

Justice Committee**Supplementary Legislative Consent Memorandum on the Anti-social Behaviour, Crime and Policing Bill****Written submission from Scottish Women's Aid**

We are writing in response to the letter from the Minister for Commonwealth Games and Sport to the Convener containing an addendum to the Legislative Consent Memorandum on the provisions criminalising forced marriage within the Anti-social Behaviour, Crime and Policing Bill (LCM(S4) 22.2).

[http://www.scottish.parliament.uk/S4_JusticeCommittee/General%20Documents/20131206_SG_to_Convener - Addendum.pdf](http://www.scottish.parliament.uk/S4_JusticeCommittee/General%20Documents/20131206_SG_to_Convener_-_Addendum.pdf)

We note that this addendum extends the provisions in respect of criminalisation and sentencing from a maximum sentence of two years and now provides for a maximum penalty, upon conviction on indictment, to imprisonment for a term not exceeding 7 years, to a fine or to both.

Without compromising our stated position of opposing the proposals to criminalise forced marriage, we would comment that we would not be in favour of this increase.

Given that criminalising forced marriage will, *per se*, result in those at risk being even more reluctant to report and engage with the legal system, imposing such a significant criminal penalty is only likely to make them even more averse to coming forward if there is the prospect of family members facing substantial jail terms.

Louise Johnson
National Worker – Legal Issues
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