

March 20, 2012

Attorney General's Department
Ms Cathy Rainsford
Principal Legal Officer – Family Law Branch
3-5 National Circuit
Barton. ACT 2600

cc: The Honourable Justice Strickland – Family Law Court of Australia
Mr Barry O'Farrell - NSW Premier
Mr Greg Smith - NSW Attorney-General
Mr David Clarke MLC – NSW Parliamentary Secretary for Justice
Mr Warwick Marshall - Tasmanian Law Reform Institute
Ms Megan Mitchell - NSW Commissioner for Children and Young People
Ms Lou-Anne Lind - NSW Commission for Children and Young People
Mr Paul Mason - Barrister
Dr George Williams - Paediatrician
Ms Justine McKay – NSW Health Care Complaints Commission
Mr Craig Thompson – Federal Member for Dobell
Mr Bob Brown – Senator
Mr Walter Victor – CFO, QBE Insurance Ltd
Ms Mandy Anderson - MIGA

NSW govt ref: IM11/3346 File10/005444 Matter11/003630
AG10/06518 File 10/005444 Matter 10/007258
AG12/01713 File 10/005444 Matter 12/001047
M10/6577 eA1613153

NSW HCCC ref: 10/02194

AHRC ref: 209224FD:BJ

MIGA ref: CSM:LH

your ref: AG-MC11/13774

Good morning Ms Rainsford,

Thank you for your letter of 10th February 2012. You wrote in response to a letter and attachments I had sent to the then Attorney General, Robert McClelland, dated the 12th December 2011.

Yes, unfortunately my letter, which was in regard to the circumcision of my son, was sent before Mr McClelland's fall from grace and was not therefore addressed to the current Attorney General, Ms Roxon.

My political and bureaucratic journey is obviously nearing an end. Should you have misplaced my previous correspondence to you or your reply to me, or are interested in seeing what other politicians, bureaucrats and regulators have had to say, you can visit www.MyCircumcisionDisgrace.org. I will shortly begin bidding, using Google Ad-Words, for first page presentation of my site using most relevant search strings as well as several politician's and bureaucrat's names.

I must apologise for the time taken to respond to you, this letter has been through innumerable drafts. Some versions ran to more than ten pages, waging all the relevant moral and ethical propositions ⁽¹⁾. Some versions were curt and disrespectful. As with all the other versions, however, I am pragmatic enough by now to understand that this expurgated one will likely have no effect. In fact David Clarke, the NSW Parliamentary Secretary for Justice, who has not replied to one single communication addressed or copied to him, has probably already folded his copy of this letter into an aeroplane and is test flying it as you read.

You will recall that my letter to you questioned the fact that while the Family Law Act has been cited as providing the justification for my son to have been circumcised without my consent, in Judgment AD4887 of 2002, Justice Strickland allowed a mother the right to protect her son from circumcision. ⁽²⁾

Your first justification as to why I was not was extended the same right in law as Mother K was that *"In the absence of a court order, you and your partner each have parental responsibility for making decisions about medical procedures about your son Connor, including circumcision."*

As you scanned the list of sole parental responsibilities available to you, what made you decide to categorise the non-medically indicated circumcision of my son as a medical procedure? How on earth can a non-medically indicated procedure be sanctified with the nomenclature of being a 'medical procedure'?

Ms Rainsford, skin cancers are often treated by the removal of a section of diseased skin. Performing this procedure, for MEDICAL REASONS, is called a 'medical procedure'.

If, however, I present my child to a willing doctor and pay him to excise the same section of skin for no reason other than I feel like doing it (or, as Ms Roxon so eloquently puts it, for reasons of *"personal preference"*), this can no longer be termed a 'medical procedure'.

Or are you telling me, Ms Rainsford, through the prism of the Family Law Act, that so long as a surgery can be medically justified in some circumstances, it can be universally justified and requested at any time, by a lone parent, without medical imperative?

Spare me.

To debate and question what constitutes a ‘medical procedure’ is not being argumentative or pedantic. You see, unless the action of performing non-medically indicated surgery on an infant can be forcibly jammed into one of the available sole-parental-rights categories, the action is presumably NOT subject to the latitudes and responsibilities described in the Act.

So, Ms Rainsford, to be clear, is a procedure that is carried out for no medical reason to be described as a medical procedure for the purposes of the Family Law Act (1975)?

Your second justification as to why I was not extended the same right in law as Mother K was your arcane observation that “*The circumstances in your son's case appear to be different to those of the case you have attached*”. I simply refuse to believe that a person of your obvious intellect would put that proposition to me with any sincere expectation that I would be placated by such a simple truism.

Perhaps I phrased my question to you poorly. Let me turn my question around one hundred and eighty degrees and try again. **In relation to the Family Law Act, what should I have done (or not done) so as to ensure that my son and I benefited from the same protection and rights that Mother K and her child were afforded?**

Thank you for your suggestion that I undergo counseling. I understand what a relief it would be for all concerned if I were to quietly accept the humiliating, contemptuous disrespect that has been extended to me as well as the utter vandalism of my son’s rights that has occurred. I won’t be undergoing counseling with regard to this issue now, or ever.

Thank you once again for your reply and I look forward to your further advice.

Yours sincerely,

(1) An excellent and definitive work that outlines the moral and ethical minefield of infant male circumcision is:

Male and Female Circumcision – Medical, Legal and Ethical Considerations in Pediatric Practice. *George Denniston, Frederick Hodges and Marilyn Milos. Kluwer Academic/Plenum Publishers 1999*

(2) Family Law Court of Australia No AD 4887 of 2002 – The Honourable Justice Strickland.