



The Scottish Parliament  
Pàrlamaid na h-Alba

## EQUALITIES AND HUMAN RIGHTS COMMITTEE

Victoria Atkins MP  
Parliamentary Under Secretary for  
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Dear Minister,

### **Female Genital Mutilation (Protection and Guidance) (Scotland) Bill**

As you are aware, the Equalities and Human Rights Committee has been considering legislation on the introduction of Female Genital Mutilation Protection Orders in Scotland. The Committee has [recently published its Stage 1 report](#), supporting the general principles of the Bill.

The report makes a number of recommendations to the Scottish Government. However, in considering the treatment of FGM protection orders and asylum cases, the Committee heard victims of FGM had reported difficulties in making cases to the Home Office on the grounds of FGM. These included a culture of disbelief from officials dealing with asylum claims, and a lack of understanding from officials about a woman's inability to relocate elsewhere in their country of origin. The Committee heard from women their hopes that FGMPOs would be considered as part of their asylum application.

The Committee understands from your letter of 31 October that FGMPOs may be submitted as evidence in an asylum case, and caseworkers are expected to give them "appropriate weight" when reaching a decision. However, FGMPOs would be considered on a case-by-case basis.

As the report sets out, from its earlier work on asylum and destitution, the Committee is aware that treatment of asylum claims can vary depending on the office and caseworker. The Committee believes, however, that consistency around the treatment of FGM is necessary. It has therefore agreed (at paragraph 71) to write to you with a copy of our report, drawing

your attention to this matter. I therefore attach a copy of the report, for your consideration.

Yours sincerely,

Ruth Maguire  
Convener  
Equalities and Human Rights Committee