

Australian Sterilisation Data Report

Report on tribunal-approved medical procedures that resulted in the sterilisation of adults with cognitive impairment 1 July 2023 – 30 June 2024

The table below contains statistics on the number of instances where state and territory tribunals have approved, during the period 1 July 2023 and 30 June 2024, a process that results in sterilisation. This is the ninth report following the release of the 'National project on sterilisation data collection practices' undertaken by the Australian Guardianship and Administration Council (AGAC) in 2015 with funding from the Federal Attorney-General's Department. That report and its appendices are available on the AGAC website (www.agac.org.au).

Note that this table records tribunal authorisation of procedures that resulted in the sterilisation of adults with cognitive impairment. Sterilisation of the adult may not have been the primary aim of the procedure in question.

In its final report, the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability recommended that this annual data report be expanded to include additional information on the sterilisation of people with disability.¹

Previous reports on the number of instances where state and territory tribunals and boards have approved a sterilisation process are available on the AGAC website.

Adult sterilisation approvals between 1 July 2023 and 30 June 2024

Jurisdiction	Tribunal	Approvals
Australian Capital Territory	ACT Civil and Administrative Tribunal	0
New South Wales	NSW Civil and Administrative Tribunal ²	1
Northern Territory	Northern Territory Civil and Administrative Tribunal	0
Queensland	Queensland Civil and Administrative Tribunal	4
South Australia	South Australian Civil and Administrative Tribunal	3
Tasmania	Tasmanian Civil and Administrative Tribunal ³	1
Victoria	Victorian Civil and Administrative Tribunal	3
Western Australia	State Administrative Tribunal	0
Total		12

The approvals were made in relation to 12 females, whose ages were in the following ranges: 20–29 years (4), 30–39 years (4), and 40–49 years (4).

One person was identified as First Nations.

¹ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, Final report, 2023, recommendation 6.41c.

² See published decision on www.caselaw.nsw.gov.au NXU [2023] NSWCATGD 24.

³ See published decision on www.austlii.edu.au DX (Consent to Special Medical Treatment) [2023] TASCAT 215.

The individuals who were the subject of the approvals have a range of disabilities (some have more than one disability). Ten of the individuals have intellectual disability. Other conditions include global developmental delay, mental illness, and a neurological condition.

The decisions made by tribunals regarding approvals for medical procedures that result in sterilisation are based on state and territory legislation. As a result, the considerations and reasons provided for decisions differ across jurisdictions.

The reasons for approval of the relevant medical procedures included:

- to prevent serious damage to health (1) or serious health complications (7);
- to alleviate pain and suffering (2); and
- to improve quality of life (2).

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