



Gender Reassignment Board of Western Australia

Annual Report 2020 - 2021



The Gender Reassignment Board of Western Australia

Hon John Quigley MLA
Attorney General
11th Floor, Dumas House
2 Havelock Street
WEST PERTH WA 6005

Dear Attorney

PRESIDENT'S ANNUAL REPORT FOR THE GENDER REASSIGNMENT BOARD

In accordance with section 13 of the *Gender Reassignment Act 2000*, I submit my report on the activities of the Gender Reassignment Board for the year ending 30 June 2021.

The Gender Reassignment Board is not a statutory authority specified in Schedule 1 to the *Financial Administration and Audit Act 1985*.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Patrick Hogan".

Patrick Hogan
PRESIDENT

12 August 2021

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Functions of the Gender Reassignment Board

The Gender Reassignment Board (the Board) was established under Section 5 of the *Gender Reassignment Act 2000*. The statutory functions of the Board are;

- a) To receive and determine applications for recognition certificates; and
- b) To issue recognition certificates in suitable cases.

Recognition certificates identify a person who has undergone a reassignment procedure as being of the sex to which the person has been reassigned.

Membership

President:

Mr Patrick Hogan (Magistrate/Barrister)

Members:

Mr Grantham Kitto
Dr Lauren Megaw
Ms Esther Waschk
Dr Kymberley Wilson

Executive Officer:

Mrs Kathleen Halden (Department of Justice)

Registry

The Board registry is contactable on (08) 9219 3111 or via email at sat@justice.wa.gov.au between 8:30am and 4:30pm, Monday to Friday. The registry is located at level 6, 565 Hay Street, Perth WA.

Staff

The administration of the Board is conducted by the Executive Officer.

Finance and Administration

The Board is an autonomous body that is wholly funded by the Department of Justice.

The Department receives all fees in respect of Board matters.

The Board does not directly employ its own staff. Staff are provided by the Department.

The Board meets once a month or as necessary, and the President and members are remunerated on an hourly basis.

Remuneration

Position title	Type of remuneration*	Term of appointment / tenure	Base salary/ sitting fees	Gross/actual remuneration for financial year
Chair	Set by the Public Sector Commissioner	Up to 5 years	\$450 per full day	\$300 per part day
Member	Set by the Public Sector Commissioner	Up to 3 years	\$300 per full day	\$200 per part day

Business Transacted

From 1 July 2020 to 30 June 2021 the Board received 52 new applications, carried 7 applications over from the previous reporting period and issued 53 recognition certificates, (of which 6 certificates were issued on applications received in the previous reporting period).

Statistics

Applications lodged 2020 – 2021	52
Applications carried over from 2019 – 2020	7
Total	<u>59</u>

Applications granted without appeal	53
Applications granted on appeal	0
Applications refused	0
Applications dismissed	1
Applications pending	5
Total	<u>59</u>

Applications received for male to female	33
Applications received for female to male	25
Applications female to non-binary	1
Total*	<u>59</u>

* This figure includes matters carried over from the previous reporting period.

Appeal Cases

During the reporting period there were no appeals to the State Administrative Tribunal.

Security

All applications lodged with the Board are kept secure with limited access. This is done primarily to ensure the privacy of individuals and to restrict access from persons not directly involved in the administration of the Board.

Freedom of Information

All freedom of information requests are received and actioned by the Department, there have been no FOI request this financial year.

Legislative change

The Gender Reassignment Amendment Bill 2015 (Bill no 121 of 2015) was introduced into the WA Parliament by the then Attorney General Michael Mischen on 18 March 2015. WA Parliament (WAP) was prorogued from Monday 30 January 2017 as result of a state election being called.

The Bill has not been reintroduced to Parliament.

The impact of these amendments if they are reintroduced to Parliament and proclaimed will be to abolish the Board and have all matters under the Act dealt with by the State Administrative Tribunal in its original jurisdiction.