

# Female circumcision (traditional cutting) and the law in Australia



the women's  
the royal women's hospital

## Female circumcision, or 'traditional female cutting' is against the law in Australia.

### What is female circumcision?

Female circumcision, also called Female Genital Cutting (FGC), is a traditional cultural practice. It involves cutting the external vaginal area, labia and clitoris. There are no health benefits, and it can actually harm a person's sexual and reproductive health.

### What does the law say about this practice?

It is against the law to perform female circumcision on anyone.

The following actions are illegal unless done by a doctor for health reasons:

- removing or cutting any part of the female genital area (excision), including the clitoris and labia
- stitching the genital area together (infibulation)
- any procedure to narrow or close the vaginal opening
- cutting the clitoris or part of the clitoris (clitoridectomy)
- damaging or mutilating the genital area.

It is also illegal in Victoria to:

- take someone anywhere in Australia or to another country for female circumcision
- help someone do the female circumcision
- find someone to do the female circumcision.

**Even if a person agrees to the procedure, or their parents give permission, it is still illegal.**

### What happens if someone breaks the law?

A person is breaking the law if they:

- do the procedure
- help someone do the procedure
- find someone to do the procedure.

In Victoria, the punishment can be a prison sentence of up to 15 years.

### Are any surgical procedures allowed?

Surgical procedures on female genitalia are allowed in certain situations. A medical doctor or midwife can perform these procedures when:

- the procedure is needed for health reasons
- it is necessary during labour or immediately after birth.

A medical doctor can also do a surgical procedure on female genitalia if it is gender-affirming surgery.

### Can someone be re-stitched (re-infibulated) after childbirth or another gynaecological procedure?

No, re-infibulation to narrow or close the vaginal opening for non-health reasons is not allowed.

However, stitches may be needed after childbirth if there is tearing or surgical cutting. This is done by a medical doctor or midwife soon after the birth.

## Who reports female circumcision (traditional cutting) in a child to the authorities?

In Victoria, female circumcision is illegal and is considered child abuse if performed on a child under the age of 18.

This means people who work with children, like doctors, nurses, midwives, teachers, childcare workers, and police, must notify the Department of Health and Human Services if they suspect a child has been circumcised.

However, anyone can make a report to the Department of Health and Human Services.

## For more information

The Family and Reproductive Rights Education Program (FARREP) workers at the Women's are available Monday to Friday, 9am to 5pm.

T: (03) 8345 3058

E: [farrep.program@thewomens.org.au](mailto:farrep.program@thewomens.org.au)

F: (03) 8345 3053

Or contact the FARREP worker at your local community health centre.

Search our website for more information:

[www.thewomens.org.au/health-information](http://www.thewomens.org.au/health-information)

## Language link

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للحصول على المعلومات بلغتكم زوروا موقعنا الإلكتروني

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Macluumaad intaas ka badan oo af Somali ah booqo websaytkayaga

Kendi dilinizde bilgi almak için web sitemizi ziyaret edin

Để biết thông tin bằng ngôn ngữ của quý vị, hãy truy cập trang mạng của chúng tôi

## Do you need an interpreter?



Interpreter

You can ask for an interpreter if you need one.

## Family Violence Support

### 1800 Respect National Helpline

You can get help if you have experienced sexual assault, domestic or family violence and abuse.

You can call any time of day or night.

1800 737 732 (24-hour support service)

[1800respect.org.au](http://1800respect.org.au)

## Legal references

### Victorian laws

- Crimes Act 1958 (Vic) s32 – 34A
- Children, Youth and Families Act 2005 (Vic) s162, s163, s182, s184

### Other Australian State and Territory laws

- Crimes Act 1900 (ACT) s73-s77
- Crimes Act 1900 (NSW) s. 45, s45A
- Criminal Code Act (NT) Division 4A
- Criminal Code Act 1899 (Qld) 323A, 323B
- Criminal Law Consolidation Act 1935 (SA) Division 8
- Criminal Code Act 1924 (Tas) s178A
- Criminal Code Act Compilation Act 1913 (WA) s306

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