

# LONDON BOROUGH OF BRENT

**Meeting of the Executive**  
13 December 2004

## Report from Director of Social Services

For information	Wards affected:
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### Report Title: Forced Marriages - Multi Agency Protocol

Forward Plan Ref: SS-04/05-20

#### **1.0 Summary**

- 1.1 A report informing members of the guidance on Forced Marriage was presented to the August Executive meeting. It was agreed at that meeting that a multi agency protocol should be written following consultation with key stakeholders in the community. This report presents that protocol, attached as appendix 1.

#### **2.0 Recommendations**

- 2.1 That members agree the draft multi agency draft protocol, which includes procedures for professionals working with young people and vulnerable adults.

#### **3.0 Detail**

- 3.1 Practice guidance for social workers on how to work with cases of forced marriage was issued in March 2004 by the Foreign & Commonwealth Office, The Association of Directors of Social Services, The Home Office, the Department for Education and Skills and the Department of Health. It was compiled through consultation at local level and with relevant non-governmental organisations.
- 3.2 Social Services has a duty to make enquiries into allegations of abuse and neglect under s47 Children Act 1989. They also take the lead role in investigating allegations of abuse to vulnerable adults. The forced

marriage guidance requires Social Services to be the lead agency in investigating allegations of forced marriage for young people and vulnerable adults.

- 3.3 To meet the requirements of the guidance Social Services should have procedures and protocols to deal with cases where forced marriage is alleged or known about. The protocol for Children and Young People and the policy for vulnerable adults are attached as appendix 1.
- 3.4 If agreed by members the protocol will be presented to the Area Child Protection Committee (ACPC) for ratification by those agencies who are parties to it. The protocol will also be presented to the Adult Protection Committee for their agreement and the procedures contained within the protocol will be adopted as practice within the Social Services Department.
- 3.4 The protocol gives the policy background and context and includes the role of the police, health trusts, housing, schools and colleges and non statutory organisations.
- 3.5 Inter-agency training for professionals involved with young people and vulnerable adults will be provided by the training sub group of the ACPC.

#### **4.0 *Financial Implications***

- 4.1 There are no financial implications arising from this protocol.

#### **5.0 *Legal Implications***

- 5.1 Social Services have a duty to make enquiries into allegations of abuse and neglect under s47 Children Act 1989. Social Services have the power to apply for an Emergency Protection Order of Care Order under s44 and s31 Children Act 1989 if they suspect that a young person may be at risk in the circumstances described in this report.
- 5.2 Where the concerns relate to a vulnerable adult the Local Authority can apply to court for a declaration through a "next friend". In theory, the Court could grant an injunction under its inherent jurisdiction which would prevent a vulnerable adult being taken out of the country."

#### **6.0 *Diversity Implications***

- 6.1 With respect for the diversity of the population of the London Borough of Brent, an extensive consultation process has been taking place to inform the drafting of this protocol.

- 6.2 The process is still ongoing but officers are of the opinion that the consultation so far is sufficient to inform the production of the draft protocol.
- 6.2 To date consultation has been invited with the Domestic Violence Forum, Brent Women's Aid, Asian Women's Resource Centre, Brent Indian Association, The African Child, Pukaar and Each. Further consultation is planned to take place in the near future with faith groups, including the local temples and mosques to facilitate their understanding as to why this document has been produced and to enable their contributions and work for their support.
- 6.3 The consensus emerging from the consultation to date is that there is a clear difference between what is understood to be an arranged marriage and a marriage where duress and/or coercion are exerted. There has been no dissent around the necessity to work together to address this infringement of the human rights of vulnerable adults or the rights of the child to be free of abuse and harm. Consequently, all contributions and concerns have been taken into account in the writing of this protocol.

### ***Background Papers***

Forced Marriage – report reference number SS-03/04-18 presented to the Executive in August 2004.

“Young people and vulnerable adults facing forced marriage – practice guidance for Social Workers. “ published by the Foreign & Commonwealth Office, 2004

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