

# Carmel Tebbutt MP

Deputy Premier | Minister for Health

M10/6577  
eA1613153

10 NOV 2010

I refer to your letter to the Premier of NSW, the Hon Kristina Keneally MP, referring to the consent to treatment. Your correspondence has been forwarded to the Minister for Health, the Hon Carmel Tebbutt MP, who has asked that I respond on her behalf.

I can understand your stress in relation to this matter particularly as you had advised your partner of your attitude to circumcision after the birth of your son.

I am advised that the Family Law Act makes it clear however that each parent has full responsibility for each of their children who are under the age of 18 years. Parental responsibility is not affected by changes to relationship (ie if the parents separate). Each parent has the responsibility for their child's welfare, unless the Court has made an order stipulating that one parent has certain responsibility to the exclusion of the other parent.

NSW Health policy in this regard is set out in Policy Directive No. 2005-730. I note however that you say in your letter that the circumcision was performed in a doctor's surgery, as the circumcision was not performed in a Public Hospital as such this policy would not be applicable.

If you are unhappy with the care and treatment by the doctor, you may consider lodging a complaint with the Medical Council of NSW on telephone 02 9879 2200 [tmcnsw@mcnsw.org.au](mailto:tmcnsw@mcnsw.org.au).

Thank you for bringing your concerns to the Minister's attention.

Yours sincerely



Dr Andrew McDonald FRACP MP  
Parliamentary Secretary for Health

