

Independent Panels (*Recommendation 7*)

The Commission considers that decision making about medical interventions modifying the sex characteristics of people born with variations in sex characteristics should take place within a human rights framework. (*Recommendation 1*).

This framework should be incorporated into Australian domestic law and policy and should include independent oversight mechanisms.

Oversight, in this context, refers to mechanisms by which an independent decision maker determines whether a medical intervention should be carried out without an individual's personal consent, which may arise in respect of children/people under the age of 18.

Oversight mechanisms should:

- be inexpensive and able to operate quickly
- have expertise about the complex medical and other considerations relevant to decision making
- be constituted in a way that ensures children's best interests are represented.

The Commission recommends legislation to:

- establish Independent Panels with responsibility to decide whether to authorise medical interventions for children born with variations in sex characteristics
- require that whenever a clinician or clinical treatment team intends to make such a medical intervention, they must apply to an Independent Panel for authorisation

Independent Panels should be constituted by members with expertise that includes relevant clinical expertise, lived experience of being born with variations in sex characteristics, and human rights.