

Forced Marriage Protection Orders - How can they protect me?

What is a forced marriage?

A forced marriage is a marriage that takes place without the full and free consent of both parties. Force can include physical force, as well as being pressurised emotionally, being threatened or being a victim of psychological abuse. Forced marriages are not the same as arranged marriages. In an arranged marriage families take the lead in selecting a marriage partner but the couple have the free will and choice to accept or decline the arrangement.

How could a Forced Marriage Protection Order help me?

A Forced Marriage Protection Order could help if you are:

- being forced into marriage; or
- you are already in a forced marriage.

A Forced Marriage Protection Order is a legal document issued by a judge, which is designed to protect you according to your individual circumstances. It contains legally binding conditions and directions that require a change in the behaviour of a person or persons trying to force another person into marriage.

The aim of the order is to protect the person who has been or is being forced into marriage. Orders can be made in an emergency to protect someone straightaway. If someone disobeys the order of the court, they can be arrested and brought back to the court. The court has power to send them **to prison for up to two years if it finds them in contempt of court.**

Will an order end my marriage?

No – you will need to seek the advice of a solicitor or the Citizens' Advice Bureau and apply for a separate court order to end a forced marriage.

I'm worried about making an application, what can the court do to help?

Court staff will treat information that they receive in confidence.

You can tell the court if you are worried about going to court or giving evidence in court. The court has powers to protect vulnerable or intimidated witnesses, including using screens to shield the witness from being seen, video recording evidence and using live TV links, which allows witnesses to give evidence from outside the courtroom.

If you do not speak English, the court can provide you with an interpreter.

Do I need to complete a form?

Yes. The form FL401A 'Application for a Forced Marriage Protection Order' is available from your nearest county court or you can download the form from our website www.hmcourts-service.gov.uk

Can I make an application on someone's behalf?

Yes, but you will need to ask the court's permission first.

Is there a fee for making an application?

You will have to pay a court fee unless you are in receipt of certain benefits. If you show that a payment of a court fee would involve undue hardship to you, you may only have to pay part of the fee.

For further information, or to apply for a fee concession, ask court staff for a copy of the combined booklet and form **EX160A - Court Fees – Do I have to pay them?** This is also available from any county court office, or a copy of the leaflet can be downloaded from our website at www.hmcourts-service.gov.uk

Is legal aid available?

You can apply for legal aid to make an application for a Forced Marriage Protection Order. A solicitor, or a member of a law centre or Citizens' Advice Bureau, will be able to advise you whether you have a reasonable cause of action and whether you are likely to be eligible for funding. Each application is considered on an individual basis and is subject to statutory tests of your means and the merits of your case. If a solicitor is willing to act for you, they will be able to apply for funding on your behalf.

For further information contact Community Legal Advice either online at www.communitylegaladvice.org.uk or by calling 0845 345 4 345 (Mon - Fri, 9:00 - 18:30)

Where can I go if I need more information about making a Forced Marriage Protection Order?

You can obtain more details from any county court or from our website at www.hmcourts-service.gov.uk

If I don't want to apply for an order can I get further help?

You can contact the Forced Marriage Unit (FMU) on its confidential helpline 020 7008 0151. FMU is a joint Foreign & Commonwealth Office/Home Office team, which provides practical support and information to people at risk of being forced into marriage and those already forced into marriage. All information will be treated in the strictest confidence.