

Irish Criminal Justice (Female Genital Mutilation) Bill 2011

Section 5, provides that doing or attempting to do female genital mutilation is an indictable offence. The offences of aiding, abetting, counselling, or procuring the commission of female genital mutilation are already provided for in the general criminal law Acts on the grounds that a person is liable to be tried and punished where s/he aids, abets, counsels or procures the commission of an indictable offence; The general criminal law Acts concerned are:

- Criminal Law Act 1997;
- Criminal Justice Act 2006;
- Criminal Justice (Amendment) Act 2009.

The offence of conspiring with another person to do female genital mutilation is covered by the same general criminal law

Criminal Law

Applicability of the principle of extraterritoriality

No but Bill includes following provision; Section 3 (1) "A person is guilty of an offence if the person removes or attempts to remove a girl or woman from the State where one of the 15 purposes for the removal is to have an act of female genital mutilation done to her." Section 3 (5) For the purposes of this section, to "remove a girl or woman from the State" includes— (a) arranging any part of her travel out of the State, (b) accompanying her for any portion of that travel, (c) arranging that she be met when her travel out of the State has terminated, or (d) doing any other act that could facilitate her travel out of the State"

Types of FGM addressed

Section 1 "female genital mutilation" means any act the purpose of which, or the effect of which, is the excision, infibulation or other mutilation of the whole or any part of the labia majora, labia minora, prepuce of the clitoris, clitoris or vagina of a girl or woman"

Source

Houses of the Oireachtas (Irish Parliament and Senate),

<http://www.oireachtas.ie/documents/bills28/bills/2011/0711/b0711s.pdf>

Additional information

Date of entering into force

09/02/2012 (draft legislation, going to committee stage where amendments are possible)

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