

Enfield Safeguarding Partnership

Local Child Safeguarding Practice Review

January 2023

Nadya

Introduction

This Local Child Safeguarding Practice Review has been commissioned in response to Nadya's removal from the UK when aged 13 and forced by her parents to 'marry' around the time of her fourteenth birthday, a man aged 27, who later the same day as that ceremony went on to rape and physically abuse her.

Nadya moved with her family to live in the UK early in 2017 and had been known to multi agency child protection services since November 2019 when concerns were investigated that she had been 'promised' in marriage to an 18-year-old male when she was then aged just 13 years. The circumstances around these enquiries are reviewed in this report.

Her subsequent forced marriage to a different older male, led to Nadya being placed in foster care in November 2020 and the making of a Forced Marriage Protection Order and later a Care Order.

Out of respect for Nadya's right to privacy the authors have sought to remove identifying biographical information, whilst at the same time wanting to set out her story so that lessons can be learned. Through a critical period in her childhood, Nadya's was a voice that was not heard, she was a child that was not seen, and in so far as we are able to through this report, we want to bring the important lessons from that time in her life into the light.

Terms of Reference

The Enfield Safeguarding Partnership was notified of Nadya as a result of a finding of fact hearing within care proceedings in respect of Nadya in June 2021 where it was found that she had been forced into a marriage with a man aged 27 when she was turning 14 and that on the day of the 'marriage' she had been raped and physically assaulted by that man. This notification resulted in a Rapid Review meeting being

convened, and members recommended that a Local Child Safeguarding Practice Review should take place. They notified the National Panel who agreed with their recommendation.

The time period for this review is from November 2019 when Nadya was aged 13 to August 2021.

Whilst important learning was identified as part of the Rapid Review process it identified areas that needed to be understood in more detail, “Culturally competent safeguarding is a key area of learning particularly in cases of suspected forced marriage; as well as the escalation, which the group felt was a recurrent theme. There is also work to be done to understand Nadya’s experience whilst in her foster placements”. The Panel members requested specific information about the following areas:

Professional curiosity, *particularly around cultural practices – how did agencies endeavour to understand culturally specific issues to enable them to challenge appropriately?*

Lived Experience of the Child, *how did professionals seek to understand Nadya’s experience and hear her voice? Consider how professionals sought to build a relationship with Nadya, to understand what her life was like in different contexts and what opportunity was she given to speak with a trusted professional/ adult? How did professionals support this young person in making disclosures about the abuse she was experiencing?*

Professional challenge and escalation *were concerned agencies able to challenge decisions about response to identified risk or escalate concerns which remained unresolved. What facilitated or prevented effective challenge or escalation.*

Recognising and responding to the risks that Nadya experienced, *did professionals demonstrate awareness/ knowledge of possible risks; did agencies share an understanding of these concerns and risks, their severity and possible impact on Nadya and respond proportionately to these? Did agencies apply thresholds, CP guidance and legislation appropriately?*

Communication and information sharing between agencies, *was this effective and timely? Was significant information shared appropriately?*

Independent Reviewers were commissioned to undertake this review, one of whom is an expert in Forced Marriage (See Appendix 1).

Conduct of the Review

In addition to completing a review of relevant documents, the independent reviewers met with a range of professionals including leaders as well as practitioners who worked with Nadya during the period under review. The reviewers also facilitated two partnership events that explored with practitioners and leaders the issues identified through the review process and these discussions have shaped the areas for consideration that are presented to the Partnership.

Nadya's contribution to this review

Nadya is aware that this Local Child Safeguarding Practice Review is taking place and has been supported to meet with the reviewers, with a female interpreter, to share her story. All information given by Nadya cannot be shared in this review due to the nature of Forced Marriage it is important she remains protected.

Parents contribution to this review

The parents have been notified by the authors that a Local Child Safeguarding Practice Review is taking place and they have been invited to contribute either separately or together. They have not responded to date, and this creates a key gap in the information and analysis. Both parents have been made aware that this invitation to talk with the authors remains open to them if they wish to take this up in the future.

Since a conversation with Nadya's parents has yet to take place, it has not been possible to consider with them how best to include her younger brother in this review.

Forced Marriage definitions, legislation and warning signs

Forced Marriage

It is important to set out the widely accepted definition of forced marriage.

A forced marriage is not the same as an arranged marriage. In an arranged marriage, the families take a leading role in choosing the marriage partner, and both individuals are free to choose whether they want to enter into the marriage if they are both over 18 years old. They actively give their consent. Prior to June 2022, it had been possible for children to consent to marry aged between 16-18 with parental consent¹

The legal age of marriage now in the UK is from 18, this is also the law in Nadya's family's origin country, therefore, marriage under the age of 18 let alone at aged 14 would not have been a lawful marriage.

A forced marriage is where one or both people do not (or in cases of people with learning disabilities or reduced capacity, cannot) consent to the marriage as they are pressurised or abuse is used, to forced them into marriage. Forced marriage is illegal in the UK – it is recognised as a form of domestic or child abuse and a serious abuse of human rights.

The pressure put on people to marry against their will may be:

- Physical: e.g., threats, physical violence or sexual violence
- Emotional and psychological, e.g., making someone feel like they are bringing 'shame' on their family.

¹ [Implementation of the Marriage and Civil Partnership \(Minimum Age\) Act 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/implementation-of-the-marriage-and-civil-partnership-minimum-age-act-2022)

In some cases, people may be taken abroad without knowing that they are to be married. When they arrive in that country, their passport(s) / travel documents may be taken to try to stop them from returning to the UK.

Legislation

In addition to the safeguards provided by the relevant children's legislation and statutory guidance, the Anti-social Behaviour, Crime and Policing Act 2014 made it a criminal offence in England, Wales and Scotland to force someone to marry, which includes:

- Taking someone overseas to forced them to marry (whether or not the forced marriage takes place)
- Marrying someone who lacks the mental capacity to consent to the marriage (whether they are pressured to or not)²

Further information is presented in Appendix 2.

Summary of professional contact with Nadya and her family before the first referral in November 2019

Nadya is understood to have arrived in UK when she was aged 10 years. Not much is known about the family prior to their coming to the UK. The family registered as new patients with a local GP. At the new patient appointment with the Practice Nurse it was noted that Nadya had limited English, but no health concerns were identified.

At the time she was waiting for a school place, and it was a year after her arrival in the UK before a school place was identified.

In early 2018 Nadya came to the attention of the Safer Schools Police Officer when she told staff at her school and parents that she had been physically assaulted after school. When she sat down to talk about the assault with police and a female member of staff her account reportedly kept changing, to such an extent that the school staff suspected that Nadya was making up stories, and no further action was taken. Within a few weeks Nadya attended hospital with her mother due to abdominal pain and vomiting and was diagnosed with gastroenteritis and discharged home.

The school records several unauthorised absences through Year 8, and a letter was sent from school to parents in May 2019 following the school meeting with an Education Welfare Officer, as her attendance had dropped to 92.91%, and the threshold for intervention at that time was 96%. Whilst the letter to her parents set out the risk of fines, no further action was taken.

Key Period of Involvement 1

November 2019 – January 2020

² 121 of the Act 4 (4) "Marriage" means any religious or civil ceremony of marriage (whether or not legally binding).

Nadya had missed 4 terms of education when she arrived in the UK and had 2 secondary school placements. Her attendance from September 2019 was low at 84%.

On the 1st November 2019, Nadya's school were informed by her mother that Nadya would be travelling with her and her younger brother to their country of origin as her Grandmother had passed away. She is reported to have told the school Nadya may not be returning to the country. Nadya's education had been described by the school as poor as she had missed four terms of education after she had arrived in the UK.

On the 4th November 2019, a student of the same ethnicity as Nadya informed her teacher at school that Nadya had told her the previous day that she was 'engaged', or 'promised in marriage' in Nadya's words, and that this had been posted on Facebook. Some photos of what was said to be an event for Nadya's 'engagement' were sent with the referral and the referral also made reference to a Facebook video including comments in her first language such as "congratulations you are married, may God never separate you."

On the same day as the referral was received a Strategy Discussion was held. This meeting involved Children's Social Care, the police, Nadya's school and a health professional. The meeting agreed that the allegations were sufficiently concerning to undertake enquiries under section 47 of the Children Act 1989. That this would be a single agency assessment by Children's Social Care, which the social worker would lead and inform the police of any further information following a visit to Nadya and her family.

The assessing social worker visited the family home on the same day as the referral and Strategy Discussion and spoke with Nadya with an interpreter present. Nadya was seen and spoken to alone in her room with the interpreter and she denied that she was engaged, or that a ceremony had taken place. The social worker explored with Nadya the picture posted on social media of her with an older male with a caption 'Congratulations – you are married!'. Nadya said her Aunt took a photo of her hugging her cousin whilst they were both at a family party on the weekend. Nadya stated that she had no desire to get married so young and did not plan on getting married until she is a least 35 years old. Nadya informed that she wishes to get a good education and become a teacher and feels that this is much more important to her.

During this visit the social worker also spoke to Nadya's mother who confirmed that she had told the school that Nadya might not return to school but denied that Nadya had been involved in an engagement ceremony. She stated that there was a simple gathering between two families to recognise the commitment and 'promise' that Nadya and the 18-year-old were making to each other. Nadya was 13 years old at the time.

Nadya's mother stated that her daughter is much too young to get married and she would never allow this. She also stated that if Nadya had planned to get married then she would call the police to stop this.

Both Nadya and her mother explained that the photos and video on Facebook were that of a circumcision ceremony for Nadya's brother.

The assessing social worker provided an update to police on 19th November 2019, and it was agreed that this still did not meet the threshold for a joint investigation. The Section 47 investigation was formally closed down on the 25th November 2019, the outcome being that the concerns were not substantiated and that the social worker would complete the child and family assessment.

The social worker advised that forced marriage concerns were explored and there was very little evidence for any further action to be taken. Police closed their referral on 28th November 2019.

1st or 2nd December 2019 Nadya's mother went into the school and told staff that Nadya was suffering from anxiety and 'hated being in school' and was going back to her country of origin. Mother showed school boarding passes for the flight, and Nadya's pass was No Return. The school requested an address and new school contact details. Her mother stated that she was unable to provide this information as she cannot read or write.

On 2nd December 2019 Nadya wrote a note to a friend which was subsequently taken out of the bin by staff and translated. It stated that she wanted to "end the relationship and continue in school". This is what Nadya repeated to the authors and that the engagement was ended because she wanted to continue with her education. The Local Authority also received photos of Nadya with a male. Unfortunately, the school did not keep the note.

On 11th December 2019, the social work manager asked the social worker to contact the school to explore the concerns in more detail and speak to the children's mother about what the school have said. Parents were spoken to and denied any allegations that Nadya had been married. The records provided for this review indicate that the postings on Facebook referred to by the school were not reviewed as part of the assessment and there is no indication that issues arising in relation to her school attendance were explored during this period.

On 12th December 2019 the social work assessment was concluded, and the manager agreed that the case should be closed. As the allegations were denied by Nadya and both parents, and they had given a clear and consistent account of the photo of Nadya with an older male which is said to be her cousin the case was closed with no further action as there was no evidence to prove otherwise.

On 16th December 2019 the school referred concerns to the Local Authority Education Welfare Team (Children Missing Education) as the parents hadn't provided information about either address or school for Nadya in their country of origin.

On the 13th January 2020, the assessing social worker contacted the school, and by that time Nadya had not returned to school since 2nd December 2019. The school safeguarding officer had seen Mother back in the area. The social worker advised school that concerns regarding forced marriage had been explored and that there is very little evidence for any further action to be taken.

The case was officially closed to Children's Social Care on 13 January 2020.

Key Period of Involvement 2

January 2020 – October 2020

On 18th January 2020 Nadya's Mother contacted school to let them know Nadya would be returning on 20th January 2020, and she did subsequently return to school on that date.

On 16th March 2020 the school closed in response to the worldwide pandemic and lessons moved online. Nadya did not attend online lessons. During this period the oversight of student attendance moved from the Attendance Officer to the responsible Heads of Year and all students were routinely marked out in central register as 'X'.

As a result there was no monitoring of attendance throughout this period, and although schools remained open to students identified as being vulnerable, no such provision was made for Nadya.

It was during this time that Nadya fell out of sight of the agencies in Enfield, and it is now known that in May 2020 Nadya was taken back to her country of origin, she was not accessing lessons online, and none of the agencies were aware of this significant development. While there she was forced into a 'marriage' to a 27-year-old man on the day of her fourteenth birthday.

Nadya returned to London at the end of July 2020 with her father. She has subsequently spoken about being very unhappy on her return and taking herself away from the family home to a local park.

Schools reopened for the new academic year on 4th September 2020, Nadya did not attend.

Whilst she did return on 9th September 2020 concerns about her school attendance continued however there was still no referral to the Local Authority to escalate these concerns formally. Instead there were informal conversations at the weekly meeting between the school and the Local Authority attendance team to discuss children of concern.

Whilst her attendance did meet the threshold for a formal referral to the Local Authority attendance service, various letters were sent to the parents and finally a meeting arranged which they did not attend.

On 23rd September 2020 a letter was sent by the school to the parents to set out concerns about poor attendance which at that time was 42.86 per cent, restating the expectation that Nadya should be attending a minimum of 95 per cent of her lessons. The letter set out the risk of fines. On 15th October 2020 a further letter was sent by the school to parents setting out ongoing concerns in relation to poor attendance which at that time was 60 per cent, the letter restated the risk of fines. The school invited the parents to a meeting to discuss these ongoing concerns arranged for 20th October 2020, which the parents did not attend. On 21st October 2020, the school sent a further letter to Nadya's parents repeating concerns about poor attendance which at that time was 55.9 per cent. The letter repeated the risk of fines for poor attendance.

Key Period of Involvement 3

November – December 2020

On 10th November 2020 Nadya went into school and told a trusted member of the school safeguarding team that she had been forced into a marriage with a man aged 27 and that she had been told he was in the country, and she was to move to live with him as his 'wife'. She told how she had been taken out of England in May 2020 by her mother and forced to marry a 27-year-old male relative on the day of her fourteenth birthday. Nadya stated that there were images on social media which showed that the marriage had taken place. These images were viewed by school staff and appeared to show the marriage taking place.

The school made a referral to the Local Authority on the same day. The resulting Strategy Meeting resulted in a same day joint visit by the Police and Children's Services to Nadya at her school, when she also shared that she had been raped by this man on the night of their wedding and that he had also physically assaulted her on a number of different occasions after she refused to have sexual intercourse with him. This included his hitting her in the face on one occasion causing a black eye and blood in her mouth and also occasions when he physically assaulted her with a belt. Nadya said that her mother was aware and her mother encouraged the man to continue hitting her if he wanted her to be a good wife.

Nadya stated that she was very scared to be at home as her parents had told her on 9th November 2020 that the male had moved to the UK and that she was to be taken out of school and be taken to live with the male. Nadya said that her mother has been physically abusive towards her and that the most recent incident she stated took place the day before, on 9th November 2020.

She said that she was worried that her parents would find out that the information came from her. Given the nature of the allegations, the Local Authority made referrals to the Lighthouse for ongoing emotional support and the Child Protection Medical Team for a medical examination to be carried out on Nadya.

Nadya was taken into Police Protection on the 10th November 2020 and placed in a foster care placement. As there were no culturally matched foster carers in Enfield she was placed away from the borough. Conditions were in put in place to stop her parents having contact with Nadya whilst her allegations were being investigated.

During the subsequent joint visit to the parents at the family home, Nadya's brother was spoken to. He did not report feeling unsafe at home in the care of his parents. As there were no direct disclosures of harm made by Nadya's brother, the decision was taken that there was insufficient evidence for Nadya's brother to be placed under Police Protection.

On 11th November 2020 Nadya left the foster carers early in the morning and the foster carer called police, believing that she was going home. Nadya was found by the police at her home address with her mother. She told officers that what she had said at school was a lie and she lied because she didn't want to go to school and wanted to stay at home.

Nadya was taken by police to her social worker. Nadya was left in care of her social worker. Nadya repeated that her allegation was false, and that she had made the allegation because she did not want to attend school

Police were contacted to inform of Nadya's missing episode and agreed that her passport will be taken away from Nadya. Nadya's mobile was also taken away from her. Nadya returned to placement. Nadya was tearful upon arrival and did not want to go however later agreed.

Nadya left the placement again on the morning of 12th November 2020 with the support of a man she allegedly met at the train station and had used his phone to contact her mother. Nadya later arrived at her school and was returned to the new foster placement

On 12th November 2020 the Local Authority Placement Panel agreed to issue in Care Proceedings, with a care plan for Nadya to remain in foster care under an Interim Care Order and for Nadya's brother to remain with his parents under an Interim Supervision Order. Applications for Forced Marriage Protection Orders were also to be sought in respect of both children.

On 13th November 2020 the Local Authority issued Care Proceedings and Nadya was made subject of an Interim Care Order and Forced Marriage Protection Order by the court. The plan for Nadya was that she should remain in foster care.

The need to safeguard Nadya meant that her parents had been informed of the Local Authority's intention to issue care proceedings on the same day, and Language Line was used to ensure parents could receive advice given the limited notice.

On 14th November 2020 Nadya was reported missing by her foster carer. The carer reported that Nadya wanted to return to live with her family. Police found Nadya at the local railway station.

The British Transport Police reported that Nadya had been at the train station every day for a few days requesting to travel to see her mother, she said she was missing her family. After talking with officers for a short while she returned home with foster carers.

On the 15th November 2020 after going missing again from her placement, Nadya was found at home. She threatened to self-harm. She was taken to a new placement with carers who spoke the same language. She was visited by her social worker on 17th November 2020 and whilst she said she was happier with her new carers, she wanted to return home.

On the 17th November 2020, Nadya withdrew her consent for the referrals to the Lighthouse and the Child Protection Medical Team for a medical examination, stating her allegations were false and she made it all up as she did not want to go to school. She said she would not be attending any medical examinations as she does not want to be seen by any health professional and wanted to return home.

The Local Authority notified the relevant Embassy on the 25th November 2020 of the proceedings and asked for any assistance they may be able to provide to verify the alleged forced marriage so that steps can be taken for the marriage to be annulled.

The police had not initiated an investigation of rape, and subsequently made the decision not to proceed with conducting an Achieving Best Evidence (ABE) interview with Nadya as she was retracting her allegation.

On 2nd December 2020 Nadya moved placements. At the first review of arrangements on 10th December 2020 Nadya stated that she wanted to return home to her family and wanted to change schools as her friends are in a different school.

On the 15th December 2020, the Embassy confirmed with the Local Authority that Nadya's legal status remained 'single' and that it is unlawful for a child of Nadya's age to be married, which would explain the absence of any official record. The minimum age is set by the laws of the country where the marriage takes place. If the marriage takes place in the country, the minimum age is **18 for both sexes**. Men at the time of marriage must be 18 or over, while women aged 16-17 can only marry with the given consent of at least one of the parents/guardians. The day Nadya was forced into this arrangement, was her fourteenth birthday.

The Embassy were unable to identify any national names for the man without additional information such as his place and date of birth. This information has never been made available, and his identity has never been established.

Key Period of Involvement 4

January 2021 – August 2021

Throughout this period Nadya's parents maintained that no forced marriage had taken place and wanted the court to make the decision that Nadya could return home. Nadya was consistently saying that she would harm herself if she could not go home. She threatened to throw herself in front of a train and that she would run away from her placement if she could not return back home.

On 18th February 2021 the criminal investigation into the allegations made by Nadya was closed by police.

During supervised contact with her family Nadya cried and repeated that she wanted to go back home. On 5th March 2021 Nadya provided a written letter to her social worker to be given to the Judge stating that she regretted what she has said and wanted to return back home. On 10th March 2021 during supervised contact with her family, Nadya threatened to self-harm if she could not return home.

Throughout this period Nadya said she would go missing and talked about having suicidal thoughts and that she wanted to return home. She said she was stressed and wanted to reverse what she said about being raped, beaten and forced to marry.

On 23rd April 2021 a referral was made to the Child and Adolescent Health Service (CAMHS) because of the ongoing concerns about her threats to self-harm. On 27th May 2021 Nadya attended the CAMHS clinic for an assessment appointment, this was

face-to-face, with an interpreter, although Nadya was otherwise all alone having been taken to the appointment in a taxi. The risk of self-harm was assessed as low.

Nadya was very upset because she wanted to go back to her mum, she said that she had told the lady at school a 'silly thing', but that it was a lie, she was upset and did not want to stay in foster care.

At a subsequent Fact-Finding Hearing in June 2021, the Judge found that while Nadya was out of England with her mother in June 2020 that she was forced into a customary marriage ceremony to a man aged 27 who was a family relative. The Judge did not accept that Nadya fabricated these allegations as she was unhappy in school, and that as a result, that Nadya had suffered significant emotional, sexual and physical harm. And that should she return to her family she would be at risk of suffering future significant harm.

The Judge was critical of the conduct of multi-agency enquiries undertaken in 2019. The police reviewed the decision making in this case and on 24th July 2021 re-opened the police investigation into the forced marriage, which remains ongoing at the time of writing.

Within the Care Proceedings an assessment was completed by an Independent Social Worker (ISW). The ISW concluded that it was clear from the family's culture, as discussed with the parents, that female children can be married at a young age, including as young as 13 years old. The ISW found that the parents did not consider the impact on Nadya being married at a young age and focused on the legality of this in the UK rather than the appropriateness. In view of this, the ISW was unable to recommend that Nadya return to the care of her parents. Both parents subsequently agreed to the Forced Marriage Protection Order remaining in place for the remainder of Nadya's childhood.

Rapid Review Questions

How did agencies try to understand culturally specific issues to enable them to challenge appropriately?

How did professionals seek to understand Nadya's experience and hear her voice? Consider how professionals sought to build a relationship with Nadya, to understand what her life was like in different contexts and what opportunity was she given to speak with a trusted professional/ adult? How did professionals support this young person in making disclosures about the abuse she was experiencing?

Were concerned agencies able to challenge decisions about response to identified risk or escalate concerns which remained unresolved. What facilitated or prevented effective challenge or escalation?

Did professionals demonstrate awareness/ knowledge of possible risks; did agencies share an understanding of these concerns and risks, their severity and possible impact on Nadya and respond proportionately to these? Did agencies apply thresholds, CP guidance and legislation appropriately?

Communication and information sharing between agencies, was *this effective and timely? Was significant information shared appropriately?*

The Rapid Review was comprehensive and identified several areas for action that were developed into a separate Action Plan. In addition, agencies took away practice issues to follow up internally.

Nadya had many contacts with professionals over the period under review. However, her voice does not stand out strongly in the information provided to this review. Over time, the cumulative risks to Nadya and her lived experience were not well understood or responded to. When Nadya was assessed as being at high risk, protective action was taken immediately, however the conduct of the police investigation that followed was not child centred and the subsequent response to her emotional and psychological needs, given the extent of the trauma she had experienced, was late and limited.

There is no evidence that any of the professionals working with Nadya challenged the decision making in this case and therefore no escalations were made at the time although these differences have emerged subsequently. Challenge is a key theme emerging from this review. The use of escalation arrangements when there are professional differences can cause concern about upsetting colleagues or professional relationships, and the Partnership needs to test the effectiveness of escalation arrangements to ensure it is embedded more fully between the agencies, especially to promote a culture of challenge to decision making where there is a view that the decision does not secure the safety of a child.

Using an appropriate interpreter at various times in the work with Nadya, and in a location away from the family, could have helped to create a safer space for Nadya to speak openly and created an opportunity to gain an understanding about her experience. The importance of access to a high-quality interpreter service at the right time has emerged as a theme in this review. It is understood that interpreters are regularly used in Enfield however it emerged during this review that there are issues with the reach, timeliness, and quality of the current arrangements. The use of interpreters, more specifically when they are used and when they are not, and when others are called on to act as interpreters. The gaps in the current arrangements can sometimes lead to the inappropriate use of others outside these arrangements.

There was a strong view articulated by the different professionals who took part in this review that the current arrangements are variable in terms of availability and quality and that there needs to be a way to secure quality, and to strengthen links with the different service areas to promote greater understanding of the work of the different service areas. The lack of training for interpreters and translators in the work undertaken by the service can impact on the quality of assessments and subsequent work with children and families.

Forced Marriage is a criminal offence. Given this, it remains unclear why there was not a joint inquiry under Section 47 (The Children Act 1989) in November 2019 in response to concerns of Forced Marriage. At the time, the decision of the Strategy Meeting to follow up concerns by way of a single agency assessment could have been challenged by any of the professionals involved and escalated to the senior

officers in the Metropolitan Police Child Abuse Investigation Team. This did not happen.

Since the events under review, it is understood by the authors that arrangements have been put in place to ensure that decisions not to conduct joint inquiries with the police in similar circumstances must now be authorised by a senior manager in Children's Services, this is to ensure a sufficient level of oversight of decision making.

From the outset, the decision to respond to concerns through a single agency assessment was not proportionate to the concerns of Forced Marriage. It is likely that this decision set the course for the conduct of the assessment that followed. The planning of the assessment, the decision to contact Nadya's parents by telephone to discuss the concerns, and to see the children at the family home all reduced the likelihood of Nadya and her brother being able to speak truthfully when asked about the events in their lives.

At the time of this review the published Enfield Forced Marriage policy and procedure were dated 2009 and updated 2011. Even though these locally published procedures relating to the conduct of Forced Marriage assessments were out of date, they nonetheless required that Nadya and her brother should have been spoken to on their own and away from the family home. Perhaps predictably, when spoken to in November 2019 at home with her mother in the house, Nadya repeated what her mother had told the social worker. Since the events of this review Enfield is using agreed and current Pan London Procedures.

Cultural issues were discussed in the Strategy Discussion, however, there has been nothing to indicate that further enquiries were made around cultural practices. The practice in this case suggests that the understanding of Forced Marriage was limited amongst all the professionals involved in this case during this period, both in their awareness of how the risk presented and of the statutory framework and tools that could be used to protect Nadya. This review identified a general issue with the approach to procedures, at the time of the events, those procedures relevant to this review were already outdated, and in any event, they weren't being followed. The initial work with the family in November 2019 required more robust challenge to parents' explanation and a more critical review of all the evidence available, including social media.

There was a subsequent and unexplained delay in the school responding to the concerns of the 2nd or 3rd December 2019. These were not shared with Children's Services until 10th December 2019. By this time, it appears that Nadya was already out of school and probably out of the country. It remains unclear why the school did not keep the note Nadya had written that set out her worries. The school did not keep the note retrieved from the bin so that its contents could be clarified with her.

The Child and Family Assessment of 12th December 2019 does not appear to take sufficient account of this new information from the school which could have triggered a further Section 47 discussion to consider the need for a joint investigation at this point given the further concerns in relation to the risk of Forced Marriage. By this time the police had closed their referral before the social work assessment had been concluded. The decision to close the assessment in December 2019 was taken in the context of significant pressures on the service.

There was no contact with Nadya in December 2019 when the new concerns were received from the school. And the decision was taken to close the case with any further investigation of the issues raised. It is standard practice in Enfield for risk assessments to be completed with the young person; it is unclear why it didn't occur, although possibly because Nadya was already believed to be out of the country.

Throughout this period, the evidence provided in relation to the allegations made by Nadya was not thoroughly scrutinised and the opportunity was missed to speak with Nadya and her brother alone to help understand what was happening. Throughout the period of involvement from November 2019 to January 2020, the parents' explanation of events was accepted and the decision by the authorising manager to close the case in December 2019 without further investigation of the new concerns foreclosed the opportunity to understand the risk to Nadya more fully.

There was a high volume of work in the service at the time, which brings with it pressures on practice. It is defensible to take the decision to extend the period of assessment to allow time for specialist support. Pressure of time was raised repeatedly with the authors, and this work does require time, in particular the time to work with children and families. This extends to assessments. Whilst most assessments should be no longer than 45 working days from the point of referral, it is possible to extend an assessment beyond this timescale when the need for a specialist assessment is identified and a management decision sets out the reason for purposeful delay to inform best decision making.

This review identified issues arising in relation to 'cultural competence' or 'cultural consciousness' when it came to understanding Nadya's experiences, and this was evident in the practice across the agencies directly involved in understanding and responding to her needs.

There appears to be significant gap in understanding of cultural norms which could have led to the professionals working with Nadya feeling less confident to challenge the information in front of them. At the time it would have helped with weighing up all the evidence to have had the opportunity to seek advice. The Partnership has focused on this in the period since the events under review however, there is more to do as even with training staff reported remaining anxious about being challenging, and are worried about causing offence or appearing ignorant, and fear offending people if they do not know a lot about a specific culture or religion. Nonetheless this is important work to continue to engage effectively.

Professional curiosity around the area of forced marriage - curiosity of cultural norms and cultural practices, this has been a key theme for learning across the partnership since the events of this review. The Partnership has developed the Professional Curiosity tool which has been used already to begin conversations with staff and embedding this in work and assessments. However, work cannot be done in isolation with one group of professionals there has to be a system wide approach, building professional confidence through training and ongoing support to give practitioners the confidence to ask questions that families and the practitioners might find uncomfortable to ask, so people feel able to ask questions about these topics need to challenge and question more deeply.

It will be important for the Partnership to ensure it is measuring the impact of the training and ongoing development provided in this area of practice.

The school had been managing poor attendance for some time before the events of 2020 and had submitted a referral to the Local Authority Attendance service in December 2019, but this coincided with Nadya's mother reporting that she was leaving school and the UK. Although she returned to school in January 2020 this referral was not revisited and subsequently in March 2020 the global pandemic resulted in lessons moving online for most pupils.

However, through the pandemic lockdown, schools did remain open for lessons for children assessed as being vulnerable, yet for reasons that have not been fully explained to this review, Nadya was not assessed as being vulnerable despite the recent concerns in relation to forced marriage, the history of poor attendance and that she stopped attending lessons when they moved online.

Nadya has subsequently reported that she found it difficult to engage in lessons online because English is not her first language. When lessons moved online, the oversight of attendance moved from the school's Safeguarding Team to the teaching staff and the recording and management of attendance appears to have fallen away.

Nadya stopped attending lessons in March 2020 and did not return to schooling until September 2020, it is now known that it was during this period of prolonged unauthorised absence from school that she was taken to her country of birth and forced into marriage around her fourteenth birthday.

Arrangements for the management of attendance should have been more robust. Had it been, it is likely that at the very least her absence would have been noticed, and created the opportunity for professionals to plan how to respond to her absence in the context of previous history of concerns. This raises serious concerns about the arrangements for the management of safeguarding risks arising from non-attendance at school and the level of confidence across the system in managing non-attendance at school and associated risk of harm. The partnership will need to ensure that the current arrangements are sufficiently robust to safeguard children who are missing education.

The school Safeguarding Officer acted immediately to protect Nadya and following the referral in November 2020, the joint interview of Nadya by the police officer and the social worker was not appropriately conducted in accordance with best practice. The police interviewed Nadya with the school Safeguarding Officer acting as interpreter and this was subsequently criticised in care proceedings by the Judge as Nadya had given her first complaint to that member of school staff. A professional interpreter should have been used.

In the time it took to arrange an Achieving Best Evidence interview with Nadya and make arrangements for a medical examination, Nadya had been removed from the family home and she had begun expressing regret about this. The investigating officer subsequently refused to arrange an Achieving Best Evidence interview with Nadya,

and the investigation into Forced Marriage by the police was closed down in early 2021 due to the perceived lack of engagement of Nadya with the process. Given the seriousness of the allegations, this was a serious shortfall in professional practice.

The Metropolitan Police conducted a review of this decision, undertaken by a DCI in July 2021 and consequently that decision was reversed, and the criminal investigation was reopened.

At the time of undertaking this review, it has emerged that the various IT seized by the police at the start of the ongoing investigation in September 2021 have yet to be analysed for any information relevant to the investigation. This is a significant gap in time especially as there may be information on the IT that is relevant to the investigation.

Nadya did not settle in care and there were three changes of placements during the initial period, with attempts by Nadya to return home. It was during this period that Nadya said she was very unhappy.

Eventually in April 2021 a referral was made to the Child and Adolescent Health Service (CAMHS) because of the ongoing concerns about her threats to self-harm. When Nadya attended the CAMHS clinic for assessment, this was face-to-face, with an interpreter present although Nadya was otherwise all alone having been taken to the appointment in a taxi, which is very poor practice. Children in care should never be taken to important appointments alone and unsupported in taxis.

Nadya was able to settle with her long-term carer, and this was a very positive experience for her and was very well supported by her social worker and Independent Reviewing Officer. She also received continuing support from the school Safeguarding Officer. However, her time in care would have been better supported by higher levels of individual tutoring to support her education and therapeutic support.

Within the care proceedings, important assessments of her emotional and psychological wellbeing were undertaken by male professionals, and there is little understanding of how their gender might have impacted on her engagement in these assessments, the outcome of these was that she had no ongoing therapeutic needs, which remains difficult to understand, given that we know she was dealing with the impact of the various trauma she had experienced.

In addition, whilst the provision of counselling and therapeutic services in different languages is a challenge, every effort should be made to secure the right services for children in need of this support.

Further areas emerging from review for consideration by the Safeguarding Enfield Partnership

Understanding and responding to the changing Enfield community

The Enfield community is changing rapidly, and a theme emerged through this review of the need to develop services that respond to these changes. The requirement to be vaccinated to travel during the pandemic brought communities into contact with health

professionals in a way that no other event had previously, and this could be the basis for improving the reach into the community.

The reviewers found a high level of insight amongst professionals into the changing community, drawn from their experiences during the pandemic and their work, day in and day out, with a range of ideas for engaging differently to support understanding and developing responses to need. The organisation of a Partnership event to share experiences of the professionals during the pandemic would support the development of a community engagement plan.

Once the risks to Nadya were recognised, legal orders were obtained for Nadya in a timely way in order to maintain her safety. Forced Marriage Protection Orders were made up to the age of 18, and in fact this could be older, up to 21 or even 25, but what happens when the order lapses should Nadya come to the attention of services in the future?

In Enfield there are separate Multi-Agency Safeguarding Hub (MASH) arrangements for Children's and Adults Services. Both have their own electronic case recording systems, each held separately from the other.

At the time of this review, there was not a mechanism in place for cross checking information held in each of the recording systems, creating a potential gap of critical information known in once system and not being available in the other to inform risk assessments and decision making.

Giving each team access to the other's case recording systems to create visibility of information could reduce likelihood of key information being missed and support a more aligned approach to this important work. Training for each MASH team about the processes of the other, and the development of an arrangement for checking with each system when a referral is received, would help to secure a consistent approach in transferring case information from children to adults and consolidating existing transitional safeguarding arrangements to support risk management decision making.

Notwithstanding these observations, referrals of Forced Marriage appear to be well managed for adults with Learning Difficulties, and this service will also respond proactively to referrals of other adults at risk of Forced Marriage, even if they do not meet the thresholds as vulnerable adults.

This review was unable to access data relating Forced Marriage referrals from either Domestic Abuse, Stalking & Harassment & Honour Based Abuse (DASH) risk management information or Multi-Agency Risk Assessment Conferences (MARAC). Going forward it will be important for the Partnership to establish a mechanism for routinely reporting and utilising the data in relation to Honour Based Abuse and Forced Marriage referrals, otherwise it will not be known how many other cases like this might there be, given that it is acknowledged that there is an under-reporting of these crimes.

Recommendations

Recommendations are set out here in relation to practice working with children and young people and more wider issues for the Safeguarding Enfield Partnership.

Practice

Recommendation 1

When there is the need to seek expert advice to support the work with children and families, the need to engage with an expert should be taken into account when setting the timescale for assessment in order to ensure that sufficient time is given to support this important work. This extends to securing the advice of an expert witness in cases of forced marriage. When arranging expert advice, consideration should be given to important issues such as gender etc.

Recommendation 2

Children should not be seen at home or in the presence of family members when making enquiries into forced marriage or parents contacted and alerted in advance of initial assessments, this puts the child(ren) at greater risk, as per the 'Home Office Practice Guidelines for Forced Marriage'. This is consistent with best practice and the relevant guidance (see 'Best Practice' Appendix 3).

Recommendation 3

A professional interpreter should always be used to support the work with children and young people. The Partnership should initiate a review of the current arrangements for timely access to well-trained interpreters, never use family and/or friends, or professionals when to do so will create a conflict of interests.

Recommendation 4

Review the arrangements for monitoring attendance and escalating concerns for children who are missing education, and test these against the possibility of some future event resulting in the closure of school buildings and lessons moving online.

Recommendation 5

There is a gap in receiving health information and that a process should be developed to ensure that information from the GP, Trusts and School Nurses is routinely sought.

Recommendation 6

Where there is an allegation of rape of a child, the forensic examination of smart devices should be a priority action.

Recommendation 7

When a Forced Marriage Protection Order is made, consideration should be given to taking fingerprints, DNA sample and photograph and whether the order can be beyond the child's eighteenth birthday.

Recommendation 8

Children and young people in care should always attend important appointment accompanied and supported by a trusted adult.

Recommendation 9

Consolidate developing arrangements for information sharing between the MASH arrangements for Adults and Children's teams to ensure what is knowable is made known across services for children and adults.

Partnership

Recommendation 10

Procedures and guidance should reflect current best practice, and when policies and procedures are updated or renewed, it will be important to ensure that this is communicated to staff across the Partnership and arrangements in place through the usual quality assurance of work that procedures are being followed.

Recommendation 11

It is important that the Partnership gathers and analyses data to support insight into reporting and identification of Forced Marriage for both children and adults in Enfield.

Recommendation 12

The Partnership should explore how cultural competence and professional curiosity can be promoted through easy timely access to relevant advice. This might be through specialist organisations or considering inviting staff to share their expertise.

Recommendation 13

The Partnership to consider how it can promote a culture of challenge to support the work on developing professional curiosity and cultural competence.

Recommendation 14

The Partnership should create opportunities to reach into new communities to better understand and respond to need and formally connecting with local community organisations. Explore the ways in which the partnership can use its unique position to develop links into the community, reaching into places where people gather to worship, shop, socialize, and start conversations with those communities both about issues arising in case reviews and more broadly about developing services to the community.

Appendix 1

Independent Reviewer Profiles

Tom Savory, Independent Social Work Consultant with 30 years of social work experience and has previously authored independent case reviews

Bal Kaur Howard, founder of BKH Training, Bal advocates on the issues of so called Honour-based abuse (HBA) She has practical experience of supporting 100s of victims of Forced Marriage, providing safety planning, assisting them to refuge through to protecting those using Forced Marriage Protection Orders.

She was employed by Suffolk Constabulary as Projects Officer for HBA, Forced Marriage and Female Genital Mutilation for seven and half years. She develops, reviews policies, procedures and delivers training to front line practitioners including Police, Health, Education, Social Services and the voluntary sector.

Bal herself was forced into a child marriage in the UK and suffered domestic abuse / HBA, escaping after eight and half year and disowned by her family for over 26 years. She was twice nominated at the IKRWO True Honour Awards for her dedication to ending HBA. She was recognised by the East Anglian Daily Times as one of Suffolk's 100 most inspirational women.

Appendix 2

Further Information about Forced Marriage

Warning Signs

Parents who force their children to marry may seek to justify their behaviour, believing that it protects their children, preserves cultural and / or religious traditions, and caters for stronger family relationships. Some other key reasons may include controlling unwanted sexuality, preventing perceived unsuitable relationships, protecting 'family honour', achieving financial gain, ensuring care for a child or adult with additional needs, and assisting claims for residence and citizenship.

Some indicators

Education: absence / attendance (missing from school); request for extended leave / home education; failure to return from visit to country of origin; surveillance by family / extended family and community; deterioration in behaviour, achievement or punctuality

Health: self-harm; attempted suicide / threats to suicide; eating disorders; substance misuse; depression; pregnancy; always accompanied to appointments

So-called Honour Based Abuse

Definition: 'an incident or crime involving violence, threats of violence, intimidation, coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect and defend the honour of an individual, family and / or community for alleged or perceived breaches of the family and / or community's code of behaviour'.

Resources:

[Forced marriage - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

[Our-Girl-Resource-Pack.pdf \(avaproject.org.uk\)](http://avaproject.org.uk)

[Forced Marriage Awareness - Free Course | Virtual College \(virtual-college.co.uk\)](http://virtual-college.co.uk)

Charities:

[IKWRO – IKWRO Women's Rights Organisation](http://www.ikwro.org.uk)

[Karma Nirvana](http://www.karnanirvana.org.uk)

[Southall Black Sisters - Southall Black Sisters](http://www.southallblack SISTERS.org.uk)

[Home | Kiran Supprt Services \(kiranss.org.uk\)](http://www.kiranss.org.uk)

[Sharan | Supporting South Asian Women in the UK](http://www.sharan.org.uk)

Appendix 3

Best Practice

Do

- Believe the victim
- See victim alone / consider her/his/their wishes (vulnerable not able to make logical decisions)
- Give reassurance of confidentiality - information won't go back to the family
- Consider family members who could be at risk and who could be the abusers - family tree
- Secure a safe contact method with a code word
- Seek help from other agencies
- Consider ward of court, witness protection, holding of passports, DNA, fingerprints, photograph

Don't

- Send the victim away
- Underestimate the perpetrators of Forced Marriage
- Approach the family or community leaders
- Share information without the consent of the individual - discuss with them first before making a decision to contact the family
- Attempt mediation
- Use family as interpreters
- Assume it is a racial, cultural or faith issue
- Assume someone / professional from the same cultural/diverse background is best to deal with such a case.

VICTIM CHECKLIST FOR PROFESSIONALS

Created by the expert author.

1. Consider the need for immediate protection and placement away from the family; seek advice from the Police
 - a. Prepare an emergency plan for leaving i.e. suitcase with clothes, important documents (passports, driving licence, national insurance/ nhs documents), money, mobile phone and family photographs.
 - b. If dual nationality advise victim to take their own and children's passports.
 - c. Consider taking the passport for safe keeping if required
 - d. If there is fear of them being taken out of the country request details of the family home in the said country. This should include the relative's names, full addresses, and the villages, where and with whom the victim may reside with. Liaise with Forced Marriage Unit (Foreign and Commonwealth Office – Tel: 0207 008 0151).
 - e. Also if it can be established, the duration of visit, flight details and expected date of return.
 - f. If they fear being forced out of the country consider "All Ports Warning" through the Police

- g. Consider relocating the victim - preferably completely out of the area and not with a family member (let new area know that a high risk victim is placed with them ASAP – let the Police area know that victim has been transferred.
 - h. Develop a safety plan in case victim has been seen i.e. prepare another reason why you are meeting, i.e., give the victim a cover story.
2. If the adult victim wishes to remain in the family home and you believe their life to be in danger, complete the necessary safety planning.
 3. Request fingerprints, photograph and DNA – done by the Police and is a voluntary process.
 4. If necessary, record any injuries and arrange a medical examination.
 5. Arrange to place a “Location of Interest” on the victim’s family’s address.
 6. Consider appropriateness of a police mobile phone, alarm, and personal attack alarm.
 7. Discuss a code word for them to use so you always know you are talking to the right person (that ONLY they know)
 8. Consider any legal remedies available to the individual, i.e., Forced Marriage Protection Order (FMPO). FMPOs are made with the purpose of protecting those who are being forced into marriage or someone who has been forced into marriage; Police / Social Care or the victim can take these out without notice to the relevant people.

OTHER ISSUES TO CONSIDER:

- Gather detailed information of the family set up/family tree
- Establish if there are other members of the family in potential risk i.e. other children, male or female, or parents who may well be at risk once the perpetrator knows the victim has fled.
- Consider siblings / cousins / extended family that have previously suffered HBA, or younger sibling that may suffer HBA
- Establish if there is anybody else involved e.g. boyfriend/girlfriend (consider protection of them and their family)
- Do not speak to the ‘victim’ on a telephone and presume it is the victim. Preferably speak at a neutral safe location where members of the family/community will not see you.
- Give them where possible, the choice of ethnicity and gender of the specialists who deal with their case
- Advise them not to travel overseas.
- Consider dual nationality - Any queries concerning dual nationality should be addressed to the Forced Marriage Unit. It is easier to repatriate on a British passport. If the victim has to travel and has two passports advise them to travel on the British passport. Liaise with Forced Marriage Unit at Foreign and Commonwealth Office.
- Families may report a victim as a missing person and use the police to find them in order that they may deal with the issues surrounding forced marriage and honour based violence.
- Relocation of victims out of the area is essential for protecting them from extended family and/or the community as a whole. The area in which the victim is placed (however temporarily) need to know the potential risks and the area they have come from/going to. Consideration of relocation needs to include the

security and transfer of the person's records i.e. patient/medical, school records, national insurance numbers, which could compromise their safety.

- Emergency accommodation – each case will be different and in many cases it will be the responsibility of the local authority to accommodate victims, particularly if they have children.
- Refer to support groups (with their permission) – for cultural reasons, if it is safe to do so.
- Consider alternative venues where the victim will feel comfortable and not at risk of being seen by a family member. Establish whether they can be contacted in confidence at work, school, through a trusted friend, sibling or organisation.
- If you communicate with the victim using mobile phones, establish whether the person or another family member sees the bill. If you use texts, emails, post make sure that messages cannot be intercepted.
- Take note of family views of honour and shame, their standing in the community.
- Be aware of strong extended family network.
- Simply visiting the family home without knowing the circumstances may put the person at risk of harm.
- There may be occasions when someone insists on meeting with his or her family. It should take place in a safe location, supervised by a trained/specialist professional with an authorised accredited interpreter present, as families will sometimes threaten the person in their own language.

DO NOT:

- Send them away – reporting is a very brave first step for someone and an inappropriate response could put the victim at greater risk.
- Speak to the victim/caller in the presence of family, extended family, friends or community members.
- Approach members of the family or community leaders unless the individual asks you to do so.
- Breach Confidentiality - Do not overlook possible breaches of confidentiality including leaks of information from the organisation, from records, interpreters and communications with external agencies and organisations.
- At any time attempt mediation or reconciliation between the victim and the family, do not actively initiate, encourage or facilitate family counselling, mediation, arbitration or reconciliation – whether offered by community councils, religious or professional groups.
- Use a family member, neighbour or those with influence in the community as an interpreter.
- Inform the family of the victim's whereabouts at any time.
- Disclose information to other support agencies without the consent of the victim. If information has to be disclosed to other agencies in case of an emergency, i.e., "threat to life" then request restrictions on the availability of that information.
- Give details of the case to the media without the expressed consent of the person involved – consider "ban on publicity" if there are any court processes.
- Re-house locally unless specifically requested after all the risks of harm have been explained to the person.

- Allow a woman to be accompanied by her children or a child when returning to the family home to collect possessions.
- Allow them to return to their home unless a full risk assessment has been carried out.
- Assume that a Black, Asian Minority, Ethnic (BAME) or someone from the same/similar diverse culture is best placed to deal with the victim.