

A Literature Review on Early Marriage

Dr Louise Livesey

Senior Lecturer in Criminology

University of Gloucestershire

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Introduction

Children¹ being married has been the site of renewed interest and activism since the 1990s (Moschetti 2005). This literature review seeks to address what is known, internationally, about the reasons and outcomes of early marriage (See Section 1 for definitions of terms used here) and why there is a need for legal change in the UK (and elsewhere). It does not address in depth the UK statistics on child marriages because it has proven impossible to get accurate, up-to-date information on the numbers of early marriages (aged 16-18) conducted in the UK, the prevalence of customary marriages involving children in the UK and the numbers of people arriving in the UK who have taken part in a legal or customary early marriage. This is a significant gap in our understanding of this issue given the lifetime impact of child marriage (See Section 4).

¹ This piece adopts the UN Convention on the Rights of the Child definition of a child as being any person under the age of 18 years old.

Section 1: Definitions of Early Marriage

Early marriage is defined by the United Nations UN Convention of the Rights of the Child as “the marriage of individuals under the age of 18, while ‘very early marriage’ involves individuals under 16 years” (Callaghan *et al.* 2015 p.2; see also Nwimo & Egwu 2015; APPG on Population, Development & Reproductive Health 2013). The UN Committee monitoring the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) echoes this by stating that “the minimum age for marriage for the female should be 18 years, the age when they have attained full maturity and capacity to act” (General Recommendation 21 (Article 16:2) United Nations, 1994 in Nwimo & Egwu 2015 p.141). UNICEF clarifies this position by saying “a child cannot be expected to understand the implications of accepting a lifetime partner” and even where that child may have reached the legal age of sexual consent, this “this should not be taken to mean that they are ready to enter marriage. A lack of legislative clarity over the different implications of consent to sexual activity and consent to marriage can result in strange anomalies” (UNICEF Innocenti Research Centre 2001 p.8). Although boys are sometimes subject to Early Marriage, the vast majority of cases involve girls, often marriage to older men and sometimes polygynously (Cloward 2014; Nwimo & Egwu 2015). The WHO recognises Early Marriage as mostly impacting girls and women, violating their human rights and reflecting deep-rooted inequality between the sexes (Cloward 2014). It is one of a category of culturally affirmed violences against girls and women (Bruce 2011).

By its very nature as an act made illegal across the majority of the world’s countries, “early marriage is under-researched, with the limited available literature largely produced by (or with) global development agencies and international charities” (Callaghan *et al.* 2015 p.2; see also Moschetti 2005). Nwimo & Egwu (2015 p.141) describe it as a serious global issue and a violation of a number of international human rights conventions [... with] propensity of creating many problems that affect the rights of women globally” (See Section 4). Very early marriage is viewed primarily as a child abuse issue whereas early marriage is viewed as problematic primarily where it is also explicitly a forced marriage (Gangoli *et al.* 2009). However under the UN definition of domestic violence (UN 2000) and the Coercive Control laws (under the Serious Crime Act 2015) there is proscription on controlling or coercive behaviours in intimate and in familial relationships. Where explicitly duress may not be apparent, aspects of Early Marriage should always be considered within both the Coercive Control legislation as a pattern of behaviour.

Globally many “laws purporting to set minimum ages for marriage or requiring consent of both prospective spouses usually contain exceptions permitting marriages when parents or government officials give consent instead of the child” (Warner 2004 p.236). This includes the UK. What these exceptions suggest is that some forms of early marriage “are legally permitted, and therefore not considered force” (Gangoli *et al.* 2009 p.426) despite the fact that “most early marriage is forced” (Gangoli *et al.* 2009 p.420). The concern around early marriage is demonstrated precisely in this legislated exception to the ban on marriage for under 18s in that one (or both) of those being married is deemed unable to give appropriate consent and it must be supplemented by additional consent, usually that of a parent (Nwimo & Egwu 2015 p.141). “On this basis, child and adolescent marriages can be described as forced marriage, as minors are not deemed capable of providing [suitable] informed consent” (Gill & Harvey 2016 p.3). As such, early marriage is predicated on the child’s lack of agency to free and full consent to marry at full age as laid down in the Universal Declaration of Human Rights (McCleary-Sills 2015; Chantler *et al.* 2009; Chantler 2012). Even accepting the division between older children (i.e. 16 or 17 year old) and adult is not entirely clear cut (Chantler 2012), and that some 16 and 17 year olds seeking to marry may not feel or be coerced, the requirement for supplemental consent is sufficient grounds to reconsider such provisions on the basis that the state is not convinced that an adolescent should be free to marry on their own consent. The question then arises as to why the state would allow the adolescent to marry on the additional consent of a parent who may be forcing, coercing or have normalised early marriage? In addition, there is a paradox in that safeguarding legislation defines a young person as anyone under 18 years. Children and young people, under such provisions and guidance (*Every Child Matters, Safeguarding Children and Young People* etc.), are entitled to protections and supports not generally available to adults unless they are considered additionally vulnerable. In the case of Early Marriage, this means that a 16 or 17 year old who has married is still considered to be a young person and differently vulnerable to an adult. The paradox is then that the provision for 16 and 17 years olds to get married is a case of the state explicitly permitting child marriage under their own definitions of a child deserving of additional protections to an adult.

Section 2: Early Marriage in the UK

Early marriage is largely conceptualised as an issue in the developing world, however UNICEF estimates about 2% of the world’s early marriage brides live in the developed world whether they were born there or immigrated after marriage and they point out that more detailed research has not been conducted in more developed regions of the world

including Western Europe (UNICEF 2014). Nwimo and Eqwu (2015 p.144) estimate that around 2% of girls in the UK marry before the age of 19 (compared to 4% in the USA and 1% in Canada) whilst ECPAT (2000) found that 0.5% of boys and 1.7% of girls in the UK had been married before the age of 20 years.

Under UK law (Marriage Act 1949 & Matrimonial Causes Act 1973) the minimum age of consent to marriage in England and Wales is 16 years old but parental permission is required to marriage before the age of 18 years. In Scotland the age of consent is 16 years old without any additional consent needed. Marriages conducted abroad are generally recognised in England and Wales under *lex loci celebrationis* (ECPAT 2009) except where a British national is seeking to sponsor a non-European Union citizen for a spousal or fiancé(e) visa where the government raised the age of marriage (recognition) from 16 to 21 years old (Phillips & Dustin 2004 p.591). This raising of the age of marriage (recognition) was directly connected to concerns over British nationals being taken abroad for Forced Marriages however sets up an anomaly where the same safeguard is not available for those marrying within England and Wales and where British nationals married abroad may be placed in greater danger by these provisions (see Section 4).

Most of these Forced Marriages involved young women and whilst there is no reliable data, the Working Group on Forced Marriage (2000) estimated at least 1,000 cases per year. However there is no way of disaggregating this estimate by those which are Forced Marriage and those which are Forced Early Marriage. Similarly, whilst Gill and Harvey (2016 p.3) report that of the 101 applications for Forced Marriage Protection Orders (FMPOs) prior to 2010, 35% relate to those under the age of 18 years old, there is no way of knowing how many of these relate to Very Early Marriage compared to Early Marriage. 26% of cases handled by the Forced Marriage Unit in 2016 relate to under 18s and 11% are internal to the UK (i.e. both spouses are resident within the UK) (Home Office & Foreign & Commonwealth Officer (2017).

Largely the concern around both Early and Forced Marriage has focused on Asian communities including those of Pakistani, Bangladeshi and Indian heritage (Working Group on Forced Marriage 2000). This is due to the lack of clear boundaries between arranged marriage and forced marriages due to influence of respect for tradition, pressure and normalisation (Julios 2016; Forum on Marriage and the Rights of Women and Girls 2000) and the link between Early Marriage and 'Honour' Crimes including murder (Shafelia Ahmed, Banaz Mahmood, Samaira Nazirn and Rania Alayed for example). However it is

important to also note that many other communities are invested in Early (and Forced) Marriage including some from Africa, the Middle East, Latin America, Eastern Europe and China comprising of both secular and religious people. In terms of religions, orthodox forms of Judaism, Christianity (including Mormon, Jehovah Witnesses, Greek Orthodox and Catholicism), Sikhism, Hinduism and Islam have all been linked to Early (and Forced) marriage (Working Group on Forced Marriage 2000; Forum on Marriage and the Rights of Women and Girls 2000; Chantler *et al.* 2009). There is little research that amplifies the voices of those who have experienced Early Marriage particularly from the UK. Partly this may related to the ways in which people do not identify as having had a child or early marriage even where they are otherwise prepared to talk about the financial and social pressure to 'consent' to an arranged married (Gangoli *et al.* 2009 p.423) and the ways that adolescents may be under pressure to marry and have children (WHO 2011). Research from the US, however shows that 45% of women who reported an attempt (whether successful or not) to force them into marriage were under 18 years old at the time of the attempt (McFarlane *et al.* 2016).

Section 3: Reasons Given for Early Marriage

Previous work has outlined the reasons families may support Early Marriage including:

- **Cultural and Religious Justifications**
 - Respect for traditions (Callaghan *et al.* 2015; Cloward 2014; World Vision 2013; Bruce 2011; ECPAT 2009; Gangoli *et al.* 2009; Forum On Marriage And The Rights Of Women And Girls 2000; Working Group on Forced Marriage 2000)
 - Ensuring female submission (Nwimo & Eggu 2015; Bruce 2011)
 - Peer group or family pressure (Working Group on Forced Marriage 2000)
 - Protecting family 'honour' (World Vision 2013; Working Group on Forced Marriage 2000; ECPAT 2009)
 - Strengthening community or family ties (ECPAT 2009; Working Group on Forced Marriage 2000)
- **Economics and poverty**
 - Improving the family's financial position (Callaghan *et al.* 2015; Hamilton 2012; ECPAT 2009; Gottschalk 2007; Forum On Marriage And The Rights Of Women And Girls 2000)

- Preserving and maintaining family wealth, which is often in the family's native country (ECPAT 2009)
- Alleviating family poverty by reducing economic burden (World Vision 2013; Chantler 2012)
- **Sexual and reproductive health**
 - Preventing 'unsuitable' relationships, (e.g. outside ethnic, cultural, religious or caste group) (ECPAT 2009; Gottschalk 2007; Working Group on Forced Marriage 2000; Forum On Marriage And The Rights Of Women And Girls 2000; Ouattara *et al.* 1998)
 - Transactional marriage contracted for security in risky or unsettled situations (Hutchinson *et al.* 2016)²
 - Controlling female behaviour and sexuality (World Vision 2013; Chantler 2012; Bruce 2011; ECPAT 2009; Gottschalk 2007; UNICEF Innocenti Research Centre 2001; Working Group on Forced Marriage 2000; Forum On Marriage And The Rights Of Women And Girls 2000)
 - Ensuring that a girl is protected, or under 'suitable' male control (Nwimo & Egwu 2015; World Vision 2013; Gottschalk 2007; UNICEF Innocenti Research Centre 2001; Forum On Marriage And The Rights Of Women And Girls 2000; Ouattara *et al.* 1998;)
- **Familial Justifications**
 - Securing a good match (Callaghan *et al.* 2015)
 - Assisting relatives immigrating to the UK (ECPAT 2009)
 - Protecting the child from impacts of crises (World Vision 2013)
 - Maintaining the order of marriage within siblings (ECPAT 2009)
 - Ensuring that children are legitimate (Nwimo & Egwu 2015; World Vision 2013)
 - Parents were married early (Hamilton 2012)
 - Boys family needing domestic help (Ouattara *et al.* 1998)
 - Removing child from parental domestic abuse (Ouattara *et al.* 1998)

² This category applies to both marriages contracted in the UK (for example for financial, exploitation or migration status reasons) and those contracted outside the UK in conflict areas.

In many circumstances the idea of Early Marriage is normalised within families or communities and Early Married young women report attending weddings of slightly older female relatives, hearing discussion about already married slightly older relatives and a general acceptance of Early Marriage as desirable (Vang & Her 2014; Callaghan *et al.* 2015; Ouis 2009). Indeed, much of the Early Marriage prevention discussions focussed on a 'victim' versus 'violator' dichotomy which was unhelpful in understanding the complexities of Early Marriage understandings (Callaghan *et al.* 2015; Ouis 2009).

However, whilst this normalisation of Early Marriage is often linked back to cultural practices of a country of origin in the parent's mind (Phillips & Dustin 2004), "in reality practices and traditions in home countries have 'moved on'. Consequently, it is argued that forced marriage, including child marriage is a product of the diasporic experience and not a 'traditional practice'" (Gangoli *et al.* 2009). That said, "The resilience of traditional practices and customs is illustrated by the situation of British girls from families of South Asian and Middle Eastern origin sent on a visit 'home', only to discover that they are to be forcibly married to a stranger" (UNICEF 2001). Reluctance to go against traditional practice can be increased when there is a sense of fragility in the community, but "customary laws and harmful practices often have adverse outcomes for girls, even when presumed to be in the 'best interests' of the child" (World Vision 2013 p.16). As Early Marriage in the UK may be an outcome of the diasporic experience and desire to protect or preserve "traditional" practices, it is only right that when exploring the outcomes of early marriage, we consider the international evidence available as this, too, is likely to be part of those 'preserved traditions'.

One of the difficulties of understanding motivations is the impact on communities of feeling under scrutiny, which has a demonstrable impact on individual's willingness to accurately represent both previous behaviour and future intention (Cloward 2014) meaning that individuals are more likely to give falsely compliant answers with dominant norms (against Early Marriage) when asked about their intentions. This scrutiny can also make it harder for women to report, as one British Asian woman reported in Gangoli *et al.* (2009 p.425) because "she was aware that she had been subjected to child marriage which was technically illegal in the UK [at age 15 and so] she was unwilling to seek help from teachers or counsellors at school, out of concern that her parents would be 'victimised' by the authorities".

Section 4: Outcomes of Early Marriage

Ouattara *et al.* (1998 p.30) argue that early “marriage must be understood as a situation of danger for girls” (see Section 4) not least because “once married, a child is generally treated as having reached the age of majority, and laws protecting children no longer reach her” (Warner 2004 p.236) (see Section 5). Most Early Marriages are between adolescent girls and older men (UNICEF 2012), replicating patterns of control and violence we see in other detrimental situations.

Health & Reproduction Risks

- Poorer overall physical health including greater risk of heart attack, diabetes, cancer, and stroke (Nasrullah *et al.* 2014b; Hamilton 2012; Santhya 2011).
- Mental Health Impacts (Soylu *et al.* 2014; Nasrullah *et al.* 2014b; Gage 2013; Godha 2013; Hamilton 2012; Chantler *et al.* 2009)
- Suicidal thoughts and attempted suicide (Soylu *et al.* 2014; Gage 2013; Chantler *et al.* 2009)
- Less able to withhold consent to sexual intercourse (McFarlane *et al.* 2016; Godha 2013; World Vision 2013; WHO 2011; Bruce 2011; Ouattara *et al.* 1998)
- Greater vulnerability to STI and HIV infection caused by less ability to say “no” (McFarlane *et al.* 2016; Nwimo & Egwu 2015; Nasrullah *et al.* 2014b; Godha 2013; World Vision 2013; UNICEF 2012; Santhya 2011; Bruce 2011; Chantler *et al.* 2009; UNICEF Innocenti Research Centre 2001; Ouattara *et al.* 1998)
- Pain during intercourse (Nwimo & Egwu 2015)
- Unwanted pregnancy (McFarlane *et al.* 2016; Nasrullah *et al.* 2014a; Godha 2013; World Vision 2013; Santhya 2011; WHO 2011; In Focus 2011; Gottschalk 2007; UNICEF Innocenti Research Centre 2001)
- Increased risk of dying in pregnancy - mothers aged 15-19 years old face up to a 200% greater chance of dying in pregnancy, mainly due to haemorrhage, sepsis, pre-eclampsia and obstructed labour) than women aged 20-24 years (Nwimo & Egwu 2015; Nasrullah *et al.* 2014a; Godha 2013; Santhya 2011; Prakash 2011; In Focus 2011; Chantler *et al.* 2009; Ouis 2009; UNICEF Innocenti Research Centre 2001; Ouattara *et al.* 1998)
- Higher rates of pregnancy induced hypertension (Nwimo & Egwu 2015)
- Increased risk of premature labour (Nwimo & Egwu 2015; Santhya 2011; UNICEF Innocenti Research Centre 2001)
- Complications during delivery (UNICEF Innocenti Research Centre 2001; Nwimo & Egwu 2015)
- Higher still birth rate (Godha 2013; Santhya 2011; Prakash 2011; Ouattara *et al.* 1998)

- Low birth-weight (Soo 2016; Nwimo & Egwu 2015; Nasrullah *et al.* 2014a; Godha 2013; World Vision 2013; Santhya 2011; WHO 2011, UNICEF Innocenti Research Centre 2001; Ouattara *et al.* 1998)
- Greater neonatal mortality - up to 60% higher than if a mother is older than 19 years (Nwimo & Egwu 2015; Nasrullah *et al.* 2014a; World Vision 2013; Santhya 2011; Prakash 2011; Chantler *et al.* 2009; UNICEF Innocenti Research Centre 2001; Ouattara *et al.* 1998)
- Greater number of children (Nwimo & Egwu 2015; In Focus 2011)

A study from the US (LeStrat *et al.* 2011) on the mental health correlates of Early Marriage found that 53% of women who had Early Marriages had some form of psychiatric disorder. Most notably these were depressive disorder, specific phobias, alcohol abuse, panic disorders and anxiety.

Relationship Risks

- Increased risk of experiencing other forms of gender-based violence including physical and emotional abuse, controlling behaviour, financial abuse, bride-price/dowry and 'honour' crimes (McFarlane *et al.* 2016; McCleary-Sills *et al.* 2015; Soylyu *et al.* 2014; Nasrullah *et al.* 2014a; Nasrullah *et al.* 2014b; Godha 2013; World Vision 2013; UNICEF 2012; Santhya 2011; Chantler *et al.* 2009; Gottschalk 2007; UNICEF Innocenti Research Centre 2001 & 2000; Working Group on Forced Marriage 2000; Ouattara *et al.* 1998)
- Higher marriage failure rate (Hamilton 2012; Bruce 2011)
- Risk of abandonment (McFarlane *et al.* 2016; Ouis 2009; UNICEF Innocenti Research Centre 2001)
- Risk of familial estrangements (UNICEF 2012; Working Group on Forced Marriage 2000;)
- Risk of trafficking and sexual exploitation through false marriages (World Vision 2013; Ouis 2009)
- Less ability to exert appropriate parental control over their children (Nwimo & Egwu 2015)
- Higher rate of widowhood due to prevalent age differences between partners (UNICEF 2012)

Educational & Social Impacts

- Curtailment or denial of educational opportunities (McCleary-Sill *et al.* 2015; Nwimo & Egwu 2015; Nasrullah *et al.* 2014a; Nasrullah *et al.* 2014b; Godha 2013; Hamilton 2012; WHO 2011; In Focus 2011; Gangoli *et al.* 2009; Gottschalk 2007; UNICEF Innocenti Research Centre 2001, Working Group on Forced Marriage 2000; Ouattara *et al.* 1998)

- Loss of socializing and friendships outside of family circle (Nwimo & Egwu 2015; Godha 2013; World Vision 2013; UNICEF Innocenti Research Centre 2001; Ouattara *et al.* 1998)
- More financial dependent on spouses (Nwimo & Egwu 2015)
- Reduced change to develop independent identity (Nwimo & Egwu 2015; UNICEF Innocenti Research Centre 2001)
- Lack of self-esteem (Nwimo & Egwu 2015; Gangoli *et al.* 2009; UNICEF Innocenti Research Centre 2001)
- Required to take on roles for which they are not physically or psychologically prepared (Nwimo & Egwu 2015; World Vision 2013; Ouattara *et al.* 1998)
- Lack of control over own mobility and actions (Godha 2013; Gangoli *et al.* 2009)
- Social Stigmatisation by peers (Gangoli *et al.* 2009)
- Live in poverty (Hamilton 2012)
- Secondary impact of curtailment of educational opportunities, power imbalance, loss of mobility etc on women's agency across the life-course (Moghadam 2003)³

Section 5: Need for Change

The contemporary context of Early Marriages condoned by law has widespread impacts across a number of sectors which are rarely acknowledged. Below are some examples:

Normalisation

Given that young people at risk of Early Marriage may have been raised in a milieu in which Early Marriage is normalised, the reliance on recognition by young people that their consent is not entirely freely given is problematic (Moschetti 2005). Additionally the lack of a developed public discussion of around Early Marriage, coercive control, domestic abuse and sexual violence generally has knock on impacts for those who experience Early Marriage being able to articulate their experiences. Importantly it limits young women's ability to speak out and means that governments and their agencies are collusive in this violence (Ouattara *et al.* 1998). There is already evidence of the infrequency with which the criminalisation of rape within marriage is used for prosecution and although there are notable recent cases in which Very Early Marriage spouses have been prosecuted for child sexual offences (Osborne 2017), there is no easily accessible data on how often Early Marriage spouses (or indeed any spouses) have been prosecuted for rape offences.

³ Agency here refers to a person's ability to define and act on personal goals, following Kabeer (1999).

The existing push by some policy-makers for mediation in “difficult” marriages (including with domestic abuse, coercive control, intimate partner rape and forced marriage) is also of concern as this clearly locates the problem as one of differing expectation and negotiation rather than power and abuse. In some quarters, such ‘mediation’ is offered by religious figures who may themselves be invested in the idea of Early Marriage for the (fallacious) reasons given in Section 2. Elsewhere this may be offered by non-religious, non-specialist services who focus on the “give and take” of relationships and how every relationship has its problems. Either way, this would merely reinforce prior cultural normalisation rather than explicitly addressing the needs of the young people to be free from duress.

Education

It is not clear how schools should engage with the Safeguarding agenda where their student is a legally married 16 or 17 year old. Should schools treat the child as an emancipated minor or does parental consent responsibility pass to the spouse? If the latter how does this square with the idea that the young people has been able to consent to marriage but cannot consent to an educational field trip? Teachers are not currently trained on these matters, there is a danger that the response may be to replicate the reluctance of other statutory agencies to intervene (Moschetti 2005). However for 16 and 17 year olds, educational staff may be the only statutory agencies with whom they have contact if they are in England and Wales, at least until they become (too) pregnant.

Medical Consent

Similarly questions arise in medical settings as to whether a spouse aged 16 or 17 years old would be considered competent to consent to treatment as next of kin if the patient/spouse is unable to. In short young people at this age are not considered able to consent to a variety of things (including marriage without supplementary consent) which should suggest that the notion of marrying at this age is both socially and individually undesirable.

Child or Adult Services?

Whilst the existing Forced Marriage framework offers a range of protections to children and adults, which sector holds jurisdiction over the 16-18 year old group is unclear. Section 31 of the Children Act 1989 allows for a child under the age of 17 to be taken into care to prevent forced marriage, but the same provision does not necessarily apply to the over 17s. The Children Act 2004 does not address children under the age of 18 being forced

into marriage (Gangoli *et al.* 2009). Additionally domestic abuse support services tend to view young people in terms of potential teen relationship abuse but not domestic abuse from a spouse as the exclusion criteria for such terms tends to be that the person experiencing domestic abuse must be over 18 (Gangoli *et al.* 2009). Therefore services are not necessarily geared to providing safe haven or support for such young people. Whether, given the current funding cuts, a refuge could offer a space to a 17 year old with or without children is debateable particularly as they would not be eligible for Housing Benefit which has generally been part of how refuges can afford to exist. Similarly whether there are enough appropriate services for young women leaving Early Marriages within the social care sector is uncertain given the difficulty that already exists in placing teenagers with or without their own children. Particular attention should be paid to provision for young people and vulnerable adults with Learning Disabilities who may be targeted for Early and Forced Marriages because of their conditions.

People who have experienced Early Marriage and wish to have that marriage voided without requiring a divorce need greater flexibility in how that happens. The current three year time limit on nullification may be too short for victims taken abroad (ECPAT 2009) and not allowed to return until they are able to sponsor a spousal visa or who are held abroad until pregnant (Chantler *et al.* 2009).

International Issues

There should also be consideration for tackling Early Marriage conducted outside the UK involving those with residency within the UK to ensure that no person who has residency rights in the UK faces or engages in Early Marriage. Internationally, an adult male who has sex with a girl of 13 may be regarded as a criminal unless he is married to that girl in which case such victims becomes “statistically invisible as ‘children’” (UNICEF Innocenti Research Centre 2001).

Research shows a range of supports that are needed for those affected by Early Marriage. Somewhere to stay on leaving an abusive Early Marriage is a basic necessity to prevent girls, in particular, being returned to either their husband or their parents (Nwimo & Egwu 2015; Working Group on Forced Marriage, 2000). Currently the Housing Act doesn't acknowledge Early (Forced) Marriage as a priority ground for determining homelessness and domestic violence as grounds for priority housing must be evidenced in ways which may be extraordinarily difficult for young women leaving Early Marriages to document. In addition a childless young women over the age of 18 leaving an Early Marriage is

extremely unlikely to be considered high priority for rehousing (Working Group on Forced Marriage 2000) making her choices either to return to her parents and potentially face their anger or seek survival elsewhere and without a support network making them additionally vulnerable to sexual exploitation. This situation is further complicated if the young woman has arrived on a spousal visa and deemed as having No Recourse to Public Funds as Southall Black Sisters and others have highlighted (ECPAT 2009).

Conclusions

As Ouattara *et al.* (1998 p.33) argued, “Ad hoc interventions are useful for urgent action, but we need long-term solutions”. Other countries have led the way in outlawing Early Marriage (Hall 2017; Simmons & Burn 2013) and increasing the powers to address those who put young people under duress to consent to an Early Marriage. Germany’s recent move (Hall 2017) includes raising the age of consent for all marriages to 18 years; annulling foreign marriages involving those under 18 years and giving Youth Welfare Workers (equivalent to Social Workers) the power to take underage girls into care. It also fines anyone involved in customary, traditional or religious rather than state marriage ceremonies. Increasing the legal age of marriage to 18 across the UK and compulsory registration of religious, customary or traditional marriages were both recommendations from the APPG on Population, Development and Reproductive Health (2013). Similarly the WHO (2011) recommends preventing marriage before 18 years of age as a way of ensuring better child, adolescent and women’s health. There is evidence that legislation on minimum age of marriage does impact on the prevalence of Early Marriage, including in countries where there are migrant populations who may bring ‘traditions’ of Early Marriage (Maswikwa *et al.* 2015). However, the same study found that where there was an legislative position inconsistent with the UN Convention on the Rights of the Child (i.e. one which included marriage below the age of 18 years including exceptions to the minimum age, as in England & Wales) Early Marriage rates were higher than where there were rules consistent with the UN Convention on the Rights of the Child. Therefore these measures would be a first step in preventing and combating the negative impacts of Early Marriage.

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Appendix A: Minimum Age of Marriage as Given in Law⁴

Countries using UN Minimum or older and exceptional Minimums over 16

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age different with Parental or Judicial Consent (= if partner must be over 18)
Albania	18	18	-	-
Azerbaijan	18	18	17 J	17 J
Belarus	18	18	-	-
Benin	18	18	-	-
Bhutan	18	18	-	-
Botswana	21	21	18 P	18 P
Burundi	21	18	-	-
Cambodia	18	18	-	-
Central African Republic	22	18	-	-
China	22	20	-	-
Costa Rica	18	18	-	-
Denmark	18	18	-	-
Djibouti	18	18	-	-
Egypt	21	21	18 P	18 P
Eritrea	18	18	-	-
Ethiopia	18	18	-	-
Ecuador	18	18	-	-
Germany	18	18	-	-
Gibraltar	18	18	-	-
Guinea-Bissau	18	18	-	-
Guinea-Conakry	18	18	-	-
Honduras	18	18	-	-
Ireland	18	18	-	-
Ivory Coast	20	18	-	-
Japan	20	20	18 P	16 P

⁴ This does not take into account customary practice nor legal enforcement of these provisions.

Jordan	18	18	-	-
Kenya	18	18	-	-
Kiribati	21	21	18 P	18 P
Kyrgyzstan	18	18	17 J	17 J
Mauritania	18	18	-	-
Mexico	18	18	State variation mostly -	State Variation mostly -
Mongolia	18	18	-	-
Morocco	18	18	-	-
Namibia	21	21	18 P	18 P
Nepal	20	20	18 P	18 P
Nigeria	18	18	-	-
Oman	18	18	-	-
Panama	18	18	-	-
Papua New Guinea	21	21	-	-
Philippines	21	21	18 P	18 P
Puerto Rico	21	21	18 P	18 P
South Korea	19	19	18 P	18 P
South Sudan	18	18	-	-
Sri Lanka	18	18	-	-
Sweden	18	18	-	-
Switzerland	18	18	-	-
Syria	18	18	-	-
Trinidad & Tobago	18	18	-	-
Tunisia	18	18	-	-
Uganda	18	18	-	-
Vanuatu	21	21	18 P	18 P
Vietnam	20	18	-	-
Zambia	21	21	-	-
UAE	18	18	-	-

Countries using UN Minimum or older and exceptional Minimums 16 with judicial protections

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age different with Parental or Judicial Consent (= if partner must be over 18)
Algeria	19	19	< 19 J	< 19 J
Australia	18	18	16 J + P	16 J + P
Bulgaria	18	18	16 J + P	16 J + P
Croatia	18	18	16 J	16 J
Czech Republic	18	18	16 J	16 J
Guatamala	18	18	16 J	16 J
Israel	18	18	16 J	16 J
Italy	18	18	16 J	16 J
Macedonia	18	18	16 J + P	16 J + P
Norway	18	18	16 J + P	16 J + P
Romania	18	18	16 J	16 J
Russia	18	18	16 J; states vary	16 J; states vary
Serbia	18	18	16 J	16 J
Slovakia	18	18	16 J	16 J
Spain	18	18	16 J	16 J
Turkey	18	18	16 J + P	16 J + P
Ukraine	18	18	16 J	16 J
Poland	18	18	-	16 J

Countries using UN Minimum or older and exceptional Minimums 16 without judicial protections

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age different with Parental or Judicial Consent (= if partner must be over 18)
Lesotho	21	21	18 P	16 P
Liberia	21	18	18 P	16 P
Grenada	21	21	16 P	16 P

Hong Kong	21	21	16 P	16 P
Paraguay	20	20	16 P	16 P
Tajikistan	18	18	17 P	17 P
Thailand	20	20	17 P	17 P
Tonga	18	18	-	16 P
Tokelau	21	19	18 P	16 P
Samoa	21	19	18 P	16 P
Uzbekistan	18	17	-	-

Countries using UN Minimum and exceptional minimums of 16 without mandatory judicial protection (England & Wales equivalents)

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)
Armenia	18	18	16 P =	16 P =
Austria	18	18	16 P =	16 P =
Brazil	18	18	16 P	16 P
Canada	18	18	16 P or J	16 P or J
Chile	18	18	16 P	16 P
Cyprus	18	18	16 P	16 P
Dominica	18	18	16 P	16 P
Dominican Republic	18	18	16 P	16 P
Fiji	18	18	16 P	16 P
Georgia	18	18	16 P	16 P
Guyana	18	18	16 P	16 P
Hungary	18	18	16 P	16 P
Jamaica	18	18	16 P	16 P
Latvia	18	18	16 J or P	16 J or P
Malta	18	18	16 P	16 P
Mauritius	18	18	16 P	16 P
Mozambique	18	18	16 P	16 P

Nicaragua	18	18	16 P	16 P
New Zealand	18	18	16 P	16 P
Peru	18	18	16 P	16 P
Portugal	18	18	16 P	16 P
Republic of China	20	20	18 J	16 J
Saint Lucia	18	18	16 P	16 P
Somalia	18	18	-	16 P
Swaziland	21	21	18 P	16 P
Tuvalu	21	21	16 P	16 P
Uruguay	18	18	16 P	16 P
Zimbabwe	18	18	16 P	16 P
Timor-Leste	17	17	16 P	16 P

Countries using UN Minimum and exceptional no specified minimums

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)
Bahamas	18	18	< 18 J or P	< 18 J or P
Belgium	18	18	<18 J	<18 J
Finland	18	18	< 18 J & P	< 18 J & P
France	18	18	< 18 J & P	< 18 J & P
Greece	18	18	<18 J	<18 J
Iceland	18	18	< 18 J & P	< 18 J & P
Libya	20	20	< 20 J	< 20 J
Liechtenstein	18	18	< 18 J	< 18 J
Luxembourg	18	18	< 18 J	< 18 J
Singapore	21	21	18 P < 18 J	18 P < 18 J
Slovenia	18	18	< 18 J	< 18 J
South Africa	18	18	< 18 J	< 18 P

				< 15 J
Netherlands	18	18	< 18 J or P	< 18 J or P
Brunei	18	18	States vary	States vary
Russia	18	18	Some regional difference	Some regional difference
United States	18	18	< 18 J or P	< 18 J or P

Countries where one gender minimum does not abide by UN convention

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)
Afghanistan	18	16	-	15 J or P
Angola	18	18	16 P	15 P
Bangladesh	21	18	-	< 18 J + P
Bolivia	21	21	16 P	14 P
Burkina Faso	20	17	18 P	15 P
Cameroon	15	18	-	-
Chad	18	15	-	-
Cuba	18	16	16 P	14 P
DRC	18	15	-	-
Gabon	21	21	18 P	15 P
Haiti	18	18	-	15 P
India	21	18	-	15 P
Indonesia	18	16	< 18 J + P	< 16 J + P
Kazakhstan	18	17	16 P	16 P
Kuwait	17	15	-	-
Madagascar	18	17	-	-
Malaysia	21	21	18 P	< 16 J
Mali	18	16	-	-
Micronesia	18	16	-	-
Myanmar	20	20	-	14 P

Nauru	18	16	-	-
Niger	18	15	< 18 P	< 15 P
North Korea	18	17	-	-
Niue	21	19	18 P	15 P
Pakistan	18	16		
Palau	18	16	-	-
Qatar	18	16	< 18 J + P	< 16 J + P
Soa Tome & Principe	18	18	16 P	14 P
Senegal	18	16	-	-
Sierra Leone	18	16	-	-
Suriname	21	21	17 P	15 P
Togo	20	17	-	-

Countries where both genders minimum does not abide by UN convention

Country	Regular Minimum Legal Age to Marry for Males	Regular Minimum Legal Age to Marry for Females	Male Legal Age if different with Parental or Judicial Consent (= if partner must be over 18)	Female Legal Age different with Parental or Judicial Consent (= if partner must be over 18)
Andorra	16	16	14 J	14 J
Antigua & Barbuda	18	18	15 P	15 P
Argentina	18	18	16 P <16 J	16 P <16 J
Belize	18	18	14 P	14 P
Colombia	18	18	14 P	14 P
El Salvador	18	18	15 P	14 P
Estonia	18	18	15 J	15 J
Iran	18	15	15 J + P	13 J + P
Iraq	18	18	15 J + P	15 J + P
Laos	18	18	15 P	15 P
Lithuania	18	18	15 J	< 15 J
Maldives	18	18	15 P	15 P

Palestine	16	15	< 16 P	< 15 P
Republic of the Congo	21	18	< 21 P	< 18 P
Rwanda	21	21	<21 P	< 21 P
Saint Kitts & Nevis	16	16	-	-
Saint Vincent & Grenadines	16	15	-	-
Solomon Islands	18	18	15 P	15 P
Tanzania	18	18	14 P	14 P
Turkmenistan	16	16	-	-
Venezuela	18	18	16 P	14 P
Yemen	15	15	< 15 P	< 15 P
Equatorial Guinea	12	12	-	-
Lebanon	18	17	9 J	9 J
Saudi Arabia	No mimimum	No mimimum	-	-
Sudan	Puberty	Puberty	-	-