

29 June 2026

Submission to NZ Parliament

Legislation (Definitions of Woman and Man) Amendment Bill

This submission is made by the Association of Psychotherapists Aotearoa New Zealand (APANZ). APANZ is a professional body of roughly 600 psychotherapists, 430 of whom are registered under the HPCAA as mental health professionals.

This submission strongly opposes the proposed Amendment Bill on the grounds that (1) it is unnecessary, and (2) it can be expected to further marginalise and alienate from society a group of people who are by many measures already highly vulnerable.

In the first reading of the Bill in April 2025, Hon Winston Peters declared his wish to champion the “protection, progression and safety of women”. No case has been made, however, that the Bill will contribute to achieving these goals, or indeed address any actual legal problems. The Attorney General has stated, there is considerable uncertainty about the effect of the Bill. Further, we note that by defining “woman” as an “adult human biological female”, the Bill could exclude women under the age of 20 (the legal age of “adulthood”, unless otherwise defined), as well as trans, non-binary and intersex people, from accessing vital services such as abortions.

The Hon Winston Peters also stated that the Bill is “not about being anti-anyone or anti-anything”, but in seeking to impose a “biological” binary definition of “woman” and “man”, the Bill attempts to erase the legal identity of transgender, non-binary and intersex people and lessen their protection, progression and safety.

From a mental health standpoint, we note that the current data on transgender and non-binary people is extremely concerning. Counting Ourselves Survey - the 2022 New Zealand survey of transgender and non-binary people aged 14+ years found

- a very high lifetime prevalence of attempted suicide;
- a very high rate of six-month prevalence of “seriously considered suicide”;
- 50% had deliberately injured themselves in the preceding 12 months;
- A rate of extreme psychological distress six times higher than the general population;
- significant barriers to accessing mental health care;
- 54% reported having a disability, long term health condition or mental health condition that limited their ability to carry out everyday activities; and
- 44% experienced discrimination in the past 12 months, which is more than twice the general population.



The Counting Ourselves survey also identified much higher rates of unsafety and violence in public settings for transgender and non-binary people. In our experience and expert opinion, the main cause of these concerning statistics is societal pressure to conform to a gender they know to be wrong for them. Laws that police their gender would likely result in an increase in deaths by suicide in a community already under threat.

In conclusion, the Public Issues Committee of APANZ rejects this Bill in its entirety. We share the view of the Human Rights Commission that this Bill is unnecessary and risks further harm to an already marginalised and vulnerable group. Transgender and non-binary identifying folk are not a threat to anyone, but they do suffer from discrimination, and a lack of needed healthcare.

We recommend that this Bill be scrapped, and that instead the Government progress the recommendations of the Law Commission's report on protections under the Human Rights Act 1993 for transgender, non-binary and intersex people (NZLC R150), and develop a considered health and wellbeing strategy for transgender, non-binary and intersex people in Aotearoa New Zealand.

Regards

Claire Miranda
Registered Psychotherapist
APANZ President