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In the 2017 decision of *Re Kelvin*, a five-member appellate Bench of the Family Court of Australia unanimously held that the prescription of cross-sex hormones to adolescents did not require court approval if parents and doctors are in agreement. This departed from the Full Court's decision in *Re Jamie* only 4 years earlier. The judges who were in the majority in their reasoning justified this on the basis of advances in medical and scientific knowledge that changed the substratum of fact on which the Full Court's earlier decision in *Re Jamie* was based. However, the decision in *Re Kelvin* was not actually based upon a comprehensive review of that medical and scientific knowledge. The Court declined to read any of the medical and scientific literature referred to in the case stated. Its understanding of the medical and scientific knowledge was informed entirely by what the parties to the litigation agreed as facts, and the litigation lacked a contradictor on those issues. This fatally undermines the ratio decidendi of the judges in the majority.

Since that decision, Watts J, in *Re Imogen [No 6]* has clarified that court approval is still required if a parent disputes either the Gillick-competence of an adolescent, a diagnosis of gender dysphoria, or the proposed treatment; or if treating clinicians disagree on any of these issues. Since *Re Kelvin*, there have been considerable advances in medical and scientific knowledge about the issue of adolescent gender dysphoria. Much of this research raises questions about the wisdom and efficacy of gender reassignment treatments for adolescents. There are also significant issues about how Gillick-competence is to be assessed in this population of adolescents, many of whom have serious psychiatric comorbidities. This has led to changes in practice in other countries. Treatments for gender dysphoria such as the provision of cross-sex hormones and double mastectomies are likely to be increasingly contested in the family courts of Australia as well, as a consequence of these developments in medical and scientific knowledge.