

## **Justice Committee**

### **Supplementary Legislative Consent Memorandum on the Anti-social Behaviour, Crime and Policing Bill (LCM(S4) 22.2)**

#### **Letter from the Minister for Commonwealth Games and Sport to the Convener**

Thank you again for the opportunity to provide evidence to the Justice Committee on the supplementary LCM for the Anti-social Behaviour, Crime and Policing Bill in respect of our plans to extend provisions to Scotland in relation to the new criminal offence of forced marriage.

As you know we feel that this is the right thing to do to ensure that we are able to comply with the relevant Article (Article 37) of the Istanbul Agreement and meet with our human rights undertakings.

In my letter to you dated 12 December 2013 I advised you that my officials had made contact with the Copenhagen based organisation LOKK to obtain, if possible, a breakdown of their statistics in relation to an increase in young people coming forward since forced marriage was criminalised in Denmark in 2008.

LOKK provides a specialist counselling service for victims of honour related violence and conflict, with only some of these conflicts relating to forced marriage. In 2010, 69 of the 833 calls for help received related to forced marriage. Other calls were in relation to other types of social control and pressure by the family network towards the victim, because of honour values (this behaviour can often be related to the coercive control that can be associated with forcing someone into marriage).

Forced marriage was criminalised in Denmark in 2008, but LOKK were unable to provide us with statistics on calls for help between 2005 and 2009. In 2004, 37 of the 105 calls for help received related to forced marriage. The increase between 2004 and 2010 in numbers of calls in general, as well as those relating specifically to forced marriage, cannot solely be attributed to criminalisation of forced marriage, as other changes also took place during this period (such as increased funding for LOKK, including for promotion of the service). However, it is also the case that LOKK does not have any evidence to indicate that the criminalisation of forced marriage has in any way discouraged people from contacting the service to seek help.

As per my letter my officials have also obtained data from Karma Nirvana that advises that since the UK Government announced their intention to criminalise forced marriage they have seen a trend in calls that is increasing.

We believe that it is important to ensure victims/potential victims have the confidence to report forced marriage and this is something that we will seek to address in any awareness raising work. We also wish to ensure that by criminalising forced marriage we are taking the necessary steps to stop the conduct which would give rise to possible reports and providing reassurance to victims that what is being done to them is wrong and that they can be assured of an effective sanction being available to deal with the perpetrator/s.

Once again, Convenor, may I thank you for the opportunity to give evidence to the Committee and I hope that this information is useful in informing your deliberations in relation to this important issue.

Shona Robison  
Minister for Commonwealth Games and Sport  
9 January 2014