

# CRIMINAL CODE GREAT BRITAIN

Legal regulations on FGM

AFRICAN WOMEN'S ORGANIZATION



AFRICAN WOMEN'S ORGANIZATION  
against female genital mutilation

## AFRICAN WOMEN'S ORGANIZATION

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# PROVISIONS RELATING TO FGM

## GREAT BRITAIN (1985)

### Other provisions - Penal Codes

#### Prohibition of Female Circumcision Act of 1985

1. (1) Subject to section 2 below, it shall be an offence for any person-
  - (a) to excise, infibulate or otherwise mutilate the whole or any part of the labia majora or labia minora or clitoris of another person; or
  - (b) to aid, abet, counsel or procure performance by another person of any of those acts on that other person's own body.
- (2) A person guilty of an offence under this section shall be liable-
  - (a) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or both; or
  - (b) on summary conviction, to a fine not exceeding the statutory maximum (as defined in section 74 of the Criminal Justice Act 1982) or to imprisonment for a term not exceeding six months, or to both.
2. (1) Subsection (1) (a) of section 1 shall not render unlawful the performance of a surgical operation if that operation-
  - (a) is necessary for the physical or mental health of the person on whom it is performed and is performed by a registered medical practitioner; or
  - (b) is performed on a person who is in any stage of labour or has just given birth and is so performed for purposes connected with that labour or birth by-
    - (i) a registered medical practitioner or a registered midwife; or
    - (ii) a person undergoing a course of training with a view to becoming a registered medical practitioner or a registered midwife.



(2) In determining for the purposes of this section whether an operation is necessary for the mental health of a person, no account shall be taken of the effect on that person of any belief on the part of that or any other person that the operation is required as a matter of custom or ritual.



## GREAT BRITAIN (2003)

United Kingdom - Female Genital Mutilation Act 2003 (a replacement of the 1985 Act)

### 1. Offence of female genital mutilation

A person is guilty of an offence if he excises, infibulates or otherwise mutilates the whole or any part of a girl's labia majora, labia minor or clitoris.

### 2. Offence of assisting a girl to mutilate her own genitalia

A person is guilty of an offence if he aids, abets, counsels or procures a girl to excise, infibulate or otherwise mutilate the whole or any part of her own labia majora, labia minor or clitoris.

### 3. Offence of assisting a non-UK person to mutilate overseas a girl's genitalia

A person is guilty of an offence if he aids, abets, counsels or procures a person who is not a United Kingdom national or permanent United Kingdom resident to do a relevant act of female genital mutilation outside the United Kingdom.

### 4. Extension of Sections 1 to 3 to extra-territorial acts

Sections 1 to 3 extend to any act done outside the United Kingdom by a United Kingdom national or permanent United Kingdom resident.

### 5. Penalties for offences

A person guilty of an offence under this Act is liable:

- a) on conviction on indictment, to imprisonment for a term not exceeding 14 years or a fine (or both).
- b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both).

Source: Queen's printer of Acts of Parliament 2003

