden and unspoken about and are not challenged. It is the responsibility of partner agencies to ensure the safeguarding of those at risk or under threat. (Refer to Appendix A)
- 3.2 Partner's need to have a good awareness of **intersectionality** (Refer to Appendix B) and **culture understanding** so that there is an acknowledgement of how different factors eg gender, racial identity, sexuality, disability and nationality can create a unique experience of discrimination and oppression for survivors of HBA. We need to recognise this to ultimately give them the best level of support.
- 3.3 Sometimes professionals fear to challenge abusers because they perceive that they will be seen as racist and/or they have discriminated against those who believe in them. Any practices that bring serious harm such as physical and psychological trauma are practices of abuse. For this reason, we **MUST** act to save a life from harm and give justice. Anyone can be at risk of such abuse regardless of age, background, gender or sexuality.
- 3.4 This guidance is relevant to all genders , however because 85% of those seeking help due to Forced Marriage, HBA and other Harmful Practices are women the consequences are different than those for men. Women trapped in Forced Marriage or HBA often experience violence, rape, forced pregnancy, and forced childbearing. Many girls and young women are removed from education early. Some may be unable to leave the household unescorted – living virtually under house arrest.
- 3.5 The abuse that people suffer can have a devastating impact on their children.

4 One Chance Rule

- 4.1 All practitioners working with those at risk or under threat of 'Honour'-Based Abuse and harmful practices **must** be acutely aware of the One Chance Rule. This principle underscores the critical nature of potentially having only one opportunity to engage with a person at risk, emphasising that this single interaction might be the only chance to save a life.
- 4.2 This means that all practitioners must act decisively and appropriately when they become aware of a potential HBA or harmful practice case. If the victim is allowed to leave without support being offered, that one chance might be wasted, and a life could be lost. For a visual explanation, practitioners can refer to the One Chance Rule video provided by Savera UK: <https://www.saverauklearninghub.co.uk/one-chance-rule-video/>
- 4.3 'Honour' Based Abuse, can be the result of a number of factors, and further detailed information can be found in The right to choose: government guidance on forced marriage

- GOV.UK (www.gov.uk) and The Governments Tackling violence against women and girls strategy - GOV.UK (www.gov.uk).

- 4.4 This protocol does not override the duty of care of **all agencies** to ensure the safeguarding of any potential or actual individual at risk or under threat of HBA and harmful practices should not prevent or delay appropriate action being taken.
- 4.5 This protocol recognises the direct link between Domestic Abuse, HBA, and its different forms such as forced marriage, Female Genital Mutilation (FGM), Virginity testing, Conversion 'Therapy', Child Sexual Exploitation (CSE), child neglect and abuse, family breakdown, modern-day slavery, and other forms of abuse, as well as counter-terrorism issues. While anyone within society could be at risk and under threats of HBA, the gendered nature of the crime must be acknowledged, as women and girls remain at much higher risk.
- 4.6 The protocol acknowledges that women and girls are disproportionately affected by HBA, necessitating targeted interventions and support. According to the Home Office multi-agency practice guidelines and the Government's VAWG Strategy, tailored approaches are crucial for effectively safeguarding women and girls who are at a higher risk of HBA.

5 Procedure

5.1 Family members:

It is important to remember; **DO NOT involve family or community members.**

There are serious risks if involving the family and the community:

- It can and will increase the risk of serious harm to the individual. Family may not only punish the person for seeking help but can also be willing to deny the accusation against them and can at times be very convincing.
- Never inform the family of the person seeking the help unless it is very carefully planned and as part of the safeguarding plan.
- Take every precaution and consider every case as a potential worst-case scenario.

5.2 Interpreting & Interviews and the use of Interpreters:

- Never use family, friends or community.
- Always use an authorised accredited interpreter who speaks the individual dialect. This can also include sign language or any other support for those with special needs/disability.
- Share the interpreter's name with the person seeking help to ensure they are comfortable with them.
- Be cautious of body language of both the person at risk and interpreter, ensuring they are interpreting correctly (if not you should end the interview immediately).
- Brief and debrief the interpreter to ensure the information given to the person at risk is correct.
- Be mindful that some interpreters may support and believe in harmful practices and can be a risk to the individual in need.

- For any follow up try and use the same interpreter if possible (as long as the person seeking help approves).
- Each partner agency **must** follow their own processes in relation to language interpretation services.

5.3 Interviewing Survivors of 'Honour'-Based Abuse (HBA) and harmful practices:

5.3.1 Trauma-Informed Approach

Employ a trauma-informed approach, recognising the impact of trauma on the survivor. Be empathetic, patient, and avoid re-traumatisation by allowing the survivor to share their story at their own pace. HERSANA emphasises the importance of a trauma-informed approach when working with survivors of HBA, ensuring that the interview process is supportive and respectful of the survivor's emotional state.

5.3.1 Ensure Privacy and Safety:

The interview should take place somewhere that is private and secure. Never consider holding the interview at the family home. Choose a location that the survivor feels safe and comfortable in. If possible, provide options and allow the survivor to choose the location.

5.3.2 Gender Considerations:

Consider if they wish to be interviewed by a practitioner of the same gender. Ensure the option of same-gender interviewers is clearly communicated to the survivor beforehand, allowing them to make an informed choice.

5.3.3 Community and Cultural Understanding:

They may/may not want to be seen by a practitioner from their own community. Be aware of the cultural dynamics and potential conflicts within the survivor's community. Offer the option to be interviewed by someone outside their community to avoid any perceived bias or pressure.

5.3.4 Develop Safety Plans:

Collaborate with the survivor to create a comprehensive safety plan that includes steps to take if they are recognized or if the interview setting becomes unsafe. This plan should also cover follow-up support and emergency contacts.

5.3.5 Communication Preferences:

Ask them how they wish to communicate and ensure that communication methods respect the survivor's language preferences and literacy levels. Provide interpreters if necessary and ensure they are independent and confidential.

5.3.6 Consent and Confidentiality:

Always get their consent and explain the purpose of the interview, how the information will be used, and who will have access to it. Ensure the survivor understands their right to withdraw consent at any time and the measures in place to protect their confidentiality.

5.3.7 Legal and Supportive Framework:

Inform the survivor about their legal rights and the support services available to them. This includes protection orders and specialised support agencies.

5.4 Response

- 5.4.1 Any referral raising concerns about potential HBA/harmful practices will be responded to **immediately** and a social work assessment/risk assessment will be carried out in a thorough and timely way. Police must be informed **immediately** so that they can complete their risk assessments as appropriate and depending on the age/competence of the person at risk, preferably in parallel with the social care assessment and **in collaboration**.
- 5.4.2 Risk assessments must incorporate transferrable risks within the wider family, e.g., for siblings or any adults at risk or under threats. It is important to ensure a high level of cooperation and partnership working at this first and crucial stage. Agencies often need the specialist support and advice of trained Police Officers to help make that initial contact as well as pursue criminal investigations where appropriate.
- 5.4.3 For a child, and there is concern of significant harm, a strategy meeting must be convened with the Police, social services and health, to share all relevant information and to plan the multi-agency investigation in order to ensure the wellbeing of those at risk. In the event the referral is made outside of work office hours, professionals are to contact the Emergency Duty Team and the Police. (See section 6.3 Role of Children Social Care)
- 5.4.4 For an adult at risk, there are two routes to enquiry. A statutory Section 42 enquiry may be required if it is identified the adult has care and support needs. Alternatively a non-statutory enquiry may be identified if the person has no care needs but has identified support needs under the Care Act 2014. As with a child enquiry, a strategy meeting must be convened with the Police, social services and health to share all relevant information and to plan the multi agency approach to ensure the wellbeing of those at risk.
- 5.4.5 If both an adult at risk and child/unborn is identified at risk, children's and adult local authority services should work together to co-ordinate meetings to minimise the risk of duplication of actions if the meetings were held separately. This would support a Think Family approach and response.
- 5.4.6 Ongoing support and accommodation needs must be considered as part of the strategy meeting process, **if a person has no recourse to public funds (NRPF)** there is specific guidance professionals can access for additional support. The link below provides information of meeting the needs of adults at risk including accommodation when a person has NRPF status. [NRPF Network | Adult safeguarding](#)
- 5.4.7 Decisions on how and when an adult can be supported with accommodation/urgent needs would need to be made on a case by case basis and agencies will need to evidence why (or not) they are using powers under section 18 or 19 of the Care Act 2015. This link provides practitioners with advice how to access funds to assist people experiencing domestic abuse who have NRPF status. [Support for victims of domestic abuse | NRPF](#)

- 5.4.8 The strategy meeting will determine what information can and cannot be shared in carrying out the investigation/assessment and will agree a coordinated approach. Until enquiries are made and/or any protection orders have been obtained, **agencies must not under any circumstances share information given to them with the family of the person affected or potentially at risk of HBA/harmful practices.** Please remember that sharing information with those who may be complicit in forcing a person into marriage may endanger lives and increase the risk for individuals of being taken abroad and never returning
- 5.4.9 In the strategy meeting, consideration needs to be given to the need for immediate protection of children and young people, e.g., via an Emergency Protection Order or use of Police Protection Powers and placement away from the family. In this context, it needs to also be considered if there are any adults at risk and if so, closely liaise with the Safeguarding Adults team. Always think about transferrable risk, e.g., for younger or older siblings but sometimes this may not be so obvious unless you ask the right questions. There could for example be serious and imminent risk to those connected to the person at risk, such as their partner. It is further necessary to consider if the children in the family will need a Child Protection Plan and whether it is proportionate to issue care proceedings and seek removal, i.e., if Section 31 of the Children Act is met/if the test for removal is met. Therefore, seek legal advice **immediately**.
- 5.4.10 All the relevant warning markers are to be placed on the address and PNC by the Police. There needs to be a clear safety plan in place, including safety planning and safeguarding of siblings. A joint visit with Police and Children Services needs to be arranged and conducted in a way that it does not place the person at risk of HBA/harmful practices at even greater risk of abuse. They need to be seen and spoken to alone and a 'Cover Story' may be necessary to facilitate this. A future safe way of communication needs to be agreed with the person at risk and if necessary, a code word to confirm identity as well as a phrase that can be used if it is not safe to talk. Where there is risk that the family may go abroad, the Police must put on border control and all ports alerts. The Social Worker must complete a National Alert to other local authorities.
- 5.4.11 Agencies must not simply accept the word of parents or extended family that there are no HBA/harmful practices proposals especially if a holiday or trip abroad is planned. The most careful scrutiny is required, and all aspects of the situation must be carefully considered in a detailed manner. Nor should agencies assume that HBA/harmful practice is intended unless there is some evidence to support this. It is important to keep an open mind during the investigation and understand the family history. If an older sibling escapes HBA/harmful practices, younger siblings will be impacted. Children don't necessarily understand what is happening or told the truth of the situation by the rest of the family.
- 5.4.12 When spoken to by professionals, children may not be able to say that they are at risk of HBA/harmful practices, because they do not know. They are likely to say that they are happy and loved and have no particular concerns because they do not necessarily understand the risk. This does not mean that they will not be at risk of HBA/harmful practices when they reach a certain age – if left unprotected their risk is greater now

as the family will ensure they don't get the opportunity that the older sibling had to escape.

- 5.4.13 Any meeting held with the family members, whereby English is not their first language, an appropriate competent interpreter (not a family member) must be used and be present.
- 5.4.14 Do not attempt to mediate with family and the community members as professionals are not trained mediators and it can be dangerous to the person at risk to do so
- 5.4.15 It is important to gather all the details of the person at risk, including place and date of birth, National Insurance Number, a photocopy of their passport and a recent photograph, current contacts with other professionals, to include a description of the person, details of any known or alleged perpetrators and potential immediate risk. Ensure that spelling of information on data bases, particularly names, are correct across agencies, otherwise any alerts going out will not be effective. Therefore, the correct spellings of everyone's names and details from family members are useful too, keeping in view that children can travel on their parents' passports in some countries. Some children can also hold more than one passport. We are more empowered to help someone abroad if they have travelled on their British passport. Ensure you inform those at risk of their right to seek legal representation and identify any other criminal offences that may have been committed.
- 5.4.16 For forced marriage, ensure that you provide and support the person(s) at risk to refer to www.gov.uk/stop-forced-marriage. This contains a survivor's handbook which provides guidance on how to obtain a forced marriage protection orders, survivor's stories, agencies they can contact for housing/benefits/refuge.

6 Agencies

All agencies should refer to their own safeguarding policies and protocols for dealing with HBA and harmful practices. Agencies should be aware of their own responsibilities and working practices.

6.1 Police

- 6.1.1 Police responsibilities include safeguarding victims, investigating offences, assisting in the prosecution of any crimes and supporting those involved.
- 6.1.2 Merseyside Police officers and staff who have been made aware of a case that involves HBA or a Harmful Practice should refer to the force's 'Honour' Based Abuse and Forced Marriage Policy and the Harmful Practices Toolkit; ensuring that all initial steps are carried out in accordance with force policy, the toolkit and this protocol.
- 6.1.3 Officers and staff should be aware that a victim who has contacted the police for assistance is likely to be at crisis point and should therefore ensure that incidents are dealt with sensitively, safely, and effectively. All cases involving Forced Marriage or

HBA must be dealt with as high risk (regardless of MeRIT score) and the 'One Chance Rule' must be adhered to.

- 6.1.4 Officers and staff should also be alert to identifying cases which have a potential for Forced Marriage / HBA, and ensure questions are asked of the victim / person reporting to establish the risk.
- 6.1.5 Officers should consider the use of orders available to them to safeguard the victim and other family members and treat a report of HBA as a crime.
- 6.1.6 For cases involving a risk to children, a joint agency strategy discussion should be held and then a joint visit to the family, if agreed in the strategy. Taking in to consideration the source of the threat or risk, it needs to be established whether the immediate family are in a position to protect the children from the wider family / community, both in the UK and abroad, . If travel has been allowed, put a follow-up plan in place to visit the family on their return, do not rely on a family's reassurances that they will agree to a girl being medically examined on her return – If the child / young person is deemed to be Gillick competent (competence assessment process for under 16 year of age), no medical professional will carry out a medical examination without the consent of the girl themselves, regardless of any court order or parental consent.
- 6.1.7 Merseyside Police should also consider placing a location of interest marker on the address where the child/young person is accommodated.
- 6.1.8 Where the survivor has fled or planning to flee, officers should liaise with social care to assist in securing immediate, safe, and culturally appropriate accommodation for the survivor. Where hotels are used as temporary accommodation, ensure there is a safety plan and appropriate resources in place. Survivors placed in hotels without adequate support can face significant risks, including increased isolation, inability to access culturally appropriate food, language barriers, and lack of immediate support services.
- 6.1.9 These factors can lead to the survivor returning to the perpetrator due to feelings of vulnerability and lack of safety. It is critical to ensure that survivors fleeing from HBA and harmful practices are referred to appropriate safe accommodation and that any use of temporary accommodation like hotels include wrap around provision to meets their cultural and linguistic needs. If hotels are used, link the survivor with specialist services to ensure their safety and support needs are met.

6.2 Role of Adult Social Care

- 6.2.1 The following section is based on Merseyside's Local Safeguarding Adult Board's Safeguarding Procedures and the statutory guidance 'The Right to Choose: Multi-agency Statutory Guidance for Dealing with Forced Marriage or HBA'.¹

¹ HM Government Foreign and Commonwealth Office, Home Office et al
www.fco.gov.uk/forcedmarriage

- 6.2.2 Section 42 of the Care Act 2014 defines an adult at risk as someone over the age of 18 who:
- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- 6.2.3 In these situations, the local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part of the Act or otherwise) and, if so, what and by whom.² Safeguarding procedures must be followed in all cases, as victims at risk of HBA or Forced Marriage will either meet the criteria for a section 42 investigation or an enquiry can proceed on a non-statutory basis.
- 6.2.4 It should be noted that the act of Harmful Practices increases the risk of adults being vulnerable.
- 6.2.5 There is an increased risk of HBA and Harmful Practices occurring in adults who have learning disabilities (see ['Honour'-based abuse: A descriptive study of survivor, perpetrator, and abuse characteristics - Ridley – 2023](#))
- 6.2.6 Where an adult with care and support needs appears to be experiencing, or is at risk of, abuse and neglect such as HBA or forced marriage and as a result of those needs is unable to protect themselves against the abuse or risk of it, then the local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case and, if so, what and by whom, under Section 42 of the Care Act 2014..
- 6.2.7 Adult Social Care **MUST** always organise an initial Safeguarding Strategy meeting for any cases of HBA and harmful practices. This is to ensure all risks and safety measures are discussed and actions agreed by all professionals, ensuring the One Chance Rule is followed.
- 6.2.8 For immediate risk or threat a **strategy meeting MUST be set up within 24hrs** of identifying the case. If this is not adhered to and the risks continue, the case must be escalated and a request made for a Safeguarding Strategy meeting to be arranged through the Safeguarding Unit.
- 6.2.9 When a referral involves both an adult at risk of abuse and a child / unborn it is recommended that adult and children social care hold a joint strategy meeting ensuring all relevant partners are invited to contribute to ongoing safety planning.

² The Care Act 2014

6.3 Children's Social Services

- 6.3.1 Children's Social Care has a duty to investigate allegations of abuse and is seen as one of the agencies with a key role to play in the statutory guidance of 'Handling Cases of Forced Marriage and HBA'.³ If an allegation of forced marriage or HBA is made, or a child/young person discloses that they are at risk, a section 47 investigation should take place. This will be done **without parental consent**. Notification to the Legal Department and a strategy discussion will need to take place as a matter of urgency.
- 6.3.2 Any professional or member of the public concerned that a child may be at risk of significant harm, should make a referral to their respective Children's Social Care Service, by telephone without delay, and followed up by written notification where required.
- 6.3.3 The strategy discussion should determine whether the risk to the child is imminent. If yes, immediate legal advice should be sought, and agreements made on how to keep the child/young person safe. Police and Children's Social Care should consider at this stage the legal options available to them by way of Police Protection Powers, Emergency Protection Order and/or a Forced Marriage/Female Genital Mutilation Protection Order.
- 6.3.4 Children's Social Care **MUST** always organise an initial Safeguarding Strategy meeting for any cases of HBA and harmful practices. This is to ensure all risks are identified, safety measures and relevant actions agreed by all professionals, ensuring the One Chance rule is followed.
- 6.3.5 For immediate risk or threat a **strategy MUST meeting be set up within 24hrs** of identifying the case
- 6.3.6 In the event that a Local Authority placement is perceived as appropriate, the carer (who the child/young person is being placed with) should be given information and advice on the possible risks associated with the child/young person posed by family members, extended family members and community groups, and consideration of this should be made when identifying a placement and liaise with Savera UK team for any specialist advice and information.
- 6.3.7 When a referral involves both a child / unborn and an adult at risk of abuse it is recommended that adult and children social care hold a joint strategy meeting ensuring all relevant partners are invited to contribute to ongoing safety planning.

6.4 Savera UK (HBA and Harmful practices Specialist team)

- 6.4.1 Savera UK work to end 'honour'-based abuse (HBA) and harmful practices such as forced marriage, FGM, Virginity testing and any other culturally specific abuse. Savera UK provide 1-1 direct intervention to anyone that had been identified to be at risk or

³<https://www.gov.uk/government/publications/handling-cases-of-forced-marriage-multi-agency-practice-guidelines-english>

under threats of HBA and harmful practices, regardless of age, culture, religion, sexuality or gender.

6.4.2 As Savera UK is the main organisation leading and providing HBA and harmful practices specialist safeguarding, advocacy, advice and intervention in Merseyside and Cheshire, they must be invited to any meeting related to HBA and Harmful Practices at the earliest opportunity.

6.4.3 Savera UK Referral criteria:

- The individual/s are at risk or under threats of HBA and harmful practices, these can include, Forced Marriage & FGM, Virginity Testing, Breast Ironing
- Other harmful practices or consideration of abuse as result of culturally specific harm.
- Domestic abuse with potential risk related to HBA.
- Trafficking and modern slavery related to HBA.
- Religion/cultural beliefs related to HBA.
- LGBTQ+ related to HBA.
- Any other abuse where culture can be a risk factor.

6.4.4 Savera UK Do NOT:

- Attend Child in need/ Child protection conference where perpetrator/s is present.
- Attend any meeting that perpetrator/s is present.
- Work with perpetrators
- Give or be an expert witness within court proceeding under an advisory role.
- Visit those at risk while living with perpetrator or where perpetrator is aware of whereabouts.
- Make contact with any referral, where clients consent has not been given.
- Provide an emergency service or accommodation.
- Do not disclose Savera UK staff's names or the name of the organisation to perpetrator/s
- Do not disclose as part of other information which may be shared with the perpetrator/s (this will include minutes/notes/reports).

6.4.5 *Savera UK is not considered an emergency service therefore any referrals submitted will be responded to within 48 hours. If you require urgent advice and guidance, please contact the team on our helpline (0800107 0726 Monday to Friday 10am-4pm.*

6.5 Role of Domestic Abuse Support Services

6.5.1 Domestic Abuse Support Agencies offer a range of support services to individuals who experience domestic and sexual violence and abuse. Domestic abuse agencies may offer support to victims of forced marriage and/or honour-based abuse, or they may refer to a specialist agency.

6.5.2 All individuals who access support should complete an initial assessment using a risk assessment tool. The Merseyside Risk Identification Toolkit (MeRIT) or Safe Lives DAASH Risk Identification Checklist (DAASH) are used across Merseyside.

6.6 Role of the Multi Agency Risk Assessment Conference (MARAC)

- 6.6.1 MARAC provides a structured forum to bring together representatives from Merseyside Police, Independent Domestic Violence Advisors (IDVAs), Children and Adult Social Care, Health, Housing, Domestic Abuse and Substance Misuse agencies and other services from statutory and voluntary sectors. Anyone aged 16 or over who meets the criteria can be referred for their case to be discussed at MARAC.
- 6.6.2 The meetings are held to share information, offer multi-agency problem solving and to initiate safety plans in relation to the highest risk victims of domestic abuse and their children. The meetings also focus on interventions which work with perpetrators of abuse with the aim of offering a whole family approach to reducing risk and maintaining safety.
- 6.6.3 **Due to the risks involved in HBA and harmful practices cases some areas hold 'closed' or 'emergency' MARAC's. Closed MARAC's are small meetings which involve the professionals who are essential to the specific case, enabling risk management in a safe and secure environment**
- 6.6.4 **Each area must** follow their respective procedures in relation to MARAC, this will provide a safe coordinated response for the victim and their family.

6.7 The Role of Crown Prosecution Service (CPS)

- 6.7.1 The Crown Prosecution Service is committed to the fair and effective prosecution of all cases of HBA and other Harmful Practices. This commitment is embedded in the CPS Violence against Women and Girls Strategy – as the majority of these offences are perpetrated against women, by men. Specific legal guidance has been developed to assist prosecutors.
- 6.7.2 Criminal offences committed within the context of Forced Marriage and HBA are prosecuted under the specific offence committed e.g. Common Assault, Rape, Murder and a wide range of other offences – But they are also flagged and monitored internally, as Forced Marriage and HBA offences.

6.8 Role of the Local Probation Services

- 6.8.1 The Local Probation Services and National Probation Service (NPS) are committed to working in collaboration with key statutory and non-statutory partners to prevent and reduce the risk of harm caused by Forced Marriage and HBA.
- 6.8.2 NPS involvement in these cases is likely to be by way of current or previous responsibility for the statutory supervision of the perpetrator and/or their wider family or the victim and/or their wider family.
- 6.8.3 LPS will play a key role in multi-agency information sharing and risk assessment processes. Where there are current offender management responsibilities, LPS will also work with partners to devise, deliver, monitor and review risk management and

victim safety plans. This will include the direct enforcement of risk management restrictive measures (e.g. statutory Community Order/ Suspended Sentence Order requirements and licence conditions) where imposed.

6.9 Role of Schools and Colleges

- 6.9.1 Safeguarding is: **‘Everyone’s Responsibility’**. All members of school staff have a crucial role to play in helping identify welfare concerns and indicators of possible abuse or neglect, at an early stage. This includes early information sharing for the effective identification, assessment, and allocation of appropriate service provision when referring those concerns and contributing to the multi-agency assessment of a child’s needs and to ensure ongoing action to meet those needs.
- 6.9.2 Staff may be concerned about a student because they are exhibiting some of the behaviour shown in the chart of potential warning signs and indicators (See Appendix C). Alternatively, a student may approach a member of staff because they are going on a family trip overseas and they are concerned about this. They are often told that the purpose is to visit relatives, attend a wedding or because of the illness of a grandparent or close relative. The student may suspect that this is a ploy and that there is an ulterior motive, which is to force them to marry or carry out harmful practices.
- 6.9.3 Do not assume that a student is at risk of being forced into marriage or HBA simply on the basis that they are being taken on an extended family holiday. These assumptions and such stereotyping can cause considerable distress to families. All efforts should be made to establish the full facts of concern/risks from the student at the earliest opportunity.
- 6.9.4 Once the full facts have been established, the member of staff should be able to decide on the level of response required.
- Staff must collect as much information as possible as set out in ‘Initial Steps’ (Appendix A)
 - Recognise and respect the student’s wishes. If the student does not want any referral to be made, e.g. to social services, the teacher, lecturer or other member of staff will need to consider whether the student’s wishes should be respected or whether the student’s safety requires that further action be taken. If you act against the student’s wishes, you must inform them of this. There must be clearly documented risk assessment with consideration of the risk of harm if referral without consent.
 - Staff must liaise immediately with the safeguarding lead who has the responsibility for safeguarding children at their respective institution.
 - Liaise with the local Police and Social Services (adult and/or children’s) to establish if any incidents concerning the family have been reported (e.g. missing persons or domestic violence etc.).
 - If an allegation of Forced Marriage or HBA and other harmful practices is made or a child/young person under 18 years old discloses that they are ‘at risk’ then the **Designated Safeguarding Lead must** make a referral to Social Care for their

respective area **and** use existing national and local protocols for multi-agency liaison with Police and Children's Social Care.⁴ (see Role of Children's Services on this document).

- Contact the police on 101 or 999 if it is an emergency. Liaise with the Police if there are concerns about the safety of the student or the student's siblings.
- Whilst all staff should speak to the designated safeguarding lead (or a deputy) regarding any concerns about female genital mutilation, there is a specific legal duty on teachers. If a teacher, in the course of their work in the profession, discovers that an act of FGM appears to have been carried out on a girl under the age of 18, the teacher must report this to the police. (KCSIE 2023)
- Refer the student, with their consent, to local and national support groups and counselling services with a history of dealing with cases of Forced Marriage or HBA if in doubt, consider seeking advice from the Forced Marriage Unit and other agencies.

6.9.5 What should you not do?

- Treat such allegations merely as a domestic issue and send the student back to the family home.
- Ignore what the student has told you or dismiss out of hand the need for immediate protection.
- Decide that it is not your responsibility to follow-up the allegation.
- Approach the student's family, friends, or those with influence within the community, without the express consent of the student, as this will alert them to your concerns and may place the student in danger.
- Contact the family in advance of any enquiries by the police, the Forced Marriage Unit, Adult or Children's Social Care,
- Share information outside information sharing protocols without the express consent of the student. However, 'Fears about sharing information cannot be allowed to stand in the way of the need to safeguard and promote the welfare of children at risk of abuse or neglect' (Working Together to Safeguard Children 2023).
- Attempt to be a mediator.

6.10 Role of Health Professionals

6.10.1 There are many ways that individuals can come to the attention of health services:

- Accident & Emergency (A&E) departments, rape crisis centres or genitourinary clinics with injuries consistent with rape or other forms of violence.
- Dental surgeries with facial injuries consistent with domestic abuse.
- Mental health services, counselling services, school nurses, health visitors, A&E, GP with depression and self-harming behaviour (including anorexia, cutting, substance misuse or attempted suicide) as a result of Forced Marriage or HBA.
- Family planning clinics and GP for advice on contraception or termination.
- Maternity services if pregnant.

- 6.10.2 Health services can create an 'open' and supportive environment by:
- Displaying relevant information e.g. National Domestic Violence Helpline, NSPCC, Child Line and appropriate diverse/Global majority women's groups.
 - Circulating and displaying copies of the Forced Marriage Unit's leaflet on Forced Marriage and HBA and other harmful practices.
 - Educating health professionals on issue of Forced Marriage, HBA and other Harmful Practices.
- 6.10.3 Some health professionals have more opportunities or can create opportunities to see people on their own. If there are concerns that Forced Marriage, HBA and other Harmful Practices are an issue, the health professional might ask questions about family life and whether the person faces restrictions at home.
- 6.10.4 If a health professional does elicit information that suggests a person is facing a Forced Marriage, HBA and other Harmful Practices, they should use careful questioning to establish the full facts and decide on the level of response required. Health professionals should be mindful if a disclosure is made that this may be the one and only chance of helping the patient. Organisational safeguarding procedures must be followed, this includes referral to Adult Social Care, Children's Social Care (if applicable) and the Police.
- 6.10.5 If the individual is in immediate risk of harm Merseyside Police must be contacted via 999, if the individual is not in immediate risk of harm Merseyside Police to be contacted via 101.
- 6.10.6 Within each health organisation there is a named person with the lead for supporting staff around HBA, whose responsibility is to ensure that cases are managed, monitored, and recorded properly. They can also support contact with the Forced Marriage Unit (a joint Home Office/Foreign and Commonwealth Office Unit) and other related agencies.
- 6.10.7 Accurate records must be maintained at all times documenting what has been said and done.
- 6.10.8 If a disclosure of FGM is made, the member of health staff must consider referral to support services. In addition, if the person is pregnant consideration must be given to the unborn. The health professional must discuss that FGM is illegal in this country and also illegal to take a child abroad for FGM. Health organisations must refer to individual Local Authority requirements for onward social care referrals as this differs from area to area.
- 6.10.9 If a female baby is born, the conversation about the legalities of FGM must be revisited with the parents. If any concerns are identified an immediate referral to Merseyside Police and the relevant Children's Social Care must be made.

6.11 Role of the Forced Marriage Unit (FMU)

6.11.1 The FMU is a joint Foreign, Commonwealth and Development Office (FCDO) and Home Office Unit which was established to lead on the Government's forced marriage policy, outreach, and casework.

6.11.2 It operates both inside the UK, where support is provided to any individual, and overseas, where consular assistance is provided to British nationals, including dual nationals. The FMU operates a public helpline to provide advice and support to:

- Victims of forced marriage.
- Professionals dealing with cases.
- Publishes guidance documents for professionals dealing with Forced Marriage.
- Provides safety advice.
- Aids when an unwanted spouse is due to move to the UK ('reluctant sponsor' cases)
- Where possible, provides assistance in repatriation of victims held against their will overseas.

6.11.3 Contact Details for FMU

- telephone: +44 (0) 20 7008 0151
- email, including for outreach work: fm@fcdo.gov.uk
- The Foreign, Commonwealth and Development Office +44 (0) 20 7008 3100
- Home Office +44 (0) 300 123 3535

[The Right to Choose: Multi-Agency statutory guidance for dealing with forced marriage](https://www.gov.uk/government/publications/handling-cases-of-forced-marriage-multi-agency-practice-guidelines-english)
<https://www.gov.uk/government/publications/handling-cases-of-forced-marriage-multi-agency-practice-guidelines-english>

7. Legislation – Criminal & Civil

7.1 Forced Marriage Protection Orders (FMPO)

7.1.1 Forced Marriage Protection Orders (FMPO) were introduced in the UK in 2008 and offer a legal means to protect and safeguard victims and potential victims from abuse. Protection orders are by their very nature positive remedies. They are to protect those at risk of 'real harm'.

7.1.2 Sometimes professionals and communities see civil orders as a threat, or as an indication of failure. It is important to understand and to communicate that those orders, in many cases as well as protecting the individual, can actually help parents to protect their own children from pressure outside of the nuclear family, i.e., it is not uncommon for forced marriage to be carried out/organised by extended family and/or community members without the consent of parents.

7.1.3 We know that culturally Forced Marriage may be seen as a requirement, to uphold honour, and orders such as these allow professionals to take positive action, protecting individuals from harm. Contrary to popular belief, obtaining a protection order is a

straightforward process and can be obtained alongside a criminal investigation. The threshold for making a final FMPO is very low, much lower than for care proceedings.

- 7.1.4 A FMPO can have conditions attached according to the circumstances, for example, if there is risk of being taken out of the country, travel restrictions, return of travel documents such as a passport, directions preventing the removal of the child out of the jurisdiction etc can be requested.
- 7.1.5 Victim safety and confidence are significant, it is therefore important for Police Officers and Social Workers to reassure the person at risk they will not liaise with other members of the family or community to avoid inadvertently endangering the person further.
- 7.1.6 **Other agencies involved must also be advised as to the risk** and to avoid liaison with family members for the same reason. This must be reiterated when sharing information in multi-agency meetings.
- 7.1.7 Where there is concern for a child to be at risk of FM and/or for being taken out of the country, **legal advice must be sought immediately. Please do not wait and do not delay.** This cannot wait until a particular day when general legal advice can be sought – it must be done **immediately**, and you can request an emergency meeting with the duty solicitor as emergency legal advice is available 24/7.
- 7.1.8 As a civil law measure, an application for an FMPO would be made in the family court: See [Apply for a forced marriage protection order: Overview - GOV.UK](#). Failure to comply with the requirements or terms in an FMPO granted by the Family Court is a criminal offence and can result in a sentence of up to 5 years in prison. FMPO's can help safeguard victims, or potential victims, of FM. They can help those who are:
 - 1. being forced into marriage
 - 2. already in a forced marriage
- 7.1.9 The person who requires protection or a Local Authority social services department can apply directly to the Family Court for an FMPO. Where the person at risk is a child, Children's Social Care need to apply for the order with support of Police evidence. Once the initial stage of risk assessments, joint visits and information gathering has been concluded, the Local Authority Children's Services can take the process forward by applying for the relevant order(s), exploring safe living arrangements, care plans etc.
- 7.1.10 Be mindful that great care is taken what is written within legal forms as they are served to the family members as basis for an order. If there is confidential information in there, it could significantly increase the risk to the person, e.g. if there is reference to a boyfriend or pregnancy. Sections within the order can be marked as confidential so that risk is not increased.
- 7.1.11 An FMPO is unique to each case and contains legally binding conditions and directions that change the behaviour of a person or persons trying to force someone into a marriage. The aim of the order is to protect the person who has been, or is being,

forced into marriage. The court can make an order in an emergency so that protection is in place straightaway.

- 7.1.12 The Police can also utilise Domestic Violence Protection Notices (DVPN) under the Domestic Abuse Act 2021. DVPN's can help to buy some time for the application of orders as they are effective from the time of issue. It needs to be considered if an ex-parte application needs to be made given the level of urgency and to manage risk. Since the change of legislation, there is no need any more to attach a power of arrest to an FMPO. The police can arrest a person who fails to obey or 'breaches' an order without the need for the court to attach a power of arrest or for the victim to apply to the Family Court for an arrest warrant.
- 7.1.13 Where there is risk of FM or other forms of HBA, all siblings within a family are deemed at risk and will need protection via an order and all parties who pose a risk, e.g., extended family or within the community, need to be named. Where an older child has or is at risk of FM then there is transferrable risk for the siblings, especially female children – the children could have been betrothed at birth and may not necessarily, and do not usually know this.
- 7.1.14 The court does not require evidence from a child to grant an order. Detailed and relevant information gathered around the family and the transferrable risk is sufficient.
- 7.1.15 The court also has the discretion to request an expert witness who can provide evidence on religious and cultural practices to assist in their decision making.
- 7.1.16 Emergency travel documents can also be applied for if the child's travel documents have been lost, taken away and/or cannot be retrieved. **It needs to be highlighted though that conducting enquiries or rescues abroad can be very dangerous and as such may not often take place as a result.** The advice from the Home Office is not to travel abroad in the first place if it is believed that there is a risk. It is therefore imperative that action is being taken immediately where there is suspicion that someone may be at risk of FM or any other form of HBA.
- 7.1.17 Following the making of an FMPO the child/young person can often remain in the care of their parents. However, it is important to understand that there is always risk of future harm if the situation is not monitored as this means the orders may not be effective.
- 7.1.18 Pressure may be placed on the young person to discharge the orders – simply getting the order does not completely end the risk but it goes some way to mitigating that risk. For example, if there are no criminal offences identified that have taken place, the Police will not routinely review compliance, however responsibility will remain with the relevant Local Authority Children's Social Care department to maintain oversight or document a clear rationale for closing the case.
- 7.1.19 It is therefore important that legal services draft conditions attached to the order to set out that it needs to be reviewed and what agencies are expected to do. In some cases, there can be regular reviews through Child Protection processes, which takes the responsibility away from the child or the young person.

- 7.1.20 The police can be asked to continue with their duty of monitoring and review for a period, this should include to review if travel restrictions should remain in place and for how long.
- 7.1.21 Further, it is important to undertake ongoing one to one work with the young person, and siblings where applicable, to develop **personal safety plans** and **trigger plans**, i.e., what to do if worried, where to get help, a safe place to go to, escape routes, who could call the Police if the young person doesn't contact them within a set period of time or does not turn up for school or college etc.
- 7.1.22 Local Authority Children's Social Care Safety plans must be shared with relevant partner agencies, and they need to know how to manage information and the situation safely.

7.2 Female Genital Mutilation Protection Orders (FGMPO)

- 7.2.1 Female Genital Mutilation Protection Orders (FGMPO) were introduced in the UK in 2015 and offer a legal means to protect and safeguard victims and potential victims from abuse. Protection orders are by their very nature positive remedies. They are to protect those at risk of 'real harm'.
- 7.2.2 In a similar way to Forced Marriage Protection orders, FGM Protection Orders can be obtained in either Family Court, on application, or in a Criminal Court as part of an ongoing criminal case.
- 7.2.3 The Civil order can be made by a court to protect a girl or woman who has either been or may become a victim of FGM. The orders may contain prohibitions, restrictions or requirements as the court considers appropriate e.g. not to perform/arrange FGM, not to use violence against the person and not to make travel arrangements. This list is not exhaustive.
- 7.2.4 As with FMPO, care must be taken to what is written within legal forms as they are served to the family members as basis for an order. If there is confidential information in there, it could significantly increase the risk to the person, e.g. if there is reference to a boyfriend or pregnancy. Sections within the order can be marked as confidential so that risk is not increased.
- 7.2.5 All female siblings within a family are deemed at risk and will need protection via an order and all parties who pose a risk, e.g., extended family or within the community, need to be named. Where an older child has been victim of FGM then there is transferrable risk for the siblings.
- 7.2.6 It is important to undertake ongoing one to one work with the young person, and siblings where applicable, to develop **personal safety plans** and **trigger plans**, i.e., what to do if worried, where to get help, a safe place to go to, escape routes, who could call the Police if the young person doesn't contact them within a set period of time or does not turn up for school or college etc.

- 7.2.7 Local Authority Children's Social Care Safety plans must be shared with relevant partner agencies, and they need to know how to manage information and the situation safely.
- 7.2.8 Ordinarily, where the 'person to be protected' is under 18 or is considered to be an 'adult at risk' as per the definition within the Care Act 2015, the Local Authority will make the application as a relevant third party. Other parties, including the police, are required to ask leave of the court to make an application.
- 7.2.9 Full details about how to make an FGMPO application can be found on the [Gov.uk website](https://www.gov.uk).

7.3 The Prohibition of Female Circumcision Act 1985

- 7.3.1 **FGM** has been a criminal offence in the UK since The Prohibition of Female Circumcision Act 1985.
- 7.3.2 The Act was repealed by The FGM Act 2003 and closed a loophole which enabled victims to be taken outside of the jurisdiction for the purposes of FGM, without sanction. The FGM Act 2003 made it unlawful for UK nationals and, at that time, permanent UK residents to carry out FGM abroad, or to aid, abet, counsel or procure the carrying out of FGM abroad, even in countries where FGM is legal.
- 7.3.3 The legislation was designed to prevent families and carers from taking girls abroad to undergo the procedure. The Act increased the maximum penalty for being found guilty of FGM from 5 to 14 years imprisonment. The FGM Act 2003 also made it a criminal offence to re-infibulate following an FGM procedure.
- 7.3.4 The Serious Crime Act 2015 has strengthened the legislative framework around tackling FGM by amending and adding to the FGM Act 2003. This included the introduction of FGM Protection Orders (similar to Forced Marriage Protection Orders).

7.4 Virginity Testing and Hymenoplasty.

- 7.4.1 It is illegal to carry out, offer or aid and abet virginity testing (with or without physical contact) or hymenoplasty in any setting, including medical, community and home environments, in any part of the UK.
- 7.4.2 These offences carry extra territorial jurisdiction and carry a maximum sentence of 5 years imprisonment and/or an unlimited fine. Under the Health and Care Act 2022 the law defines 'virginity testing' as "the examination of female genitalia, with or without consent, for the purpose (or purported purpose) of determining virginity."

7.5 Anti-Social Behaviour, Crime and Policing Act 2014

- 7.5.1 Section 121, made forcing someone to marry a criminal offence in England and Wales. The offence is committed if someone uses violence, threats or any other form of

coercion to cause another person to enter into a marriage without their free and full consent.

- 7.5.2 Where the person lacks capacity to consent, the offence is committed whether violence, threats or coercion are used or not.
- 7.5.3 The legislation also introduced an offence of using deception to persuade a person to leave the UK intending that they be forced into marriage.
- 7.5.4 The maximum sentence for committing a forced marriage offence is seven years imprisonment.

7.6 Marriage and Civil Partnership (Minimum Age Act 2022).

- 7.6.1 Changes were made across England and Wales following the introduction of The Marriage and Civil Partnership (Minimum Age Act 2022). This legislation now states that the legal age of marriage is 18 and although 16 and 17 year olds were previously allowed to marry or enter a civil partnership with parental consent, this is no longer the case.
- 7.6.2 This new law expands the offence of Forced Marriage by automatically recognising that children (anyone under 18 years old), are victims of forced marriage and no coercion or pressure needs to be demonstrated for the offence to have taken place.
- 7.6.3 Note that the marriage does not have to be legally binding and different types of ceremony are recognised, regardless of whether they are/are not religious and/or legally recognised. It is therefore illegal to do anything to cause a child to marry before they turn 18, even when coercion is not used.
- 7.6.4 The Forced Marriage Unit have subsequently published an updated version of the [statutory guidance/multi-agency practice guidelines](#), as well as publishing an updated version of the '[What is forced marriage?](#)' leaflet and have key information, guidance, leaflets, videos, other resources, case studies and details of support organisations.

7.7 Matrimonial Causes Act (1973)

- 7.7.1 This legislates for a marriage not being valid if the parties have not freely consented to the marriage taking place or were under duress when the marriage took place.
- 7.7.2 The Act also covers the area of mental capacity (As per the Mental Capacity Act 2005) and whether or not the young person or adult is able to make a decision in relation to marriage. The minimum age of consent under this legislation has been amended and is now 18 years.

7.8 Safeguarding duties

- 7.8.1 FGM is a form of child abuse (it is categorised under the headings of both Physical Abuse and Emotional Abuse). A local authority may exercise its powers under Section

47 of the Children Act 1989/2004 if it has reason to believe that a child is likely to suffer or has suffered FGM.

- 7.8.2 FGM is also an abuse of female adults usually categorised under honour-based abuse and domestic abuse definitions. Where a female adult is also defined as an adult at risk (as per the Care Act 2015), additional support mechanisms would be available through local social care teams and adult safeguarding processes.

7.9 Other Powers / Orders

- 7.9.1 The Police have Police Protection Powers under [Children Act 1989](#) where there is reasonable cause to believe that a child or young person, under the age of 18 years, is at risk of [Significant Harm](#). A police officer may (with or without the cooperation of social care) remove the child from the parent and use the powers for 'Police Protection' (section 46 of the Children Act 1989) for up to 72 hours.
- 7.9.2 The Local Authority has further powers under Section 44 of the Children Act 1989. Under this section, the Local Authority may apply for an [Emergency Protection Order](#) (EPO). The Order authorises the applicant to remove the child and keep them in safe accommodation for up to 8 days. This Order is often sought to ensure the short-term safety of the child.
- 7.9.3 An EPO can be followed by an application from the Local Authority for a [Care Order](#), [Supervision Order](#) or an Interim Order (sections 31 and 38 of the Children Act 1989). Without such an application, the EPO will lapse and the local authority will no longer [have Parental Responsibility](#) for the child.
- 7.9.4 There will be cases where a Care Order is not appropriate, possibly because of the age of the young person. A Local Authority may ask the Court to exercise its inherent jurisdiction to protect the young person.
- 7.9.5 When a British national seeks assistance at a British Embassy or High Commission overseas and wishes to return to the UK, the Foreign and Commonwealth Office (FCO) will do what it can to assist or repatriate the individual. Although there will be limitations where there are restrictions on movement of British consular staff within that country.
- 7.9.6 In addition to FGMPOs, private law remedies can be used as a form of legal protection. For example, a Prohibited Steps Order under Section 8 Children Act 1989 can be used to prevent a child being taken abroad or from having the procedure. A Non-Molestation Order under Part IV of the Family Law Act 1996 may also be used as protection for the child or adult. The Domestic Violence Crime and Victims Act 2004 make the breach of a Non-Molestation Order a criminal offence.
- 7.9.7 It may be possible for victims of FGM to claim compensation from the Criminal Injuries Compensation Authority. The injuries must be reported to the police.

7.10 International legislation

7.10.1 There are two international conventions containing articles which can be applied to FGM. Signatory states, including the UK, have an obligation under these standards to take legal action against FGM. These include **The UN Convention on the Rights of the Child** and **The UN Convention on the Elimination of All Forms of Discrimination against Women**. FGM breaches several of these rights.

7.11 Other Offences – Further Criminal Legislation

7.11.1 There are several further offences which may be committed in harmful practice and honour-based abuse cases, which may include, but are not restricted to the following:

- Theft of the individual's personal belongings (often official documents such as a passport)
- Threatening behaviour
- Stalking
- Harassment
- Coercive control
- Assault
- Kidnap / abduction
- Threats to kill
- False imprisonment
- Causing or allowing the death of a child or vulnerable adult
- Murder
- Rape

7.11.2 This list is not exhaustive – any offence can be committed in the course of, or as a result of a harmful practice or honour-based abuse incident.

7.12 Further Civil Legislation

7.12.1 There is the potential that in certain cases further offences may be committed, which may include stalking or harassment of a victim.

7.12.2 In certain situations, consideration could be made towards the obtaining of a Stalking Protection Order to protect the victim. Section 2 of the Stalking Protection Act 2019 provides that a Magistrates Court may make a Stalking Protection Order if satisfied that the defendant has carried out acts associated with stalking, the defendant poses a risk associated with stalking to another person and the proposed order is necessary to protect another person from such a risk (whether or not the other person was the victim of the acts referred to).

8 Conclusion

8.1 Tackling HBA and harmful practise is everyone's responsibility. As partner agencies we have a duty to safeguard our communities and to ensure we effectively respond to incidents of HBA and harmful practice in a timely and sensitive manner.

- 8.2** Agencies must work together, share information and remember the 'One Chance Rule' whilst ensuring they act with sensitivity and confidence so as not to put the victim at risk of further harm. This protocol is aimed to support agencies and to supplement safeguarding policy and guidance that should already be in place in their respective organisations.
- 8.3** Through working together and a commitment to protect those most vulnerable within Merseyside we can ensure that our communities are supported and valued.

Appendix A – Flow Chart What to do with a disclosure of HBA and harmful practices

Risk of HBA / Harmful Practice identified / disclosure made

Assess situation and identify if individual is in immediate danger.

If Individual in immediate danger contact Merseyside Police on 999

Explain to individual the actions you will take:

- Follow organisational safeguarding policy e.g. complete internal safeguarding notification/referral
- Complete MERIT / SafeLives Risk Assessment (DASH)
- Complete referral to relevant LA Adult Social Care / Children's Social Care (may require both if adult at risk has a child / is pregnant).

Local Authority Safeguarding will triage information and gather additional relevant information in order to arrange HBA/Harmful Practice Strategy meeting.

If both adult and children / unborn at risk, adult and children's social care to liaise to arrange joint strategy meeting.

Strategy meeting to be held within 24 hours of receiving referral/notification of HBA/Harmful practice. Local Authority to ensure all relevant organisations are invited to share relevant information.

Initial protection plan to be agreed by agencies attending initial strategy meeting. Follow up strategy meetings will be arranged in line with LA Safeguarding Partnerships / Board requirements. Copy of protection plan to be shared with relevant organisations to support individual & siblings / children when required.

Individual organisations to ensure risk of HBA / Harmful practice is documented in line with internal safeguarding policy. This needs to consider risk of wider community member /family member accessing information. Consideration of how the organisation would usually correspond with individual e.g. would postal communication increase risk – does an alternative method of communication need to be agreed?

Case will be heard at next Closed MARAC. If unable to hear at Closed MARAC due to time delay, extraordinary MARAC to occur to ensure all support required is identified and implemented.

For cases when people have no recourse to public funds (NRPF) professionals can access additional support. [NRPF Network | Adult safeguarding](#)

Appendix B - Definitions

Below is a list of some of the definitions of HBA and Harmful Practices contained in this protocol. It is important to note that there are many other types of harmful practices without any definition. Even some of the agreed definitions may not give a clear understanding of the risk and harm posed to individuals.

1. Harmful practices:

Harmful practices is an umbrella term for many practices or abuse which wrongly recognises beliefs and behaviour used to coercively control and discriminate based on sex, gender, age or any other forms of practices/abuse. These practices or abuse have been deeply rooted as norms and continue to be practiced by many in an attempt to act as identification for their cultural values, but must be recognise as abuse and human right violation. Harmful practices/abuse include (but are not limited to):

- forced marriage (FM).
- 'honour'-based abuse (HBA).
- female genital mutilation (FGM).
- Breast Ironing.
- Virginity testing.
- Son preference (son over daughter).
- Dowry.
- Marriage by abduction
- Divorce

There are many more practices, which can be considered/perceived as harmful practices, including those who may no longer want to follow their family religion belief or cultural values.

2. Trauma-Informed Care:

Practitioners must adopt a trauma-informed approach when dealing with HBA and harmful practices cases. This includes: Recognising the impact of trauma on survivors and understanding common trauma responses. Providing a safe and supportive environment that minimises the risk of re-traumatisation. Offering psychological support and access to mental health services tailored to the survivor's needs. Being patient and allowing survivors to proceed at their own pace. Continuously monitoring and adapting support to address the evolving psychological needs of survivors.

3. Coercive Control:

Coercive control is a strategic form of ongoing oppression and terrorism used to instil fear. It involves a pattern of behaviours which can include acts of assault, threats, humiliation, and intimidation, or other forms of abuse that are employed to harm, punish, or frighten the survivor.

This controlling behaviour is designed to:

- **Isolate:** Separate the survivor from sources of support such as family, friends, and professionals to increase dependency.
- **Exploit:** Take advantage of the survivors resources, including financial, emotional, and physical assets, often leading to economic abuse.
- **Deprive:** Remove the survivors independence, autonomy, and ability to escape by controlling their movements, activities, and access to resources.
- **Regulate:** Dictate the survivor's everyday behaviour, including what they wear, who they speak to, and where they go, to maintain dominance and control.

Examples of Coercive Control:

- **Monitoring and Surveillance:** Keeping track of the survivor's activities through constant phone calls, messages, or even using technology like GPS tracking.
- **Financial Abuse:** Controlling all the survivor's finances, denying access to money, or forcing them to account for every penny spent.
- **Deprivation of Basic Needs:** Restricting access to essential needs like food, sleep, or medical care.
- **Humiliation and Degradation:** Using tactics that demean, ridicule, and belittle the survivor, often in front of others.
- **Isolation from Support Networks:** Preventing the survivor from seeing friends and family or participating in social activities.
- **Intimidation and Threats:** Threatening harm to the survivor, their children, pets, or others, including threats of exposing sensitive information or reporting them to authorities with false claims.

Legal Context of Coercive Control:

In the UK, coercive control is recognised as a criminal offense under the [Serious Crime Act 2015](#), which acknowledges the severe impact this form of abuse can have on survivors. The law aims to protect individuals from ongoing patterns of control and abuse that do not necessarily involve physical violence but can be equally damaging.

Other Sources and References re Coercive Control:

1. Women's Aid on Coercive Control:
 - Women's Aid - Coercive Control
2. National Domestic Violence Hotline:
 - The Hotline - Understanding Coercive Control
3. Crown Prosecution Service (CPS) Guidelines:
 - CPS - Coercive Control

4 Arranged Marriage:

In arranged marriages, the families of both spouses take a leading role in arranging the marriage but the choice of whether to accept the arrangement remains with the prospective spouses. Please note, there is no harm in arranged marriage, if both parties have consented to the marriage.

5 Forced Marriage:

Forced marriage is a marriage conducted without the valid consent of one or both parties, where some element of duress is a factor. Forced marriage is a criminal offence under Section 121 of the Anti-Social Behaviour Crime and Policing Act 2014, **and this is the case regardless of whether the marriage occurs in the UK or abroad**, for anyone habitually resident in the UK.

[Multi-agency statutory guidance for dealing with forced marriage and multi-agency practice guidelines: Handling cases of forced marriage \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

6 Honour'-Based Abuse (HBA):

HBA is 'an incident or crime involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, financial or emotional abuse), which has or may have been committed to protect or defend the honour of an individual, family and / or

community for alleged or perceived breaches of the family and / or community's code of behaviour' [NPCC HBA strategy 2015](#).

There is no specific offence of HBA however there are a number of criminal offences that can be considered, including forcing someone to marry, which is a criminal offence.

7 Female Genital Mutilation (FGM)

The World Health Organisation (WHO) states that Female Genital Mutilation (FGM) 'Comprises of all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reason' (WHO 2014)

- FGM is an unacceptable practice for which there is no justification. It is child abuse and a form of violence against women and girls.
- FGM is prevalent in 30 countries. These are concentrated in countries around the Atlantic coast to the Horn of Africa, in areas of the Middle East, and in some countries in Asia.
- FGM is illegal in the UK.
- FGM is considered a westernised term that, which is not used by those who practice FGM.

It is important to note that some survivors will not recognise the term FGM and may use different words or definitions of what has happened to them. Therefore, it is very important for you to ask person what term they want you to use. For more information and link to the national guidance and practices go to the following links

<https://www.gov.uk/government/publications/multi-agency-statutory-guidance-on-female-genital-mutilation>

8 Breast Ironing/flattening:

Breast Ironing/flattening, is the procedure which young teenage girls' breasts are ironed, massaged, flattened and/or pounded down over a period of time (ranging from a few weeks to years) in order to delay the development of the breasts. It is believed flattening the breasts will make the child less 'womanly' in the hope this will protect the girl from harassment, rape, abduction and early forced marriage, and help them stay in education.

[Breast-ironing recognised as child cruelty and assault by CPS | The Crown Prosecution Service](#)

9 Virginity Testing and Hymenoplasty:

In some cultures, virginity is considered an important social norm that link sexual purity with honour of the woman, her family and the community. Virginity is celebrated as a virtue and women are expected to be 'virgins' before marriage. Those who believe in these practices, may perform virginity testing before marriage as proof of her 'virginity' and protect the 'honour' of the family. It also can be carried out if the unmarried woman/girl is seen with a male and there is a perceived need to be prove that she is still a virgin.

[Virginity testing and hymenoplasty: multi-agency guidance - GOV.UK \(www.gov.uk\)](#)

10 Dowry

Refers to the money, goods or estate that a woman brings to her husband in marriage. Whilst intended to ensure financial security, dowry practices often result in abuse/violence.

Key Impacts of Dowry:

- **Economic Strain:** Families may incur significant debts to meet dowry demands, impacting their financial stability.
- **Dowry Deaths:** Insufficient dowry can lead to harassment, abuse, and even the murder of the bride.
- **Gender Imbalance:** The system perpetuates gender inequality by placing a higher financial burden on the families of daughters.
- **Psychological Trauma:** Women subjected to dowry demands and abuse suffer from severe mental health issues.

Legal Framework of Dowry

- **India:** The Dowry Prohibition Act, 1961, prohibits the giving or receiving of a dowry, with penalties for dowry-related offenses. Dowry Prohibition Act, 1961
- **Bangladesh:** The Dowry Prohibition Act, 1980, aims to prevent dowries, with penalties for violations. Dowry Prohibition Act, 1980
- **Pakistan:** The Dowry and Bridal Gifts (Restriction) Act, 1976, limits the value of dowry and bridal gifts, with penalties for violations. Dowry and Bridal Gifts (Restriction) Act, 1976

Recommendations for Practitioners re Dowry:

- **Awareness and Education:** Educate communities about the legal prohibitions and harmful impacts of dowry practices.
- **Support Services:** Provide psychological and legal support for victims of dowry-related abuse.
- **Collaboration:** Work with local and international organizations to develop comprehensive strategies to combat dowry practices.

11 Legal Framework and Statutory Guidance in the UK:

Domestic Abuse Act 2021:

The Domestic Abuse Act 2021 includes provisions that address economic abuse, which can encompass dowry-related abuse. This act provides a broader legal framework for protecting survivors of domestic abuse, including financial exploitation.

Reference: Domestic Abuse Act 2021

Crown Prosecution Service (CPS) Guidance:

The CPS provides detailed legal guidance on prosecuting cases of domestic abuse, including dowry-related violence. This guidance includes how to handle evidence, support survivors, and prosecute offenders effectively.

Reference: CPS [DA Legal Guidance.pdf](#)

Forced Marriage Unit (FMU) Guidance:

The FMU's multi-agency statutory guidance includes measures to prevent forced marriage, which is often linked to dowry practices. The guidance emphasises the need for a coordinated response from all agencies involved.

Reference: [FMU Multi-Agency Practice Guidelines](#)

National Action Plan to Tackle Violence Against Women and Girls (VAWG):

The UK government's strategy includes measures to combat various forms of violence against women, including dowry-related abuse. The strategy promotes a multi-agency approach to prevention, protection, and support for victims.

Reference: [Tackling violence against women and girls strategy](#)

12 Marriage by abduction

The unlawful carrying away of a woman for marriage. It is a form of sexual violence against the woman. The would-be abductor forms a group of intimate friends and relatives to kidnap the girl without the slightest clue or information being given to the girl's family, relatives or friends. In some cases abduction is followed by rape.

Marriage by abduction is prevalent in Ethiopia. According to a study conducted in 2005 8% of women of reproductive age reported that they had been married by abduction. Figure 5.5 shows that it is more common in Oromia (11%) and SNNPR (13%) but less common in some other region, e.g. Tigray (1.4%), and Amhara (2.4%).

Reference [Open university - Marriage by abduction](#)

13 Divorce

The legal process of ending a marriage between two individuals. It involves the dissolution of all legal and financial ties between the couple, as well as the division of assets and responsibilities. Divorce is typically initiated by one or both parties and is granted by a court of law.

14 Trafficking:

Human trafficking involves the recruitment or movement of people for exploitation by the use of threat, force, fraud, or the abuse of vulnerability. Trafficking is a crime that can occur across international borders or within a country. It often crosses multiple geographic and legal boundaries. Honour-Based Abuse (HBA) and human trafficking often intersect in various ways, with victims of HBA frequently being trafficked for exploitation.

Victims of HBA-related trafficking may exhibit various signs and behaviours, including:

- **Isolation:** Victims may be kept isolated from friends, family, and support networks.
- **Control:** Their movements and communications are often closely monitored and restricted.
- **Physical and Emotional Abuse:** Victims may show signs of physical injury or emotional distress.
- **Language Barriers:** Many victims may not speak the local language, making it difficult for them to seek help.
- **Legal and Immigration Issues:** Victims often have their passports and identification documents withheld by their traffickers, preventing them from escaping or seeking help.

15 Guidance

Crown Prosecution Service (CPS) Guidance outlines that HBA often overlaps with other serious offenses, including human trafficking and modern slavery. This overlap necessitates a comprehensive approach to identify and address the various forms of exploitation that victims may face ([Crown Prosecution Service](#)).

Violence Against Women and Girls (VAWG) Strategy, which includes HBA, acknowledges the significant risk factors and the need for a multi-agency approach to support victims. This strategy also integrates considerations of human trafficking, particularly sexual exploitation, as part of the broader framework for addressing gender-based violence ([Crown Prosecution Service](#)).

Home Office Modern Slavery Guidance provides detailed guidance on identifying and supporting victims of modern slavery, which includes those affected by HBA. The guidance emphasises the necessity of safeguarding victims through coordinated efforts between

justice sectors, support organisations, and the media to ensure their safety and dignity ([GOV.UK](https://www.gov.uk)).

Hampshire Safeguarding Children Partnership (HSCP): HSCP highlights that HBA, including forced marriages and dowry abuse, is often underreported and can involve elements of trafficking. They stress the importance of recognising the signs of both HBA and trafficking to provide appropriate interventions and support ([Hampshire SCP](#)).

16 LGBTQ+ related to HBA

Honour-based abuse against LGBTQ+ people happens when family/community members disapprove of a person's orientation or gender identity, feeling it brings 'shame' on their family or community. Honour-based abuse can take the form of a range of abusive behaviours and practices.

The abuse often involves a number of family/community members, can be perpetrated by both men and women, and may be committed with the knowledge or approval of the wider family or community.

Anti-LGBTQ+ honour-based abuse happens in all cultures, nationalities, faith groups, and communities. Honour-based abuse can include assault, emotional abuse, coercive control, humiliation, controlling access to external support from friends or their school/workplace, preventing LGBTQ+ people from accessing LGBTQ+ networks and support, controlling how someone looks and what they wear, cruelty and neglect, and more. It can include practices linked to faith and belief, and also involve forced marriage, so-called 'corrective rape', kidnap, false imprisonment and even murder.

Honour-based abuse is serious but the risks for LGBTQ+ children and adults are often not assessed properly. It is a more widespread problem for LGBTQ+ children and young adults than is currently acknowledged.

Appendix C – Intersectionality

Intersectionality is a framework for understanding how aspects of a person's social and political identities combine to create different modes of discrimination and privilege. When addressing Honour-Based Abuse (HBA), it's crucial to consider intersectionality to ensure that all survivors receive comprehensive and inclusive support.

Understanding Intersectionality in the Context of HBA

Definition:

Intersectionality considers multiple facets of identity (i.e. gender, race, class, sexuality, disability) and how these intersect to affect the survivors experiences of oppression and privilege.

Relevance to HBA:

Survivors of HBA may face compounded forms of discrimination based on their intersecting identities. For example, a woman from an ethnic minority background may face unique barriers compared to her peers due to cultural, racial, and gendered oppressions.

Cultural Sensitivity:

The ability to recognize, understand, and react appropriately to beliefs, values, norms, and behaviors of persons who belong to a cultural or ethnic group that differs substantially from one's own.

Reference:

Crenshaw, K. (1989). *'Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics.'*

Home Office (2021). Guidance on forced marriage

Porta M and Last J (2018) A Dictionary of Public Health

Appendix D - Warning Signs of HBA/Harmful Practices

Below is an outline of potential warning signs/indicators within different areas/settings:

Education:

- Absence and persistent absence.
- Request for extended leave of absence and failure to return from visits to country of origin.
- Fear about forthcoming school holidays.
- Surveillance by siblings or cousins at school.
- Decline in behaviour, engagement, performance or punctuality.
- Poor exam results.
- Being withdrawn from school by those with parental responsibility.
- Removal from a day centre of a person with a physical or learning disability.
- Not allowed to attend extra-curricular activities.
- Sudden announcement of engagement to a stranger.
- Prevented from going on to further/higher education.

Employment:

- Poor performance.
- Poor attendance.
- Limited career choices.
- Not allowed to work.
- Unable to attend business trips or functions.
- Subject to financial control e.g. confiscation of wages/income.
- Leaving work accompanied.
- Unable to be flexible in their working arrangements.

Health:

- Accompanied to doctors or clinics.
- Self-harm.
- Attempted suicide.
- Eating disorders.
- Depression.
- Isolation.
- Substance misuse.
- Early/unwanted pregnancy.
- Female genital mutilation.
- Person with a physical or learning disability being removed from day care centre

Family History:

- Siblings forced to marry.
- Early marriage of siblings.
- Self-harm or suicide of siblings.
- Death of a parent.
- Family disputes.
- Running away from home.

- Unreasonable restrictions e.g. kept at home by parents (“house arrest”) & financial restrictions.

Police:

- Victim or other siblings within the family reported missing.
- Reports of domestic abuse, harassment, or breaches of the peace at the family home.
- Female genital mutilation.
- The victim reported for offences e.g. shoplifting or substance misuse.
- Threats to kill and attempts to kill or harm.
- Reports of other offences such as rape or kidnap.
- Acid attacks

Appendix E - Referral Pathways for Safeguarding in Merseyside

Knowsley Borough Council	
Knowsley Adults Social Care	Knowsley Safeguarding Adults
Knowsley Children's Social Care	Safeguarding children Knowsley Council
Liverpool City Council	
Liverpool Adults Social Care	Professionals: Report an adult safeguarding concern - Liverpool City Council
Liverpool Children's Social Care	Liverpool Safeguarding Children Partnership (LSCP) - Are you worried? (liverpoolscp.org.uk)
Sefton Borough Council	
Sefton Adults Social Care	Sefton Safeguarding Adults Partnership Board (SSAPB) - Raising a concern (seftonsab.org.uk)
Sefton Children's Social Care	Sefton Safeguarding Children Partnership - Worried about a child? (seftonscp.org.uk)
St Helens Borough Council	
St Helens Adults Social Care	Tell us about an adult being abused or neglected - St Helens Borough Council
St Helens Children's Social Care	Concerned about a child's safety or welfare? - St Helens Borough Council
Wirral Council	
Wirral Adults Social Care	Reporting abuse or neglect of an adult wirral.gov.uk
Wirral Children's Social Care	Concerned about a child - Wirral Safeguarding Children Partnership

Appendix F - Contact Details for Agencies

Knowsley Borough Council	
Knowsley Access Team Children/Adult	0151 443 2600
Knowsley Council Safer Communities Domestic Abuse Service	0151 443 2610
The First Step (Independent Domestic & Sexual Violence Advocates)	0151 548 3333
Liverpool City Council	
Liverpool Social Care Children/Adult	0151 459 2606
Women's Health Information and Support Centre	0151 707 1826
Amadudu (BME women refugees)	0151 734 0083
South Liverpool Domestic Abuse Service	0151 494 1777
Liverpool Domestic Abuse Service	0151 263 7474
Merseyside Domestic Violence Service	07802 722703
Liverpool Independent Domestic Violence Advisory Service	0151 482 2483
Granby Somali Women's Group	0151 347 7120 contact@granbysomaliwomensgroup.org
Sefton Borough Council	
Sefton Council Adult Social Care	0345 140 0845
Sefton Council Children Social Care Children's Help and Advice Team (CHAT)	0151 934 4013
Sefton Independent Domestic Violence Advisors Team	0151 934 5142
Sefton Women's & Children's Aid (SWACA)	0151 394 1400
Rape & Sexual Abuse (RASA)	0151 558 1801
St Helens Borough Council	
St Helen's Children's Social Care	01744 676767 EDT 0345 050 0148
St Helen's Adult Social Care	01744 676767 EDT 0345 050 0148
Safe 2 Speak IDVA	01744 743200
Chrysalis Centre for Change	0300 102 0044
Wirral Council	
Wirral Children's Social Care	0151 606 2008 EDT 0151 677 6557
Wirral Adult's Social Care	0161 606 2006 EDT 0151 677 6557
Wirral Domestic Abuse Hub	0151 666 4914
Tomorrow's Women	0151 647 7907
Wirral Women's and Children's Aid	0151 643 9766
Paul Lavelle Foundation	0151 294 4176

Merseyside Police

Knowsley MASH	Knowsley.MASH@merseyside.police.uk
Liverpool MASH	Liverpool.MASH@merseyside.police.uk
Sefton MASH	Sefton.MASH@merseyside.police.uk
St Helen's MASH	St.Helens.MASH@merseyside.police.uk
Wirral MASH	Wirral.MASH@merseyside.police.uk
Merseyside Police Policy & Strategy Unit	PPU@merseyside.police.uk
In an emergency always dial 999	

Forced Marriage Unit

Telephone Number (working hours)	0207 008 0151
Telephone Number (out of hours)	0207 008 5000
Email (including for outreach work)	fm@fcdo.gov.uk
Facebook	Forced Marriage Unit Facebook
X (formerly Twitter)	@FMUnit
Media Enquiries	
The Foreign, Commonwealth and Development Office	020 7008 3100
Home Office	0300 123 3535

National Contacts

Savera UK	0800 107 0726
Forced Marriage Unit	0207 008 0151
FGM helpline	0800 028 3550
Child Line	0800 1111
Honour Network (Karma Nirvana)	0800 5999 247
National Domestic Violence Helpline	0808 2000 247
Iranian & Kurdish Women's Organisation	0207 920 6460
Safety & Domestic Abuse (National DV 24-hour free helpline)	0808 2000 247
UK Border Agency (helpline for Immigration enquiries)	0300 123 2241
Forward UK	0208 960 4000
Galop	0800 999 5428
RASAC	0330 363 0063

Appendix G - Savera UK

Savera UK is not considered an emergency service therefore any referrals submitted will be responded to within 48 hours. If you require urgent advice and guidance, please contact the team

Helpline (Monday – Friday 10am – 4pm)	0800 107 0726
General Enquiries	0330 159 2004
Email	Info@saverauk.co.uk
Website	www.saverauk.co.uk

An online referral form **MUST** be completed:

Referral for over 16 year: The team will be able to work with individuals directly if consent has been given from the individual.

Referral under 16: The team will not be able to provide direct intervention for the individual, but act as an advisory, offering guidance to the professional/s caring for the young person/child.

Self-referral: Individuals can refer themselves to Savera UK by completing the online self-referral or contact Savera UK helpline (see above)

Savera UK intervention team:

Will provide assessment/advice & guidance and provide our specialist expertise on HBA and harmful practices and any other cultural-specific abuse through:

- Attending safeguarding strategy meeting and professional meeting including MARAC.
- Advice and guidance to professionals to complete HBA and harmful practices assessment as well as safeguarding measures/plans,
- Join discussion/meeting with those at risk /under threats where it is appropriate and safe to do.

Savera UK advisory intervention Criteria:

- No consent been given by the client
- Client does not want to work directly with Savera UK.
- Client is under the age of 16 years old

Note: any intervention on an advisory basis Savera UK would not be responsible for any direct engagement and/or take responsibilities for any actions or follow up any actions as result.