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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board

Cadeirydd/Chair: **Emma Woollett**
Prif Weithredwr/Chief Executive: **Mark Hackett**

gofalu am ein gilydd, cydweithio, gwella bob amser
caring for each other, working together, always improving

Rydym yn croesawu gohebiaeth yn y Gymraeg ac yn y Saesneg. We welcome correspondence in Welsh or English.

Dyddiad/Date: 14th April 2021
Ein Cyf / Our Ref: 21-C-035

☎ 01639 648363
✉ FOIA.Requests@wales.nhs.uk

[REDACTED]

Corporate Services
Headquarters
1 Talbot Gateway
Baglan
Port Talbot, SA12 7BR

[REDACTED]

I refer to your Freedom of Information Act Request acknowledged by ourselves on 25th March 2021. Your request sought information relating to female and male genital mutilation.

You clarified on 25th March 2021 that by FGM and MGM you are referring to Female and Male Genital Mutilation and by RSE bill you are referring to the "Religion Sex and Ethics" bill. You further clarified that you require the information for the period 2015 to 2020.

1. Is FGM - MGM a prosecutable act both under Health but also the new RSE bill which has just passed into law?

You clarified on 9th April 2021 that when you refer to "MGM" or "Male Genital Mutilation" you are referring to the practice of circumcision.

FGM is not prosecutable under Health, however, FGM has been a specific criminal offence in the UK since 1985 when the (UK wide) Prohibition of Female Circumcision Act ("the 1985 Act") was passed. The Female Genital Mutilation Act 2003 ("the 2003 Act") replaced the 1985 Act in England, Wales and Northern Ireland. It modernised the offence of FGM and the offence of assisting in an FGM procedure, while also creating extra-territorial offences to deter people from taking girls abroad for mutilation. To reflect the serious harm caused, the 2003 Act increased the maximum penalty for any of the FGM offences from five to 14 years' imprisonment.

A professional is required to report to the police if:

- They are informed by a girl under 18 that an act of FGM has been carried out on her



Pencadlys BIP Bae Abertawe, Un Porthfa Talbot, Port Talbot, SA12 7BR / Swansea Bay UHB Headquarters, One Talbot Gateway, Port Talbot, SA12 7BR

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Swansea Bay University Health Board is the operational name of Swansea Bay University Local Health Board

- Observe physical signs which appear to show that FGM has been carried out on a girl under 18
- They believe that FGM has been arranged

We are not aware of a "RSE bill", however the proposed 'Curriculum and Assessment (Wales) Bill' is not currently legislation and was circulated for consultation last year, this bill appears to be for Education and proposes to include religion, values and ethics into future education curriculums. Male circumcision is not considered illegal in the UK.

2. How many cases were sent to the Police or other authorities with a view to prosecution?

All cases of FGM involving a child identified by the Health Board are referred to the police. If we identify individuals who may be attempting to assist or perform a FGM procedure, these would also be referred to the police. Swansea Bay Health Board does not hold information on prosecutions – you will need to contact South Wales Police regarding this.

As male circumcision is not illegal, this would not be reported by the health board.

3. How many nurses-medical staff or officers of the health board were called to give evidence or statements that may have led to a prosecution?

0

4. In what circumstances was these cases detected - ie School Visits - At Risk Groups - and what are those at risk groups?

All cases of FGM identified by the Health Board have taken place in a healthcare setting.

5. Please can you give the breakdowns of FGM & MGM in Health Authority Areas - Under 16 and Over 16 years of age?

Please note that we are unable to provide you with the breakdown of cases you are seeking as to over 16 and under 16 year olds, as when viewed in conjunction with information already in the public domain, there is a risk of identifying the individuals involved if this was disclosed. Therefore, the data is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute as unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.

Therefore, we have provided overall totals for both over and under 16 year olds.

2017 – 31 total

2018 – 31 total

2019 – 41 total

2020 – 21 total

Swansea Bay Health Board does not collect data on male circumcision.



I hope this information is helpful. If you require anything further please contact us at FOIA.Requests@wales.nhs.uk.

Under the terms of the Health Board's Freedom of Information policy, individuals seeking access to recorded information held by the Health Board are entitled to request internal review of the handling of their requests. If you would like to complain about the Health Board's handling of your request please contact me directly at the address below or register your complaint via FOIA.Requests@wales.nhs.uk.

If after Internal Review you remain dissatisfied you are also entitled to refer the matter to the information commissioner at the Information Commissioner's Office (Wales), 2nd Floor, Churchill House, Churchill Way, Cardiff, CF10 2HH. Telephone Number: 029 2067 8400.

Yours sincerely



On behalf of

Pam Wenger

Director of Corporate Governance

