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**The Royal Australasian College of  
Physicians' submission to the Health  
Select Committee**

**Crimes (Definition of Female Genital  
Mutilation) Amendment Bill**  
Kohitātea 2020

## Introduction

The Royal Australasian College of Physicians (RACP) welcomes the opportunity to submit feedback to the Health Select Committee on the Crimes (Definition of Female Genital Mutilation) Amendment Bill.

The RACP works across more than 40 medical specialties to educate, innovate and advocate for excellence in health and medical care. Working with our senior members, the RACP trains the next generation of specialists, while playing a lead role in developing world best practice models of care. We also draw on the skills of our members, to develop policies that promote a healthier society. By working together, our members advance the interest of our profession, our patients and the broader community.

## Background

The RACP has previously published a position statement on Female Genital Mutilation (FGM). This statement outlines our belief that FGM violates basic human rights, exposes children and women to significant health risks, and has no measurable health benefits<sup>1</sup>. As such, the RACP is strongly in support of measures that serve to protect girls and women from this harmful practice.

## Female Genital Mutilation in the New Zealand Context

While generally uncommon in Aotearoa New Zealand, FGM is present in the margins. For example, on arrival to Aotearoa New Zealand over a ten year period, 349 of 2992 quota refugees were reported to have suffered FGM<sup>2</sup>.

Aotearoa New Zealand, like other westernised countries has a general lack of understanding of the needs of girls and women who have been affected by FGM<sup>3</sup>. Reducing the incidence of FGM, and improving the outcomes of women and girls affected by it, requires sensitive and non-judgmental attitudes from all health professionals and the provision of qualified and knowledgeable care. This especially includes circumstances such as pregnancy, labour and birth, as women who have undergone FGM have specialised needs.

It is also important that further work is undertaken to understand the motivation and points of view of individuals and cultural groups in Aotearoa New Zealand who undertake FGM. This is the only avenue by which effective initiatives to reduce the incidence of FGM can be created, which also allow for the empowerment of people affected<sup>4</sup>.

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<sup>1</sup> Royal Australasian College of Physicians. Female Genital Mutilation/Cutting. [Internet] 2012. Available from: [https://www.racp.edu.au/docs/default-source/advocacy-library/female-genital-mutilation-cutting.pdf?sfvrsn=caa02f1a\\_13](https://www.racp.edu.au/docs/default-source/advocacy-library/female-genital-mutilation-cutting.pdf?sfvrsn=caa02f1a_13). Accessed 21 January 2020.

<sup>2</sup> Poole G E, Galpin G. Prevalence of victims of torture in the health screening of quota refugees in New Zealand during 2007–2008 and implications for follow-up care. N Z Med J [Internet]. 2011; 124(1337). Available from: <https://www.nzma.org.nz/journal/read-the-journal/all-issues/2010-2019/2011/vol-124-no-1338/article-poole>. Accessed 21 January 2020.

<sup>3</sup> Ministry of Health. Refugee Health Care Handbook. [Internet]. Wellington: Ministry of Health 2012. Available from: <https://www.health.govt.nz/system/files/documents/publications/refugee-health-care-a-handbook-for-health-professionalsv2.pdf>. Accessed 21 January 2020.

<sup>4</sup> Gruenbaum E. Socio-cultural dynamics of female genital cutting: Research findings, gaps, and directions. Cult Health Sex [Internet]. 2005; 7(5): 429-441. Available from: <https://www.jstor.org/stable/4005473>. Accessed 23 January 2020

## Commentary on the Bill

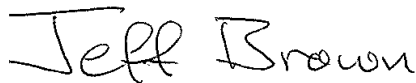
The RACP is strongly supportive of the Bill, and its aim to ensure that all types of FGM are illegal in New Zealand, and that all women and girls are adequately protected from FGM. It is a fundamental obligation of Aotearoa New Zealand to protect communities from this practice. As such, it is important for the relevant legislation to reflect international best practice and uphold Aotearoa New Zealand's obligations as outlined by the Committee on the Elimination of Discrimination against Women, and the United Nations Convention on the Rights of the Child<sup>56</sup>.

The definition proposed by the Bill closely aligns with international definitions provided by the World Health Organization, and will serve well to ensure all forms of FGM are illegal in Aotearoa New Zealand<sup>7</sup>. In the case that international best practice evolves in the future, further updates should be implemented to the crimes act to continue to ensure the safety of women and girls in Aotearoa New Zealand.

## Conclusion

The RACP thanks the Health Select Committee for the opportunity to provide feedback on the Crimes (Definition of Female Genital Mutilation) Amendment Bill. To discuss this submission further, please contact the Aotearoa NZ Policy and Advocacy Unit at [policy@racp.org.nz](mailto:policy@racp.org.nz).

Nāku noa, nā



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Aotearoa New Zealand President  
**The Royal Australasian College of Physicians**

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<sup>5</sup> United Nations Office of the High Commissioner. Committee on the Elimination of Discrimination against Women. [Internet] Available from: <https://www.ohchr.org/EN/HRBodies/CEDAW/Pages/CEDAWIndex.aspx>. Accessed 21 January 2020.

<sup>6</sup> United Nations Office of the High Commissioner. Convention on the Rights of the Child. [Internet] 1989. Available from: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>. Accessed 21 January 2020.

<sup>7</sup> World Health Organization. Female Genital Mutilation. [Internet] 2018. Available from: <https://www.who.int/news-room/fact-sheets/detail/female-genital-mutilation>. Accessed 21 January 2020.