

Forced Marriage

A guide for people with learning disabilities



**easy
read**

Consent and Capacity



Consent is when you agree to do something.

You must be free to make this choice.



You can say YES if you want to do it.



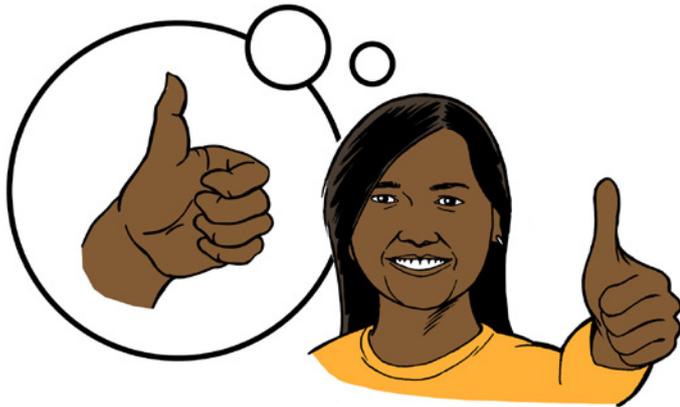
You can say NO if you do not want to do it.



When you consent to marriage then no-one else has told you you have to get married.



When you consent to marriage then no-one else tries to make you get married.
No-one says they will hurt you if you do not get married.



Mental capacity is when you can understand, remember and think well enough to make decisions for yourself and let others know what you have decided.



To consent to something, you need Mental Capacity.
This is written in a law called the Mental Capacity Act 2005.

What is a Forced Marriage?



A forced marriage is when:

- One or both of the people getting married have not agreed to this and have not given their consent.



- One or both of the people getting married are made to do it. They may be told they will be hurt or have other unkind things done to them if they do not marry.



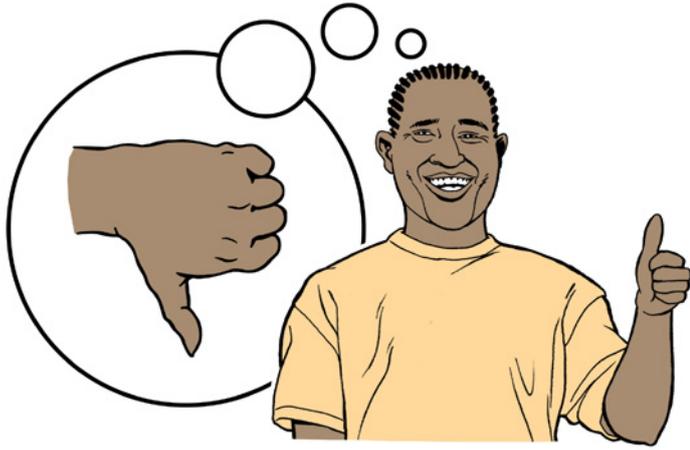
- Someone with a learning disability gets married even though they cannot understand about marriage and cannot understand about sex.



Sex is an important part of marriage so you need to understand about this as well.



When someone cannot understand enough about these things then they do not have capacity to make decisions about marriage and sex, and they cannot give consent.



This is even when they say they feel happy about getting married and having sex.



The law says that if they cannot consent to marriage and a sexual relationship then that marriage is a Forced Marriage.

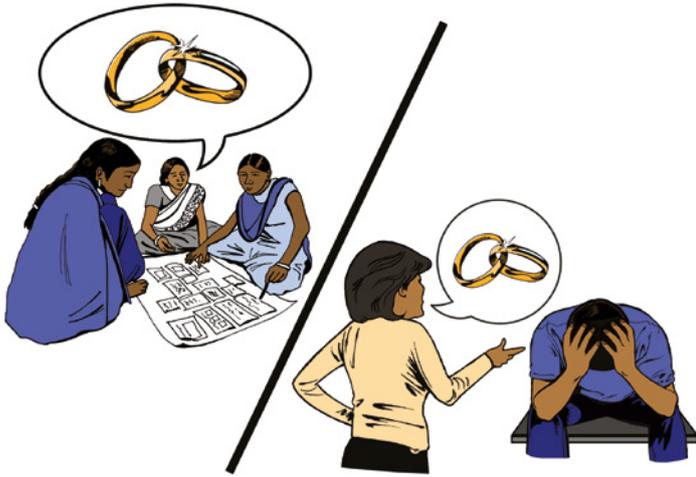


Even if someone with a learning disability can consent to marriage they can still be a victim of a forced marriage if they are put under pressure or tricked to marry.



The Mental Capacity Act says that no-one else can decide that it is best for you to get married or have children when you cannot decide this for yourself.

What is an Arranged Marriage?



An arranged marriage is very different from a forced marriage.



An arranged marriage means that family and friends help the person to find someone to marry. They introduce them and give them support.



The two people getting married agree to it and give their consent.



It is important that people with learning disabilities are supported to get married if they want to and if they can consent to marry.

This includes arranged marriages.



Remember:
No-one should be made to marry!



To get married you have to have capacity to consent and understand enough about marriage and sex to decide for yourself.



You have to be free to give or not give your consent.



Remember:
When people with learning disabilities want to get married and have capacity to consent to get married it is very important that they are given support.

Why parents and families might think about marriage for someone with a learning disability



Sometimes having a learning disability can make the person and their family feel different from other people in a way that is painful.



Getting married can seem to make the person the same as everyone else. It can feel like they have “got better” and they have left their learning disability behind.



Some families believe that religion or family honour means that everyone has to get married.



You may say you want to get married because you want to please your family, even if you don't really understand what being married means.



Sometimes you or your family may be worried about the sexual feelings you are having or about sexual things you are doing without being married.



Some parents can be worried about the future when they get older.

They want to make sure that you, and them as well, are looked after in the family home.



Your parents and your family think that you will only have enough money to live if you get married.

What can happen when someone with a learning disability has a Forced Marriage?



If you don't understand enough about marriage and sex you may not know about how other people can harm you in a marriage.



You may not know how to protect yourself from sexual, physical or emotional abuse.



You could be harmed or controlled by your husband or your wife, by their family or by other people.



It is sexual abuse when your husband or wife makes you do sexual things when you cannot give consent or when you don't want to do these things.



If you don't understand what having sex means, you will feel scared or confused.



There are other types of abuse in marriage, like if someone takes your money away from you or makes you work all the time.



All types of abuse are illegal.

If you are abused, the person who abuses you can be fined or even go to prison.

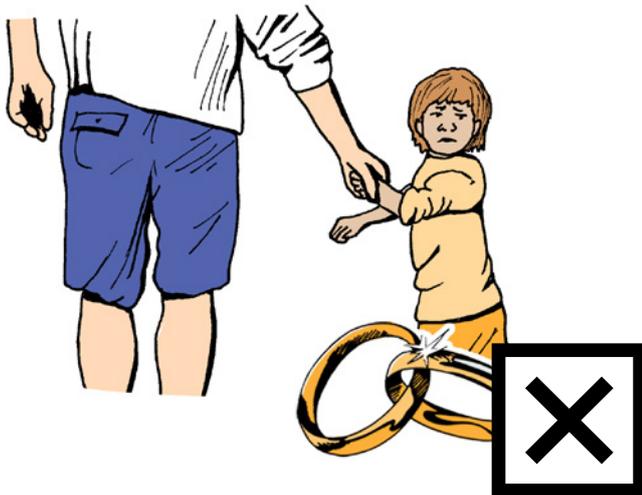


You might be very unhappy for a long time.



Sometimes, someone who is forced to marry a person with a learning disability is not told about the support their new husband or wife needs.

They may also feel very unhappy.



They may decide to leave them and take the children away from them.



It is now against the law to force someone to marry and anyone who does this can get into trouble.



The family of the person with a learning disability can get into trouble if they organised the forced marriage.



They might have to pay a fine or even go to prison.



When the person with a learning disability is going to be made to marry or cannot consent then the people who are supporting them can ask the court for a Forced Marriage Protection Order.



This Order can mean the person is taken away from the family home or not allowed to go to another country.

Talk to someone



You can ring Respond to speak to the My Life, My Marriage Project Lead on:
020 7383 0700

Or visit www.respond.org.uk for more information.



Forced Marriage Unit contact details:

Telephone:
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Email:
mu@fco.gov.uk

Email for outreach work:
fmoutreach@fco.gov.uk



Community Learning Disability Teams/Services are in all local areas and can support you with queries and assessments.