



NOTIFICATION TO THE AUSTRALIAN HEALTH PRACTITIONER REGULATION AGENCY

Alleged false, misleading or deceptive advertising in violation of
Section 133, Health Practitioner Regulation National Law

Kaleido Health Centre

1. Notifier Details

Name	Catherine Anderson-Karena
Organisation	Active Watchful Waiting Inc.
ABN	32 676 923 587
Website	https://aww.org.au
Role	Founding Director
Relationship	Independent consumer advocacy organisation with no commercial or clinical relationship to Kaleido Health Centre

2. Health Service Complained About

Clinic Name	Kaleido Health Centre (trading name of ACON Health Centre Limited)
ABN	52 676 923 587
Website	https://kaleidohealth.org.au
Primary Location	414 Elizabeth Street, Surry Hills NSW 2010
Services	GP-led gender-affirming hormone therapy, mental health services, social transition support, surgery referral support
Registered Health Practitioners	Multiple General Practitioners (names available on website)
Pages Audited	Gender Affirmation, GP Services, Child/Family/Youth Health, Mental Health, Q&A, Home, Book Now, About, Billing and Fees
Audit Dates	24 April 2026; verification 5 May 2026

3. Nature of Notification

Active Watchful Waiting Inc. (AWW) submits this notification regarding Kaleido Health Centre's public website advertising materials, which we believe contain false, misleading or deceptive representations in violation of Section 133 of the Health Practitioner Regulation National Law (the National Law).

Kaleido Health Centre advertises regulated health services including GP-led gender-affirming hormone therapy, mental health services, and services for people "of all ages, including young people

and those under 18". The clinic's public website uses prominent reassurance-oriented language ("safe", "high-quality", "best-practice", "evidence-based", "developmentally appropriate") while systematically omitting material risk information, evidence limitations, minor-specific safeguards, fertility implications, irreversibility warnings, and treatment alternatives.

AWW conducted a comprehensive Section 133 compliance audit of Kaleido's public website materials in April-May 2026. The audit methodology follows ISO 19011 principles for objective evidence collection and was conducted by a BBST-qualified test analyst independent of any interested party.

This notification alleges the following Section 133 violations:

- Section 133(1)(a): False, misleading or deceptive advertising through systematic omission of material risk information, evidence limitations, and minor-specific protocols despite treating minors and offering hormone therapy
- Section 133(1)(a): False advertising through standards misrepresentation — claiming AusPATH alignment while failing to provide information required by those standards
- Section 133(1)(d): Creating unreasonable expectations of beneficial treatment by using unqualified safety and effectiveness claims without disclosing evidence uncertainty
- Potential Section 133(1)(e): Encouraging unnecessary use through misleading overall impression (requires further investigation)

4. Key Representations in Public Advertising

4.1 "Best-Practice Care" Representation

Representation: "Our services align with the AusPATH Standards of Care and NSW HealthPathways, ensuring that all Kaleido clinicians provide developmentally appropriate, evidence-based care."

Source: Gender Affirmation service page (<https://kaleidohealth.org.au/services/gender-affirmation/>)

Section 133 Relevance: This representation conveys to reasonable consumers (including parents of minors) that the clinic follows established, evidence-based standards of care. However, the cited standards themselves do not require disclosure of material information mandated by Section 133, and the clinic fails to provide information that the cited standards do require (see Finding 10).

4.2 "Safe" and "High-Quality" Services Representation

Representation: "Kaleido Health Centre is at the forefront of inclusive healthcare in Australia, offering safe, accessible, and high-quality services..."

Source: Home page (<https://kaleidohealth.org.au>)

Section 133 Relevance: Unqualified safety claims without accompanying material risk disclosure create a false impression prohibited by Section 133(1)(a) and AHPRA's advertising guidelines.

4.3 Age Eligibility Representation

Representation: "Q: Who can access gender-affirming care at Kaleido? A: We welcome people of all ages, including young people and those under 18."

Source: Q&A page (not accessible via standard navigation; removed from menu February 2024)

Section 133 Relevance: Confirms treatment of minors but omits all material information about parental consent, state-specific legal requirements, age-differentiated protocols, and capacity assessment processes — misleading by omission under Section 133(1)(a).

5. Critical Section 133 Findings

5.1 Finding 1

Finding	Finding 1
Section 133 Provision	Section 133(1)(a) — false, misleading or deceptive
Representation	Overall impression created by Gender Affirmation, GP, Child/Family/Youth, Mental Health, Q&A, Home and Book Now pages when read together
Section 133 Basis	The site advertises regulated health services with prominent benefit-oriented language ("safe", "best-practice", "evidence-based", "developmentally appropriate") but does not present material risks, evidence limitations, eligibility limits, minor-specific safeguards, fertility implications, irreversibility, alternatives, or progression information with comparable prominence. This creates a misleading overall impression by systematic omission.
Audit Evidence	Audit report Section 1.1; website content archived 24 April 2026

5.2 Finding 2

Finding	Finding 2
Section 133 Provision	Section 133(1)(a) — false, misleading or deceptive
Representation	Unqualified "safe", "evidence-based" and "best-practice" language throughout public-facing materials
Section 133 Basis	These unqualified claims create false impressions about treatment safety profile and evidence certainty. Section 133 and AHPRA guidelines require material risk disclosure to accompany effectiveness claims. The complete absence of qualifying information renders these representations misleading.
Audit Evidence	Audit report Finding 2; AHPRA Guidelines section 4.1 comparison

5.3 Finding 3

Finding	Finding 3
Section 133 Provision	Section 133(1)(a) — false, misleading or deceptive

Representation	Complete absence of visible treatment-risk disclosure on the Gender Affirmation page and all service pages
Section 133 Basis	Despite advertising hormone therapy services, the public website contains zero disclosure of: cardiovascular risks, bone health risks, fertility impairment, sexual function impacts, cancer risks, liver damage risks, or irreversibility of certain effects. This omission is material and renders the advertising false and misleading.
Audit Evidence	Audit report Finding 3; Appendix B evidence tables documenting material disclosure domains

5.4 Finding 10 — Standards Misrepresentation

Finding	Finding 10
Section 133 Provision	Section 133(1)(a) — false, misleading or deceptive through authority substitution
Representation	Claim that services "align with the AusPATH Standards of Care" while simultaneously: (1) failing to provide information AusPATH standards require, and (2) citing standards that do not themselves require Section 133-compliant disclosure
Section 133 Basis	This creates a "logical trap" of false compliance. The clinic either: (a) does not comply with the standards it cites (Findings 10.1-10.4: material non-compliance with AusPATH on minors, risk disclosure, irreversibility, fertility), or (b) complies with standards that are themselves inconsistent with National Law Section 133 requirements (Findings 10.5-10.9: AusPATH does not require psychiatric outcome disclosure, treatment alternatives, progression rates, evidence quality caveats, or complete minor consent processes). Either way, the representation is false and misleading.
Audit Evidence	Audit report Finding 10 with detailed sub-findings; Appendix A documenting page-by-page AusPATH citation failures

6. Public Interest Considerations

These advertising compliance concerns engage significant public interest considerations:

- Vulnerable population: The advertising targets individuals experiencing gender-related distress, a population with documented high baseline psychiatric morbidity

- Minor involvement: The clinic treats minors but provides no public information about parental consent requirements, legal safeguards, or age-differentiated protocols
- Irreversible interventions: The treatments advertised include interventions with permanent effects (infertility, sexual function changes), yet these consequences are not disclosed
- Evidence uncertainty: Independent systematic reviews (Cass 2024, York/ADC 2024, US HHS 2025) document low/very-low certainty evidence for key outcomes, yet the clinic advertises with unqualified "evidence-based" claims
- Informed consent integrity: The systematic omission of material information undermines consumers' ability to provide genuinely informed consent to treatment

7. Supporting Documentation

AWW provides the following evidence in support of this notification:

- Document C: Kaleido Health Centre Section 133 Compliance Audit Report (15 May 2026) — comprehensive audit against all Section 133(1) prohibitions with detailed findings, evidence tables, and AusPATH citation tracking
- Archived website content from kaleidohealth.org.au (captured 24 April 2026, verified 5 May 2026)
- Evidence appendices documenting material disclosure domains for puberty blockers, feminising hormones, masculinising hormones, and surgical pathways

8. Requested Action

AWW respectfully requests that AHPRA:

- Investigate the advertising compliance concerns documented in the attached audit report
- Assess whether Kaleido Health Centre's public advertising materials breach Section 133 of the National Law
- Require corrective action to ensure public advertising materials provide material risk information, evidence limitations, and minor-specific protocols with prominence comparable to benefit claims
- Consider whether similar compliance concerns may exist across other gender clinic advertising and whether sector-wide guidance is warranted

9. Contact Information

AWW is available to provide additional documentation or clarification as required. Please direct correspondence to:

Catherine Anderson-Karena

Executive Director, Active Watchful Waiting Inc.
contact@aww.org.au

Respectfully submitted,

Catherine Anderson-Karena
Executive Director, Active Watchful Waiting Inc.
Date: 15 May 2026