

## **Annex 2: Full list of Recommendations:**

**We recommend that the New Zealand Government be directed to:**

### **Statistics**

- a) *require Statistics New Zealand to collect data on the self-identities of sex, gender and sexually diverse people, in consultation with those communities and the Human Rights Commission, including in the next census, NZ Health Survey and other key surveys*
- b) *ensure this information is used to inform state responses including, but not restricted to, diversity training for professionals in the education, health and justice sectors and the development and funding of resources and services for our communities*
- c) *standardise these categories for collection of information by government agencies (including public hospitals and schools) about the experiences of sex, gender and sexually diverse people*
- d) *prioritise improving data collection about sex, gender and sexually diverse people's use of health services and their health outcomes*

### **Legal Recognition**

- e) *remove any requirement to undergo or intend to undergo medical or surgical procedures, including those that may result in sterilisation, as a prerequisite for changing sex details on a birth certificate or other official document*
- f) *enable adults with intersex conditions and trans and other gender diverse adults to change the sex details on any official documentation to male, female or indeterminate based solely on the individual's self-identification, without any requirement for medical treatment and without the need to resort to a court process*
- g) *enable children and young people under the age of 18 who have intersex conditions or who are trans or gender diverse to access this same procedure, with only the additional requirement that they have the support of their legal guardian / parent, taking into account the evolving capacities and best interests of the child*
- h) *review the Adoption Act 1955 with the aim of reflecting the legitimate diversity of New Zealand family and parenting arrangements*

### **Security**

- i) *explore options for Police and our communities to work together on practical solutions that will*
  - *increase reporting of offences committed partly or wholly because of hostility against based on someone's sexual orientation, sex or gender identity*
  - *improve the effectiveness of the current Sentencing Act provisions and identify whether further legislative or policy provisions are needed to protect sexuality, sex and gender diverse people's right to safety*
- j) *support and fund school-based initiatives that promote inclusive school communities and address bullying and marginalisation of SOGII students*
- k) *update the Department of Correction's Transgender Prisoner policy to reflect international best practice about placement, care and management of trans prisoners to ensure their right to safety, and access to health services and rehabilitation on an equal basis as others*

## **SOGII Health and Education**

- l) develop practice standards to improve access to, and the standard of, health services delivery for our communities*
- m) require health providers to demonstrate steps taken to build health care professionals' responsiveness to the health needs of our communities*
- n) undertake research into the health and well-being need of those groups within SOGII communities who face significant health disparities (particularly Māori and Pacific people) or have additional health needs (including disabled and older people)*
- o) improve and extend the delivery of high quality, comprehensive sexuality education which encompasses sex, gender and sexuality diversity and moves beyond inaccurate binaries to all young people in schools, including partnership and charter schools*

## **Intersex Health Rights**

- p) statutorily prohibit surgical procedures, aimed solely at correcting genital ambiguity, on children who are not competent to consent for themselves*
- q) facilitate dialogue between intersex people, relevant government agencies, District Health Boards and medical practitioners in order to best inform policy and medical practice regarding intersex conditions*
- r) require compulsory training in relevant undergraduate and postgraduate courses on appropriate medical responses to intersex conditions*
- s) provide funding to enable optional reversal or alteration of previous surgical gender assignment procedures because of an intersex condition*
- t) require longer retention of medical records belonging to those who have undergone gender assignment procedures because of an intersex condition*
- u) officially recognise and apologise for the detrimental effects of previous medical policy and practice in the treatment of intersex conditions*

## **Trans and Gender Diverse Health Rights**

- v) require District Health Boards to ensure trans people's access to gender reassignment services available in NZ*
- w) provide sufficient funding to enable timely access to gender reassignment surgeries not provided through the NZ public health system*
- x) support the development of training and resources on an informed consent model of healthcare for trans people*
- y) guarantee access to health services for trans people without the requirement to have a mental health diagnosis (such as gender identity dysphoria or gender identity disorder)*
- z) support and facilitate the provision of training and resources for health professionals about gender diversity, and provide information and resources for communities and individuals about accessing healthcare as a gender diverse person*
- aa) request and support an update of the good practice guidelines "Gender Reassignment Health Services for Trans People Within New Zealand" in consultation with trans people, to reflect an informed consent model that focuses on access, safety, wellbeing, respect and diversity*

## **Employment Discrimination**

- bb) repeal amendments to the Employment Relations Act in 2010 which removed the right to personal grievance procedures within the first 90 days of employment*
- cc) amend the Human Rights Act to state explicitly that gender identity is a prohibited ground of discrimination*