

# Honour-based Abuse and Forced Marriage: An investigation of the lived experiences of Honour-Based Abuse victims and a critical analysis of the efficacy of the current Forced Marriage legislation.

## **Background**

Although no statutory definition exists, Honour-Based Abuse (HBA) is demarcated by the Crown Prosecution Service as "an incident or crime involving violence, threats of violence, intimidation coercion or abuse (including psychological, physical, sexual, 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."<sup>1</sup> HBA is an umbrella term for a number of different offences, which can include, but are not limited to, murder, manslaughter, kidnap, rape, female genital mutilation and forced marriage. Therefore, HBA can be described as a collection of practices used to control behaviour within families or other social groups to protect certain cultural and religious norms.<sup>2</sup> Although there has been considerable debate on the exact translation of the word 'honour', it is widely accepted that HBA/HBV occurs when a victim is perceived to have transgressed from the normative community/ standards of behaviour or conduct.<sup>3</sup> Thus, 'honour-based crimes are motivated by a desire to preserve family or community honour'.<sup>4</sup> Honour based abuse is now widely recognised as a human rights violation which is reflected within the UK's legislative framework. This research proposal will seek to investigate the lived experiences of honour-based abuse victims, with an informed focus on impacts to victim's educational attainment and aspirations, the prevalence of debilitation to social, familial and community inclusivity, and risks to welfare, wellbeing, and health both whilst immersed within these experiences, as well as exploring any significant vicissitudes upon leaving.

Additionally, with increased recognition of the risks to victims and informed by the coalition governments' Call to end violence against women and Girls<sup>5</sup> the 'Violence Against Women and Girls strategy 2016-2020'<sup>6</sup> proposed several legislative changes in an attempt to tackle Honour-based violence (HBV). One of the areas of concern was that of Forced Marriage (FM), which is when a victim may 'face physical pressure to marry (for example, threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. a victim being made to feel like they are bringing shame on the family) without the consent of one or both of the parties'.<sup>7</sup> As such, one of the fundamental legislative changes was the introduction of section 121 of the Anti-Social Behaviour Crime and Policing Act 2014, which made Forced Marriage a specific criminal offence in England and Wales. Forcing a person to marry now carries a penalty of up to 7 years imprisonment. Additionally, under section 122 of ASBCPA, a breach of a Forced Marriage Protection Order (formally a civil remedy) can now result in a 5-year prison sentence. In 2021, of the 2725 police recorded HBA related offences in England and Wales, 125 were reported as Forced Marriage offences.<sup>8</sup> However, there is a significant disparity between the reported offences and the number of actual prosecutions since the enactment of section 121 of ASBCPA.

Furthermore, although the latest Forced Marriage Protection Unit figures indicate a decrease in the number of cases they have advised on, there has been concern that victims may be reluctant to report cases of FM due to fear of putting family members through criminal proceedings and due to a lack of control of the consequences of doing so.<sup>9</sup> Equally, however, many scholars have accepted the deterrent value of criminalisation as a welcomed shift in the wider protection of victims. Therefore, this proposal will seek to objectively investigate the potential efficacy

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<sup>1</sup> <https://www.cps.gov.uk/legal-guidance/so-called-honour-based-abuse-and-forced-marriage-guidance-identifying-and-flagging>

<sup>2</sup> <https://www.cps.gov.uk/legal-guidance/so-called-honour-based-abuse-and-forced-marriage>

<sup>3</sup> <https://www.cps.gov.uk/legal-guidance/so-called-honour-based-abuse-and-forced-marriage>; Aisha Gill, 'Patriarchal Violence in the Name of Honour' (2006) 1(1) International Journal of Criminal Justice Sciences

<sup>4</sup> Ibid.

<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97905/vawg-paper.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97905/vawg-paper.pdf)

<sup>6</sup> [VAWG Strategy FINAL PUBLICATION MASTER vRB.PDF \(publishing.service.gov.uk\)](https://www.cps.gov.uk/legal-guidance/so-called-honour-based-abuse-and-forced-marriage)

<sup>7</sup> <https://www.gov.uk/stop-forced-marriage#:~:text=Forced%20marriage%20is%20illegal%20in,re%20pressured%20to%20or%20not>

<sup>8</sup> Police Recorded Crime, Home Office

<sup>9</sup> Idriss, MM (2015) Forced marriages - the need for criminalisation? Criminal Law Review, 9. pp. 687-703. ISSN 0011-135X <https://e-space.mmu.ac.uk/617352/>

of the current forced marriage legislation by encouraging participant feedback and analysing varying global responses that may inform further policy changes.

### **Research Aims**

- To conduct research within the parameters of Honour-based abuse and forced marriage.
- To research the implications of Honour-based abuse on victims
- To scrutinise the current UK legislation pertaining to Forced Marriages
- To ascertain if the current law is adequately protecting and preventing forced marriage/ HBV/ HBA
- To examine recent, present, and ongoing legislative changes, cases and prosecution of forced marriage in the UK
- To identify and select an appropriate data set to test the research aims thoroughly
- To select and evaluate an appropriate methodology utilising secondary sources to ensure validity and justification of chosen methods
- To research, identify, select, implement, and evaluate appropriate qualitative and quantitative data collection such as interviews and surveys with chosen data set (as above)
- To identify, evaluate, select, implement and analyse appropriate methods of presenting conclusive findings, i.e. graphs, charts, scatter diagrams and conduct thorough data interpretation, identifying trends and patterns
- To conduct research to help inform future policy changes and institutional responses to HBV and forced marriage.
- To present and document an informed conclusion/ judgment in a report/ poster at the end of the 5-week research period

(Adapted from Stella Cottrell, *Dissertations and Project Reports: A step-by-step guide* (3<sup>rd</sup> edn, Palgrave Macmillan 2008)

### **Questions to inform the project**

- What are the social, educational, and psychological consequences of HBV on victims?
- Do victims face reduced educational attainment, job opportunities and life experiences due to the implications of the aforementioned threats?
- Are victims benefitting from Forced Marriage legislation?
- Does the criminalisation of forced marriage disempower/ empower women to report offences?
- Do the statistics of reported offences reflect the prosecutions arising from Honour based abuse and forced marriage?
- What further policy issues, if any, are required to address the current shortcomings?
- How do global responses to HBV and Forced Marriage differ from the UK?
- Can the UK learn anything from varying institutional responses and vice versa?

## Research design and management

This project will be carried out over a 5-week period commencing in July 2022, concluding with a research report or poster depending on the requirements of the project. Due to time constraints the project will need to be specific, measurable, achievable, relevant, and time-bound (SMART). The plan below will help to ensure manageability of the project and demonstrate clear, constructive key stages of the project:

Stage	Activity	Estimated duration	Start date	End Date	Outputs	Notes	Check
<b>Research, design, and planning</b>	Finalise research problem and questions Finalise the aim of the project Preliminary literature search and review	4 weeks	March 2022	April 2022	Confirm Research Proposal questions		
	Develop a research design/ methodology	1 week	May 2022	June 2022	Draft research design section of report/ proposal		
	Prepare research proposal	1 week	May 2022	7 <sup>th</sup> June 2022	Submit research proposal and ethical approval submission		
<b>Prepare for data collection</b>	Open communication with Charities and Women's Refuges Collate consent forms and confidentiality agreements	Begin early in case there is reluctance from participants (1 month for responses and to finalise preliminaries)	March	End of June 2022	Confirm Participant engagement		
<b>Resources</b>	Order necessary equipment for data collections	Unconfirmed	March	June 2022			
<b>Literature Review</b>	Search, capture and synthesise relevant literature	21 days	9 <sup>th</sup> June	30 <sup>th</sup> June 2022	Notes and output from the review process Note gaps in literature		
	Prepare draft and literature review		9 <sup>th</sup> June	30 <sup>th</sup> June			
<b>Data Collection</b>	Finalise sample survey and interview questions for participants	1 week	Week 1: 4 <sup>th</sup> July				
	Conduct interviews	2 weeks	Weeks 2-3				
<b>Data Analysis</b>	Prepare data for analysis	1 week	Week 4-5		Data ready; Interview transcripts		

					and survey questions		
	Analyse data				Notes and other output from analysis		
	Draw conclusions and recommendations				Draft data analysis and findings section final report		
<b>Writing up</b>	Final draft report	Week 6	Week 6		Final Draft		
					Notes on feedback, notes on any issues and limitations of methodology		
					Final Report		
					Final submission of report/poster		

Active engagement with honour-based abuse victims is a crucial element of this project and also the most variable limitation to the project as the timeframe of response may vary which could impact the scope of the project. An appropriate risk management strategy may be necessary if no participants are confident enough to engage with the project. This will need to be discussed with my supervisor.

*(Depending on engagement from participants plan may be subject to change)*

### **Literature search:**

<b>Relevant legislation:</b>
<ul style="list-style-type: none"> <li>• Education Act 2002 (as amended)</li> <li>• Education (Independent</li> <li>• School Standards) Regulations 2014</li> <li>• Non-Maintained Special Schools (England) Regulations 2015</li> <li>• Apprenticeships, Skills, Children and Learning Act 2009 (as amended)</li> <li>• Family Law Act 1996- relating to Forced Marriage Protection Orders (Procedure set out in Family Procedure Rules 2010 (FPR 2010)</li> <li>• Marriage and Civil Partnership (Minimum Age) Bill (Recent Change to age of marriage)</li> <li>• Anti-Social Behaviour Crime and Policing Act s.121; 122- (breach of Forced Marriage protection order becomes an offense)</li> <li>• Northern Ireland: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015</li> <li>• Commitment to the eradication of Modern Slavery, human trafficking etc.</li> <li>• Human Rights Act</li> <li>• Modern Slavery Act 2015</li> </ul>
<b>Treaties:</b>
<ul style="list-style-type: none"> <li>• European Convention of Human Rights</li> <li>• UN Convention on the Rights of a Child</li> </ul>
<b>Civil Law:</b>



### **Preliminary Literature Review** (ongoing to inform the research project)

There is an abundance of fairly recent literature on the impact of religion and culture on the prevalence of honour-based abuse and forced marriages. However, there does appear to be limited research focussing on the educational impacts of abuse on victim-survivors. As the age of honour-based abuse and forced marriage victims can vary, the entire student life cycle may be affected by the abuse, including the influence of psychological, mental, health and welfare factors. This may be particularly prevalent for British born victims, who are expected to comply with cultural family traditions yet be surrounded by western influences and engage with the UK school curriculum. Gangoli et al. suggest that a family's 'fears of young women being 'corrupted' by western values' can often be a significant factor in honour-based abuse and forced marriage in South-Asian communities'.<sup>11</sup>

Consequently, many young girls have experienced an abrupt removal from school<sup>12</sup>, with an increased risk of exploitation and abuse, compromising their future prospects.<sup>13</sup> In a survey conducted by Gill and Harvey, concerning 'the potential harms associated with Forced Marriage', 93% of respondents identified the harmful effects of abuse to include negative impacts on education, career and financial autonomy. A participant of another study conducted by Gangolis et al. felt unable to continue her education because on returning to the UK, having been forced into a marriage in her origin country, 'she was embarrassed by the general 'prurient' interest in her marriage among her peers'.<sup>14</sup> Consequently, she dropped out of education. Having left school at such an early age, the participant would arguably have no GCSEs or access to Higher Education.

Gender roles can heavily influence the overriding preference for families to marry off girls and women rather than continue with education. In 'Education and Gender Norm Change', Marcus introduces education as one of the 'most powerful drivers of gender equality because it can empower individuals and enable them to challenge discriminatory gender norms'. She explains that education consists of 'empowerment, agency and capability development', which are central to the development of 'aspirations, skills and self-confidence'.<sup>15</sup> However, the exertion of coercion, control, or intimidation through forced marriage, evidently affects educational experience and, in turn, reinforces the gender norms associated with perpetrator families.

The Department for Education's 'Keeping Children safe in education' statutory guidance provides strategic guidance to schools, colleges, and universities and raises awareness of the risks of honour-based abuse and forced marriage to children and young people. However, more research needs to be conducted on the vicissitudes of educational attainment whilst in abusive environments and upon leaving. This will help to establish if victim-survivors are re-engaging with their education and career aspirations or whether their ambitions are negatively affected in the long term.

The impact of cultural and religious factors may also influence the social inclusivity of victims, who may feel isolated from their communities should they refuse to comply with a forced marriage, choose to leave a forced marriage or seek help from organisations. The reinforcement of patriarchal attitudes and aforementioned gender roles can play a significant part in this social stratosphere. Gill and Harvey's findings on the 'Young People's Views of forced marriage' suggest that 'learned discriminatory values and norms regarding gender roles' are significant to the perception of forced marriage'.<sup>16</sup> Thus, there is a suggestion that the behaviour and practices are framed in terms of culture, religion and ethnicity and accepted by young people. MP Mrs Pauline Latham recently emphasised this during the recent Hansard debate regarding the Marriage and Civil Partnership (Minimum Age) Bill. In her contribution, Latham underscored that the charity Karma Nirvana 'has supported children who do not recognise their child marriage as a forced marriage. They have been conditioned to normalise marriage under the age of 16, and as such, the evidence of coercion or duress is absent'.<sup>17</sup> Thus, Gangoli and Chantler highlight one

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<sup>11</sup> Gangoli G, Razak A, McCarry M. 'Forced Marriages and Domestic Violence Among South Asian Communities in North East England' 2006 Northern Rock Foundation and University of Bristol: Newcastle and Bristol;

<https://onlinelibrary.wiley.com/doi/full/10.1111/j.1099-0860.2008.00188.x>

<sup>12</sup> <https://www.bbc.co.uk/news/av/uk-24379334>

<sup>13</sup> <https://www.theguardian.com/society/2017/mar/28/children-missing-out-on-education-at-risk-of-abuse-and-exploitation>

<sup>14</sup> <https://onlinelibrary.wiley.com/doi/full/10.1111/j.1099-0860.2008.00188.x>

<sup>15</sup> Rachel Marcus [https://www.alignplatform.org/sites/default/files/2018-12/align\\_education\\_thematic\\_guide\\_-\\_formatted\\_v4.pdf](https://www.alignplatform.org/sites/default/files/2018-12/align_education_thematic_guide_-_formatted_v4.pdf); [https://www.alignplatform.org/sites/default/files/2018-12/align\\_education\\_thematic\\_guide\\_-\\_formatted\\_v4.pdf](https://www.alignplatform.org/sites/default/files/2018-12/align_education_thematic_guide_-_formatted_v4.pdf)

<sup>16</sup> Aisha Gill and Heather Harvey, 'Examining the impact of Gender on Young People's Views of Forced Marriage in Britain' 2017 12(1) Feminist Criminology

<sup>17</sup> [Marriage and Civil Partnership \(Minimum Age\) Bill - Hansard - UK Parliament](#); [https://hansard.parliament.uk/Commons/2021-11-19/debates/22B836A2-DCFA-4759-BD71-D978E1192F77/MarriageAndCivilPartnership\(MinimumAge\)Bill?highlight=honour-based%20abuse#contribution-5819D45F-5050-45BB-B1DD-44D96AEA8AE0](https://hansard.parliament.uk/Commons/2021-11-19/debates/22B836A2-DCFA-4759-BD71-D978E1192F77/MarriageAndCivilPartnership(MinimumAge)Bill?highlight=honour-based%20abuse#contribution-5819D45F-5050-45BB-B1DD-44D96AEA8AE0)

of the core arguments for the criminalisation of forced marriage: 'specific legislation would transmit a strong message of disapproval of the practice and could therefore potentially act as a catalyst to change and shape public opinion on forced marriage.'

Although the government's 'Call to end violence against women and Girls' strategy initially recognised that not all women and girls want to take action through the criminal justice system', criminal proceedings are often carried out regardless of the victim's wishes. There is a danger that this may take away the ability of a victim's control over the consequences of reporting a forced marriage and that offences may go unreported. Savelives' Spotlight on Honour-based violence and forced marriage states, 'The community's role in perpetrating or condoning abuse means that survivors of HBV are often unable to return to their communities even after the immediate risk has been removed. For survivors of HBV, the impact on wellbeing, sense of belonging and day to day life can be severe and long lasting'. This study will attempt to investigate the effect of social (familial and community) isolation on survivors and understand if it is a motivating factor in not reporting an offence. Furthermore, how far compliance with the family's wishes is negated by the deterrent nature of forced marriage and honour-based legislation, which carries a potential criminal penalty.

In the year ending March 2021, there were 2,725 HBA-related offences recorded by the police in England and Wales.<sup>18</sup> The statistics show an 18% increase in reported offences. Although the Covid-19 pandemic may have impacted the number of cases reported, 125 of these reported offences were of Forced Marriage, despite criminalising the offence. Early indication extrapolates some common emerging themes: the influence of gender norms, differing familial structures, reinforcement of a family's wishes and demands through *Izzat/ Shame*<sup>19</sup>, as overriding characteristics for its ongoing occurrence. Although the law may have recognised the practices as unlawful and immoral, the beliefs within the community seem arguably unaffected. However, the positive influence of criminalisation and the increased recognition and awareness of HBA and FM as a violation of rights can help eradicate damaging practices and encourage reporting of offences.

### **Research Hypothesis**

An early indication of the research suggests that victims are reluctant to report cases due to criminalising forced marriage, which could mean an increased number of unreported offences. However, overall, there are positives for recognising HBA/HBV and Forced marriage as offences to reduce the occurrence and prevalence, even though attitudes within the community may be slow to change. The impacts of Honour-based Abuse and Violence on education and social and community inclusion are predicted as long-term and profound.

### **Methodology:**

Prior to undertaking any research, ethical approval will be required from the University of York due to the sensitive nature of the topic and the potential vulnerability of the subjects/ participants. The majority of the qualitative data will come from these participants and case studies, so appropriate steps must be taken to ensure confidentiality. This ensures that participants 'are treated with integrity, fairness and honesty'<sup>20</sup> Permission will be sought from all participants, the research objectives will be explained thoroughly, and where necessary, signed consent will be obtained. All participants will be given information on the purpose of the study, and I will begin to contact charities and women's refuges to provide the relevant information once ethical approval is obtained. This, alongside encouraging participant anonymity, is likely to promote the reliability of the data because 'people are more likely to give an honest response when anonymous'.<sup>21</sup> Participants' right to privacy will need to be respected by keeping all transcripts and interview documents securely.<sup>22</sup>

A key objective of the research is to approach charities and refuges with the intention to carry out semi-structured interviews with victims of honour-based abuse. This approach will provide 'rich, qualitative data'<sup>23</sup>. I will design

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<sup>18</sup> <https://www.gov.uk/government/statistics/forced-marriage-unit-statistics-2020/forced-marriage-unit-statistics-2020>

<sup>19</sup> <https://onlinelibrary.wiley.com/doi/full/10.1111/j.1099-0860.2008.00188.x>

<sup>20</sup> Stella Cottrell, *Dissertations and Project Reports: A step-by-step guide* (3<sup>rd</sup> edn, Palgrave Macmillan 2014) 107; Stella Cottrell, *The Study Skills Handbook* (3<sup>rd</sup> edn Palgrave Macmillan 2008)

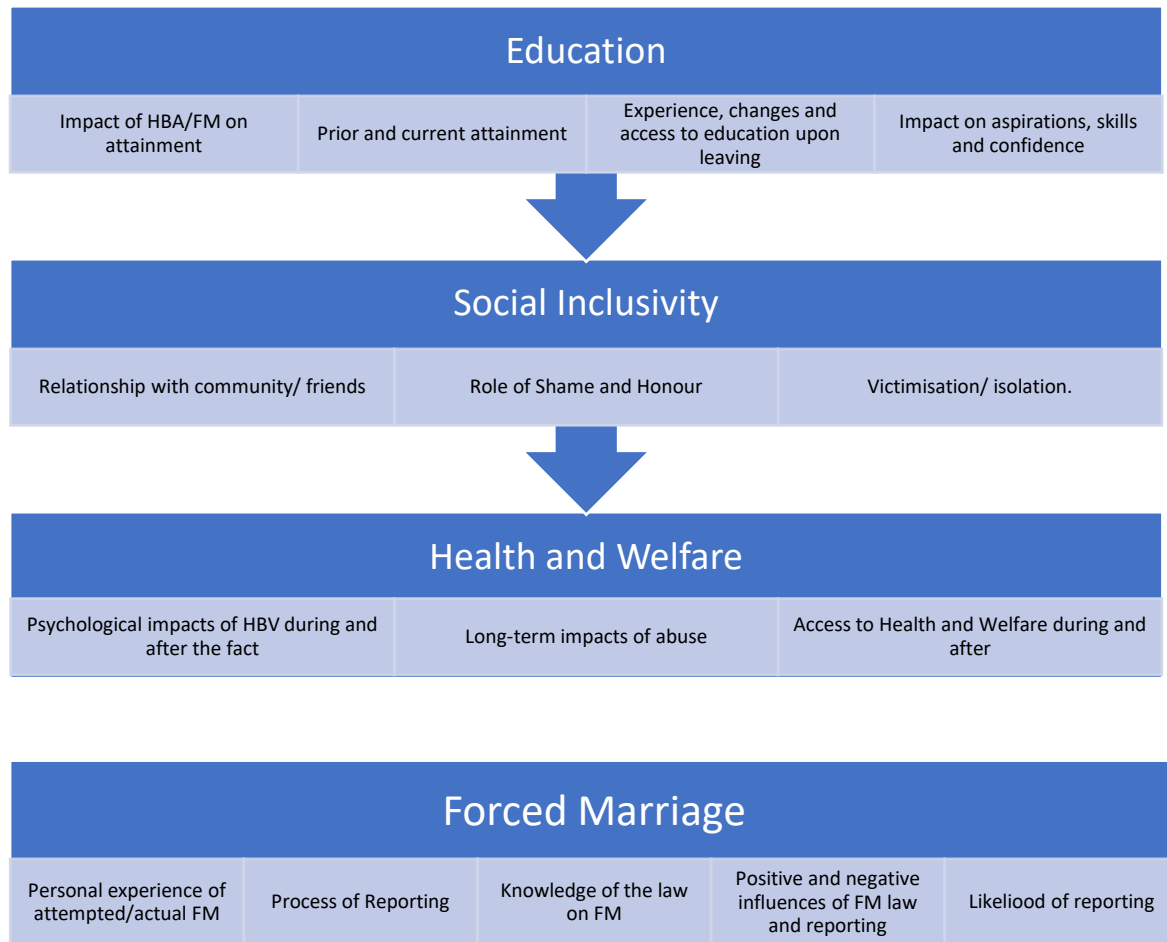
<sup>21</sup> Stella Cottrell, *Dissertations and Project Reports: A step-by-step guide* (3<sup>rd</sup> edn, Palgrave Macmillan 2014) 112

<sup>22</sup> Bell and Waters, *Doing Your Research Project. A Guide to First-Time Researchers*. (6th edn OUP 2014)

<sup>23</sup> Stella Cottrell (n21) 156

and send out an interview document with research areas so that the interviews are somewhat structured, which will help with the manageability and scope of the interviews. The research sample itself will focus on honour-based abuse and forced marriage victim-survivors across various localities in the UK. Although I would like to adopt a more concise and specified range, i.e. British Asians or those from a South-Asian background, which may add to the reliability of my data set, I will be unable to determine the specificity of the participants at this stage. This will be ascertained once I collaborate fully with charities and women's refuges. I am hoping to interview 5-10 participants, as I would like a more in-depth investigation across the research objectives with the opportunity to spend more time engaging with participants.

Questions will centre around some of the following topics:



All interviews will be recorded and transcribed, and once complete, I can begin to extrapolate the relevant data required to formulate conclusions to the research and hypothesis.

I may also consider designing a survey better to understand the impacts of the criminalisation of forced marriage, as I do not want the participants to feel pressured to answer in a specific way during interviews. The survey will be designed using 'Survey Monkey', a versatile and popular online tool'.<sup>24</sup> Cottrell states that a 'benefit of surveys and questionnaires is that they provide a flexible approach to research'.<sup>25</sup> Given that the survey will most likely require both open and closed questions, the best data collection methods would be a combination of quantitative, qualitative, and action research.<sup>26</sup> As Bell states, 'a questionnaire may be considered quantitative, but it may have

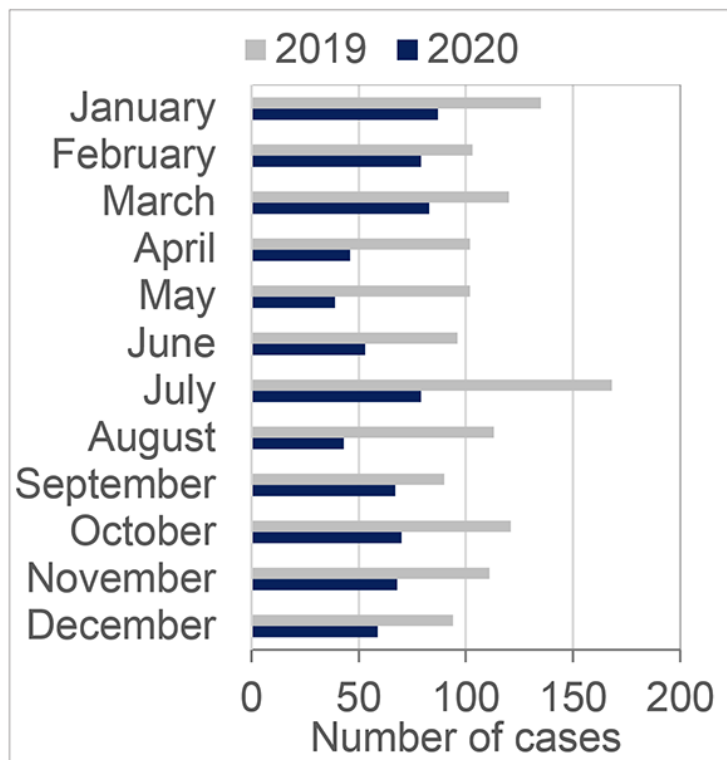
<sup>24</sup> Bell and Waters, (n23) 114

<sup>25</sup> Stella Cottrell, (n21)

<sup>26</sup> Ibid

qualitative features.<sup>27</sup> The language needs to be jargon-free to ensure that the participants understand precisely what the research is asking, so the design of the questionnaire 'requires discipline in the selection of the questions'<sup>28</sup> The questions will be 'test piloted to promote validity'<sup>29</sup> and to ensure that research methods are understandable to the participants. As such, considerations may need to be made regarding the language that the survey is offered in. However, the use and nature of this type of survey will be further clarified once a discussion has taken place with my learning mentor.

I will then engage in a statistical analysis of the reported offences of HBV and forced marriages in the UK and the number of prosecutions, utilising an appropriate method to interpret the data. The following Forced Marriage Unit statistics, taken from gov.uk will be a useful starting point in my analysis:



However, I do recognise some limitations to my methodology. One of the most limiting characteristics is the small number of participants and the heavily weighted research on this particular data set. Further, the research will be influenced considerably by time constraints, so I will utilise a triangulation of data collection using a multi-method approach to cross-check my findings. This will provide different perspectives and confirm or challenge the findings,<sup>30</sup> which, I hope, will add to the validity. I will aim to remain as objective as possible and be vigilant to the influence of my own biases, which could hinder the research outcome. Analysing both sides of the arguments for the criminalisation of forced marriage, for example, will allow me to test the hypothesis thoroughly.

Overall, this project will be immensely rewarding, despite the projected challenges. I have maintained that I do not claim to be a research expert, but I certainly hope to improve and showcase some of my skills. In the long-term, I hope to attain some in-depth knowledge on Honour-based Abuse and Forced marriages to help inform future policy and legislative action. I am grateful to be part of this scholarship network and for the opportunity to share my findings.

## **Bibliography**

<sup>27</sup> Bell and Waters, (n23) 117

<sup>28</sup> Bell and Waters, (n23) 115

<sup>29</sup> Stella Cottrell, (n21) 114

<sup>30</sup> Bell and Waters, (n23) 120

**Books**

Bell, J. and Water, S. *Doing Your Research Project. A Guide to First-Time Researchers.* (6th edn OUP 2014)

Cottrell, S, *Dissertations and Project Reports: A step-by-step guide* (3rd edn, Palgrave Macmillan 2014)

Cottrell, S, *The Study Skills Handbook* (3rd edn Palgrave Macmillan 2008)