



CATEGORY: CLINICAL GOVERNANCE ADVICE

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## 1. Plain language summary

**This statement provides guidance for practitioners providing fertility and/or menstrual management advice to women with intellectual disability who lack full decision-making capacity. These women face the same issues of fertility and menstrual management as other women, however the issues in relation to providing informed consent are more complex. It is very important that practitioners providing care to women with disability ensure that information is presented in a way that enables these women to participate in decision**

### 3. Discussion and recommendations

All women, including those with a disability, have the right to participate in decision making about whether they will use contraception and which method of contraception they use. It is a fundamental legal and ethical principle that a patient's informed consent must be obtained before an examination or treatment may be conducted <sup>1</sup>.

Women with an intellectual disability face the same issues of fertility and menstrual

**Some women with an intellectual disability may lack the capacity to provide legally valid consent even with appropriate support. The laws regarding this situation are different in Australia and New Zealand and subtly different in each Australian state and territory.**

**Where the treatment proposed is minor and reversible and a woman has been previously**

be performed provided this is supported by two Ministry of Justice appointed certifying consultants and they have sought advice from an expert experienced in the assessment of the patient's condition and the likely effect on it of the continuance of the pregnancy or an abortion <sup>6</sup>.

Recommendation 3	Grade
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As in all clinical situations, treatment offered to women with intellectual disabilities must be in accordance with the legal and guardianship provisions of the relevant







## Appendices

Name	Position on Committee
Professor Yee Leung	Chair and Board Member
Dr Gillian Gibson	Deputy Chair, Gynaecology
Dr Scott White	Deputy Chair, Obstetrics and Subspecialties Representative
Dr Jared Watts	Member and EAC Representative
Dr Kristy Milward	Member and Councillor
Dr Will Milford	Member and Councillor
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Dr Sue Belgrave	Member and Councillor
Dr Marilyn Clarke	ATSI Representative
Associate Professor Kirsten Black	Member
Dr Thangeswaran Rudra	Member
Dr Nisha Khot	Member and SIMG Representative
Dr Judith Gardiner	Diplomate Representative
Dr Angela Brown	Midwifery Representative Australia
Adrienne Priday	Midwifery Representative New Zealand
Ms Ann Jorgensen	Community Representative
Dr Ashleigh Seiler	Trainee Representative

Prof Caroline De

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