



Prohibition of Female Circumcision Act 1985

1985 CHAPTER 38

An Act to prohibit female circumcision.

[16th July 1985]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Prohibition of female circumcision.

- (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 the 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 to 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 Saving for necessary surgical operations.

- (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.

3 Extradition etc.

- (1) Offences under section 1 shall be included—
- (a) in the list of extradition crimes contained in Schedule 1 to the Extradition Act 1870; and
 - (b) among the descriptions of offences set out in Schedule 1 to the Fugitive Offenders Act 1967.
- (2) In paragraph 1 of the Schedule to the Visiting Forces Act 1952 (offences against the person in the case of which a member of a visiting force is in certain circumstances not liable to be tried by a United Kingdom court), at the end of paragraph (b) there shall be inserted, appropriately numbered, the following paragraph—

“section 1 of the Prohibition of Female Circumcision Act 1985.”.

4 Short title, commencement, and extent.

- (1) This Act may be cited as the Prohibition of Female Circumcision Act 1985.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act extends to Northern Ireland.