Legislation (Definitions of Woman and Man) Amendment Bill

The closing date for submissions is 11.59pm on Thursday, 02 July 2026

Legislation (Definitions of Woman and Man) Amendment Bill - New Zealand Parliament

Introduction

The Wayne Francis Charitable Trust (WFCT) is a family philanthropic trust settled by Deed dated 22 June 1999 and is registered under the Charities Act 2005. WFCT 's charitable purpose has an almost exclusive focus on young people. WFCT's information to be able to make this submission comes from:

- its 25 plus year history as a funder of the youth sector and opportunities for young people;
- one of several authors of an evidence based document called Positive Youth Development in Aotearoa (PYDA); and
- an organisation which has worked hard to understand the different needs of young people so that all young people have the best chance to thrive.

all of which together have enabled WFCT to be in a position to submit on this Bill.

The term 'young people' used in this submission includes people up to age 25.

Positive Youth Development and the PYDA

The document *Positive Youth Development in Aotearoa* (PYDA) was originally developed and published in 2011 by some of Ōtautahi's most dedicated youth workers, experts, researchers and Wayne Francis Charitable Trust (WFCT). A second edition was published in 2021. The PYDA is informed by both local and international evidence as well as grassroots experiences of young people and organisations in Ōtautahi Christchurch. It is an evidence based document. The PYDA sets out a framework in which *all people* can make decisions to contribute to the healthy development of all young people. If all people contribute to healthy development of all young people, we can achieve the vision of strong, inclusive, connected, resilient and supportive communities.

WFCT's position

WFCT opposes the **Legislation (Definitions of Woman and Man) Amendment Bill** because it poses significant risks to the wellbeing and development of all young people in Aotearoa. The Bill poses these risks in two broad ways:

1. Firstly by denying the existence of transgender people, non-binary people and intersex people (or those who are deemed to be transgender, non-binary or intersex) and
2. Secondly, by imposing a single, fixed, default definition to be read across the entire statute book - including pieces of legislation that were never written with this definition in mind - with a concerning practical effect on the young people who do not fit neatly inside this new definition.

The Bill contradicts a positive youth development approach and puts the outcomes of PYD at risk by:

a. compromising the opportunity for young people to develop confidence in their own unique identity and to feel a sense of belonging within that identity. This is a cornerstone of a young person's development. Young people with a strong identity are more likely to experience positive mental health. (Outcome 1, PYDA).
b. Constraining identity development by fixing legal sex at birth rather than recognising it as an active and ongoing process. For young people who are transgender or intersex, or who are still forming their identity as a normal part of adolescence, this constrains the developmental process the PYDA identifies as essential. (Outcome 1, PYDA).
c. Deepening divisions between people protected by law and those who are not. Young people need positive connections to other people for their healthy development. This is the second necessary outcome of positive youth development. It is the inclusivity of diversity that allows all young people to thrive. (Outcome 2, PYDA).
d. Treating gender identity as legally settled rather than something to be respected and safeguarded. The PYDA requires mana-enhancing practice, where a young person's sense of their own value is increased, not diminished, through contact with adults, systems and institutions. (Approaches 1 & 2, PYDA).
e. Creating unequal access to universal services provided by the government including education, healthcare, personal identification documents (which therefore includes restricting the ability to drive, to move around New Zealand or cross the border both of which impact employment opportunities). This increases some young people's risk factors and decreases the opportunity to build protective factors (discussed in Approach 1, PYDA).
f. Erasing Te Ao Māori understandings of gender and identity that do not map onto a binary biological definition. The PYDA requires practice in Aotearoa be grounded in Te Tiriti o Waitangi and in the strength of the communities around a young person. The definition proposed runs against the PYDA's commitment to affirming whakapapa, cultural identity and connectedness – including for Tangata Whenua and Pasifika young people, for whom gender diversity has long-standing cultural recognition. (Outcome 2, PYDA).

g. Disempowering those young people by denying their existence. The 3 key approaches of PYD are strengths based, respectful relationships and building ownership and empowerment. Together, these 3 approaches deliver the 2 outcomes. The Bill contradicts all three and will put the two outcomes at risk.
h. Potential removal of legal protections for women and girls under 20. The PYDA uses the widely understood definition of young person being those between the ages of 12-24, recognising the stages, needs and experiences of 'youth' as different from 'child' and 'adult'. The Report of the Attorney General on this Bill[1] warns that because the proposed definition of "woman" applies only to "adults," then women and girls under age 20 could fall outside the legal meaning of "woman" in some existing Acts and therefore be denied some legal rights and medical entitlements currently available to them. The Bill risks inadvertently removing legal protections from the very group it claims to serve. This risk of inadvertent consequences is further compounded as the Bill requires a "woman" to be an "adult" but not a "female".

WFCT urges the government to withdraw the Bill immediately and to engage with the transgender, non-binary and intersex communities, including takatāpui and Pasifika rainbow community representatives, about what support they need most.

Submission of Wayne Francis Charitable Trust

1.7.2026

[1] Report of the Attorney General under the New Zealand Bill of Rights Act 1990 on the Legislation (Definitions of Woman and man) Amendment Bill presented to the House of Representatives pursuant to Section 7 of the New Zealand Bill of Rights Act 1990 and Standing Order 269 of the Standing Orders of the House of Representatives dated 19 May 2026