



Public Health Association  
AUSTRALIA

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ACT Office of LGBTIQ+ Affairs  
Chief Minister, Treasury and Economic Development Directorate  
ACT Government

### **Variations in Sex Characteristics (Restricted Medical Treatment) Bill 2022**

I write to welcome the release of draft legislation to stop deferrable surgical interventions on intersex children.

The Bill prevents unnecessary medical interventions, protecting and promoting bodily integrity, autonomy, and human rights of intersex people.

The consequences of early and unnecessary deferrable interventions can include pain, trauma, shame, loss of sexual function and sensation, urinary incontinence and urgency, a need for ongoing medical treatment or repeat surgeries, experiences of violation and sexual assault, reinforcement of incorrect sex assignment, loss of autonomy, and loss of choice.

In accordance with PHAA (2021)'s Policy Position Statement, *The Health of People with Diverse Genders, Sexualities, and Sex Characteristics*, interventions and approaches to people of diverse sex characteristics must be underpinned by principles of human rights, equity, inclusion, and intersectionality. Deferrable surgical and hormonal interventions that alter the sex characteristics of infants and children, without freely-given and fully informed consent by individuals, and without individuals and, where applicable, families, having mandatory independent access to funded counselling and peer support, are in direct contravention of these principles. Therefore, the PHAA supports the goal of the bill to protect the human rights of intersex people. The bill is directly aligned with the 2017 joint consensus statement by Australian and Aotearoa/New Zealand intersex organisations and independent advocates, *The Darlington Statement*, which calls for an effective legislative protection from discrimination and harmful practices on grounds of sex characteristics, including in medical settings.

We see the bill as an opportunity to improve the public's understanding about variations in sex characteristics and the rights of people with such variations. This bill will signal an end to the stigmatisation and unnecessary pathologisation of intersex bodies, and promote self-acceptance, access to community, help-seeking, and accessing of services, including healthcare: imperatives outlined in *The Darlington Statement*.

The ACT is to be commended as the first jurisdiction in Australia to proceed with such laws and is among only a handful of jurisdictions to move ahead with similar reforms. Passing this bill would place the ACT as a global leader in upholding the human rights of intersex people.

A handwritten signature in black ink, appearing to read 'Terry Slevin'.

Terry Slevin  
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