



# MUSLIM ARBITRATION TRIBUNAL

***'Liberation from  
Forced Marriages'***



[www.matribunal.com](http://www.matribunal.com)

MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

CONTENTS

1.	Introduction	.....	3
2.	MAT and the issue of Forced Marriages.	.....	4
3.	Forced Marriages – Background	.....	5
4.	Forced marriages in the UK	.....	10
5.	Forced marriages and the immigration dilemma	.....	11
6.	The MAT proposal	.....	13
7.	The services envisaged by MAT	.....	19
8.	Risk Assessment for vulnerable Applicants	.....	20
9.	Formation of a National Working Group	.....	22
10.	Formation of Local Working Groups	.....	25
11.	Training	.....	26



1 An introduction to Muslim Arbitration Tribunal (MAT)

1.1 Main Purpose:

The main purpose of MAT is to enable Muslims in the UK to seek arbitration as an alternative dispute resolution instead of using the traditional courts and other tribunals.

1.2 Formation:

MAT was established in 2007 to provide a viable alternative for the Muslim community, seeking to resolve disputes in accordance with Islamic Law, without having to resort to costly and time consuming litigation. The establishment of MAT is an important and significant step towards providing the Muslim community with a real opportunity to self determine disputes in accordance with Islamic Law.

1.3 ADR Framework:

MAT will operate within the ADR framework of England and Wales thereby ensuring that any determination reached by MAT can be enforced through existing means of enforcement open to normal litigants. Although MAT must operate within the legal framework of England and Wales, this does not prevent or impede MAT from ensuring that all determinations reached by it are in accordance with one of the recognised Schools of Islamic Law. MAT will therefore, for the first time, offer the Muslim community a real and true opportunity to settle disputes in accordance with Islamic Law with the knowledge that the outcome as determined by MAT will be binding and enforceable within the English jurisdiction.

1.4 Dispute Resolution:

MAT can deal with disputes of any nature including matrimonial problems, mosque disputes, inheritance problems and commercial or debt issues.

1.5 Procedural Rules:

The Procedural Rules which regulate and govern MAT ensure that MAT operates within defined parameters. The Procedural Rules require that the Tribunal must consist of at least two members: one a scholar of Islamic Law and the other a Solicitor or Barrister registered to practice in England or Wales. The Procedural Rules can be viewed on the MAT website ([www.matribunal.com](http://www.matribunal.com)).



2 MAT and the issue of Forced Marriages.

2.1 The judges of MAT have come across many situations during the course of cases presented to them, where they have had to clarify the dichotomy between Islamic Laws and national cultures. For example, in the cases of domestic violence, there have been instances where the offender has submitted that the said course of action was permitted under Islamic Law. The Judges of MAT have been efficient in sifting the myth from reality.

The Judges of MAT have also faced a number of instances where the idea of an arranged marriage was being mooted as one akin to forced or coerced marriage. It was made clear that arranged marriages have some grounding in Islamic Law, but forced or coerced marriages have no foundations in Islamic Law and shall be nullified under the edicts of Islamic tenets.

2.2 Some of the Judges of MAT (in their own professional capacity) were sent a consultation paper by the Government, pursuant to the passing of the Forced Marriage Act 2007. In this consultation paper the government sought opinions on the idea of raising the minimum age from 18 to 21 for a spouse applying for entry clearance for a foreign spouse to join them in the UK.

The Chairman of the Governing Council of MAT Shaykh Faizul Aqtab Siddiqi, Barrister, initiated a discussion within the Governing Council of MAT, in order for a holistic view to be taken on the prevailing issues of forced marriages and the government's initiative to tackle the problem.

As a result of this thinking and discussions, MAT proposes a simple but effective system in which the community can tackle the problems of forced marriages head on.



### 3.0 Forced Marriages – Background

This document deals with the issues of forced marriages within the major communities of the Muslim population in the UK which originate from the Asian sub-continent, namely, Pakistan, India and Bangladesh. Although the said problems apply to other Muslim nationalities and other religions, it is hoped that the contents of this document will demonstrate a way forward on the issue of forced marriages across the board.

#### 3.1 Background in Culture:

The institution of marriage in the Asian sub-continent is largely based on custom and practice that has been handed down from generation to generation. This culture has been infused with true Islamic practises where the faith was deemed important. The practises have largely remained entrenched in local cultural and traditional values. The conflicts within the Islamic practises and the culture have, to a large extent, remained unchallenged. This is primarily due to the lack of institutionalisation of the Islamic faith, either in the times of the Muslim Kingdoms or in the modern Islamic Republics. Therefore issues such as forced marriages on the pretext of religion or absolute arrangement have largely remained unchecked.

#### 3.2 Traditions & Rituals in forced marriages:

The principles of the traditions and rituals of marriage are laid firmly in a cultural belief that is based upon a notion of honour and pride. This honour and pride affects the following types of marriages:

1. Marriages that have been agreed at the birth of the children must be fulfilled irrespective of later circumstances and desires of the parties;
2. Marriages that are dictated by the caste of the families;
3. Marriages that are decided by historical local friendships of members of the family;
4. Marriages that are the product of familial necessity i.e. the desire to settle a poorer wing of the family;
5. Marriages that are decided by the material aspirations and advancements of the parents;
6. Marriages that are linked to political aspirations of the parents either within the family or the community;
7. Marriages that solidify the strength of one parent's side



- of the family over the other;
8. Marriages that protect the interests of the parents in their ancestral agricultural farmland, by the family of the other spouse;
  9. Marriages that are primarily aimed at fulfilling the care / needs of the parents.

The wishes of the two individuals that are due to marry remain a secondary requirement and a lower / insignificant priority.

### 3.3 Methodology of Marriage:

There are 4 types of marriages that emanate from the traditions and rituals of the Asian Sub-Continent. They are as follows:

- a. Appropriate Free Will marriage
- b. Inappropriate Free Will marriage
- c. Arranged marriage
- d. Coerced marriage
- e. Forced marriage

a. Appropriate Free Will marriage  
This is where the man and the woman have met at work or are friends through links between their families or indeed are blood related through their families. They do not enter into a prolonged courtship but do have contact with each other and thus attain an understanding about each other's suitability. They then approach their parents and seek their agreement and then invite them to engage in a formal dialogue to settle the formalities of the marriage. The parents are then invited to play a role in the arrangements of the marriage up until its completion: the event of the Nikah (Islamic ceremony).

b. Inappropriate Free Will marriage

Marriages that take place through a relationship where there is prolonged courtship / cohabitation between the couple. This is deemed to be inappropriate in the light of Islamic Laws. Once they have decided to marry they exclude their families and undergo a civil marriage.



- c. Arranged marriages:  
The arrangement of a marriage by the parents concerned may be based on honourable intentions and has its advantages when it comes to evaluating the compatibility of the two persons. This also ensures that the potential spouses, with consultation and support from their parents, have thought through their ability to sustain each other and secure themselves financially.

Parents are actively involved in searching for potential spouses who are compatible and seemingly suitable. The potential spouses concerned are given the opportunity to meet (within a family environment) and speak with each other. These meetings are usually arranged around family dinners/lunches and provide a safe and secure environment for the two individuals.

In properly arranged marriages the will of the potential bride and bridegroom is established without any pressure. Under such circumstances experience has shown that arranged marriages can be a success.

- d. Coerced marriages  
Coerced marriages are when the two individuals concerned are not consulted at all or the consultation is at best ceremonial.

The reasoning behind the parents' desire can span across a number of different areas, including those mentioned at Para 3.2 above.

Marriages that use the method of coercion are ones where the parents or other members of the family pressurise the individuals using tactics such as:

- Emotional blackmail;
- Coerced into agreeing under the pretext that disagreement shall amount to letting their parents down;
- Pressurising them that their refusal would destroy the chances of their other siblings from



finding a suitable match in the future;

- Parents may well threaten to remove their son/daughter from any inheritance that they may be due;
- If they did not go through with this marriage then their refusal would bring the name of their family into disrepute;
- They are told that this marriage is for the honour of their family.

In the vast majority of these circumstances the will of the parents usually prevail.

e. Forced marriages

Forced marriages are where consultation is the least of the priorities and intention of the parents. Instead, the son/daughter will be told firmly the wishes of their parents and would be expected to comply. There may be instances of course where the parents are confident that their son/daughter will not agree and therefore do not inform them of their intentions at all. In such instances parents may:

1. Mislead their son/daughter and take them to their country of origin on the pretence of a holiday and confiscate their passport, refusing to return it unless they agree to the marriage;
2. Claim to the son/daughter that they will be given a choice to marry who they willed, but in fact the list when presented to them constitutes of one person only. In such instances relatives will apply a great deal of pressure for the marriage to take place;
3. Force the son/daughter to get married and upon realising that the child is uncooperative in continuing, the marriage may force the child to remain in the country of origin until a time when offspring is produced and the spouse gets to a point of no return;
4. Relate to their child that there is a possibility that someone may be killed in order to protect the honour of the family.



MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

There are currently 300 reported cases of forced marriages brought to the attention of the Police and other Government authorities.

The reality is that in over 70% of all marriages that take place, where the spouse is an English citizen and the other spouse is a foreign national from the Asian sub-continent, there is an element of force or coercion before the marriage takes place.

These figures reflect the crisis that has loomed within the Muslim community without being noticed or dealt with for the past two decades. The figures that are reported to the authorities are only the tip of the iceberg.



4 Forced marriages in the UK

There is no doubt that there are some forced marriages which take place between spouses who are both resident in the U.K. However, the incidence of this is remote, as usually both parties have had some say in the first instance and an opportunity to get to know one another, *prima facie*.

Where there are instances of force or coercion, there is a greater opportunity of discovery of those circumstances and remedying the same. This is because either of the partners will have:

1. Some connections with a person in authority e.g. a teacher or a social worker;
2. Greater opportunity through open forums to voice dissent to their marriage;
3. Another person in mind that they wish to get married to who will assist them in escaping from the shackles of the proposed marriage.



5 Forced marriages and the immigration dilemma?

- 5.1 Young Muslims in Britain are under siege from their elders and parents because of the generational and cultural gap. They are alienated from the Mosques because these Mosques are mainly controlled by the elder generation. There is no comprehensive fusion for them in society as a whole because there remain signs of mistrust, prejudice and discrimination.

Coerced and forced marriages are a reality for many young Muslims directly or indirectly, through someone they know. As stated at 3.3(e) above the incidence of the vast majority of these marriages occurs when the British citizen is coerced into marrying someone from the original homeland of their parents or family.

The background and some of the reasons for the parents/guardians coercing the British citizen to marry have been listed at 3.2 above.

- 5.2 Application for settlement in the UK on the basis of marriage

The current immigration regime offers no point of detection for the incidence of such a marriage.

The British citizen will have married and returned to the UK. The parent/guardian that had initially coerced them into the marriage would continue to coerce them into preparing sponsorship documentation in order that an application can be made by the foreign spouse.

The application for settlement in the UK is made by the foreign national and the Entry Clearance Officer reviews the documentation sent by the British citizen and shall interview the foreign spouse making the application at the foreign embassy. If satisfied under the current British immigration rules the ECO offers the foreign spouse entry clearance to join the spouse in the UK. Upon the foreign spouse arriving in the UK he/she is given permission to remain in the UK for two years as a spouse. After two years an interview is conducted by the Home Office of both spouses in order to ensure that a valid marriage subsists. At this point even in many extreme cases of forced marriages it is too late for any authority to detect that a coerced marriage had taken place.



MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

The British citizen plays along with the role expected for many reasons, inter alia:

- They regard the marriage as fait accompli;
- Children have become a factor to consider;
- The same pressure is applied as at the incidence of the marriage to fulfil this immigration requirement;
- There was no institutional relief in the first instance, so why would anything be different now?

The foreign national will make no utterance from start to finish of their knowledge of the coercion or forced marriage. In the vast majority of cases they are guided by the principle of self interest and economic prosperity of the wider family left behind in the homeland.

It is no wonder that today the percentage of failed marriages that take place where a British citizen marries a foreign national, have increased dramatically. Normally the taxpayer is left to support the consequences of the failed marriage.

In the case that the visa to settle in the UK is refused to the foreign spouse by the ECO, the appellate authorities do interview the sponsoring British citizen, but no emphasis is placed on the finding of whether the marriage was entered into with the consent of the parties. In any event these appeals are costly and time consuming.



6 The MAT proposal

6.1 MAT seeks to put the interest of the British citizen as primary. As established above the primary victim of the forced marriage is the British citizen. The current immigration system entirely misses out the British citizen from its process.

6.2 The MAT process

The British citizen sponsoring a foreign spouse to settle in the UK will be invited by voluntary submission, to give an oral deposition to the Judges of MAT, satisfying them that the marriage he/she entered into was neither forced nor coerced. The British citizen will not be forced to give this voluntary deposition as a legal requirement. The voluntary deposition, if successful would result in a written declaration from the Judges of MAT, that they were satisfied that the marriage entered into was without any force or coercion. The British citizen can then use this declaration to support the application of the foreign spouse to settle in the UK. If however, the foreign spouse fails to produce such a declaration from MAT or any other appropriate evidence, then it would be open for the ECO at the entry clearance point, to draw such inferences deemed appropriate as to the status of the marriage.

6.3 Voluntary submission is the key factor

One of the outstanding factors of this proposition is that there needs to be no changes made to the current immigration legislation.

The British citizens are not forced to make themselves available to the MAT Judges. Perhaps their abstention would be a good indication that the proposed marriage or the existing marriage was either a sham or riddled with inconsistencies.

MAT need not be the only arbitration tribunal that the British citizen can refer the matter to. There will be people of other faiths and orientations that may find comfort in referring the matter to other tribunals.

Third parties can make reference to the Judges of MAT if they



discover that a forced or coerced marriage has taken place, on the basis that a community based court would be better placed to deal with the intricacies of the community issues.

- 6.4 The suitability of MAT Judges to probe into the marriage  
This procedure would not befit an official / judicial / governmental jurisdiction. Any such attempts would be deemed by the community as infringement of their civil liberties of the community and / or the government placing further obstacles prejudicing the Asian community.

MAT is the appropriate forum where the Muslim Community can actually solve the problems of the Muslim Community.

The closest and greatest understanding of the issues of the Muslim Community lie within the Muslim Community itself. Assessment by professionals and scholars of the Muslim Community within the MAT organisation will enable this process to be carried out responsibly. When Muslim professionals and scholars who are from the UK, live in our multi-cultural, multi-ethnic and diverse society review a case before them then they will do so with the scrutiny and compassion it deserves.

The team that is recruited by MAT to carry out this service will have extensive experience of dealing with forced marriages because they have been surrounded by examples of this in their families, communities and localities.

MAT provides that environment which will give British Muslims the confidence to come forward to utilise the process to its fullest potential.

- 6.5 The decisions of MAT Judges  
All hearings before the Judges will be in camera. This is to protect the witness from any recriminations from third parties.

All decisions of the MAT Judges shall be recorded on tape. This will instil confidence and transparency within the process.

In giving the decisions, the judges will not give reasons for the judgement. The declaration will simply state that whether or not in the opinion of the Judges the marriage was forced or coerced.



The benefits of this process are that:

1. The British citizen giving evidence will be able to offer an insight into the circumstances of the marriage without any immediate interference from anyone;
2. The lack of reasoning by the MAT Judges shall give an opportunity to the British spouse to excuse themselves from the blame of the failure of the application;
3. There may be circumstances in which the wider family of the British citizen is unable to say no to the family of the foreign spouse. The declaration will give them the best avenue to exit from the marriage without any recriminations;
4. The MAT Judges will be asking all witnesses extensive questions to satisfy themselves of matters not only pertaining to the marriage but also to the wider circumstances of the incidence of the marriage.

MAT will have a central administration centre that houses the data on all the applications it processes. These will be held in accordance with the Data Protection Act and every confidence will be provided to the applicant, thus his/her family will not be made aware of this information.

## 6.6 Enforcement by MAT should the marriage be forced or coerced

6.6.1 Judges of MAT may make reference to the English courts for a Forced Marriage Protection Order.

6.6.2 In appropriate circumstances the Judges may call upon the family of the British spouse to give evidence clarifying the issues raised. The family members will not be given the information offered by the British spouse. Their evidence will be called to further clarify issues.

With the benefit of the evidence of the British spouse, the Judges will use the opportunity of hearing the evidence of the family members to highlight the wider consequences of participating or being complicit in a coerced or forced marriage.



6.6.3 Where necessary the Judges may issue written warnings to the guilty parties that their actions may bring them under the scrutiny of the English judicial and / or Police authorities.

6.6.4 Where appropriate the Judges may call upon senior members of the community close to the British spouse to visit his/her family in the UK and to allude them of the legal ramifications of participating or being complicit in a coerced or forced marriage.

The aim of the visit would be to allow the perpetrators of the forced marriage to register the fact that their actions are now under social, community and legal scrutiny. It is envisaged that the visit of the community elder shall be a source of great embarrassment in itself and shall cause the perpetrators to avoid undue actions.

6.6.5 Offer advice or guidance to the victim of the forced marriage as to how to deal with the wider consequences of the rejection of the application. This advice will relate to:

1. How to deal with the family in the UK;
2. How to deal with the family in the foreign country;
3. How to deal with the foreign spouse;
4. How to make an application to bring about the termination of the marriage under the UK laws and under the laws of the foreign country. It should be noted that the current legislation under the Forced Marriages Act 2007 does not cater for the process for the termination of the marriage in cases where it is found that the marriage was entered into by coercion or force. It simply allows for the protection of the victim from continuing with the marriage but leaves the marriage itself in a vacuum.

6.6.6 In extreme circumstances the Judges may deem it fit to liaise with the Entry Clearance Officer as to the outcome of their findings.

In all of the above circumstances, the MAT Judges would ensure that the interests of the victim remained paramount and protected.



## 6.7 Enforcement by UK Authorities

The Forced Marriage Protection Orders shall remain narrow in their application to the practical matters relating to the forced marriage, for the following reasons:

1. There will be no clear support infrastructure for the victim of the marriage;
2. The imposition of the Order upon the wider family will be resented by them and held against the victim, adding to his/her perils;
3. There will be greater reluctance of victims to approach the English Court system for assistance;
4. The reference by the third parties to the English Courts can easily be obfuscated by the efforts of the wider family;
5. There shall be no clear pathway for the victim to seek annulment of the marriage directly as a consequence of the Protection Order.

### 6.7.1 Raising the Age to 21:

The government is considering raising the age for the sponsor spouse to 21 years in the hope that this may reduce the incidence of forced marriages. This proposal is based on the premise that pressure is usually brought to bear on young adults below the age of 21 years, who might lack the maturity or independence to resist the pressure. This may be true in some circumstances, but in the experience of the Judges of MAT, the overwhelming majority of young people will remain unprotected if no global infrastructure was initiated to protect their interests. This is especially true for females who remain particularly vulnerable even above the age of 21.

## 6.8 What kind of a Solution?

It is clear that the process envisaged by MAT will not give an absolute solution to the problem of forced marriages. However, in proposing the process of MAT alongside the parameters of the Forced Marriages Act 2007, at least the message will be absolute to the perpetrators. The message shall be that such hideous acts of forcing people to marry without their consent shall find no sanctuary within the English legal system and more importantly within the community that they hope to live in.

It is also hoped that in sending out this strong message we can avoid:



MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

1. Expensive legal battles in the High Court for Protection Orders;
2. Wasting police time investigating such affairs;
3. Expensive litigation in the Immigration Tribunal;
4. Many government agencies, including the Foreign Office being involved in retrieving and helping victims of forced marriages;
5. Involvement of a whole series of social services units;
6. Failed marriages;
7. Broken extended families;
8. If the forced marriages are identified in the first place and visas refused, many young people will not be trapped in loveless, arranged marriages.



7.0 The services envisaged by MAT

It is envisaged that MAT will accommodate the requirement for the number of depositions that will need to be taken.

MAT currently has the support of over 80 suitable candidates as potential full time judges to process the applications for the required volume.

MAT intends to be strategically placed in the major cities and towns where there are large Muslim populations.

MAT is currently operational in London, Birmingham, Bradford and Manchester.



## 8.0 Risk Assessment for vulnerable Applicants

### 8.1 Background

MAT has undertaken a risk assessment for those Applicants who would need support after having disclosed that they are the victim of a forced marriage, or are being forced into one.

Traditionally, the police and courts in the Asian subcontinent have tended to regard such family issues as private matters in which they do not wish to get involved unless forced to do so, such as by pressure from outside or influential sources. This is the culture that has been imported with migration.

As in the UK divorce rates have increased over the last few decades, so too in Islamic countries there has been an increasing breakdown of marriages. There is a correlation between the increasing divorce rate and the increase in reported domestic violence. In the UK this has led to the creation of specialist domestic violence courts (DV) at many magistrates' court centres. At these courts, there is a domestic violence liaison officer from the police who attends to provide assistance to the CPS, the court, and to the victim if she attends. It remains a common feature of DV cases that some contrite defendants will plead guilty whilst others will play the system. They will hope that the victim will either not attend the trial or will retract her statement before the trial so that the prosecution cannot continue. There are numerous DV cases at the courts, and neither the police nor the legal system can hope to provide the victim with protection unless there are serious threats to harm the victim. Therefore despite everyone's efforts, the risks remain as before.

### 8.2 The risk posed in the current immigration system

The current immigration system for bringing spouses to the UK does not deal with risks to any victim of forced marriages. The UK sponsor used to be interviewed in the past at the embassy abroad but this was abandoned by a past government. Now the foreign applicant merely has to satisfy the entry clearance officer about the relevant criterion.

Even if the UK female sponsor sends a secret letter to the embassy which leads to a refusal of entry clearance, such a secret document cannot be shown to the immigration judge conducting an appeal, unless the sponsor agrees to disclose it



(at substantial risk to her safety if she does that). Inevitably many appeals succeed so there appears in reality little protection at present to such females and the risks are now higher than the previous system where the sponsor was interviewed as well.

If the female comes from abroad to join a male UK sponsor, the same observations in the previous paragraph apply, but now the female may be subjected to humiliation and perhaps violence in order to ensure she knows her place. Where is the risk assessment by the embassy in granting her entry clearance? There is no police check to see if the character of the male is one who shows propensity towards violence.

In similar instances of matters relating to risks to children in this country from parents who have been violent in the past or who are drug addicts, what can the authorities actually do in anticipation? A child can rarely be taken in care without any hard evidence of a serious risk to it from the parents. Until that first incident comes to the attention of the authorities, one can only hope and pray. Hindsight is a wonderful thing but inevitably one cannot start to remove children from parents who simply fail a risk assessment. In these instances, are risk assessments little more than covering one's back?

### 8.3 MAT approach to risk assessment

MAT does not intend to complete a form disguised as a risk assessment. The judges of MAT shall form an opinion about the individual before them. If, in the opinion of the judges, there seems to be a prima facie risk of violence upon the applicant, the judges shall:

- Place their name on a register kept by MAT and shared with all executive agencies charged with the responsibility of caring for the safety of the individual. These agencies would include inter alia, the social services, police, and immigration.
- In the instance where it was deemed that there is a manifest risk to the applicant, the judges shall with the agreement of the applicant, pass their name to their local DV liaison police officer so that the police will be forewarned of such people and treat any complaint by them seriously.



## ACTION PLAN

The action plan is based on the premise that the government agencies and the community need to come together and synchronise their efforts in order to effectively tackle the crisis of forced marriages within the Muslim Community.

### 9. Formation of a National Working Group

National Government Agencies:

9.1 The partnership with National Government and the numerous Government departments is both vast and complex. In a crisis situation where time is of the essence, interdepartmental complications may be a barrier to effectively tackling the issues. At present, where there is unprecedented homogeneity in the thinking of the government agencies and the community, the moment should be seized and effective infrastructure needs to be institutionalised forthwith. This is only possible with the effective initiation of the political leadership of this country i.e. the Prime Minister.

### 9.2 Downing Street Summit

Hold a Summit on Forced Marriages at Downing Street with the Prime Minister. This would enable the highest possible profile to be given to the will of the community and government agencies to resolve the crisis. This would also encourage 'joined up thinking' between the various constituents of the national working group. This summit would establish the terms of reference for the NWG. This would send the strongest possible message to all the potential perpetrators that there is an unprecedented unity of purpose which will ensure that all necessary measures will be taken to resolve this hideous issue. This summit would also depict hope for the potential victims that the national community leadership will stand with them to help liberate them from the tyranny of forced marriages.

### 9.3 MAT Solutions & Home Office

Review the MAT solutions with the Home Office and seek a commitment for support and understanding in relation to the following key areas:

- Establish a set of "Signs Strategy" enabling agencies to recognise a forced marriage situation;



- Establish a register recognised and accessed by all support agencies, detailing all those persons found to be involved in a forced marriage situation;
- Establish particular pathways of risk assessment and dealing with the risk, via the social services and the police;

#### 9.4 MAT Solutions and Foreign Office

Review the MAT solutions with the Foreign Office and seek a commitment for support and understanding with the British Embassies and High Commissions in the key role played by the tribunals administered by MAT.

Issue a directive to all entry clearance officers that under the duty placed on them by the Forced Marriages Act 2007, they should satisfy themselves that the marriage which is the subject of their scrutiny is entered into without any coercion or force. In this regard, the certification by MAT to be recognised as valid in that, from the evidence offered by the sponsoring spouse to the judges of MAT there seems to be no evidence of coercion or force.

#### 9.5 Constituents of the National Working Group

Such a National Working Group will be jointly chaired by the Head of MAT and a Government Minister.

- 1.Head of MAT
- 2.Government Cabinet Minister
- 3.Foreign Office (Forced Marriages Unit)
- 4.Foreign Office (Diplomacy)
- 5.Home Office (Border Control)
- 6.ACPO
- 7.Muslim Scholars
- 8.Local Authorities
- 9.Youth Groups
- 10.Women's Groups

#### 9.6 National Awareness Campaign by the NWG

It is recommended that a national awareness campaign against the incidence of forced and coerced marriages is institutionalised. This campaign to be led by leading members of the community and the national and local government.

##### a. Scholars Public Statement

Muslim Scholars are invited to make public statements against coercion and enforcement of people into marriage on all national platforms, distinguishing between Islamic and cultural ideals and practices.



MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

- b. **Imams' Friday Sermon**  
Imams are invited to make public statements at their Friday prayer sermons condemning forced marriages and outlining the authentic Islamic Perspective on the matter.
- c. **MPs' & Muslim Scholars' Local Press Conferences:**  
Members of Parliament are invited to call press conferences, jointly with MAT Muslim Scholars, in their constituencies and make a statement condemning the use of force and coercion in marriages. Such press conferences are to be attended by the local community leadership.
- d. **MPs Lobbying the Media:**  
Members of Parliament are invited to use their links and relationships with their local media to ensure the forced marriages campaign is effectively publicized.
- e. **Full Council Meeting:**  
A model resolution to be debated at all local Council meetings and the support of the whole of the council established along cross party lines.



- 10 Formation of Local Working Groups
- 10.1 Given that there is a high concentration of Muslim Communities in various areas in the country, it is recommended that local working groups are set up in those jurisdictions to micromanage the problems.
- 10.2 The remit of this working group is to work with local agencies and ensure that any national policies are effectively delivered at a local level. All local ideas are communicated to a national body that then ensures that these are refined and communicated effectively to National Politicians and National Governments.
- 10.3 Composition of Local Working Group:
1. MAT Judge
  2. Councillor
  3. Member of Parliament
  4. Police Constabulary (ACC Level)
  5. Social Services
  6. Voluntary Groups
  7. Islamic Scholars
  8. Women's Groups
  9. Youth Groups
  10. Professional Groups
- 10.4 Jurisdictions for LWG
1. London
  2. Manchester
  3. Liverpool
  4. Bradford
  5. Glasgow
  6. Nelson
  7. Birmingham
  8. Bristol
  9. Blackburn
  10. Luton



## 11 Training

Training of the individuals who will be implementing the proposals of MAT at various levels in the community is imperative. Some of the training will be specific to the various different roles in the implementation strategy. However, the following themes which will be common to all groups:

- Familiarisation with background information regarding forced marriages, the current state of the issue and its extensive repercussions;
- Developing a sound understanding of the difference between Islam and the prevalent cultures of Muslim communities with special attention to the South East Asian culture and in relation to the issue of marriage;
- Understanding the authentic Islamic position regarding forced marriages;
- Understanding the Legislative position on forced marriages in the United Kingdom;
- Familiarisation with the proposals put forward by MAT;
- Developing an awareness of the various sensitivities of the communities in question and how to deal with the issue of forced or coerced marriages in a firm yet sensitive manner;
- The dos and don'ts in combating forced or coerced marriages.

### 11.1 Training for Imams and Muslim Scholars

As well as the above mentioned points, Muslim scholars who are to condemn forced marriages would require training on:

- How best to articulate the Islamic position supported by the English Legal position in regards to forced or coerced marriages;
- Communication skills;
- Liaising with the community;
- Crisis management.

### 11.2 Training for MPs and Local Councillors

MPs and Local Councillors need to receive specific training on the general points discussed previously as well as the following:

- How to build an understanding of how forced or coerced marriages are being played out in their respective constituencies.
- How to approach the community and liaise with them in



order to resolve this issue;

- Potential communication and other issues which may arise in attempts to engage and transform the community;
- Campaigning strategies which may be put into place to raise the profile of the issue in a sensitive manner and reveal to the community its harms.

#### 11.3 Training for police officers

In addition to the general points mentioned above, police officers would find the following training helpful in dealing with forced and coerced marriages:

- An understanding of how the police force can liaise with MAT and work within the community in order to prevent forced and coerced marriages.
- Steps which may be taken in order to empower and protect the victims of these criminal acts.

#### 11.4 Training for civil servants

The specific training requirements of civil servants would vary depending on their role in the civil service. For example, staff at British embassies in countries from which spouses for forced and coerced marriages are sourced would need certain trainings. For them, this would include training on how to access the database so as to validate the MAT certification. For civil servants working in national governments agencies, the training needs to include an explanation of how the MAT implementation strategy may be assisted by their contribution.

#### 11.5 Training for social workers

Social workers are in a unique position in that they have the jurisdiction to enter households and prevent forced and coerced marriages where they are taking place. Some of their specific training needs would be:

- Recognising early signs within a household that a forced or coerced marriage may be taking place;
- Factors which increase the probability of such marriages, magnify the associated complications and determine the final outcome;
- Liaising with a family as well as the larger community in order to prevent forced and coerced marriages;
- Communicating with and empowering the victim of forced or coerced marriage;
- Communicating with the perpetrator (s) so as to resolve the issue.



MUSLIM ARBITRATION TRIBUNAL  
Report – Liberation from Forced Marriages

