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**Landmark Supreme Court Ruling:
Immigration policy on forced marriage is unlawful**

Southall Black Sisters welcomes the judgment in the Quila and Bibi¹ case. The Supreme Court has stated that the government's ban on non-EU spouses under the age of 21 from entering the UK, is an unlawful interference on a couple's right to respect for private and family life.

SBS intervened in the case to argue that the age policy is a disproportionate and discriminatory response to the problem of forced marriage. We stated that it would discriminate against many couples who have genuine marriages by keeping them apart, and more importantly, that it will not solve the problem of forced marriage but merely drive it underground. The Supreme Court has endorsed our view that the Secretary of State's age policy, far from being an effective deterrent, is an unjustifiable, unfair and disproportionate response to the problem of forced marriage.

Our main concern is that the government is consistently linking forced marriage to the imperatives of immigration control when there is no evidence to show that in the vast majority of cases, forced marriage and gaining entry to the UK are linked. The main motivating factors behind forced marriages are complex and it cannot be used to impose immigration controls that have unlawful, discriminatory outcomes for many genuine cases. Forced marriage is largely about the need to control (female) sexuality, protecting cultural and religious norms including family honour, and strengthening family ties.

SBS states:

"We believe that the issue of immigration control and forced marriage must be de-linked. There are other, more effective ways of addressing the problem, for example providing funding for specialist organisations, undertaking preventative work in schools, improving access to education and supporting those who are trying to tackle the root causes of forced marriage from within their communities. This judgment makes it clear that the link between forced marriage and entry to the UK has not been clearly established. We therefore urge the government to think again about using the issue of forced marriage to justify its latest unnecessary and discriminatory proposals on family-related migration. Forced marriage is a serious issue but it should not be used in a cynical way to create a moral panic to justify the government's immigration agenda."

Contact: Tel: 0208 571 9595 or info@southallblacksisters.co.uk for more information.

¹ R (on the application of Quila and another) (FC) (Respondents) v Secretary of State for the Home Department (Appellant); R (on the application of Bibi and another) (FC) (Respondents) v Secretary of State for the Home Department (Appellant) [2011] UKSC 45. See <http://www.supremecourt.gov.uk/news/latest-judgments.html>

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