



2 March 2023

Morgan Carpenter  
Executive Director  
Intersex Human Rights Australia

Email: [morgan.carpenter@ihra.org.au](mailto:morgan.carpenter@ihra.org.au)

Dear Morgan,

Thank you for the opportunity to provide a response to the Intersex Human Rights NSW Election Survey: intersex human rights and health issues.

1. *Enact legislation to protect the human rights of people with innate variations of sex characteristics in medical settings, including the provision of effective rights-based oversight.*

Labor will work with intersex organisations and other stakeholders to review current practices.

A Minns Labor Government will ban LGBTIQ+ conversion and suppression practices in New South Wales. Labor will work with survivors and all other stakeholders to develop the legislation that works in NSW. We will do this through a joint working group of NSW Health and the NSW Department of Justice to draft the laws.

2. *Provide resourcing for peer and family support and advocacy services for people with innate variations of sex characteristics and our families, including a dedicated helpline.*

NSW Labor values peer health services and strategies. We will review funding arrangements to assess the needs of current programs and plan for future needs.

3. *Ensure that mental health programs respond to the needs of our population.*

A NSW Labor Government would support the *LGBTIQ+ Health Strategy 2022-2027* including responding to the health and mental health needs of intersex people in NSW.

4. *Update statistical standards and birth registration categories in line with the Australian Bureau of Statistics standard on sex, gender variations of sex characteristics and sexual orientation.*

A NSW Labor Government would support the *NSW LGBTIQ+ Health Strategy 2022-2027* including the capture of data on sexuality, gender, and intersex variations at the point of care and population level.

5. *Update anti-discrimination [legislation] to implement protections for people with innate variations of sex characteristics on the ground of 'sex characteristics', and replacement of comparator tests.*

NSW Labor supports strong anti-discrimination laws but the existing laws are old and no longer fit for purpose. NSW Labor will refer the *Anti-Discrimination Act 1977* to the NSW Law Reform Commission for review. The review will involve wide public consultation on the best way to modernise the law to ensure all people have the right to live free of discrimination.

NSW Labor expects any recommended changes to be fair, respectful and reflect the diversity of the population of NSW.

6. *Ensure policies in relation to education provide protections for people with innate variations of sex characteristics and are not inappropriately based on matters of identify. Update education curriculum reform to provide clear, accurate, human rights-affirming information about innate variations of sex characteristics.*

Labor is committed to ensuring all children in NSW can learn in a safe and respectful learning environment.

7. *Ensure policies in relation to detention provide protections for people with innate variations of sex characteristics and are not inappropriately based on matters of identify.*

A NSW Labor government will work with intersex organisations to review current practices.

8. *Ensure that subset of people with innate variations of sex characteristics who need to update the sex marker on their birth records are not required to undergo surgical and other medical interventions.*

Labor will review these provisions in consultation with the intersex community.

9. *Establish a whole-of-government advisory group to advise in relation to policy and practice affecting people with innate variations of sex characteristics and LGBT people.*

A NSW Labor Government will establish a whole-of-government LGBTIQ+ advisory group.

Yours sincerely,



**Ryan Park MP**  
**Member for Keira**  
**Shadow Minister for Health**  
**Shadow Minister for Mental Health**  
**Shadow Minister for Illawarra and South Coast**