

15th September 2010

Ms Kristina Keneally
Premier
Governor Macquarie Tower
Level 39, 1 Farrer Place
Sydney 2000

Cc: Dr Andrew Pesce – President Australian Medical Association.

Good morning Ms Keneally,

On the 14th June this year my partner gave birth to healthy boy. We named him xxxxxx.

xxxxxx was perfect in every possible way.

We had discussed the issue of circumcision. My partner was in favor of the surgery but I was vehemently opposed. I viewed the surgery as unnecessary, ill-advised and barbaric. Most importantly, I view circumcision of an infant as a direct violation of his rights. If he, for whatever reason, elects to undergo circumcision at a later date (however unlikely that may be), I see that decision as his and his alone.

I was heartened to learn that circumcision is no longer performed in any public hospital in NSW.

It did not occur to me FOR ONE SECOND that my partner would be able to find a zealous doctor who would eagerly perform such irrevocable surgery without my consent.

I was of the absolute belief that, in the absence of my explicit consent, the default position regarding circumcising my son would be to do nothing.

Consequently, it did not occur to me that the only way to protect the rights of my son and I was to send letters to every medical practitioner in Australia, one by one, explicitly telling them NOT to circumcise my son.

How naive of me.

I had cause to be out of the country for much of July.

When I returned home on the 2nd of August I discovered that my son had been circumcised on the 27th of July, a few days prior to my arrival home.

Livid with disbelief, I contacted the doctor who performed the surgery and demanded a copy of the 'consent' form (attached).

I have subsequently taken xxxxxx to a pediatric urologist with a view to restorative surgery. Currently, however, the act of circumcision remains permanent and irreversible.

I confess that my initial umbrage was limited to my lack of consent in this issue. My feeling of utter helplessness was overwhelming. As my feelings simmered, however, I became increasingly aware of the scale of the injustice that my son has been a victim of.

There can be no doubt why circumcision is administered to defenseless infants. If the decision were left to puberty or beyond, I speculate that very few men would acquiesce.

I will now make it my mission to permanently alter the way infant's rights are viewed, with particular attention to the barbaric act of male circumcision, euphemistically dubbed a 'procedure'.

It will be the choice of the NSW Government as to whether it sides with a modern, enlightened and forward thinking slant on human rights, or whether it continues to capitulate and allow macabre sexual or religious predilections to take precedent over a child's rights.

I would caution you, however, that the 'stolen generation' issue should remind all politicians, bureaucrats and , in this instance, the medical profession, that the ultimate interpretation of ethics and morality is rarely historically judged solely against the backdrop of legislation that happened to prevail at the time of a blatant wrong-doing.

I would appreciate you addressing the following observations for me:

The rights of my son, xxxxxx.

1. It is simply indisputable that the rights, privileges and protections afforded to other Australian citizens were not extended to my son. He was laid helplessly on his back and subjected to permanent, irreversible and non-medically indicated surgery without his consent. Is it your considered view that simply because an infant is too young to have formed or articulate a view on being irrevocably mutilated, his ultimate view on the matter is inconsequential?

Obviously, xxxxxx's rights were further vandalised by him being denied my protection, care and authority.

My rights as father.

2. My rights as xxxxxx's father were similarly laid waste. My question to you on this issue is simple: Is it your considered view that my consent, as xxxxxx's father, should have been required prior to permanent, irreversible, non-medically indicated circumcision being inflicted on my son?
3. During the antenatal period of my partner's pregnancy my partner and I visited Wyong hospital numerous times. I was delighted to see the wide variety of brochures and collateral (published by the NSW Department of Health) outlining a fathers relevance and importance in the rearing of a child. If it is possible for irreversible non-medically indicated surgery, such as circumcision, to be performed on an infant without the father's explicit consent would you make comment on the relevance of the various platitudes contained in these publications and collateral?

The stance of the NSW Government.

4. I attach the forms required to **change the name of a minor in NSW**. You will notice the onerous nature of the document and the NECESSITY of the father's consent. In the absence of the father's consent the court may be asked to pass judgment on the application. Is it your considered view that it should be immeasurably easier to perform irreversible non-medically indicated surgery on an infant than to perform a change of name (a 'procedure' that is totally reversible with the stroke of a pen)?
5. The term '**medical treatment**' is a term used and defined extensively within the various pieces of legislation that I have viewed. Is it the intention of the NSW Government that the term 'medical treatment' should equally describe intervention that is medically indicated, as well as non-medically indicated circumcision of a healthy infant?
6. Is it your considered view that the **consent procedure** for irreversible non-medically indicated surgery on an infant, such as circumcision, be the same as that required for intervention indicated by sickness or other medically indicated reasons?
7. Circumcision is now **not performed in any public hospital in NSW**. Please provide me with detailed information and transcripts of meetings as you see fit, such as I can be given a clear insight as to why and when that decision was taken.
8. In the event that **male circumcision is to be interpreted as a 'medical treatment'**, will you clearly confirm that female circumcision (otherwise called 'Female Genital Mutilation') is or will be viewed similarly by the NSW Government.

Ms Keneally, like most people, I have been the victim of many injustices in the normal course of life.

I have never, however, felt as angry, hostile and alienated as I feel over this issue.

I cannot look into the eyes of my son without feeling guilt and remorse.

Charged with the responsibility of protecting him for 18 years, I have failed completely and hopelessly to protect him for even 18 weeks.

Sincerely,