

Current situation and trends of female genital mutilation in United Kingdom



LEGAL FRAMEWORK

International and European conventions

The United Kingdom has ratified various international conventions condemning FGM, including the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), and the Charter of Fundamental Rights of the European Union (2000/C 43/02).

Criminal law

Since 1985, female genital mutilation has been specifically prohibited in the United Kingdom. The rules were initially set out in the Prohibition of Female Circumcision Act, which was then replaced in 2003 by the Female Genital Mutilation Act. According to the Act, it is prohibited to carry out, and to assist any form of FGM, including excision, infibulation or mutilation in relation to the whole or any part of the major lip, minor lip, prepuce of the clitoris, the clitoris, or vagina. In Scotland, similar prohibitions are set out in the Prohibition of Female Genital Mutilation Act (2005). The principle of seriousness is applicable, making FGM punishable even if it is committed outside the country.

Child protection law

In the UK, there are four child protection laws that could be applied to cases of FGM. The Children Act of 1989 does not specifically include FGM, but the practice can be classified as a cause of significant harm to the child as laid out in Section 47, Part V of the Act. Section 41, Part VI of the Children (Northern Ireland) Order 1995 states that "if any police officer or member of staff believes that a child could be at immediate risk of significant harm they should consider the use of Police Protection Powers."

Asylum law

Women and girls leaving FGM can have their application on unaccompanied asylum-seeking status (UASC) considered as a refugee claim if they are fleeing FGM. Section 11, chapter III of the Children (Scotland) Act 1995 states that "A sheriff may grant an order for an assessment of the state of a child's health or development, or of the way in which they have been treated or are known to be treated as a child assessment order." Based on Section 11, Chapter 2 of the Children Act 2004, all professionals and volunteers from all agencies and departments (health, education, police, and social services) have statutory responsibilities to safeguard and promote the welfare of children. This makes it an obligation for all professionals to protect a child from any harm.

About the study

In order to contribute to identifying and filling the gaps in regional data collection and support the development of strategies for combating female genital mutilation (FGM), the European Institute for Gender Equality has commissioned the study to map the current situation and trends of female genital mutilation in 27 EU Member States and Croatia. The study was launched at the request of Viviane Reding, Vice-President of the European Commission. It was conducted by the International Centre for Reproductive Health (ICRH) of the Ghent University and Yellow Window Management Consultants in addition to EADIC.

The desk research in the 27 EU Member States and Croatia and the in-depth research in nine EU Member States brings about the first collection of information and data, legal and policy framework, actors, risks and methods in the area of FGM in the EU. The different national approaches to tackle FGM in the EU were analysed and compared in order to identify practices with potential in prevention, protection, prosecution, provision of services, partnership and evidence.

The data provided in this publication were collected through desk research conducted between December 2011 and April 2012. More information and references about the study are available at: eige.europa.eu

Downloads



Current situation of female genital mutilation in United Kingdom

EN (PDF, 588.94 KB)

Metadata

COUNTRY: Non EU countries

AREAS: Gender-based violence

AUTHOR: EIGE

PUBLISHER: Publications Office of the EU

ISBN: 978-92-9218-259-5

DOI: 10.2839/85118