



Forced marriage and the law

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You have the right to choose who you marry, when you marry, and if you marry at all.

A marriage is a **forced marriage** if you have not been able to make any of those choices. This can include, for example, facing **physical pressure to marry** like threats, physical violence and sexual violence or **emotional or psychological pressure**, like being made to feel like you are bringing shame on your family.

The minimum age for marriage is 18. Doing anything to arrange or cause anyone aged under 18 to marry is also a forced marriage, even if there was no force or pressure.

If you are or think you might be a victim or survivor of forced marriage, this guide will set out what the law can do to help you.

If you are uncertain whether you are being forced or have been forced into a marriage, you can find more information on this government website: www.gov.uk/government/publications/what-is-a-forced-marriage.

In an emergency situation you can call the police on 999. For other support and protection that might be available see the list of emergency contacts at the end of this guide.

Support Services

There are a number of specialist by and for Black and Minoritised women's organisations which may be able to provide you with confidential, specialist support around forced marriage and related issues. These organisations work on violence against women and girls issues and have a wealth of expertise on dealing with issues such as forced marriage and domestic violence.

Workers are familiar with many of the concerns that women may have including fears for safety, feelings of general emotional distress, health issues, financial issues, as well as anxieties about the future. Many women's organisations offer various services including a safe place to stay (called a refuge), someone to talk to, someone to advocate on your behalf and someone who understands what you may be going through.

See **Imkaan's** website for a list of specialised by and for Black and Minoritised women's organisations in your area: www.imkaan.org.uk/get-help

What is a forced marriage?

A forced marriage is a marriage which takes place against your will, or a marriage that you agreed to when you did not really have a choice.

Force

The definition of **force** used by the government includes physical, psychological, sexual, financial and emotional pressure as well as emotional and psychological abuse or harassment. Forced marriage includes situations where you feel pressured to the point where you agree, but only because you feel you did not have the choice to say no, and you would not have consented had the pressure not been placed on you.

Women and girls often describe a '*feeling*' or just '*knowing*' that they could not say no to a marriage, and that if they did, there would be some kind of consequence. This could be ostracisation, being told they have brought shame on the family or being physically harmed.

The pressure put on you to marry against your will can take place in many ways. It can be physical abuse, which includes threats of violence, actual physical violence and sexual violence. It can also be emotional and psychological, for example, being made to feel as if you are letting the family down, being told that you are a bad daughter, being told that you have gone against your cultural or religious expectations, or being made to feel that you are bringing shame on the family.

Emotional and psychological abuse can also include close family members making threats of self-harm or suicide, or saying that they have become ill as a result of your refusal to agree to their wishes.

Abuse can also be financial. This can include taking your wages, or not giving you any or enough money.

In some cases, you may be held against your will, moved from one place to another, or not allowed to leave your home and therefore may be unable to choose whether you want to enter into a marriage.

Marriage

The marriage can be a religious or civil marriage, and can take place in the UK or abroad.

Consent

Consent means you have made a free choice to get married and it is your own decision.

Even if you say you agree to marry, this does not always mean you have consented. You must have the freedom to choose whether or not to enter the marriage. If threats of violence are made against you or another person, you have been detained against your will, or you believe entering the marriage is required because that is what your family expects, then you may not be able to refuse the marriage and therefore you do not have the freedom to make a choice. Many women do not identify what they are going through as forced marriage. You may define your experience as 'what the family expects' rather than 'force' or 'pressure'. If you are not sure if you are or have been forced into a marriage there are organisations that can help you.

Who is affected by forced marriage? What does a victim of forced marriage look like?

Forced marriage affects a wide range of communities, including South Asian, Irish Traveller, Turkish, Roma, Afghan, South Asian, Kurdish, Iranian, Arab and African communities. There are no religions which support or advocate the practice of forced marriage. Forced marriage can happen to anyone from any background, regardless of social class, financial status and sexuality; which includes people who identify as lesbian, bi-sexual, gay and transgender, or are perceived as such.

In a UK context, the needs and experiences of some affected groups are often less visible, and only specific groups are highlighted. It is important to be aware that forced marriage disproportionately impacts women and girls, and is therefore recognised as a form of violence against women and girls. When a forced marriage occurs a number of human rights are breached.

Forced marriage and arranged marriage

Forced marriage is different to arranged marriage. In an arranged marriage, families are involved in selecting a partner but it is up to the individuals to decide whether or not to enter the marriage.

Some structures that are used in an arranged marriage may also be used in a forced marriage. The key difference is that a forced marriage involves a lack of consent by one or both parties and where coercion or pressure may be a factor. Arranged marriage is legal and involves adults who are freely consenting. However, it is important to remember that consenting because of fear or pressure is not true consent.

If you are unsure whether you have or are being forced into a marriage, you can find more information [here](#) or contact one of the organisations listed at the end of this guide.



Forced marriage and domestic abuse

Women's experience of abuse often does not end with the pressure to marry. Many women are also subjected to different forms of abuse within the context of their marriage. This can range from emotional, psychological and financial abuse to sexual and physical violence.

The law defines domestic abuse as any incident or pattern of violence or abuse between those aged 16 or over who are personally connected to each other. Behaviour is abusive if it consists of:

- Physical or sexual abuse
- Violent or threatening behaviour
- Controlling or coercive behaviour
- Economic abuse
- Psychological, emotional or other abuse

For more information on controlling or coercive behaviour see [Coercive control and the law](#)

You are **personally connected** to the other person if you:

- are or have been married to each other
- are or have been civil partners of each other
- are or have been engaged to marry one another
- have entered into a civil partnership agreement
- are or have been in an intimate relationship with one another
- have each had a parental relationship in relation to the same child
- are relatives

A relative includes parents, stepparents, grandparents, sons, daughters, stepchildren, brothers, sisters, uncles, aunts, nieces, nephews, and first cousins. A relative can also be a person who your spouse or partner is related to, for example, your husband's parents.

If you are experiencing domestic abuse see [A guide to domestic violence injunctions](#).

Forced Marriage Protection Orders

A **Forced Marriage Protection Order (FMPO)** is a type of **injunction** which can forbid a person from doing certain things such as being physically violent, contacting you directly or indirectly by making someone else contact you, taking you out of the country, or making marriage arrangements.

The injunction can also require the person named in the order to do certain things, for example, handover passports to the court or ensure a young person attends school.

Can I get a forced marriage protection order?

You can apply for a FMPO if you have been forced into a marriage or you believe you are being forced into a marriage. The marriage does not have to have happened for you to gain protection. A FMPO is a court order containing provisions that can restrict a person's actions or require them to take certain steps in order to protect you from abuse and to stop the person making arrangements for the marriage. This could mean that the order is made against one person or many people who are involved in the forced marriage.

Who can I get a FMPO against?

An order can be made against any persons in the UK or outside, who is, or has been, involved in the forced marriage in any way. This could be your mother, father or other close family member; or someone who you do not know but is involved in the forced marriage.

The person's involvement in the forced marriage does not have to involve them physically abusing or threatening you, or involve any other type of abuse. It could be made against a person who is making arrangements for your wedding or for flights to take you to another country for the purposes of your marriage. It could also include an imam or a priest who is going to conduct the ceremony, or wider family members who are acting in a harassing way.

If you apply for a FMPO you will be known as the **applicant** and the person or people who are forcing you to marry will be known as the **respondent** or the **respondents**.

Example of forced marriage protection order clauses:

1. The Respondent must not take the Applicant out of the Birmingham area
2. The Respondent must not harass, pester or molest the Applicant, directly or indirectly.
3. The Respondent must halt any arrangements for the wedding of the Applicant

The application process

You can make an application for a FMPO at the Family Court. The application form is an FL401A which is available from any court or to download from the [Ministry of Justice's website](#).

There is no court fee for applying for a FMPO. For more information on other legal costs see [A guide to family law legal aid](#).

You or your solicitor will need to prepare a witness statement setting out details of your situation, any violence or threats that have been used against you, the arrangements for your marriage or details of the marriage if it has taken place. You should also set out what you want the order to do and the people you want the order to be made against.

Will the respondents know about the application for an FMPO?

Yes, but they might not know until you get the order. You or your solicitor can start the application for a FMPO without telling them. This is called a **without notice** application. If the without notice FMPO is made this means that you will have protection before the respondents know you have made the application. The application must be given to them by a person whose job is to give documents to people such as a **process server** or the court bailiffs. The family court will then set a hearing at which the respondents will have the opportunity to defend the order or they can agree to let the order continue. This might mean that you have to give evidence at court with the respondents there.

You will usually have to attend court to give evidence. The court should consider providing you with **special measures**. These are measures which keep you safe and help you give your best evidence without feeling fear. Examples of special measures include giving evidence from a different location by video, or using screens so

you do not have to see the respondents and they cannot see you, or having separate entrances and exits. For more information on special measures see [Special measures in the criminal and family courts](#).

I am concerned that someone close to me is being forced into a marriage, can I apply for a forced marriage protection order to protect this person?

A friend, relative or someone else can make an application for an FMPO. As they are not the victim, they will have to ask for the court's permission first and set out their relationship with the victim. For example, if it is your sister you should state this and provide any proof in support, if it is your friend or your girlfriend you should explain this and how long you have known the victim and provide any evidence you have to show this. Your application will need to set out your knowledge of the victim's situation and the court will also consider what the victim thinks about the application, if her wishes can be found out. If the court grants permission then the application can be made for a FMPO to protect the victim.

Can someone else make the application for me?

If you are not able to make the application yourself because, for example, you cannot leave the house or access the courts, are in another country, or are too frightened, then someone else can make the application. See above: [I am concerned that someone close to me is being forced into a marriage, can I apply for a forced marriage protection order to protect this person?](#)

Someone else making the application means it is not being made by you but it is being made to protect you. This might make it easier for you to take steps to protect yourself without it coming directly from you. As forced marriage often involves parents and other family members it can be difficult for you to make the application in your own name, and it might not be safe or possible for you to do so.

What are wardship proceedings?

The High Court can make orders to protect children. If a child is taken abroad to be forced into a marriage or has been forced into a marriage and is overseas, the High Court can make an order which gives the High Court **parental responsibility** for a child. This

means that important decisions concerning a child can be made by the court and can ensure a child is protected when they are returned to the UK.

Social services applications for forced marriage protection orders

If you are a child under the age of 18, or the local authority consider you to be vulnerable and you are over 18, the local authority have the power to apply for a FMPO for your protection. The application would be made by the legal department of the local authority. The local authority do not need permission from the court. They should try to find out what your wishes and feelings are.

Serving the FMPO on the respondents

The person who is making the application is responsible for arranging for someone to serve the FMPO on the respondents. This means giving the respondent a copy of the FMPO and it should be done using a process server or the court bailiff. The respondent must know there was a FMPO in place to be responsible for breaching any part of it. A copy should also be sent to the Forced Marriage Unit and the police.

What if the FMPO is ignored or not followed by the respondents?

It is a criminal offence to breach any part of a FMPO and you can call the police if any part of the order is ignored or not complied with. For example, if the order states that the respondent is not allowed to text you and you receive a text from them, this is a criminal offence. If the respondent is found guilty of breaching the FMPO then there are a range of sentences that they could receive. The maximum sentence is 5 years imprisonment.

For information about criminal proceedings see [Reporting an offence to the police: A guide to criminal investigations](#)

The criminal offence of forced marriage

Even if there is no FMPO in place, forced marriage is still a criminal offence. This applies to all types of marriages, including religious-only marriages that are not recognised by the law.

The law says that a person will commit a crime if they:

- use violence, threats or any other form of coercion for the purpose of causing another person to enter into a marriage and
- they believed, or ought reasonably to believe, that the conduct will cause the other person to enter into a marriage without free and full consent.

It is also a criminal offence for someone to mislead you so that you go abroad and force you into a marriage.

Some people may lack capacity to consent to marriage, for example if they have had a brain injury or severe learning disability. Anyone who does anything to cause a person who lacks capacity to enter into a marriage will be guilty of an offence, even if there is no violence or coercion. It is also an offence to do anything to cause a person aged under 18 to enter into a marriage.

For people who are found guilty of these offences, there are a range of sentences available to the courts including a fine, a suspended sentence, time in prison and community sentences, for example carrying out unpaid work.

The courts also have the ability to make a **restraining order** on the defendants, even if they are not found guilty. If the court believes you are being harassed or put in fear of violence it can make a restraining order against the person responsible. A restraining order is a court order requiring or forbidding a person from doing certain things and can be written in a similar way to a FMPO.

There are also a range of other criminal offences covering acts which often occur when someone is forced into a marriage, for example rape, assault, theft, kidnapping, blackmail and harassment. The police may choose to charge the perpetrator with one or more of these offences as well as, or instead of, the offence of forced marriage.

For more information on the criminal justice process see [Reporting an offence to the police: A guide to criminal investigations](#) and [From charge to trial: A guide to criminal proceedings](#). If you have experienced a violent crime you may be able to get criminal injuries compensation for more details see [A guide to criminal injuries compensation](#). You can also contact our legal advice line, see [Useful Contacts](#) for details.

Causing children to marry

Since 27 February 2023 it is a criminal offence to carry out any conduct for the purpose of causing a child under the age of 18 to marry, even if violence, threats and coercion are not used. It applies to all types of marriages, including religious-only marriages that are not recognised by the law.

Doing anything to cause a child to marry is a crime. If a child does marry the person who is committing the offence is the adult that caused the marriage to happen, such as the child's parent or relative.

How can I end my marriage? Do I have to get divorced?

This depends upon whether or not your marriage is legally recognised in the UK.

If you had a religious ceremony-only then you may not need to take legal action to end your marriage, but you may need legal advice on a range of other issues (see below).

If the marriage took place abroad then you may need to take legal action depending upon whether the marriage is legally recognised in that country and in the UK.

If you had a civil marriage in the UK then you will need to take legal action to end the marriage.

For further information on the status of your marriage see [A guide to marriage](#) and contact our advice lines.

The most common way of ending a forced marriage that is legally recognised is annulment. Annulment is different to divorce and if your marriage is annulled it will put you back to the legal position

you were in before the marriage took place. This can be important if for religious or cultural reasons you do not want to get divorced. For more information about annulment speak to our legal advice line or a solicitor. If your marriage is annulled you will have the same rights to matrimonial finances and property as if you were getting divorced. For further information see [A guide to financial arrangements on marriage breakdown](#).

You can also get divorced if you would like to end your marriage, see [A guide to divorce](#) for more details.

Do I have a right to financial support from my husband?

You can apply for financial provision from your husband if you start annulment or divorce proceedings. This can include providing you with maintenance or making arrangements so that you have somewhere to live. For more details see [A guide to financial arrangements on marriage breakdown](#).



If you have separated from your husband and you have children then your husband is required to pay you maintenance for your child or children, this is an amount of money usually paid on a monthly basis see [Children and the law: child maintenance](#).

What if my husband or other people threaten to take my children away?

As your child's mother you have parental responsibility for your child. If you are married then your husband will also have parental responsibility for the child. It is a criminal offence for anyone to remove your child from the UK without your consent. If someone other than your husband takes your child from you, for example, your mother-in-law you should call the police.

If your husband takes your child from you without your consent call the police and seek urgent legal advice.

If you leave your husband you can take your children with you. If your husband threatens to take your children from you, or to stop you bringing your children with you, you must seek legal advice urgently. You can call our legal advice line or see a solicitor. You may be able to get a court order to protect your child from abduction when you apply for the FMPO.

For details on your rights concerning your children see [Children and the law: Parental Responsibility](#), [Children and the Law: when parents separate](#), [Children and the law: the Family Court process](#) and [Child and the law: child abduction](#).

I am not a UK citizen what are my rights to stay in the UK if I want to leave a forced marriage?

Your rights to stay in the UK depend on a number of factors, including how long you have been here, whether you have children, and what you would like to do next. You may be able to apply for indefinite leave to remain under Appendix Victims of Domestic Abuse (VDA) on the basis of the forced marriage if this causes the relationship to breakdown permanently. Your partner should be British, settled, a refugee, or be an EEA national with limited leave granted under a specified paragraph of appendix EU (the rules that apply to the EU settlement scheme) or in certain cases, a member or discharged member of HM armed forces. For further information

please refer to the UK immigration rules: [Immigration Rules Appendix Victim of Domestic Abuse – Guidance](#).

A successful application under appendix VDA will give you status independently from your partner. In some cases, you may also be able to get financial assistance through the Migrant Victims of domestic abuse concession (MVDAC) which replaced the Destitute Domestic Abuse Concession (DDVC) in February 2024.

You may be eligible to make a late application to the EU settlement scheme as a family member who has retained their rights of residence as a victim of domestic abuse if your partner is an EU national or has dual nationality, which means both EEA and British citizenship.

In many cases where a woman has experienced a forced marriage in another country they are unable to return there because they would not be safe. If you are afraid of returning to your country of origin you may be able to apply for asylum. In order to qualify for refugee protection, you must show that you are at risk of persecution for a reason that is set out in the Refugee Convention and that you would be unable to relocate to be safe in your country of origin. The reasons under the Refugee Convention are that you are at risk because of your race, religion, nationality, political opinion or your membership of a particular social group. Depending on the different situations in each country, or a region within a country, a particular social group may include all women, or could be considered to include women who are victims of forced marriage.

You will not be eligible to apply under Appendix VDA because you have a fiancée or a visit visa or you are in the UK as a dependent of a skilled worker or student. You may still be able to stay in the UK but this will depend on your circumstances.

If you are thinking about leaving a forced marriage and need immigration advice then you can call our immigration advice lines, details of which can be found here <https://www.rightsofwomen.org.uk/get-advice/immigration-and-asylum-law/>.



The law is complex and may have changed since this guide was produced. This guide is designed to provide general information only for the law in England and Wales. You should seek up-to-date, independent legal advice. Rights of Women does not accept responsibility for any reliance placed on the legal information contained in this guide.

Rights of Women's advice lines

For free, confidential, legal advice on criminal law matters call **020 7251 8887**.

We have two family law advice lines, one national and one for women in London.

Women living or working in London: call **020 7608 1137**

For all women: call **020 7251 6577**

For a full list of Rights of Women's legal guides and information about our advice lines go to

www.rightsofwomen.org.uk

Useful contacts

<p>Emergency Contacts</p> <p>Police (emergency) 999</p> <p>24 hour domestic violence helpline 0808 200 0247 https://www.nationaldahelpline.org.uk</p> <p>National LGBT Domestic Abuse Helpline 0300 999 5428 or 0800 999 5428</p>	<p>Forced Marriage Unit 020 7008 0151 www.gov.uk/stop-forced-marriage</p> <p>Specialist by and for Black and Minoritised organisations</p> <p>See Imkaan’s website for a list of specialised by and for Black and Minoritised organisations in your area: www.imkaan.org.uk/get-help</p>
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