



# WEST MIDLANDS POLICE

## Force Policy Document

**POLICY TITLE:**

**Honour Based Abuse and Forced Marriage**

**POLICY REFERENCE NO:**

**PP/05**

### Executive Summary.

*West Midlands Police is committed to giving victims of Honour Based Abuse (HBA) and Forced Marriage (FM) a level of service that gives them the confidence to report incidents.*

*HBA and FM is a fundamental abuse of human rights. It is a form of Domestic Abuse, Child Abuse and Adults at Risk Abuse that requires specialist response and investigation. West Midlands Police views HBA and FM as unacceptable and is committed to its prevention through thorough investigation of all offences committed in the name of so-called 'honour'.*

*\*\*Any enquiries in relation to this policy should be made directly with the policy contact / department shown below.*

### Intended Policy Audience.

All police officers and staff, including the extended police family and those working voluntarily or under contract to West Midlands Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

All officers and staff will be held accountable for the adoption of this policy. Chief Officers and managers will show strong leadership in addressing relevant issues. The Chief Officer lead for this policy is the Assistant Chief Constable with responsibility for crime.

<b>Current Version And Effective Date.</b>	<b>1.2</b>	<b>04/04/2019</b>
<b>Business Area Owner</b>	<b>Public Protection</b>	
<b>Department Responsible</b>	<b>Public Protection</b>	
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<b>Approved By</b>	<b>ACC Foulkes</b>	
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<b>Suitable For Publication – Freedom Of Information</b>	<b>Yes</b>	

### Supporting Documents

- [DA APP \(College of Policing\) 2015](#)
- [HMIC feedback 2015 from HBA, FM and FGM](#)
- [National Policing Strategy HBA, FM and FGM \(2015-2018\)](#)
- [Karma Nirvana FM and HBA risk assessment and protection plan \(WC 391 KN\)](#)
- [WMP HBV and FM problem profile August 2015](#)
- [Forced Marriage Protocol between Birmingham City Council and WMP 2013 \(due for review\)](#)
- [HM Government Multi-agency practice guidelines: Handling cases of Forced Marriage June 2014](#)
- [WMP SIT team HBV/FM Thematic Review 2015](#)
- [ACPO guidance on the Procedure for Requesting HM Revenue and Customs make National Insurance Data “Nationally Sensitive” – Forced Marriage and HBV victims 2009](#)
- [ACPO Guidance on Taking of Fingerprints, DNA & Photographs of Victims / Potential Victims of Forced Marriage – Handling Procedures 2008](#)
- [ACPO Guidance on the Relocation of Victims of Forced Marriage and Honour Based Violence between Force Areas 2008](#)
- [WMP Relocation of victims of DA, HBA and FM \(2015\)](#)
- [WMP Domestic Abuse Policy](#)
- [WMP Threats to Life Policy](#)
- [WMP Kidnap & Extortion Policy](#)
- [College of Policing Female Genital Mutilation APP](#)
- [Factsheet on Female Genital Mutilation](#) (Government Equalities Office, 2009)
- [Female Genital Mutilation Resource Pack](#) (London Safeguarding Children Board, 2009)
- [Government guidance on Forced Marriage](#)
- [HM Government \(2014\) The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage](#)
- [Multi-Agency Practice Guidelines: Handling cases of forced marriage HM Government, \(2014\)](#)
- [Forced Marriage and Learning Disabilities: Multi-agency practice guidelines](#) (HM Government, 2010)
- [College of Policing Child Abuse APP](#)
- [CPS \(2014\) Honour Based Violence and Forced Marriage: Guidance on Identifying and Flagging cases](#)
- [Code of Ethics](#) (<http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx>)

### Evidence Based Research

Full supporting documentation and evidence of consultation in relation to this policy including that of any version changes for implementation and review, are held with the Force Policy Co-ordinator including that of the authorised original Command Team papers.

#### **Please Note.**

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UPTO DATE VERSION OF ANY POLICY OR DIRECTIVE CAN BE FOUND ON THE EQUIP DATABASE ON THE INTRANET.

### **Force Diversity Vision Statement and Values**

“Maximise the potential of people from all backgrounds through a culture of fairness and inclusion to deliver the best service for our communities”

“All members of the public and communities we serve, all police officers, special constables and police staff members shall receive equal and fair treatment regardless of, age, disability, sex, race, gender reassignment, religion/belief, sexual orientation, marriage/civil partnership and pregnancy/maternity. If you consider this policy could be improved for any of these groups please raise with the author of the policy without delay.”

### **Code of Ethics**

West Midlands Police is committed to ensuring that the Code of Ethics is not simply another piece of paper, poster or laminate, but is at the heart of every policy, procedure, decision and action in policing.

The Code of Ethics is about self-awareness, ensuring that everyone in policing feels able to always do the right thing and is confident to challenge colleagues irrespective of their rank, role or position

Every single person working in West Midlands Police is expected to adopt and adhere to the principles and standards set out in the Code.

The main purpose of the Code of Ethics is to be a guide to "good" policing, not something to punish "poor" policing.

The Code describes nine principles and ten standards of behaviour that sets and defines the exemplary standards expected of everyone who works in policing.

Please see <http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx> for further details.

The policy contained in this document seeks to build upon the overarching principles within the Code to further support people in the organisation to do the right thing.

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## 1. INTRODUCTION.

- 1.1. West Midlands Police are committed to playing a key role within the coalition of partners in eradicating Honour Based Abuse (HBA), Forced Marriage (FM) and Female Genital Mutilation (FGM), increasing the confidence of victims, survivors and affected communities and in identifying, prosecuting and bringing offenders to justice.
- 1.2. FGM is covered in the separate force child abuse policy.
- 1.3. To achieve this aim, this Honour Based Abuse (which includes FGM) and Forced Marriage Policy will support WMP staff to:
  - Build the trust and confidence of affected communities so that they seek our help directly.
  - Tackle and reduce the under-reporting of all forms of HBA
  - Provide an effective proactive response on every occasion, recognising and responding effectively to risk, keeping victims safe and holding offenders to account
  - Proactively engage with communities, raising awareness and identifying victims, prospective victims and perpetrators
  - Demonstrate WMP's leadership on the issues as well as playing an effective role in the coalition of partners to take HBA
  - To gain a better understanding of the problem.
- 1.4. The issues of HBA can impact on individuals in numerous ways and victims may suffer serious assault and even death at the hands of family members.
- 1.5. The purpose of this policy is to provide guidance to all police officers and staff in the identification of HBA and FM, the particular risks involved and the actions that should be considered.
- 1.6. Victims and potential victims will be managed in a caring, empathetic manner and positive action will be taken as necessary. All victims must be treated in a culturally sensitive way but this must not detract from the investigation of any apparent offences or issues, and where there is any doubt whatsoever advice and guidance should be sought from an Inspector.
- 1.7. The victim's personal details will be stored, managed and handled with integrity and confidentiality
- 1.8. Under no circumstances should a victim or potential victim ever be turned away and told that HBA and FM are not a matter for the police.
- 1.9. This policy is closely interlinked with both Domestic Abuse and Child Abuse Investigations and Safeguarding Children and Vulnerable Adults policy. It is therefore important that those policies are read in conjunction with this document as well as [College of Policing Authorised Professional Practice \(APP\) on domestic abuse](#).
- 1.10. There is no legal requirement for a parent or other adult to be present, or to give consent for an officer to talk to a child in order to establish the child's welfare at the point of initial contact. In cases where the officer suspects that an adult who is present may have had some involvement in the abuse, a request should be made to speak to the child separately.

## **Aims**

- 1.11. The main aim of this policy is to prevent the occurrence of HBA and FM. It is designed to help identify future victims of HBA and FM and reduce the likelihood of future harm, including homicide, serious injury and acts of violence.
- 1.12. The policy is underpinned by procedures to help all officers and staff to identify HBA and FM and associated issues, in particular the risk involved and the actions that should be considered in order to safeguard those at risk.

## **Objectives**

- 1.13. The main objectives of this policy are to:
1. To give victims the confidence to report incidents and keep them safe from further risk of harm.
  2. To deal with victims of 'honour' based abuse effectively and by conducting thorough risk assessment processes with victims with the intention of reducing the likelihood of future harm, including homicide, serious injury and acts of violence.
  3. Provide an effective proactive response on every occasion, recognising and responding effectively to risk, keeping victims safe and holding offenders to account.
  4. Ensure timely partnership working to increase victim safety.
  5. Ensure that the victim's personal details will be stored, managed and handled with integrity and confidentiality.
  6. Ensure WMP staff understand their responsibilities at all ranks.

## **2. DEFINITIONS.**

- 2.1. For the purposes of this policy, the following definitions are used:

### **Adult**

- 2.2. Adult' is defined as a person aged 18 years or over.

### **Child, children and young people**

- 2.3. As defined in the Children Act 1989, child means a person who has not reached their 18<sup>th</sup> birthday. This includes young people aged 16 or 17 who are living independently.

### **Forced Marriage (FM)**

- 2.3. There is a clear distinction between a forced marriage and an arranged marriage. In arranged marriages, the families of both spouses take a leading role in arranged the marriage, but the choice of whether or not to accept the arrangement still remains with the prospective spouses. However, in forced marriage, one or both spouses do not consent to the marriage but are coerced into it. Duress can include physical, psychological, financial, sexual and emotional pressure. In the case of some vulnerable adults who lack the capacity to consent coercion is not required for a marriage to be forced.
- 2.4. Forced marriage is an abuse of human rights and a form of domestic abuse, where it affects children and young people, child abuse and vulnerable adult abuse.

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- 2.5. In addition people who lack capacity (as per the Mental Capacity Act 2005) to consent to marriage cannot give informed consent.
- 2.6. Typical motives why FM may occur:
- Parents belief that religion or culture is being preserved
  - Pressure from peers, community or family members
  - Protecting family 'honour'
  - Preventing unwanted relationships outside ethnicity, culture, religion or caste
  - Belief that the marriage will strengthen family links
  - Financial gain (land, property or wealth remains within the family)
  - Control unwanted behaviour or sexuality
  - Settling family disputes
  - Assisting immigration claims
  - Obtaining a long-term carer for a person with either learning or physical disabilities
  - Keeping long-standing family commitments

### **Honour Based Abuse (HBA)**

- 2.7. The National Police Chief's Council's definition of Honour Based Abuse is:
- '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'.
- 2.8. HBA can be distinguished from other forms of abuse as it is often committed with some degree of approval and collusion from family and/or community members.
- 2.9. Examples may include murder, unexplained death (suicide), fear of or actual forced marriage, controlling sexual activity, domestic abuse, child abuse, rape, kidnapping, false imprisonment, threats to kill, assault, harassment, forced abortion. This list is not exhaustive.
- 2.10. We have learnt that concepts of honour and shame have long been associated with Lesbian, Gay, Bisexual and Transgender (LGBT) people in affected communities, where there are actual or threatened forced marriages and where the potential for other forms of honour based abuse are seen as a significant and real threat. This is particularly true where a person has either 'come out' as being gay or has been 'outed'.
- 2.11. In addition we know that Romany Gypsies and Irish Travellers as racial groups have their own honour code, which governs the conduct of women and men.



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- 2.12. Such behaviour may include:
- Becoming westernised, e.g. inappropriate make-up/clothing or socialising
  - Seeking an education
  - Being in a relationship before marriage
  - Rejecting a forced or arranged marriage
  - Becoming pregnant outside of marriage
  - Being the victim of rape or other serious sexual assault
  - Having an interfaith or inter-caste relationship
  - Leaving a spouse or seeking a divorce
  - Kissing or showing other forms of intimacy in a public place
  - Possessing and/or using mobile telephones
  - Radicalisation
  - Use of social media
  - Using drugs, drinking alcohol, smoking
- 2.13. It can be the case that this is acceptable behaviour for males, but not females.
- 2.14. When dealing with potential victims of HBA it is important to recognise the seriousness of the risk. Consideration should be given as to associated risk and whether their (secret) partner and their family, children, associates and or siblings are also at risk. Consideration should also be given to the fact that there could be multiple perpetrators from within the family or community.
- 2.15. FGM can be a form of honour based abuse.
- Honour Killings**
- 2.16. Murders in the name of so called 'honour' are murders where victims are killed for their perceived immoral behaviour, which is deemed to have breached the 'honour' code of a family or community causing shame. There is however no honour in murder (ACPO 2005).
- 2.17. Relatives and community members, both male and female may conspire, aid, abet or participate in the killing. Younger relatives or those with lower status in the family/community may be selected to undertake the killing to avoid senior members being arrested. Sometimes contract killers are employed.
- 2.18. Evidence shows that these types of murders are often carefully planned and sometimes made to look like a suicide or an accident. A decision to kill may be preceded by a family/community council/meeting. There often tends to be a degree of premeditation, family conspiracy and a belief that the victim deserves to die.
- 2.19. Therefore, when dealing with reports of HBA/FM it is vital to retain an open mind. Family members and/or individuals within the community may support the primary offender(s) by seeking to mislead, obstruct or undermine the investigation.

## Child Abuse

[Child Abuse Policy](#)  
[College of policing Child Abuse APP](#)

- 2.20. West Midlands Police are governed by multi-agency guidance '*Working Together to Safeguard Children 2015*'. This is the guide to inter-agency working to safeguard and promote the welfare of children.
- 2.21. Speak with the child as soon as possible after disclosure. Also consider talking to other sibling/s or whether this would further endanger the victim.
- 2.22. When you speak with a child, consider who is present, e.g. siblings, members of the same community (even if they are professionals). Ensure that professionals are keeping the information confidential.
- 2.23. It is not always immediately apparent that the incident you are dealing with is HBA, officers/staff should ask questions in ascertain whether the child is a victim of HBA/FM.
- 2.24. Before conducting ABE interviews with children, consent is required except in the following circumstances:
- If the child can understand the implications of what they are being asked to consent to and is able to consent in their own right, consent of someone with parental responsibility is not necessary. However, the force should inform a parent or carer before the interview takes place, unless there are exceptional reasons for not doing so, including:
  - the possibility exists that a child would be threatened or otherwise coerced into silence
  - there is a strong likelihood that important evidence would be destroyed
  - the child in question does not wish the parent to be involved at that stage, and is competent to make that decision
  - If the child does not have the capacity to consent in their own right and cannot understand the implications of what they are being asked to consent to, consent of someone with parental responsibility is necessary. However, if consent cannot be secured, the force can consider obtaining an emergency protection order (EPO) under section 44 of the Children Act 1989, with the necessary directions on it if the child is at risk of significant harm.
- 2.25. Where the force decides not to inform a parent or carer for the exceptional circumstances above, they should carefully document this decision. Proceeding with the interview in the absence of parental knowledge needs to be carefully managed in interventions with the family by the local children's services authority, but may be necessary for example where children are at risk of honour-based violence or forced marriage.

## Child marriage

- 2.25. Child marriage is a practice in which parents of small children (even infants) arrange a future marriage with another child's parents. The children are betrothed or promised to each other. Often the children will not meet until the wedding ceremony, which occurs when they are both at an acceptable age to marry. This can differ depending upon the legal age to marry in that particular country. The age may be at or before the onset of puberty.

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- 2.26. The rationale behind this practice is that a child's parents can arrange a sensible match with a child from a suitable family, thus securing their child's future at an early age. Parents may feel that marrying off a child at a young age can help them economically as a daughter may be regarded as an economic burden. It may also keep them safe from unwanted sexual advances.
- 2.27. The betrothal is considered a binding contract between the families. The breaking of a commitment can have serious consequences.
- 2.28. Child marriages should be classed as forced marriages.

### **Domestic abuse**

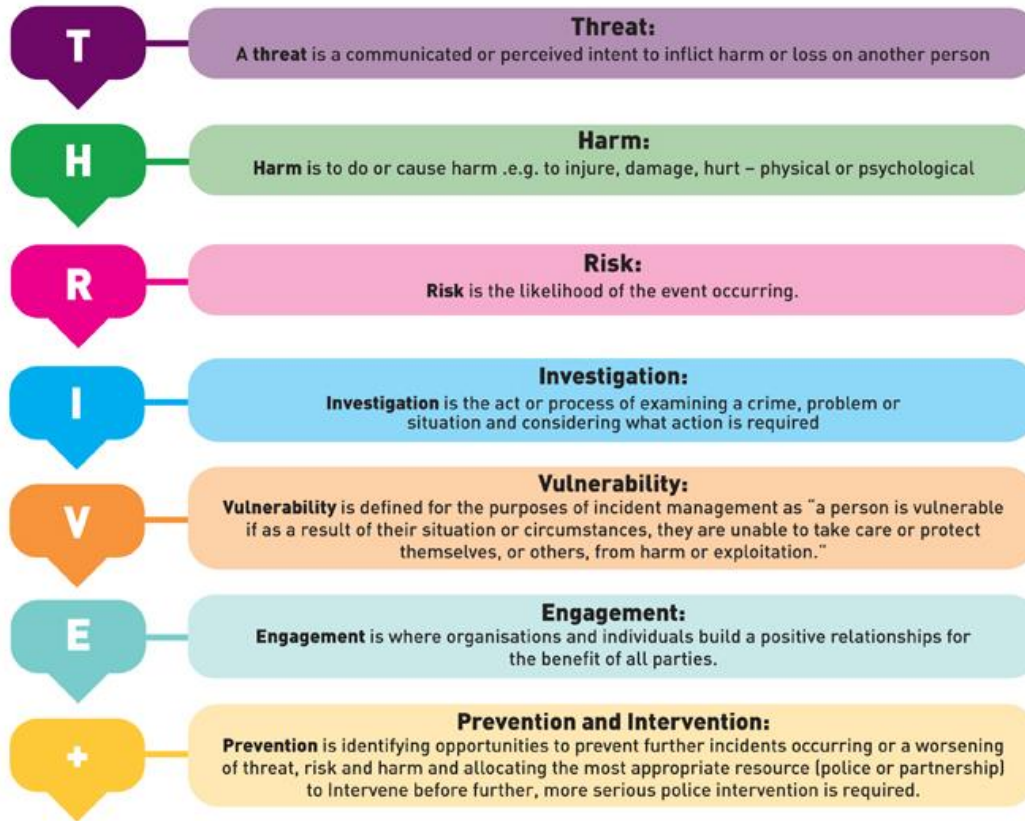
[Refer to College of Policing Domestic Abuse Section](#)

- 2.30. The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been intimate partners or family members, regardless of gender or sexuality. The abuse can encompass, but is not limited to the following types of abuse: psychological, physical, sexual, financial and emotional.
- 2.31. 'Family members' are defined as: mother, father, son, daughter, sister, brother and grandparents, whether directly related, in-laws or step-family. Aunts and uncles are included for HBA only
- 2.32. **Important to note:**
- No longer any reference to co-habitation
  - Now includes familial child abuse where a child is 16 or over, but under 18 and the adult offender/suspect is a family member with a duty of care or control
  - Now includes incidents involving siblings where both parties are between 16 and 18 years old.
- 2.33. HBA is a form of domestic abuse, motivated by the concept of 'honour'.

### **3. THRIVE+.**

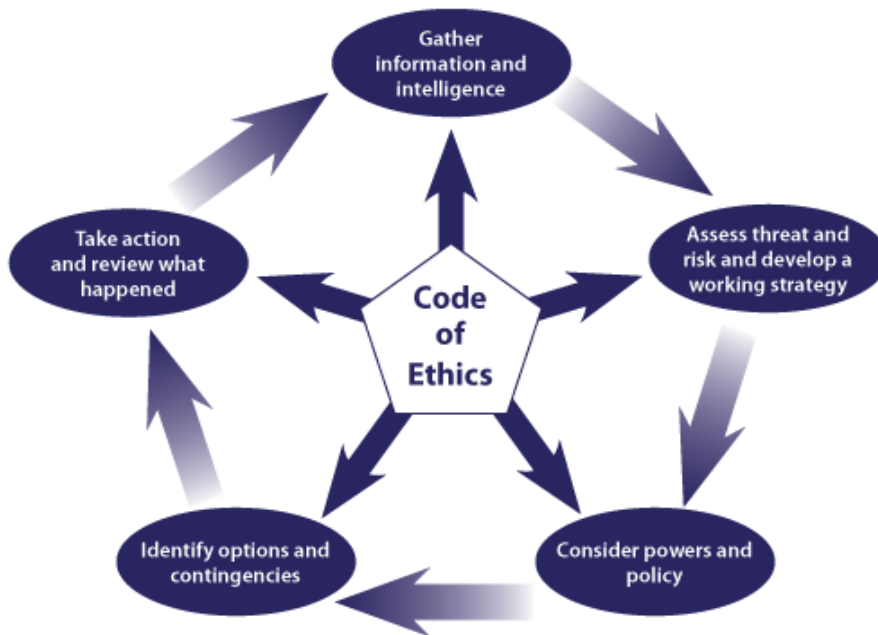
- 3.1. **THRIVE+** is a tool to **ASSESS THE SITUATION**
- 3.2. The THRIVE+ mnemonic has been used as risk assessment tool to assess the situation of an incident from the moment the call is received by West Midlands Police.

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3.3. THRIVE+ is a brand similar to the Code of Ethics. Working practices and policy may continue to exist, however, THRIVE+ will provide staff with the autonomy to make a final decision based on the circumstances. Policies and processes are being reviewed as part of the WMP2020 project and the introduction of THRIVE+

3.4. It is about professional judgement using THRIVE+, National Decision Making Model and the Code of Ethics.



3.5. It is an on-going assessment process, as the situation changes so do the elements of THRIVE+

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- 3.6. A concise **THRIVE+** should be recorded by anyone making a new assessment *after new information or intelligence is received*.
- 3.7. This will enable others to see and understand the decision making process, and how staff have reached their outcome.
- 3.8. Officers and staff are to be aware that THRIVE+ is to be utilised when dealing with incidents of HBA/FM.

**4. ONE CHANCE RULE.**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- 4.6. Consideration must be given to visiting the individual as soon as possible at a time and place that is safe, e.g. at school or work, minimising the risk of raising suspicion.
- 4.7. Remember:
  - Is it safe?
  - When will it be safe?
  - Can the apparent risk be managed until it is safe to speak with the victim?
  - What is a safe way to contact the victim?
- 4.8. The secret of investigating HBA/FM is investigating in secret. Only those that need to know should know. Consider whether it is appropriate for the matter to be discussed at DMM or MARAC, all information must be kept confidential.

[REDACTED]

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- 4.10. Reports of HBA/FM, actual or suspected in relation to a child will be investigated by the Child Abuse Investigation Unit.
- 4.11. In cases of adults where there is a criminal investigation taking place the criminal investigation will remain with PPU/FCID/Investigation Team as per WMP operating principles. The safeguarding and safety planning for forced marriage incidents will generally be managed by the Domestic Abuse Team in conjunction with the OIC. All vulnerable adult cases should be assessed and considered, if necessary for referral to the Adults at Risk Team as per force policy.
- 4.12. The incident may not fit the definition of DA, for example someone reporting their tyres have been slashed and they think it may be as a result of someone in the community perceiving that they have breached the 'honour' code. If the victim identifies that the incident may be HBA the incident must be recorded as HBA and the victim must be appropriately safeguarded by that investigating team.

**5. LEGISLATION.**

**Forced Marriage Legislation**

- 5.1. Section 121 of the Anti-social Behaviour, Crime and Policing Act 2014 states:
  - 1. A person commits an offence in England and Wales if he or she
    - a. uses violence, threats or any other form of coercion for the purpose of causing another person to enter into the marriage, and
    - b. believes, or ought to reasonably believe, that the conduct may cause the other person to enter into the marriage without free and full consent.
  - 2. In relation to a victim who lacks capacity to consent to marriage, the offence under subsection (1) is capable of being committed by an conduct carried out for the purpose of causing the victim to enter into a marriage (whether or not the conduct amounts to violence, threats or any other form of coercion).

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3. A person commits an offence under the law of England and Wales if he or she practices any form of deception with the intention of causing another person to leave the UK, and intends the other person to be subjected to conduct outside the UK that is an offence under subsection (1) or would be an offence under that subsection if the victim were in England and Wales.

5.2. In addition to the specific offences of forced marriage, there are still a number of other offences that may nevertheless be committed. Perpetrators may also be prosecuted for offences including fear of provocation of violence, common assault, actual bodily harm, grievous bodily harm, harassment, kidnap, abduction, theft (of passport), threats to kill, false imprisonment and murder. CPS are responsible for making the decision for which offence(s) the perpetrators should be prosecuted. Sexual intercourse without consent is rape, regardless of whether this occurs within a marriage or not. A British national commits this offence abroad under s.72 Sexual Offences Act 2003.

5.3. The maximum penalty in a criminal court for forced marriage offences is seven years imprisonment.

**Forced Marriage Protection Orders**

5.4. Forced Marriage Protection Orders can be sought under section 4A of the Family Law Act 1996. This makes provision for protecting both children and adults at risk of being forced into marriage and offers protection for those who have already been forced into marriage. The terms of orders issued under the Act can be tailored to meet the specific needs of the victim.

5.5. Consider and discuss with the victim a Forced Marriage Protection Order (FMPO). FMPO's protect those who are or at risk of being forced into marriage or someone who has already been forced into marriage. These are civil orders and are available from selected Family Courts (see below). Any person can apply (victims can apply themselves or social care on behalf of children and vulnerable adults). Police can apply on behalf of victims and/or support victims through the process themselves. If officers are considering a FMPO they must liaise with WMP Legal Services and we should only do so, with the support of the adult victim (excludes children and vulnerable adults).

5.6. Once obtained the FMPO will need to be served on the respondent/s ('offender/s'). The FMPO is not 'live' until the FMPO is served. The FMPO details must be onto PNC for both the victim (petitioner) and named respondent/s (incl. expiry date). **This must be kept updated and weeded when expired.** Once a FMPO has been granted, ensure that the order is placed onto CORVUS and scanned in under the crime/non-crime number.

5.7. **Beware that copies of any information disclosed in the application forms to the court will be served on the respondents, so do not include sensitive information that could compromise a source or put anyone at risk.**

██  
Birmingham Family Court – general number - 0121 681 4441 (office hours Mon - Fri).  
██

5.8. These orders can be sought in conjunction with other civil order such as FGMPPO's (Female Genital Mutilation Protection Orders).

5.9. Under section 120 of the Act, the maximum penalty for breach of a forced marriage protection order is five years imprisonment.



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5.10. A breach of a FMPO is a criminal offence; this must be recorded as per Home Office crime recording standards. Staff must ensure that the correct markers are applied.

5.11. [See PPU website for more advice and guidance on FMPO's.](#)

5.12. For advice in respect of other civil remedies, please see [College of Policing APP for domestic abuse.](#)

**Tipstaff - Child Abduction Orders (High Court)**

5.13. The tipstaff is the enforcement officer for all orders made in the High Court. Every applicable order made in the High Court is addressed to the tipstaff in children and family matters.

5.14. In child abduction cases, forced marriage and female genital mutilation cases, the tipstaff can execute warrants on a range of possible orders, including a Collection Order (for the return of a child), a Location Order (for the whereabouts of a child to be discovered), a Passport Order (for the seizure of passports or other travel documents) and Port Alerts (to prevent a child being wrongfully removed from the UK).

5.15. The tipstaff may affect an arrest then inform the police. Sometimes the police will detain a person in custody until the tipstaff arrives to collect that person or give further directions as to the disposal of the matter. The tipstaff can also call on any constable to assist in carrying out the tipstaff's duties.

**Adults at Risk Care Act 2014**

5.16. An Adult at Risk is any person aged 18 or over who is or may be in need of community care services, by reason of mental, physical or learning disability, age or illness AND is or may be unable to take care of him/herself or unable to protect him/herself against significant harm or exploitation.

5.17. The definition applies to people with mental health, sensory or other physical impairments, learning difficulties, frailty or confusion, who, as a consequence, are unable to protect themselves AND are in need of community care.

5.18. If a person does not consent or lacks capacity to consent to a marriage, the marriage must be viewed as a forced marriage, whatever the reason for the marriage taking place. Research shows that the forced marriage of children and adults with learning disabilities is likely to be vastly under-reported and is equally valid for both males and females.

5.19. For people with learning difficulties the consequences of forced marriage can be the same as those for people without a learning disability. There can also be additional consequences such as abandonment due to the spouse rejecting the person with learning disabilities. The spouse of the person with learning disabilities may not realise that they may be committing a criminal offence by engaging in a sexual relationship with a person who does not have the capacity to consent. This is not an excuse, and would be classed as rape.

5.20. Families may not be aware that organising the forced marriage could potentially be a criminal offence. While it is important to have an understanding of the motives that drive parents to force their children with learning disabilities to marry, these motives should never be accepted as justification for their actions.



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5.21. For further information, please refer to [Forced Marriage and Learning Disabilities: Multi-Agency Practice Guidelines](#).

5.22. Any report of HBA /FM by a family member or carer involving an adult at risk must be referred to the Adults at Risk Team for joint agency investigation as per the Care Act 2014.

### **Mental Capacity Act 2005**

5.23. The Mental Capacity Act 2005 aims to empower people (aged over 16 years) to make decisions about their own lives where possible and protects those who lack capacity. It provides a statutory framework both for people who lack capacity to make decisions for themselves and for those who have capacity and want to make preparations for a time when they may lack capacity in the future. It sets out who can take decisions, in which situations, and how they should go about this.

5.24. Whenever the term ‘a person who lacks capacity’ is used, it means a person who lacks capacity to make a particular decision or take a particular action for themselves at the time the decision or action needs to be taken. This reflects the fact that people may lack capacity to make some decisions for themselves, but will have capacity to make other decisions. For example, they may have capacity to make small decisions about everyday issues such as what to wear or what to eat, but lack capacity to make more complex decisions about financial matters or marriage. It also reflects the fact that a person who lacks capacity to make a decision for themselves at a certain time may be able to make that decision at a later date. This may be because they have an illness or condition that means their capacity changes. Alternatively, it may be because at the time the decision needs to be made, they are unconscious or barely conscious whether due to an accident or being under anaesthetic or their ability to make a decision may be affected by the influence of alcohol or drugs. Finally, it reflects the fact that while some people may always lack capacity to make some types of decisions – for example, due to a condition or severe learning disability that has affected them from birth – others may learn new skills that enable them to gain capacity and make decisions for themselves.

5.25. [The Mental Capacity Act Code of Practice](#) provides more detailed guidance.

5.26. If officers/staff have concerns about whether a particular individual lacks capacity they should refer the matter to WMP Adults at Risk Team in order for an assessment to be conducted by Adult Social Care and Health professionals.

### **Validity of marriage**

5.27. The Marriage Act 1949 and the Matrimonial Causes Act 1973 states that the minimum age at which a person is able to consent to marriage is 16. (England, Wales and Northern Ireland). A person between the ages of 16-18 will require parental consent to marry (unless the young person is a widow/widower). In Scotland the legal age is 16 without the requirement of parental consent.

5.28. The Matrimonial Causes Act 1973, states that a marriage shall be voidable if “either party to the marriage did not validly consent to it, whether in consequence of duress, mistake, unsoundness of mind or otherwise”. An application to annul the marriage under this Act must be made within three years of the marriage.

5.29. A marriage or civil partnership conducted abroad should be recognised in the UK if the parties have followed the correct process according to local law of that particular country. There will be no requirement to register the marriage in the UK.

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- 5.30. However, those couples who opt to only hold a religious ceremony in the UK are recognised as nothing more than co-habitees under UK law. The couple must also undergo a civil ceremony in the UK in order to make the marriage legal under UK law.
- 5.31. Some marriages will be legally valid until they are annulled or a divorce is granted by the court. When considering the validity of a marriage, particularly one that took place overseas, specialist legal advice should be sought.
- 5.32. The legal age for marriage in Pakistan is 18 years for males and 16 years for females. In India the age is 21 years for males and 18 years for females. The majority of Europe follows the UK model, however in some countries marriages may take place before the legal age.
- 5.33. There are a number of other civil and family orders that can be made to protect those threatened with, or already in, a forced marriage. For children, an application for a care or supervision order can be made under the Children Act 1989 or wardship proceedings may be issued in the High Court (responsibility of Local Authority). Adults can seek an order for protection from harassment or non-molestation.

## 6. BLOCKAGES TO REPORTING.

- 6.1. Police have a number of responsibilities in relation to HBA/FM. These include keeping the victims safe with their co-operation, investigating any crimes as well as supporting victims.
- 6.2. It will not always be evident that the incident/crime is 'honour' related or involves a forced marriage. It is important to gain the trust of the person by having an understanding of the issues surrounding HBA/FM and the steps that can be taken to protect a victim. We must be aware that people living within a forced marriage or those under threat of one, may face significant harm if their family/community becomes aware that they have sought assistance.
- 6.3. **The victim's safety must come first.** In many cases it may not be possible or in their best interest for the victim to remain with the family or even in the immediate vicinity.
- 6.4. Victims can also find making a decision to leave their family especially hard. They may have little or no experience of life outside the family. In one case a Gypsy traveller could not read or write, nor did she have any access to money and as a result she was unable to catch a bus without assistance and struggled to read a timetable.
- 6.5. As a result of leaving they may lose contact with their family, children and friends. Finding accommodation can sometimes be very difficult, especially for those who do not have leave to remain within the UK and therefore do not have any recourse to public funds. [See section on No Recourse to Public Funds and Immigration.](#)
- 6.6. Some girls and young women who are victims of HBA/FM are withdrawn from education early or are taken abroad for extended periods. This has the effect of isolating them from help and support, limiting their choices and career options. Therefore they will often go through with the marriage as the only option.
- 6.7. Isolation is one of the biggest problems facing those trapped in, or under threat of, a forced marriage. They may feel there is nobody they can trust to keep this secret from their family and they have no one to speak to about their situation, some may not be able to speak English. These feelings are similar to those experienced by victims of

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other forms of domestic abuse and child abuse. Consequently, they will often display behaviour that is consistent with stress.

- 6.8. Those who do leave often live in fear of their own family who will go to considerable lengths to find them and ensure their return. This may include the use of others to find runaways or involve the police by reporting the victim as missing from home or falsely accusing them of criminal offences. Some victims have been traced through medical and dental records, bounty hunters, private investigators, local taxi drivers, members of the community, shop keepers, through national insurance numbers, benefit records, school, college, bank records, social media and mobile devices such as phones.
- 6.9. Victims may find it difficult to disclose what is happening to them, therefore it is important that WMP officers and staff look for signs of stress, for example hair loss, self-harm, low self-esteem, etc.

## 7. ROLES & RESPONSIBILITIES.

- 7.1. All officers/staff are reminded of the 'One Chance Rule' – that is they may have one chance to speak with a potential victim and thus they may have one chance to save a life. Therefore all officers/staff must be aware of their responsibilities and obligations when they are dealing with such cases.
- 7.2. In all cases the victim's immediate safety is paramount. It is vital that officers/staff respond immediately and effectively to keep the victim safe.

### Key responsibilities – all staff

#### Contact centre responsibilities (Appendix A)

#### Response and LPU staff responsibilities (Appendix B)

#### Custody responsibilities (Appendix C)

#### Investigation team, PPU and FCID responsibilities (Appendix D)

#### Airport, Immigration and CTU responsibilities (Appendix E)

#### [HBA/FM aide memoire](#)

#### [THRIVE+](#)

- 7.3. All officers and staff should be aware of their responsibilities in respect of DA, CA & Adults at Risk.
- 7.4. Obtain full details of the individual making the report, their contact details and their relationship with the person under threat.
- 7.5. Obtain details of the person under threat including:
- Safe contact methods in case call is terminated or disconnects, i.e. phone number and confidential e-mail if possible
  - Name of person
  - Nationality
  - Date of Birth or age if not known

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- Place of birth
- Suspect details and any relevant intelligence
- Passport details of all passports and ascertain if they have dual nationality
- School/College/University details
- Employment details
- Full details of the allegation
  
- Name and address of parents or those with parental responsibility
- National Insurance number if applicable
- Driving licence details if applicable
- Suspect details and any relevant intelligence
- It is the responsibility of all staff to ensure that these matters are dealt with promptly.
- Ensure that positive action is taken to protect lives of the victims, witnesses and any children involved
- If a crime is reported the offenders are arrested and prosecuted (where appropriate). However be aware that this may place the victim in further danger
- The victims are updated regularly in accordance with the Victims' Code
- KIV the most appropriate officer deals with the case. Where possible gain the victim's views about uniformed officers attending and the officers' ethnicity. Research has shown that a victim may not disclose to an officer from the same ethnic/cultural background.

### DASH/Karma Nirvana risk assessments

#### DASH Risk Assessments

*\*\* Please note, DASH is currently subject of national review; this section will be updated in line with national recommendations being adopted within WMP.*

- 7.6. West Midlands Police operates a policy where the completion of the DASH risk assessment in some circumstances is discretionary. The table below details when officers may apply their discretion as to whether they need to complete the full DASH risk assessment with the victim, however in summary discretion only applies to non-crime incidents and crime incidents between family members who are not intimate partners. The exception to this is honour based abuse and forced marriage cases, where the DASH risk assessment is always mandatory. In most cases, the DASH risk assessment must be scanned onto the CRIMESCAN system by the officer completing before the end of that tour of duty. There may be occasions where we may not scan due to the risk posed to the victim.

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<b>Incident Type</b>	<b>Action Required</b>
Domestic Abuse <i>Crime</i> incident involving intimate or ex-intimate partners (including 16 and 17 year olds)	<ul style="list-style-type: none"> <li>• WC391 DASH RA <i>mandatory</i></li> <li>• Crime report <i>mandatory to include a full crimes portal update re circumstances of offence, history, family structure, children and whether they were part or witness to the incident (this becomes the paperless WC392)</i></li> </ul>
Domestic Abuse <i>Crime</i> involving other family members	<ul style="list-style-type: none"> <li>• WC391 DASH RA <i>Officers Professional Judgement *</i></li> <li>• Crime report <i>mandatory to include a full crimes portal update of circumstances of offence, history, family structure, children and whether they were part or witness to the incident (this becomes the paperless WC392)</i></li> </ul>
Domestic Abuse <i>Non Crime</i> incident	<ul style="list-style-type: none"> <li>• WC391 DASH RA <i>Officers Professional Judgement *</i></li> <li>• DA non-crime number - <i>mandatory to include a full crimes portal update of circumstances of offence, history, family structure, children and whether they were part or witness to the incident (this becomes the paperless WC392)</i></li> </ul>
Honour Based Abuse or Forced Marriage incident (crime or non-crime)	<ul style="list-style-type: none"> <li>• WC391 DASH RA <i>mandatory &amp; Karma Nirvana Risk Assessment</i></li> <li>• Crime report or DA non-crime number- <i>mandatory</i></li> </ul> <p><i>Nb While the full history is required here due to the sensitivities around HBA/FM incidents this information will need restricted access as per section 3.20 of this guide</i></p>

\*Professional judgement will include some initial questions to the victim about any DA history between the parties to assist the decision as to whether to complete DASH along with an appreciation of information held on police systems provided by the Service Desk/RADS.

DASH training is mandatory for all frontline staff.

**Karma Nirvana risk assessment — [WC 391KN \(standard forms\)](#)  
Honour based abuse and forced marriage risk assessment**

7.7. This risk assessment should be used with every individual disclosing, or where it has been identified, that they are experiencing or at risk of experiencing a forced marriage and/or honour based abuse. This risk assessment should ideally be completed on your first contact with the individual at risk.

7.8. Training is mandatory for all frontline staff (facilitated by supervisors utilising NCALT).

**Check list**

7.9. Below is a list of key points when completing the risk assessment:

- Familiarise yourself with the checklist before you complete with a victim to ensure professional confidence when using this assessment
- Ensure that you cover each question in this assessment to ensure an accurate assessment of risk
- Ensure this risk assessment is completed with the victim on their own
- It is important to explain and reassure of confidentiality and referral policies
- If English is not the victim's first language, ensure that an appropriate interpreter is used.

Safety Planning ([see aide memoire for fast track actions](#))

7.10. Safety planning is everyone's responsibility who is dealing with a victim i.e. response officer, FCID, Investigation team and PPU.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

7.17. If an offence has been committed, thoroughly investigate the offence, taking positive action to support the victim. It may be the safer option for the victim, not to make an arrest. This must be fully rationalised by a supervisor, Sergeant for standard/medium risk or Inspector for high risk.

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

7.30. PoFA impacts on WMP duties to effectively manage and review the retention of DNA profiles.

7.31. The legislation will not impact on current procedures to retain profiles for persons convicted of offences. The increased scope of the legislation is relevant to voluntary and investigation samples and profiles of persons arrested but not convicted of offences.

Samples

- 7.32. The Police should not retain any investigation samples or voluntary samples for more than 6 months. Samples must be destroyed as soon as a viable profile has been obtained or within 6 months of taking, whichever is sooner. A sample can be retained for an additional 12 months under PoFA with a court order or under other legislation.
- 7.33. OIC's can retain the samples for longer than the 6 months under CPIA legislation (policy decision recommended), however, any such samples can only be used for the case for which they were taken. If the samples are retained for any longer than 5 months and 2 weeks, then they cannot be loaded onto the NDNAD.

[REDACTED]

[REDACTED]

**Protection of Freedoms Act (PoFA) 2012**

- 7.35. PoFA impacts on WMP duties to effectively manage and review the retention of DNA samples and DNA profiles.
- 7.36. The legislation will not impact on current procedures to retain profiles for persons convicted of offences. The increased scope of the legislation is relevant to voluntary and investigation samples and profiles of persons arrested but not convicted of offences.

**Samples**

- 7.37. The Police cannot retain any investigation samples or voluntary samples for more than 6 months. The samples must be destroyed as soon as a viable profile has been obtained or within 6 months, whichever is sooner. A sample can be retained for an additional 12 months under PoFA with a court order.
- 7.38. OIC's can retain the samples for longer than the 6 months under CPIA legislation (policy decision recommended), however, any such samples can only be used for the case for which they were taken. If the samples are retained for any longer than 5 months and 2 weeks, then we can't load them onto the NDNAD.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Profiles**

- 7.39. This legislation refers to profiles generated from persons in custody for identification purposes and not profiles from crime scenes/crime stains etc.
- 7.40. If a person over 18 is convicted of an offence the profile will remain on NDNAD indefinitely (different rules for U18). For persons charged but not convicted, the profile will normally stay on the NDNAD for 3 years, subject to an extension by the Biometric Commissioner.
- 7.41. The profile of any person arrested but NFA'd will be searched once, if there is a match, the profile will be retained for one month to allow forces to either put the person as WM and retain the profile, or delete. If there is no match, the profile is deleted 2 weeks from the date of NFA.
- 7.42. It is possible to retain profiles on the database for longer for example a tactical NFA decision has been made to allow further enquiries but the person remains a suspect. (See the further information link below).
- 7.43. Actions required:
  - OIC to review any cases where profiles are held on the NDNAD of persons arrested but not charged, or charged but not convicted and take appropriate action.
- 7.44. Vulnerable person samples - these samples are often taken from vulnerable people (e.g. HBV victims) and are loaded onto a separate NDNAD database. They are exempt from PoF, however:
  - All samples must be recorded on the DP system and marked 'vulnerable person DNA sample'.
  - All samples must be reviewed by the OIC every 2 years.

[Further information can be found at Intranet/Forensic Investigation Resource Submissions Team/ PROTECTION OF FREEDOMS ACT \(PoFA\).](#)

### Fingerprint Process

7.45. This process is set out below:

- Obtain written consent from the victim, having drawn the victim's attention to the contents of the consent form.
- Note that placing the fingerprints on the national database will create a CRO number for the victim, but this will obviously not have any conviction data.
- Obtain a 'wet set' of fingerprints using the arrestee ten-print form NAFIS 1A (L).
- In the free text section, mark the form, 'HBA Set'.
- Retain a photocopy of the fingerprints and the consent form on file.
- Submit the original fingerprints and consent form to the Fingerprint Bureau, Headquarters.
- Fingerprint Bureau staff will then follow the procedures at Para 3.1.4 of the ACPO Guidance on Taking Fingerprints, DNA and Photograph of Victims / Potential victims of Forced Marriage.
- Ensure periodic review of the necessity to retain the fingerprints on the National Fingerprint Database.

### Photograph

7.46. This process is set out below:

- Obtain written consent from the victim, having drawn the victim's attention to the contents of the consent form
- Obtain head and shoulder image of the victim using a digital camera.
- Burn three copies of the image.
- Submit the master and one copy disc to the Forensic Imaging Unit at Headquarters, for uploading to Socrates and storage.
- Retain one viewing copy on file
- Obtain Socrates number from the Forensic Imaging Unit for noting on Protect and on file. Forensic Imaging Unit will ensure controlled access to photographs.

### Safeguarding considerations

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Intelligence**

7.48. HBA/FM Intelligence will be recorded on IMS Intelligence system excluding confidential information but keep in view this is not a referral mechanism.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[All staff must refer to HBA/FM aide-memoire available on PPU webpage for fast track actions](#)

**Strategic Responsibilities**

- 7.51. The Assistant Chief Constable for CRIME has the responsibility for leadership within the Force for Honour Based Abuse and Forced Marriage, providing strategic direction in relation to HBA/FM issues.
- 7.52. Detective Chief Superintendent PPU will maintain ownership of the policy and will have responsibility to:
- Advise Chief Officers
  - Provide strategic leadership and direction to the force
  - Provide a specialist source of advice and guidance to areas
  - Review force performance
  - Share good practice throughout the force
  - Ensure continuous engagement with communities at a strategic level
  - Maintain and review force policy
  - Ensure ongoing development in the area of HBA/FM issues
  - Ensure ongoing liaison and partnership work with Forced Marriage Unit
  - Ensure officers and staff have relevant training in dealing with incidents
  - Put in place structures and mechanisms in order to ensure effective engagement and multi-agency approach in dealing with case

**LPU Commanders and Department Heads**

- 7.53. LPU Commanders have a responsibility for:
- Promoting the reporting of HBA/FM incidents
  - Ensuring thorough investigation and prosecution of such incidents across their LPU's
  - Ensuring the effective supervision of all aspects of HBA and FM
  - Ensuring HBA /FM cases are included on PVP agenda
  - Ensuring PPU are informed of all cases
  - Making their staff familiar with this policy and its guidelines.

**Individual Responsibilities**  
(Please click on links to view documents)

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- Contact Centre (Public contact office/101 and 999 call handlers/RADS and service desk)
- Response/Duty Inspector/FIM
- Investigation/FCID/PPU responsibilities
- Custody staff
- Airports/Immigration

**8. ACTION FOLLOWING ARREST**

**Pre-charge Advice**

- 8.1. Officers must deal with HBA/FM cases expeditiously and obtain pre charge advice from CPS in order to ascertain and seek advice in relation to the sufficiency of the evidence, type of evidence required and the most appropriate charge.
- 8.2. Officers and staff should note that all HBA/FM cases that pass the threshold test will fall within the pre-charge advice scheme even when a guilty plea is likely. Where it is not clear whether a case has passed the threshold test for referral to CPS for a charging decision, the case should still be referred to CPS.
- 8.3. The CPS must be provided with as much information as possible so they can make an informed decision about a particular case.
- 8.4. All HBA/FM and DA cases must be clearly identified as such before they are submitted to the CPS.

**File Preparation**

[Please see College of Policing APP.](#)

**Cautions/Community Resolutions**

- 8.5. Cautions and particularly Community Resolutions should be treated as the exception rather than the rule. The reasons behind the caution should be carefully documented and authorised by an Inspector following a full risk assessment – [see DA Policy](#).

**Guidance when victim does not support a prosecution**

- 8.6. Where a victim does not support a prosecution police should be mindful of Article 2 of the Human Rights Act 1998 'Rights of the victim', whereby the right to life shall be protected by law. Therefore, if a victim does not want to proceed any further with the case it does not necessarily mean the case is stopped with regards to the police investigation and the CPS. Other available evidence should always be considered.
- 8.7. The CPS will also ask why Police *think* the victim is withdrawing and to state the level of risk posed to the victim, children and other person's safety. Police and CPS should explore ALL options fully. In some cases the violence is so serious, or previous history shows a real and continuing danger to the victim, children or other person, that the public interest in going ahead with a prosecution may outweigh the victim's wishes.
- 8.8. The CPS will decide whether:
1. It is possible to continue with the case without the victim's evidence.

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2. It is in the public interest to do so.
3. A hearsay application could be made.
4. The victim should be compelled to give evidence.

- 8.9. Close consultation is required between the police and CPS as cases can be prosecuted on behalf of the public at large and not in the interest of any particular individual.
- 8.10. Where an individual wishes to withdraw their complaint a full withdrawal statement will be obtained as soon as possible. The statement should, where possible, be taken by an officer from the PPU/FCID/Investigation team. The statement should explain:
- a) Why the victim has withdrawn support
  - b) Whether the original statement was true
  - c) Whether the victim has been put under any pressure
  - d) Who the victim has discussed the matter with
- 8.11. If it is suspected that the victim has been pressured or frightened into withdrawing the complaint, further investigation will be undertaken. If the victim's evidence is not the same as the original complaint, guidance can be sought from CPS.
- 8.12. The withdrawal statement will be forwarded to the CPS together with an MG6C to include:
- a) Police comments on the veracity of the reasons given.
  - b) An assessment of the state of fear of the victim.
  - c) Any other relevant information, for example, in appropriate cases, how the complainant might react to being compelled to give evidence.
  - d) A full assessment of the risks to the victim, any child and any other person's safety, to include details of what support is available to the victim and whether it has been offered.
- 8.13. With due sensitivity the victim should be told that making a withdrawal statement does not automatically mean that the case will be dropped and they may still be required to attend Court.
- 8.14. **Any withdrawal statement should prompt a revised risk assessment and safety plan for the individual.**

**9. WITNESSES.**

**Reluctant witnesses**

- 9.1. These are people who are believed to have witnessed an offence, part of an offence or events closely connected with it, but are reluctant to become involved in the investigative process. Initial actions should try to establish the reasons for the witness's reluctance so that attempts to address the issue can be made.
- 9.2. Reasons for reluctance:
- adverse perceptions of the police or criminal justice process

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- fear of an alleged perpetrator
- concern about the response from the community where they live
- worries about their identity being released
- uncertainty about the process.

9.3. Reluctant witnesses should be given an outline of the offence(s) being investigated. The specific details of the allegation, or particulars about what the witness may have seen, should not be discussed. In addition, no pressure should be applied to encourage the witness to talk to the police or to give evidence. The function of the investigator in these circumstances is simply to provide enough information to allow the potential witness to decide whether to assist or not. Records should be kept of any contact and anything said.

9.4. The investigator should liaise with the CPS once they are aware that the witness is reluctant to attend court to give evidence, as the prosecutor may be able to apply for a witness summons to secure their attendance.

### Hostile witnesses

9.5. These are people believed to have witnessed an offence, part of an offence or events closely connected with it, but who are opposed to the investigative process and/or biased against the examining party. The reasons for their opposition might include their lifestyle or they may have a close relationship with the alleged perpetrator and intend to appear in court as a defence witness.

9.6. Some of these witnesses may simply refuse to cooperate with the police; others might provide false information intended to support the alleged perpetrator's account.

9.7. Records must be kept of all interactions with hostile witnesses, regardless of the reason for their hostility and the extent of their cooperation. Where hostile witnesses consent to an interview, it should be video-recorded, unless they object to this.

### Witness refusal to make a statement

9.8. Investigators should bring to the attention of the CPS details of any witnesses who have been interviewed but have refused to make a statement.

9.9. The investigator should outline the details of the material the witness has provided and copies of any notes made or statements compiled which the witness has refused to sign. The investigator should also provide the CPS with all the information provided by the witness which may account for their refusal to provide a statement. This may become crucial if the witness is later called as a defence witness.

## 10. FORCED MARRIAGE UNIT (FMU)

10.1. The FMU are a joint Home Office and Foreign and Commonwealth Office unit. Their role is to repatriate British nationals taken abroad or believed being forced abroad in order to marry. Their advice is to travel on a British passport if you are of dual nationality. The FMU cannot provide support to other countries nationals, even if they have been living legally in the UK. They can only give advice as to the local embassies and refuges via the international website [Hot Peach Pages](#).

10.2. Another useful link is this one:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/317474/FCO\\_Brits\\_Abroad\\_2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/317474/FCO_Brits_Abroad_2014.pdf) (support for British nationals abroad).

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They are available on telephone number [REDACTED]

[REDACTED] They have multi-agency guidance on their website [www.fco.gov.uk/forcedmarriage](http://www.fco.gov.uk/forcedmarriage) or e-mail [fm@fco.gov.uk](mailto:fm@fco.gov.uk).

10.3. See below for information - [Forced Marriage Unit Intranet Page](#)

10.4. **How the FMU can help within the UK**

- Through the FMU national helpline and mailbox we reassure, assist, provide options and remain victim focused
- Work with police, social workers, teachers, welfare officers, health professionals and many others in UK to protect people at risk
- Provide support, guidance, information and contacts
- Arrange safe accommodation in UK.

10.5. **When the victim has been taken overseas**

- Signposting to British High Commission/Embassies
- Arranging safe accommodation overseas
- Assisting with return to the UK – providing local knowledge linked to exit visas
- Using local knowledge to provide advice on any travel limitations
- Organising repatriation, and rescues in extreme cases
- Accompanying victims to the airport – especially in the case of minors
- Organising emergency flights/ travel documents with safe pick-up and transport from airport

**11. PROTECTED PERSONS SERVICES**

[UK Protected Persons Unit](#)

11.1. A person's right to life and the Police Service's statutory obligation to protect it are now well embedded in both legislation and case law. Section 82 of the Serious Organised Crime and Police Act 2005 ( SOCPA) places on a statutory footing arrangements for protecting witnesses and other persons who are involved in investigations or proceedings where the risk to their safety is so serious and life threatening that a change of identity and/or relocation is necessary.

11.2. To implement the tactics and provisions within United Kingdom Protected Persons Service (UKPPS) in the protection of the most vulnerable and intimidated persons all the Regional Forces have specialist staff colloquially referred to as 'Witness Protection' officers (WP).

[REDACTED]

12.1. [REDACTED]

link: <http://www.pnct.pnn.police.uk/ProtectPrepare/eborders.htm>



13.

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**14. CONFIDENTIALITY & INFORMATION SHARING.**

14.1. Confidentiality will be an extremely important issue for anyone threatened with, or already in, a forced marriage or suffering honour-based abuse. Officers should be clear about when confidentiality can be offered and when information given in confidence should be shared or disclosed.

14.2. When the individual is 18 or over (and not a vulnerable adult), and asks that information remain confidential, no information should be disclosed to any external person or body without their consent. There may be exceptions to this if the person is a danger to themselves or to others.

14.3. Where a child or young person under 18 years explicitly asks police not to give information to their parents/guardians or others with some authority over them, police should consider a strategy meeting/discussion with Children's Services.

14.4. If there is information that indicates that they are at serious risk of suffering significant harm, police should consider whether to disclose this information to others (for example social workers) and seek assistance. The case should be dealt with under Joint agency procedures and 'Working Together' according to Section 47 of the Children Act 1989.

14.5. Under no circumstances should a disclosure be made to the child's family unless there has been multi-agency discussion, and the decision to do so is justified and recorded, and it is safe to do so.

14.6. The best interests of the young person are paramount and police must act to protect them. There is no hard and fast rule as to when information should be disclosed and each case will need to be judged on individual circumstances and fully rationalised.

14.7. In the case of a forced marriage, officers should think very carefully about the need to disclose information and to whom it is to be disclosed. Disclosure could lead to the individual being at an even greater risk of significant harm and lead to estrangement from the family. If a decision is made to disclose confidential information to another person, the police officer should seek the consent of the individual before the disclosure. Most individuals will consent to the disclosure if they receive a careful explanation of why the disclosure is to be made and are assured about their safety and what will happen following such a disclosure. Whether or not the individual agrees to the disclosure, they must be told if there is to be disclosure of confidential information.

**15. MISSING PERSONS.**

[Missing Persons Policy](#)

**Think murder or kidnap/extortion.**

- 15.1. Individuals fleeing a forced marriage or suffering HBA may be reported missing by their families, friends or other agencies. A report may also be made where a victim has been relocated between force areas, or where an agency is concerned for the welfare of an individual who they fear may have been forced into marriage or subject to HBA e.g. pupil missing from school.
- 15.2. In consultation with the Duty Inspector, consideration should be given to restrict the Compact record. Consideration should also be given to the need for an All Ports Bulletin or to contact the National Borders Targeting Centre.
- 15.3. Where the whereabouts of the individual is known or becomes known, officers and staff must not:
- Inform family, friends, colleagues or acquaintances as to the location of the individual
  - Disclose information without the express permission of the individual, unless the disclosure is to other agencies, and is necessary to protect the individual.
- 15.4. This may be particularly difficult where the individual is under 18, and Police and Children's Services feel they have a duty to inform the family when the individual is found. However, the first concern should be for the welfare of the individual facing HBA/FM, and the risk of significant harm if they are returned to their family. In such cases, police and children's services should be confident in justifying their actions.

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**16. DUAL NATIONALITY.**

- 16.1. If a person is a British national and also holds the nationality of another country, they are considered a dual national. This may mean that in the country of their other

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nationality the authorities will view them as being solely or primarily nationals of that country and treat them accordingly. This may mean that the authorities there will not recognise that the British Embassy or High Commission has any right to assist them or may not permit any assistance to be given. However where possible the British Embassy or High Commission will offer all appropriate assistance to British nationals who are victims of a forced marriage.

- 16.2. Many dual nationality passport holders do not require use of their British Passport in order to leave or enter the UK. Therefore where there is concern that an individual may be forced out of the country to get married, it is essential that all passport details are obtained and enquiries made to establish whether the individual has dual nationality.
- 16.3. When asking a court to order the surrender of the passport of a person to prevent them from being taken abroad, it must be ensured that this includes all passports if they have dual nationality.
- 16.4. When seizing a child's passports to prevent parents from taking the child out of the country then dual nationality and the possibility of two existing passports must be considered. Also consider that the child may be named on their parent's passport (although in the UK children require their own passport, but this may not be the case for other nationalities).

## 17. DOMESTIC ABUSE & IMMIGRATION RULES.

- 17.1. The legal age for someone to sponsor a spouse to enter the UK is 18 years of age.
- 17.2. Generally, people entering the UK as the husband or wife or civil partner of a person who is present and settled in the UK should be granted leave to remain for an initial period of two years. This period is sometimes referred to as the probationary period. In the case of an unmarried partner or same sex partner of a person who is present and settled in the UK, the probationary period is also two years.
- 17.3. At the end of the probationary period an application can be made by the spouse/civil partner or unmarried partner/same sex partner for indefinite leave to remain in the UK. This application can be made provided that the marriage/partnership or relationship is on-going and that each party intends to live permanently with the other as his or her spouse/partner.
- 17.4. In the situation where domestic abuse has caused the relationship to break down during the probationary period, the spouse/partner can apply for and be granted indefinite leave to remain in the UK.
- 17.5. For leave to be granted they must produce evidence demonstrating that they have been the victim of domestic abuse during the probationary period, while the marriage or relationship was still continuing. That evidence should be in one of the following forms:
- An injunction, non-molestation order or other protection order against the spouse/partner (this does not include an ex-parte or interim order) or,
  - A relevant court conviction against the abusive spouse/partner, or
  - Full details of a police caution issued against the abusive spouse/partner.
- 17.6. If one of the above pieces of evidence is not available, at least two of the following are acceptable:
- Medical report from a hospital doctor confirming that the applicant has injuries consistent with being the victim of domestic abuse;

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- Letter from a general practitioner who has examined the applicant and is satisfied they have injuries consistent with being the victim of domestic abuse;
- Undertaking given to a court that the perpetrator of the abuse will not approach the applicant, who is the victim of abuse;
- Police report confirming attendance at the home of the applicant as a result of domestic abuse;
- Letter from adult services or children's social care confirming its involvement in connection with domestic abuse;
- Letter of support or report from a women's refuge.

17.7. This rule also applies where the applicant has been subjected to domestic abuse at the hands of someone other than his or her spouse/partner – provided that the abuse was the reason for the breakdown of the relationship.

17.8. Officers should note that records of police attendance and of their investigation might form part of the applicant's case to apply for leave to remain in the UK. The protection and safety of victims of domestic abuse is the primary consideration in any case in which insecure immigration status is identified as an issue.

17.9. Officers and staff must not attempt to give the individual immigration advice. It is a criminal offence for any unqualified person to give this advice.

17.10. [Click for UK Visa and Immigration guidance on sponsoring someone into the UK.](#)

#### **No recourse to public funds**

17.11. The 'no recourse to public funds' policy is a general rule for most people who apply to come to the UK. The policy is based on the principle that people without a permanent right to remain in the UK should not have the same access to benefits as British citizens.

17.12. Our immigration policy is clear that migrants coming to the UK should be able to provide for themselves financially without relying on benefits from the state. However, the government is aware of the difficulties victims of domestic abuse face, in particular those who can't access public funds.

17.13. Because of this, the government provides help to these victims who have been admitted to the UK with leave as spouses, unmarried partners or civil partners of a British citizen, or of a non-citizen who is settled in the UK.

17.14. This allows domestic abuse victims to apply for indefinite leave to remain in their own right, if they have been victims of domestic abuse. This is known as the Destitution Domestic Violence Concession (DDVC).

17.15. [For further information in relation to agencies who can offer Support and Service Provision to Victims who qualify for No Recourse to Public Funds](#)

#### **Repatriation/Return to UK**

[Please see Domestic Abuse APP for list of court orders](#)

17.16. Repatriation is a process of rescuing a British national who has been taken abroad for the purposes of a forced marriage. HM Government's main body for dealing with repatriated victims is the Forced Marriage Unit (FMU).

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- 17.17. The FMU work with British Embassies in other countries to contact and repatriate victims. Once alerted to a possible case of forced marriage, the FMU will gather as much information as possible in respect of the victim and their possible location. A risk assessment will be undertaken and the FMU will attempt to contact the victim (if safe to do so). If it is not safe contact will be made with the British High Commission/Embassy of the respective country to ask for assistance. A visit will be made to the victim or they will be asked to attend the Embassy for an interview. The victim is always seen alone and they will be asked if they wish to return to the UK.
- 17.18. If the victim wishes to return to the UK, the FMU will arrange a place of safety and ensure that travel arrangements are made. In the case of a child, they will contact the relevant Children's Services or in the case of an adult, friends or family to cover the cost of a flight home.
- 17.19. The FMU will arrange for refuge accommodation in the UK and risk assess whether the victim needs to be met at the airport.

## 18. RELOCATION – CROSS BORDER ASSISTANCE.

### Relocation Policy

- 18.1. The relocation of a victim is likely to involve considerable stress and uncertainty on the part of the victim. The area into which they are relocated is unlikely to be familiar to them, be far from their home town or city and is unlikely to contain a large population of the ethnic / national group to which they belong. As such the process of relocation itself may be a difficult one.
- 18.2. In relocating a victim however it should not be necessary for officers from the originating force to travel to the new location with the victim. On a significant number of occasions it is likely that police become aware of the arrangements to relocate after they have been put in place. Sometimes support and assistance will be rendered by non-governmental women's support groups or refuge staff in the new location.
- 18.3. Assistance of this nature may include:
- Meeting the victim at a train or bus station and escorting them to a place of refuge or accommodation
  - Transport requests for other purposes and,
  - Making contact with the victim to facilitate where means of contact has been lost by a force investigating offences.
- 18.4. As far as possible forces should work to minimise the need for police to be involved in the physical process of relocating a victim through the engagement of support groups locally. Where no alternatives exist or there are associated risk issues for the victim forces can request the involvement of another force in providing such assistance.
- 18.5. Forces receiving such requests should offer all the assistance they can, particularly where to do so would improve the care and risk management of the victim.
- 18.6. It is essential that the new area are aware of the relocation of a victim of HBA and/or FM as soon as possible. There will need to be a timely handover with supervisors liaising to ensure victims continue to be safeguarded on that new area. For standard/medium risk cases should be notified Sgt to Sgt and for high risk victims Inspector to Inspector is necessary.

**19. USE OF INTERPRETERS**

- 19.1. If an interpreter is required, it must be ascertained that the interpreter is not known to the person to be interviewed. This would include an interpreter who lives in the same community as the suspect or witness. Where possible, the suspect or witness's preference as regards gender, religion or cultural background should be accommodated. Different interpreters should be used for the suspect, victim and witnesses, if possible

**20. COMMUNITY IMPACT ASSESSMENTS**

- 20.1. Officers investigating allegations of HBA and FM should be aware of the possibility that the issue may be perceived as relating to a particular community and/or that it may impact adversely on that community.
- 20.2. In these circumstances careful consideration should be given to the necessity of a Community Impact Assessment. Early completion of an assessment can assist in responding to wider community concerns and can facilitate the gathering of local information and intelligence.
- 20.3. A Community Impact Assessment Guide and template are available on the Diversity section of the Intranet. Further advice and guidance can be obtained from the Diversity Unit.

**21. EQUALITY IMPACT ASSESSMENT (EQIA).**

- 21.1 The policy has been reviewed and drafted against all protected characteristics in accordance with the Public Sector Equality Duty embodied in the Equality Act 2010. The policy has therefore been Equality Impact Assessed to show how WMP has evidenced 'due regard' to the need to:
- Eliminate discrimination, harassment, and victimisation.
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

*Supporting documentation in the form of an EQIA has been completed and is available for viewing in conjunction with this policy.*

**22. HUMAN RIGHTS.**

- 22.1 This policy has been implemented and reviewed in accordance with the European Convention and principles provided by the Human Rights Act 1998. The application of this policy has no differential impact on any of the articles within the Act. However, failure as to its implementation would impact on the core duties and values of WMP (and its partners), to uphold the law and serve/protect all members of its community (and beyond) from harm.

**23. FREEDOM OF INFORMATION (FOI).**

- 4.1. Public disclosure of this policy document is determined by the Force Policy Co-ordinator on agreement with its owner. Version 1.1 of this policy has been GPMS marked as Not Protectively Marked.

**NOT PROTECTIVELY MARKED**

4.2. Public disclosure does not automatically apply to supporting Force policies, directives and associated guidance documents, and in all cases the necessary advice should be sought prior to disclosure to any one of these associated documents.

Which exemptions apply and to which section of the document?	Whole document	Section number
<b>All appendices will not be shared as they disclose police tactics to support victims.</b>		
<b>Once chance rule – section 4</b>		Section 4
<b>Section 5.7 remove as it contains confidential telephone numbers.</b>		5.7
<b>Safety planning – confidential Process.</b>		7.10-7.29
<b>NBTC – remove info on the Watch List.</b>		12.1
<b>CTU telephone number</b>		13

**24. TRAINING.**

- 24.1. West Midlands Police provide training to frontline and support personnel covering Domestic Abuse awareness, risk assessment using the Domestic Abuse, Stalking and Harassment and HBV (DASH) model. This includes an input in relation to HBA and Forced Marriage.
- 24.2. There is also mandatory training available from summer 2015 in relation to the Karma Nirvana risk assessment with a support package provided by NCALT.
- 24.3. On-going learning needs will be reviewed and coordinated through the Public Protection Unit and delivered by and in consultation with WMP Learning and Development.

**25. PROMOTION / DISTRIBUTION & MARKETING.**


- 25.1 The following methods will be adopted to ensure full knowledge of the Policy:
- MOD followed up by a global email.
  - Quarterly PPU newsletter and marketing through DA IAG and force DA meeting
  - Publication of policy onto force Policy Portal

**26. REVIEW.**

- 26.1. The policy business owner Public Protection Unit, maintain outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department/unit responsible for its continued monitoring.

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- 26.2. The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office/ACPO, legislative changes, good practice (learning the lessons) both locally and nationally, etc.
- 26.3. A formal review of the policy document, including that of any other potential impacts i.e. EQIA, will be conducted by the date shown as indicated on the first page.
- 26.4. Any amendments to the policy will be conducted and evidenced through the Force Policy Co-ordinator and set out within the version control template.
- 26.5. Feedback is always welcomed by the author/owner and/or Force Policy Co-ordinator as to the content and layout of the policy document and any potential improvements.



**CHIEF CONSTABLE**

**27. VERSION HISTORY.**

Version	Date	Reason for Change	Amended/Agreed by.
1.0	29/04/2016	Policy Drafted and sent out for consultation	DI Wendy Bird



**NOT PROTECTIVELY MARKED**

1.1	05/05/2016	Policy re-formatted to bring into line with other force policies	56408 Vicki Parkinson
1.2	04/04/2019	Section 7 DNA process amended	5454 Trudy Gittins

**28. APPENDIX ONE – Documents, Web pages, Links.**

**PLEASE NOTE, THE BELOW LISTS WILL BE CHECKED PRIOR TO PUBLICATION AND ARE SUBJECT TO CHANGE**

### Guidance & Advice

- [ACPO Guidance for Taking Fingerprints, DNA and Photograph - FM and HBV cases](#)
- [Care Act Guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse](#)
- [NPIA Guidance on Safeguarding and Investigating the abuse of Vulnerable Adults First Edition \(2012\)](#)
- [DHR Guidance](#)
- [NPIA Guidance on investigating Domestic Abuse](#)
- [DASH A practical Guide for Frontline Staff](#)
- [NPIA Investigating Stalking and Harassment practice guidance](#)
- [Striking the balance - Practical Guidance on the application of Caldicott Guardian Principles to Domestic Violence and MARACs \(Multi Agency Risk Assessment Conferences\) - prepared by the Department for Health](#)
- [Information Sharing Guidance for Practitioners and Managers - which has been endorsed by the Royal College of GPs Sections 3.41 and 3.43 are quite useful](#)
- [ACPO \(2007\) Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders](#)
- [Advice regarding children taken abroad](#)
- [Information to assist victims who have no recourse to public funds who are subject to domestic abuse](#)
- [ACPO Position Statement: Necessity to Arrest](#)
- [Ministry of Justice \(2007\) MAPPA Guidance, Version 2.0](#)
- [Victims Code Gov.UK - Supporting Materials](#)
- [Campbell-Colleagues Update on measures to assist victims of domestic violence who have no recourse to public funds](#)
- [ADVICE FOR RELOCATION OF VICTIMS/WITNESSES IN DOMESTIC ABUSE, FORCED MARRIAGE, HONOUR BASED VIOLENCE and FEMALE GENITAL MUTILATION CASES.](#)
- [UK Visa and Immigration guidance on sponsoring someone into the UK](#)

### Procedures, Policies, Checklists

- [ACPO and CPS checklist for domestic abuse investigation.](#)
- [Local Procedure - Taking Fingerprints, DNA and Photograph - FM and HBV cases](#)
- [DASH Policy](#)
- [Significant Witness Policy - Achieving Best Evidence in Criminal Proceedings.](#) Guidance on interviewing victims and witnesses, and guidance on using special measures
- [Missing Persons - WMP Missing Persons Policy](#)
- [Child Abuse Policy, September 2012](#)
- [Force Graded Response](#)
- [Threats to life policy \(under review Aug 2013\)](#)
- [Force Contact – Call Handling Kidnap](#)
- [WMP Domestic Abuse Disclosure Scheme \(Clare's Law\) documents](#)
- [Domestic Abuse Policy](#)

### Forms & Documents

## NOT PROTECTIVELY MARKED

- [WC391 DASH Risk Assessment](#)
- [FL401A:- FMPO Application](#)
- [Confidential Address Form](#)
- [Forced Marriage and Honour Based Violence aide memoire](#)
- [Primary Investigation and Solvability aid memoire](#)
- [WMP Sentinel Aide Memoire and Safety Planning document \[Click Here\]\(#\)](#)
- [PNC Forms](#)
- [Police Information Notice to be used when advising individuals in relation to the report of a first case harassment](#)
- [Application for National Insurance Data](#)
- [Forced Marriage and Honour Based Violence Risk assessment tool](#)
- [Fast Track Actions Aide Memoire](#)

### Internet & Intranet Pages

- [http://www.cps.gov.uk/legal/h to k/honour based violence and forced marriage/#AnnexA](http://www.cps.gov.uk/legal/h%20to%20k/honour%20based%20violence%20and%20forced%20marriage/#AnnexA)
- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/35533/fm-disability-guidelines.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/35533/fm-disability-guidelines.pdf)
- [Working Together to Safeguard Children 2015.](#)
- [http://www.cps.gov.uk/legal/h to k/honour based violence and forced marriage/](http://www.cps.gov.uk/legal/h%20to%20k/honour%20based%20violence%20and%20forced%20marriage/)
- [International Directory of Domestic Violence Agencies](#)
- [Accommodation Link](#)
- [Forced Marriage Unit](#)
- [UK Protected Persons Unit](#)
- [Forced Marriage Protection Order \( out of hours contact \)](#)

### Supporting Agencies & Charities

- [Freedom charity Youtube video](#)
- [www.fco.gov.uk/forcedmarriage](http://www.fco.gov.uk/forcedmarriage)
- <http://www.karmanirvana.org.uk/>
- <http://www.bswaid.org/>
- <http://www.sandwellwomensaid.co.uk/>
- <http://www.safehouse.org.uk/>
- <http://www.wdvh.co.uk/>
- <http://www.freedomcharity.org.uk/what-we-do>
- <http://www.sharan.org.uk/>
- [http://www.mywalsall.org/parents/index.php view=directory&did=371](http://www.mywalsall.org/parents/index.php%20view=directory&did=371)
- <http://www.throughcare.com/>
- <http://www.havenrefuge.org.uk/>
- <http://www.southallblacksisters.org.uk/>
- <http://anncrafttrust.org/aboutus.php>
- <http://www.crasac.org.uk/>
- <http://www.ukawc.com/>
- <http://ashrammoseleyha.org.uk/>
- <http://www.womensaid.org.uk/?gclid=CIXyIIrkrsECFQQTwwodOzMARw>
- <http://www.practical-solutions.info/>
- <http://www.brokenrainbow.org.uk/>

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- <http://ikwro.org.uk/>

**APPENDIX A (HBA/FM POLICY 2016)**  
**CONTACT CENTRE RESPONSIBILITIES re HBA/FM**

**NOT PROTECTIVELY MARKED**

Officers and staff are to be aware that THRIVE+ is to be utilised when dealing with incidents of HBA/FM.

Callers may report a lost/missing passport and although is not necessarily a police matter we must consider whether this be due to control issues in relation to DA/HBA/FM as families seize passports and other immigration paperwork in order to control family members.

**Public Contact Office - See Key Responsibilities, all staff & aide memoire**

If an individual attends the public contact office to report an issue of HBA/FM it must be considered that the individual could potentially be in fear of their life and having reported the matter to the police that threat will have probably increased.

Public contact office staff must give consideration to all incidents and be alert as to whether there is a HBA/FM element to the incident that may not be immediately apparent.

Staff must be sympathetic, reassuring and calming and, in addition to gathering the information should:

- Recognise the seriousness and immediacy of the risk, giving appropriate priority to the individual over other members of the public
- See the individual on their own in a private room – even if they attend with others
- Make every effort to keep the individual in a secure place and out of public view

**101 and 999 Call Handlers - See Key Responsibilities, all staff & aide memoire**

Staff must give consideration to all incidents and be alert as to whether there is a HBA/FM element to the incident that may not be immediately apparent.

The first point of contact by a victim may be via telephone to the Force Contact Centre. The importance of the call and the impact on the victim having made the decision to make a call to the police must be recognised.

Force Contact Centre staff should be sympathetic, reassuring and calming. In addition to gathering the information they must:

- Establish safe contact methods in case the call is terminated or disconnects
- Check when it is safe to speak to the victim
- Recognise the seriousness and immediacy of the risk
- Establish the victim's current location
- Establish whether the victim or any party is in any immediate danger or have any injuries, including severity of injuries and whether medical attention is required
- Identify the location of any suspect. If still at the scene then officers **must** be deployed straight away if the caller is in danger of imminent harm or injury

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**RADs and Service Desk - [See Key Responsibilities, all staff & aide memoire](#)**

- Recognise the seriousness and immediacy of the risk.

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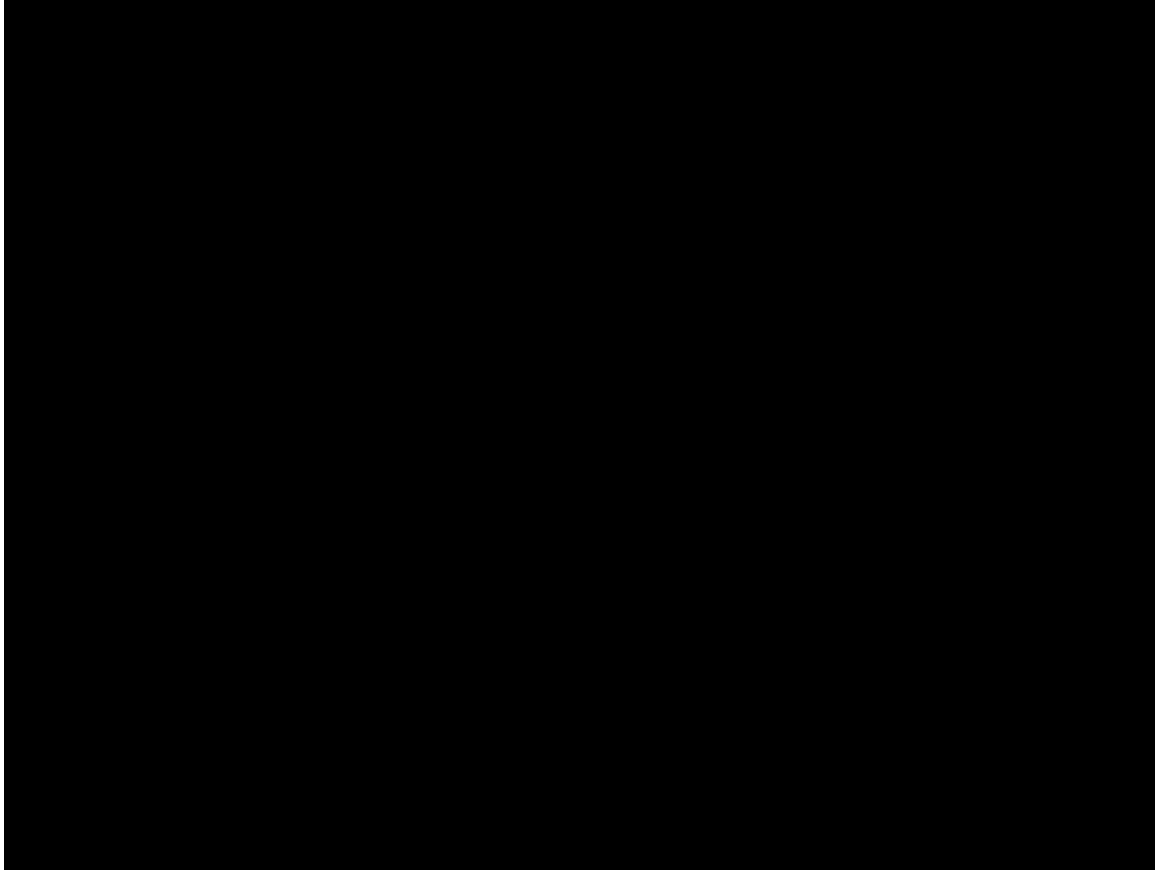
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**APPENDIX B (HBA/FM POLICY 2016)**

**RESPONSE/LPU STAFF RESPONSIBILITIES re HBA/FM**

Officers and staff are to be aware that THRIVE+ is to be utilised when dealing with incidents of HBA/FM.

**Response/LPU staff – refer to [aide memoire](#)**

[Redacted content]



**NOT PROTECTIVELY MARKED**

- Where identified as High Risk, a threats to life assessment should be undertaken and all decision making is recorded on CRIMES Portal as WC 394
- Ensure that duty FIM is aware of high risk incidents
- **Remember risk assessment is dynamic; ensure the risk assessment is revisited as necessary.**
- Ensure early liaison with the PPU.
- In the absence of a PPU/FCID Inspector ensure consideration is given to the creation of a Locate Information Marker on PNC. **Please see Appendix 45**
- Consider safe relocation of the victim, follow policy **See Appendix 33**
- If the victim is kidnapped or abducted, follow Force Kidnap Policy [hyperlink](#)
- Consider action if an adult victim/potential victim wishes to return to their family having reported issues of HBA/FM (**see section on Safeguarding**)
- Consider whether there are any wider community issues and whether a Community Impact Assessment is required or the incident should be treated as a Critical Incident.
- Consider whether you require further support of WMP resources.
- Think organised crime and the fact there may be more than one perpetrator

**Force Incident Manager - [See Key Responsibilities, all staff & aide memoire](#)**

The Force Incident Manager (FIM) should:

- Monitor high risk incidents.
- In consultation with the Duty Inspector, consider the risk associated with each case and assess the need for sanitising the address details on OASIS or in critical cases running the incident on a paper based system.
- Depending upon the relationship between the victim and offender, consider whether the incident no longer needs to be restricted.
- Think organised crime and the fact there may be more than one perpetrator



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