

MEDICAL INTERVENTIONS — INTERSEX CHILDREN

1766. Hon Dr Brad Pettitt to the parliamentary secretary to the Attorney General:

I refer to non-essential medical interventions, including surgical and hormonal procedures, that children at Perth Children's Hospital (PCH) are still subjected to without their personal, informed consent. These procedures are often harmful and can leave children to grow up feeling as if they fit into the body that medicine assigned them. Children with intersex variations may have their gonads removed that were safely and effectively producing hormones and then subsequently be required to undergo Hormone Replacement Therapy as a young adult so they can develop. Some children have their genitals 'normalised' to make them fit into the body that medicine assigned them and these procedures are not reversible. These interventions can have lifelong consequences including trauma, shame, scarring, loss of sexual function, loss of sensation and infertility. I also refer to the passing of the Variations in Sex Characteristics (Restricted Medical Treatment) Bill in the Australian Capital Territory in June 2023 and to similar reforms that are now being considered in Victoria, and I ask:

- (a) is the Attorney General currently considering and legal reforms in Western Australia to protect the human rights and choices of people with innate variations of sex characteristics in medical settings;
- (b) if yes, please outline how the Attorney General plans to protect the human rights and choices of intersex people in medical settings in Western Australia;
- (c) if no to (a), why not;
- (d) will the Attorney General commit to ending deferrable treatments on intersex people's sex characteristics until they are old enough to participate meaningfully in those decisions;
- (e) if no to (d), why not;
- (f) what actions are being taken to change the *Criminal Code Amendment Act* to protect children with innate variations in sex characteristics from medical interventions without their personal, informed consent;
- (g) if no to (f), why not;
- (h) what actions are being taken to change the *Equal Opportunity Act* to protect children with innate variations in sex characteristics from medical interventions without their personal, informed consent;
- (i) if no to (h), why not;
- (j) what actions are being taken to change the *Gender Reassignment Act* to protect children with innate variations in sex characteristics from medical interventions without their personal, informed consent;
- (k) if no to (j), why not; and
- (l) I refer to *Health Policy 109* from the *2022 WA Labor Platform*, which states: "WA Labor supports the rights of intersex people to have agency and autonomy, including in medical settings. WA Labor will ensure effective oversight of clinical practices, and end harmful practices that modify sex characteristics of people with intersex variations without personal informed consent."
 - (i) why do children with innate variations in sex characteristics continue to be subjected to deferrable and irreversible surgeries in Western Australia;
 - (ii) what specific actions have you taken as Attorney General to protect the rights of people with variations in sex characteristics in medical settings in line with your party's own platform; and
 - (iii) if no action were taken in relation to (ii), why not?

Hon Matthew Swinbourn replied:

- (a)–(l) I refer to Legislative Council Question on Notice 1768, which was directed to the Minister for Health and asks the same questions, which principally relate to matters of medical treatment and medical settings. Please refer to the answers provided to Legislative Council Question on Notice 1768.