



# Guide to the Reporting Female Genital Mutilation Protection Order Cases

This document summarises how to report FGM cases started on or after 17 July 2015. We strongly recommend you check that you are reporting according to current guidance.

This information will enable you to successfully submit applications via Contracted Work & Administration (CWA).

The Serious Crime Bill introduced amendments to the Female Genital Mutilation Act to create an offence of failing to protect a girl from FGM. Civil legal aid services provided either to an individual at risk of FGM or to a relevant third party in relation to the making, variation, discharge and appeal of FGM protection orders has been brought within the scope of the Civil Legal Aid scheme. Breach of the order by a defendant is now treated as criminal for the purposes of Legal Aid (although it could be treated as a civil contempt of court under an individual case contract).

## System Changes for CWA

### *FGM - Civil Legal Help Claims*

The codes presented in the table below should be used to claim for Civil Legal Help work relating to application, variation and discharge of a FGM Protection Order. Legal Help should be used for any preparatory work prior to the issuing of proceedings but, given that these will be emergency injunctions, we anticipate the work to be done under Legal Help will be limited. The applicable codes and the fees they attract are presented in the table below:

Category	Matter Type 1	Description	Fee
FAM	FAMC	Domestic Abuse	<ul style="list-style-type: none"> <li>£86 fixed fee with escape mechanism of £258 (3 x the fixed fee).</li> <li>The fee is defined in Table 3(a) of the Civil Remuneration Regulations.</li> <li>VAT can be claimed on the fee where the VAT indicator is checked.</li> <li>Disbursements + Disbursements VAT can also be claimed.</li> <li>Travel and Wait cannot be claimed separately.</li> </ul>

Category	Case Stage/Level Code	Description
FAM	FPL01	This code should be used when only the Level 1 fee is being claimed and no further work at <b>controlled work</b> level is undertaken for the client (although further work may be undertaken for the client under a certificate). This code should always be used for cases that involve advice on domestic abuse only. The Civil Legal Aid (Merits Criteria) Regulations include FGMPO work within the definition of domestic abuse.

### ***FGM - Crime Lower Claims***

Breaches of FGM Protection Orders will be funded as Criminal Matters. No IT system changes are being introduced for this work.

The LAA has published guidance on the Gov.UK website on the legal aid application process for FGMPO breach cases funded as civil contempt as well as how to make a claim. The guidance can be accessed via the link below:

<https://www.gov.uk/apply-for-legal-aid-for-civil-contempt-cases>