

## BRIEFING:

# Non-therapeutic infant male circumcision

March 2021

## What is non-therapeutic infant male circumcision?

**Non-therapeutic infant male circumcision refers to the removal of the foreskin of male babies and young children for religious or cultural reasons, rather than medical reasons. It is also known as Forced Genital Cutting/Male (FGC/M).**

In the UK, this practice is most commonly associated with Jewish, Muslim and some Christian communities.

In Jewish communities, the circumcision is usually performed on a baby boy when he is eight days old. There is no consensus in Muslim communities regarding the age of circumcision. It may be done from soon after birth up to mid-teens.

Female circumcision, now known as female genital mutilation (FGM) or FGC/F, refers to a wide range of non-therapeutic procedures performed on female genitalia. All forms of FGM, included forms that remove far less tissue than male circumcision, are prohibited under UK law.

## What harm does circumcision cause?

**Circumcision is excruciatingly painful.** Even in clinical environments, infant circumcision is usually performed under a local rather than a general anaesthetic. The level of anaesthesia used is rarely sufficient to remove all sensation. Circumcisions performed in non-clinical environments may involve

no pain relief at all. Following the procedure, infants continue to experience considerable pain and discomfort while the damage to their genitals heals.

The foreskin is a normal body part with physical, sexual and immunological functions. **Surgically removing it from non-consenting children has been associated with various physical and psychological difficulties.**

Surgical complications resulting from circumcision can include: **Scarring, urinary difficulties, meatal stenosis, sinus formation, erection problems, denuding of the skin of the penis, infection, bleeding, psychological problems, amputation of the penis, and even death.**

In some Charedi Jewish communities, the mohel (circumciser) ritually sucks the baby's penis following circumcision. **This carries a serious risk of disease transmission, especially of the herpes virus.**

Aside from the physical harm caused by circumcision, **there is an implicit harm in depriving a person of the chance to retain an intact body**, particularly when there is no medical reason to operate.

We do not know how many circumcisions are performed annually nor the degree of harm **as there is no requirement for any follow up or audit and the boys themselves are too young to complain.** Additionally, health issues in circumcised adults are likely to be greatly under-reported because people who have experienced sexual harm are often reluctant to reveal it as societal dismissal or stigmatisation may compound the harm.

## What's the law regarding circumcision?

**There is very limited regulation of non-therapeutic male circumcision in the UK.** Doctors registered with the General Medical Council must perform the procedure in suitable medical settings with appropriate attention to hygiene, sterility and aftercare. **However, there is no requirement for the non-consenting child to have a medical problem in order for their foreskin to be removed.**

Non-doctors performing infant circumcision in the UK have no such regulation and are free to cut boys' penises with unsterilised scissors or knives on kitchen tables or ironing boards.

The High Court ruled in *Re B & G* (2015) that non-therapeutic male circumcision (including competently performed circumcision) constitutes "significant harm" to a child for the purposes of the Children Act in the context of care proceedings. The High Court further concluded that to claim male circumcision is less invasive or harmful than some forms of female genital mutilation (FGM) would contradict the evidence and indeed be "irrational".

UK law requires that both parents provide consent to non-therapeutic neonatal circumcision. Additionally, if the child is old enough to express a view, he should be involved in decisions about whether he should be circumcised. However, in a study of 62 non-therapeutic circumcisions undertaken in the UK between 2005 and 2006, both parents consented to the procedure in only four cases (6.2%), and in no case was the patient's consent obtained.

## Does infant circumcision have any health benefits?

Throughout history, male circumcision has been advocated as a pseudo-medical cure for a variety of ailments ranging from epilepsy to excessive masturbation. However, any marginal health claims are extremely contested. **The NSS is unaware of any national medical, paediatric, surgical or urological society in the world that recommends routine circumcision of all boys as a health intervention.** If the benefits of the operation outweighed the risks, NHS doctors would recommend it for every child – regardless of the parents' religion – and they do not.

Supposed medical benefits of circumcision are increasingly under question in the UK. The proportion of boys in England circumcised for medical reasons had fallen from 35% in the early 1930s to 6.5% by the mid-1980s. An estimated 3.8% of male children in the UK in 2000 were being circumcised by the age of 15. The researchers stated that too many boys, especially under the age of 5, were still being circumcised because of a misdiagnosis of phimosis.

## What is the National Secular Society's position on circumcision?

The NSS believes that the right to bodily autonomy is fundamental, and that no-one, regardless of age, sex or religious/cultural background, should undergo non-therapeutic surgery without their express consent.

For this reason, we campaign for an age of consent for non-therapeutic male circumcision, in line with other non-therapeutic body modification such as tattooing.

## Don't religious groups have the right to freedom of religion and the right to manifest religion or belief?

Article 9 of the European Convention on Human Rights does provide for a right to freedom of thought, conscience, and religion which includes the freedom to manifest a religion or belief in practice and observance.

**However, this aspect of Article 9 is a qualified right,** which means that limitations on this right can be justified in certain circumstances. We maintain that the right of the individual to bodily autonomy provides such a justification.

Arguments similar to those made to justify the imposition of circumcision are also made to justify other non-therapeutic surgery of children. But UK courts have not accepted that religious/cultural reasons justify any form of assault on children in other contexts, including FGM, facial scarification, religious flagellation, religious deprivation of medicine, or religious starvation.

**The act of non-consensual circumcision violates the child's right to religious freedom.** The imposition of circumcision irrevocably deprives the child of the right

in future to associate or dissociate from certain practices and customs of his birth community.

## What other groups are opposed to non-therapeutic infant male circumcision?

In 2010, the **Royal Dutch Medical Association (KNMG) in association with all the major Dutch medical colleges** released a policy statement asserting that: "non-therapeutic circumcision of male minors is a violation of children's rights to autonomy and physical integrity. Contrary to popular belief, circumcision can cause complications – bleeding, infection, urethral stricture and panic attacks are particularly common. KNMG is therefore urging a strong policy of deterrence. KNMG is calling upon doctors to actively and insistently inform parents who are considering the procedure of the absence of medical benefits and the danger of complications."

In 2016 the **Danish Medical Association** also called for an end to male circumcision, arguing that the procedure should only ever be performed with "informed consent". This follows the joint statement in 2013 by all the Scandinavian children's ombudsmen that children should be allowed to choose for themselves and that non-therapeutic childhood circumcision "violates fundamental medical-ethical principles".

In September 2017 the **Belgium federal government's Committee for Bio-Ethics** ruled that bodily integrity was more important than religious faith.

In its 2018 report **the Child Rights International Network (CRIN)** called the ritual circumcision of infant males for non-medical reasons a "violation of bodily integrity" which "unnecessarily" exposes children to risks.

The **UN Convention on the Rights of the Child (UNCRC)** recommends respect for the right of the child to freedom of thought, conscience and religion, and advises that traditional practices prejudicial to the health of children should be abolished.

In April 2018 a **proposal to the Danish government** to create a gender-neutral age of consent of 18 for all forms of non-therapeutic genital cutting was stalled, despite considerable public support.

**A draft bill was put before the Icelandic government** in 2018 to ban non-consensual ritual circumcision for boys, which has not been progressed following heavy lobbying from religious groups.

In a 2018 YouGov survey, **62% of people in the UK said they would support a law prohibiting the circumcision of children for non-medical reasons.** Only 13% would oppose it.

**For more information on our campaign, please visit [www.secularism.org.uk/religious-surgery](http://www.secularism.org.uk/religious-surgery)**

**The National Secular Society (NSS) is a non-profit organisation campaigning for the separation of religion and state, and equal respect for everyone's human rights so that no one is either advantaged or disadvantaged on account of their beliefs.**