

Report examines Scotland's legal protection for forced marriage victims

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A research report that examines Scotland's legal protection for those at risk of forced marriage has been published by the University of Glasgow.

The [report](#), "Combating Forced Marriage: Strengthening Protection in Scots Law" resulted from a three-year project, led by School of Law researchers Professor Janeen Carruthers and Felicity Belton, which sought to understand how effectively the forced marriage legislation is working in practice.

Legislation on forced marriage was introduced into Scots law in 2011, with further legislation introduced in 2014 to create the criminal offense of forced marriage under Scots law. Since then, there has been no legal analysis of forced marriage protection orders, or of the criminalization of forced marriage.

The research project investigated the operation and impact of the current legal framework in respect of forced marriage, and assessed the availability, accessibility and effectiveness of legal remedies in respect of, and sanctions against, forced marriage.

It also sought to ascertain if the introduction of the new civil remedy and the criminalization of forced marriage have improved matters for victims, with a view to strengthening victim protection, and informing legal education and training in combating forced marriage.

Carruthers, Professor of Private Law, said, "The number of people forced into marriage in Scotland is unknown, and cases are under-reported."

"Since the 'forced marriage protection order' introduced by the 2011 Act takes the form of a court order, and given that the criminalization of forced marriage involves the criminal justice process, legal research was necessary to ascertain the extent of awareness of available remedies among legal practitioners, and to identify possible accessibility and operational issues."

"Through our research, we gathered the views and experiences of legal professionals, and we are grateful for their time and input. We hope this is a significant step toward strengthening victim protection, informing legal education and training, and helping to achieve the ultimate aim of eradicating the practice of forced marriage from Scotland."

The report made 14 recommendations, with a view to improving the national strategy against forced marriage.

More information: Combatting Forced Marriage: Strengthening Protection in Scots Law. [scjh.org.uk/wp-content/uploads ...
marriage_jul_24.pdf](https://scjh.org.uk/wp-content/uploads/2024/07/Combating-Forced-Marriage-Strengthening-Protection-in-Scots-Law-marriage_jul_24.pdf)

Provided by University of Glasgow

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