

These notes relate to the Female Genital Mutilation (Protection and Guidance) (Scotland) Act 2020 (asp 9) which received Royal Assent on 24th April 2020

FEMALE GENITAL MUTILATION (PROTECTION AND GUIDANCE) (SCOTLAND) ACT 2020

EXPLANATORY NOTES

FEMALE GENITAL MUTILATION PROTECTION ORDERS

Section 1: Female genital mutilation protection orders

Inserted section 5P: Notification of applications and orders

82. Section 5P sets out that the court must notify the Chief Constable of Police Scotland and the relevant local authority of all applications and orders made and decisions taken under the preceding sections unless they are already party to the proceedings in respect of the application or the female genital mutilation protection order. It should be noted that the “relevant local authority” for the purposes of this section takes a slightly different meaning than that set out within inserted section 5C(6). In this section that term applies only in the case where there is an identifiable person to be protected or an identifiable protected person. This is because an order obtained to protect a group of persons falling within a specified description may have a fluid membership and it may not be possible to identify every local authority within whose area a person, protected by that type of order, is present.