



nsw commission for
children & young people

I refer to your letter concerning your son and issues about the circumcision of infant males.

I understand that this must be a difficult time for you and your family.

The Commission for Children and Young People is unable to deal with matters relating to individual children. However, the information that you have provided will be used to inform our work in promoting the well-being of children in NSW.

The NSW Commissioner participates in the Australian Children's Commissioners and Guardians (ACCG) forum. The ACCG coordinates advocacy efforts on issues affecting children in Australia. In 2007, the ACCG wrote to the Commonwealth Minister for Health and Ageing recommending regulatory amendments requiring identification of medical or therapeutic need before circumcising infant males, or the requirement of the consent of parents and the child if the child is over 10 years of age.

The Tasmanian Commissioner for Children assumed the lead role for this issue within the ACCG. The NSW Commission is not currently working directly on the issue. However, Tasmania continues its advocacy efforts and in its 2009 Annual report advises on progress about the Tasmanian Law Reform Institute issues paper you have referred to. Further information is available from: www.childcomm.tas.gov.au.

With regard to your particular situation, I understand that you are seeking legal advice. This is the appropriate course of action for your circumstances. You may also consider contacting the Australian Human Rights Commission (AHRC). The AHRC deals with complaints about breaches of human rights. Further information about making a complaint and contact details are available at: www.hreoc.gov.au/complaints_information/HREOCA_breaches.html.

You may also be interested in information about consent. In some circumstances, requirements for consent from children and parents are explicitly detailed in legislation or policy, for example, the NSW Health Policy Directive *Consent to Medical Treatment*. However, in many circumstances, best practice guides decision-making in relation to consent.

Should you wish to discuss consent in more detail, you may consider contacting the Murdoch Children's Research Institute who conduct research into medical issues concerning children, including consent. Further information and contact details are available from: www.mcri.edu.au.

I hope you find this information useful. Thank you for bringing this issue to our attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lou-Anne Lind', with a stylized flourish at the end.

Lou-Anne Lind
Manager, Policy
3 October 2010