



POSITION STATEMENT: June 2026

## Submission: on the Legislation (Definitions of Woman and Man) Amendment Bill

From: Te Kāhui Mātai Arotamariki o Aotearoa | Paediatric Society of New Zealand (PSNZ)

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PSNZ opposes the Legislation (Definitions of Woman and Man) Amendment Bill. We do so on the basis of evidence-grounded concern for the health and wellbeing of children and young people in Aotearoa. This Bill, as currently drafted, has the potential to cause measurable harm to a vulnerable population of rangatahi who are already at heightened risk of poor mental health outcomes. We align with many leading organisations, including the Professional Association for Transgender Health Aotearoa (PATHA) and Te Kāhui Tika Tangata | The Human Rights Commission, in opposing this Bill.

### Child Health Concerns

#### Risk of harm to rangatahi mental health

A substantial and growing body of evidence demonstrates that transgender, non-binary, and intersex young people are at significantly elevated risk of depression, anxiety, self-harm, and suicidality. This risk is substantially reduced when young people experience social inclusion, affirmation, and access to appropriate evidence-based healthcare. Legislative measures that signal the exclusion or erasure of these identities risk exacerbating already alarming mental health disparities in this group.

PSNZ is particularly concerned that the Bill's application across all contexts and legislation in Aotearoa risks creating a hostile legal environment that could erode the sense of safety and belonging in a population of young people who already experience systemic barriers and othering.

#### Impact on intersex rangatahi

The Bill's binary definition of biological sex does not reflect the medical and scientific reality of human biology. The 2023 NZ Census reported that 15,039 people (0.4%) aged 15 or older said they were born with a variation of sex characteristics (Stats NZ, 2023). The proposed definitions do not uphold the identities of these young people and could create ambiguity and practical difficulties for healthcare professionals.

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PSNZ urges the Select Committee to give careful consideration to the unintended consequences of legislating a definition of sex that does not account for biological variation, which is well recognised in paediatric and endocrinological medicine.

### **Clinical and healthcare delivery implications**

Healthcare for children and young people in Aotearoa experiencing gender dysphoria already operates within a nuanced framework of clinical judgement, informed consent, and multidisciplinary collaboration. Rigid definitions of sex across all legislation risks creating confusion in clinical contexts where biological sex, legal sex, and gender identity are currently navigated with appropriate clinical sensitivity.

PSNZ members see the positive impacts and outcomes of experienced clinical decision-making, working in genuine informed partnership with young people and their whānau. Sweeping legislative definitions of this nature risk undermining this progress.

## **Recommendations**

PSNZ respectfully calls on the Select Committee to:

- Decline to recommend passage of this Bill in its current form.
- Prioritise implementing the Law Commission's *Ia Tangata* recommendations, which provide a considered, expert-led path forward to strengthen human rights protections.
- Ensure that any legislative changes affecting definitions of sex and gender are preceded by meaningful consultation with affected communities, and with the health professionals who care for them.
- Give specific consideration to the impact on intersex young people and to the clinical implications for paediatric healthcare delivery.

We firmly believe that policy affecting tamariki and rangatahi must be informed by evidence, guided by expert clinical consensus, and strengthened by the lived experiences of young people themselves. PSNZ remains committed to advocating for the health and wellbeing of all young New Zealanders.

**Ngā mihi,**

**Dr Sonja Crone**, President of PSNZ and Consultant Paediatrician

**Executive Team**, Te Kāhui Mātai Arotamariki o Aotearoa | The Paediatric Society of New Zealand

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**Notes for editors:**

The Paediatric Society of New Zealand is the professional body for paediatricians and child health specialists across Aotearoa. Our mission is to advocate for the health and wellbeing of all children and young people, and to support excellence in paediatric practice.

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