

# Scottish Government submission of 19 December 2023

## PE2052/A: Ban child circumcision unless it is medically necessary with no less invasive

Whilst Scottish Ministers are responsible for determining the strategic policy of the NHS in Scotland, neither Scottish Ministers or officials are able to intervene directly in matters relating to clinical decision making as this is the sole responsibility of Healthcare professionals.

The Scottish Government recognises non-therapeutic male infant circumcision on religious grounds. There are NHS guidelines in place regarding how male circumcision should be performed. Religious circumcision is included in the routine waiting list arrangements in NHS Scotland. It should be carried out in hospital by trained paediatric surgeons under general anaesthesia, when the male child is between six and nine months old, and as part of a regulated NHS system.

This policy has not changed since the 2008 joint letter from the Chief Medical Officer and Chief Nursing Officer to NHS Board Medical and Nursing Directors, copied to Chief Executives NHS Boards and Special Health Boards; Medical Royal Colleges; BMA; GMC; RCN; and British International Doctors Association. The letter sets out, following stakeholder engagement with medical, nursing and midwifery unions as well as faith-based communities, an agreement and process for incorporating male circumcision for religious reasons into routine waiting list arrangements.

As with all medical procedures, doctors are required to act in accordance with good medical practice. This includes discussing the risks to enable informed consent from parents/carers, having the expertise to undertake the procedure safely and to a high standard, and ensuring adequate hygienic conditions, pain control and aftercare. If non-therapeutic male circumcision is undertaken in the private/independent healthcare sector, the regulator is Healthcare Improvement Scotland (HIS). HIS has been regulating independent hospitals for a number of years and, since 2016, has responsibility for regulating independent clinics.

The Scottish Government is clear that it does not regard male circumcision as comparable to Female Genital Mutilation (FGM). Male circumcision is not against the law and may be carried out for medical, hygiene and religious reasons. The government identifies FGM as an unacceptable and illegal practice; it constitutes a severe form of discrimination against women and girls and reflects deep-rooted gender inequality. FGM has no known health benefits, and is an extremely harmful practice that always carries devastating short and long-term health consequences for victims.

I trust this response is helpful to the Committee.