

Female Genital Mutilation

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Policy Statement

Summary The Force has a duty of care to the public and needs to ensure that police officers and police staff understand FGM and how we will:

- Provide an effective response to incidents; and
- Conduct effective investigations to prosecute offenders where offences are disclosed.

The aims of this policy procedure are to explain:

- What FGM is; and
 - The roles and responsibilities of police officers and police staff.
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Scope This policy applies to all police officers and police staff.

Principles

General West Yorkshire Police will:

- Adopt female genital mutilation (FGM) as a collective term, also known as genital cutting and female circumcision, for all procedures that involve partial or total removal of the external female genitalia (labia majora, labia minora or clitoris) or other injury to the female genital organs for cultural or non-medical reasons. The practice of FGM is illegal in the UK under the Female Genital Mutilation Act 2003 (see supporting information for further details.)
- In responding to FGM committed against a child, which constitutes child abuse, act in accordance existing child protection protocols and policy procedures detailed above.
A child is a person under 18 years of age.

Responsibilities

All police officers and police staff

Responsibilities Officers and staff are responsible for:

- Complying with the requirements stipulated in the Safeguarding children and young people policy.
- If made aware that a child has been or is at risk of becoming a victim of FGM:
 - Applying the 'Child At Risk' flag using the F3 Summary option Child At Risk – Female genital mutilation. (This flag must be applied for a period of six months and must then be reviewed);

NB It must only be applied where it is identified that there are objective grounds that the child is at risk and not simply because of membership of any community where FGM is traditionally practiced;

- Creating a Storm log to record police action and consider managing this as a critical incident;
 - Liaising with their supervisor immediately;
 - Notifying the district Safeguarding Unit (SGU) as soon as possible;
 - Considering whether to exercise powers of Police Protection under section 46 of the Children Act 1989;
 - Having regard to the safety and welfare of any other child(ren) in the household;
 - Securing and preserving evidence;
 - Recording intelligence on Niche and task to the SGU to consider further action; and
 - Following the FGM flowchart to ensure that all crimes and non-crime incidents are recorded. Any FGM crime must be endorsed with both the FGM and Honour Based Abuse indicator in the Stats Classification Hate Crime drop down menu.
- Referring to the CPS aide memoire on FGM related offences and seeking advice from the CPS at an early stage to decide on the most suitable charge.
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Safeguarding Unit (SGU)

Supervisors

- Responsibilities** When information is received which indicates that a child may have suffered or be at risk of FGM, supervisors are responsible for:
- Ensuring that the appropriate report has been recorded. Please follow the FGM flowchart for guidance.
 - Allocating it to a trained child protection officer to investigate.
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Investigators and Staff

- Children** Investigators and staff are responsible for:
- Ensuring referrals are made to children's social care.
 - Holding strategy discussions at the earliest opportunity.
 - Co-ordinating evidential paediatric medical examinations, in accordance with current local practice, having regard to any need for medical treatment the victim may have.
 - Considering using a specialist FGM nurse, if available, and experienced paediatrician.
 - Conducting evidential interviews with child victims in accordance with

Achieving Best Evidence guidance. Under the code of practice for victims of crime (from 1st April 2021,) victims are given the right to request the gender of the officer undertaking the video interview. This must be met unless it impedes the fairness of the proceedings.

- Considering the support the child victim needs and considering counselling in the light of the CPS guidance document: Provision of therapy for child witnesses prior to criminal trial.
 - On notification of an FGMPO being granted, following the procedure on the NPCC/MoJ flowchart.
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Adult survivors

If information is received that an adult woman has been a victim of FGM when a child and there are any immediate concerns for the safety and welfare of that woman or any child, investigators and staff are responsible for:

- Considering whether urgent action is required to protect them. Do not automatically presume that the female child of a woman who has undergone FGM is per se themselves at risk.
 - Recording any crimes or non-crime incidents in line with the FGM flowchart.
 - Making an urgent referral to children's social care.
 - Holding a strategy discussion to determine how that risk can be assessed and acted on. This may include other agencies, e.g. medical services, who may already have had conversations with the victim about her and others' intentions in respect of the child. It may be that the outcome of the discussion is an agreement that a visit by social care, police and or others to the adult victim to assess that risk and respond accordingly, is appropriate.
 - Irrespective of child protection concerns, considering the safety and welfare of the adult victim and whether that individual is currently at risk of harm and:
 - Discussing with partner agencies if there are concerns that the victim may be currently subject to domestic abuse, coercion and control;
 - Agreeing a strategy to safely approach the victim and provide information and access to services, e.g. medical and counselling services;
 - Considering if it is appropriate to conduct a DASH risk assessment; and
 - If domestic abuse is identified, making an appropriate referral and follow up, including considering a referral to MARAC if the victim is identified as being at high risk of harm.
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Mandatory Reporting Duty for Regulated Professionals

Applies to

The mandatory reporting duty applies to regulated health and social care professionals and teachers in England and Wales.

It requires these professionals to make report to the police, so the matter

can be investigated appropriately if, in the course of their professional duties, they:

- Are informed by a girl under 18 that an act of FGM has been carried out on her; or
- Observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and have no reason to believe that the act was:
 - Necessary for the girl’s physical or mental health; or
 - For purposes connected with labour or birth.

Reporting process

West Yorkshire Police has adopted the following reporting process:

Step	Action
Regulated professional	<ul style="list-style-type: none"> • Completes the West Yorkshire Police Reporting form and emails it to the Customer Contact Centre.
Customer Contact Centre	<ul style="list-style-type: none"> • Completes a Niche Child Protection FGM crime; • Endorses the summary box: Child Protection FGM – Mandatory Reporting (available in the F3 drop down menu); • Creates a Storm log; • Replies by email to the referrer with the log and Niche occurrence numbers; and • Notifies the relevant SGU that the log and occurrence has been created and tasks it to them to deal.
SGU or Hub Commander	<ul style="list-style-type: none"> • Review the log and determine if: <ol style="list-style-type: none"> 1. Urgent action is required to protect the child; and 2. Initiate a strategy discussion with partners to agree further action. <p>If no SGU staff are working, CCC will task the Hub Commander with number 1 instead.</p>

Additional Information

Compliance

This policy complies with the following legislation, policy and guidance:

- APP Investigation
 - CPS legal guidance – Female Genital Mutilation Prosecution Guidance
 - Female Genital Mutilation Act 2003
 - HM Government - Multi agency statutory guidance on female genital mutilation
 - HM Government – Female Genital Mutilation: multi-agency practice guidelines
 - HM Government: Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children
 - Home Office – Mandatory Reporting of Female Genital Mutilation – procedural information
 - NPCC Honour Based Abuse, Forced Marriage and Female Genital Mutilation: a policing strategy
 - National Crime Recording Standards – Paper 71 on mandatory reporting
 - West Yorkshire Consortium Procedures Manual
 - Data Protection Act 2018
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Related policy procedures

- Critical incidents
 - Safeguarding children and young people
 - Visual recorded interviews with a child
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Supporting information

The supporting information for this policy can be accessed.
