

Justice Committee

Supplementary Legislative Consent Memorandum on the Anti-social Behaviour, Crime and Policing Bill

Written submission from Highland Violence Against Women Partnership

Please find the response by the Highland Violence Against Women Partnership, outlined below. Statutory members in the partnership addressing Violence Against Women in Highland are NHS Highland, The Highland Council, the Crown Office and Procurator Fiscal Service and the Police. These members work in collaboration with a number of voluntary organisations on this issue, including Caithness & Sutherland Women's Aid, Lochaber Women's Aid, Inverness Women's Aid, Ross-shire Women's Aid, Victim Support, Witness Service and Children 1st.

Please note that Police Scotland will respond separately and that this paper does not necessarily reflect Police Scotland's views.

Introduction

Our response to this call for evidence focuses on the LCM wish to criminalise forced marriage in Scotland.

The Highland Violence Against Women Partnership has previously responded to Scottish Government consultations on forced marriage and has overwhelmingly been supportive of civil measures to address the issue. We are concerned about the proposal to criminalise forced marriage.

Concerns relating to prosecution of forced marriage

We agree with many of the concerns outlined by Scottish Women's Aid in their briefing issued in response to this call for evidence. In particular:

- We understand that as breach of a Forced Marriage Order is a criminal offence, Scotland meets the terms of the Istanbul Convention.
- We believe that criminalising forced marriage will actually mean a reduction in those coming forward who have been or who may be at risk of a forced marriage as they would not wish family members or others in their community to be seen as criminals.
- We are concerned that there has not been wider consultation with those who are already working with those affected by/at risk of forced marriage in relation to this proposed addition to the Anti-Social Crime & Policing Bill.

Conclusion

We urge the Scottish Government not to include criminalise forced marriage without fuller consultation with the public and, in particular, with those working with those affected and at risk of forced marriage.

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