



To: Justice Select Committee

Parliament, New Zealand

Submission: Conversion Practices Prohibition Bill

Introduction

Thank you for the opportunity to write a submission to the Conversion Practices Prohibition Bill.

The Public Health Association of New Zealand (PHA) is a national association with members from the public, private and voluntary sectors. Our organisation's vision is 'Good health for all - health equity in Aotearoa', or 'Hauora mō te katoa – oranga mō te Ao', and our purpose is to advocate for the health of all New Zealanders.

To achieve this, we provide a forum for information and debate about public health action in Aotearoa New Zealand. Our organisation includes a wide membership across New Zealand and has a Māori Caucus, a Pacific Caucus and an Asian Caucus. Through these forums our collective public health action aims to improve, promote and protect the health of the whole population through organised events and resources and collaboration with stakeholder partners.

We recognise Te Tiriti o Waitangi as Aotearoa New Zealand's founding document, defining respectful relationships between tangata whenua and tangata Tiriti. We are actively committed to supporting Te Tiriti o Waitangi articles in policy and legislation.

We actively promote full implementation of related international agreements to which New Zealand is a signatory, including the UN Covenant on Economic, Social and Cultural Rights (ICESCR), particularly Article 12 The Right to Health, the UN Convention on the Rights of the Child (UNCROC), the UN Declaration of the Rights of Indigenous People (UNDRIP), the Convention on the Rights of Persons with Disabilities (UNCRPD), Convention on the Elimination of All forms of Racial Discrimination (CERD) and the UN Framework Convention on Climate Change and the Paris Climate Agreement.

We fully support the intent of the Bill to protect LGBTQIA+ New Zealanders from the dangerous and damaging effects of so-called "conversion therapy"

Conversion therapy has existed in the past in many countries and in many forms including extreme measures such as institutionalization, sectioning, castration, and electroconvulsive shock therapy to attempt to stop people from being lesbian, gay, bisexual, or transgender or other non-majority sexual, gender or sexuality identities (LGBTQIA+). In other countries, "corrective rape", imprisonment and even the death penalty (officially sanctioned or mob-led) have been recorded. In the past, here in New Zealand, LGBTQIA+ people have been subjected to extremely harmful forms of aversive therapy.

Here, as elsewhere, this is most prevalent in faith-based groups where individuals may be told that their LGBTQIA+ orientation is a choice, the result of a trauma or an expression of rebellion or being anti-religion.

Many countries around the world are finally legislating against these harmful practices.

The PHA takes the position that the global scientific consensus confirms that conversion therapy **does not work** and can cause significant and sometimes, irreparable harm. The "[Declaration on the Impropriety and Dangers of Sexual Orientation and Gender Identity Change Efforts](#)," by leading health bodies stated; "We, as national organizations representing millions of licensed medical and mental health care professionals, educators, and advocates, come together to express our professional and scientific consensus on the impropriety, inefficacy, and detriments of practices that seek to change a person's sexual orientation or gender identity, commonly referred to as "conversion therapy." They further "emphasize the dangers of sexual orientation and gender identity change efforts, particularly for youth, which include increased risk of anxiety, depression, decreased self-esteem, social withdrawal and isolation, homelessness, substance abuse, and suicidality." The New Zealand Ministry of Health also recognises extensive international evidence that practice of conversion therapy is ineffective and harmful.

Young Māori takatāpui are one of the most at-risk groups for mental illness, self-harm, and suicide. Mental health services are rooted in harmful colonial values that hurt takatāpui whānau. We oppose all of these backward colonial practices and ideas and laws and practices, which cause shame and guilt for being who they are.

While regulated health professionals are subject to codes of practice that protect clients from harm, or which fall under the Health and Disability Service Standards, which specify that an individual's sexuality must be respected when accessing health care services, this does not apply to not apply to the many non-professionals who practice "conversion therapy", especially those from faith groups.

In New Zealand, those consenting to medical treatment must be fully aware of potential outcomes and consequences. With evidence that conversion therapy can lead to severe anxiety, depression, loss of sexual functions and even suicide, it is clear that truly informed consent cannot be given to ineffective and detrimental "treatments". [Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992 and Health and Disability Commissioner (Code of Health and Disability Services Consumers' Rights) Regulations 1996].

The PHA does not believe (as the National Party appears to), that parents who seek to advise or protect their children will be criminalised by the proposed legislation. Instead, we call for high quality education and support for parents, schools, faith groups or those responsible for the pastoral care of all young people to better prepare them to understand and meet the needs of these vulnerable groups.

Banning "conversion therapy" signals that as a society, New Zealand does not consider that being LGBTQIA+ is wrong or in need of correction, but instead that society is growing increasingly accepting and supportive, and will provide help and resources to work through the sometimes-difficult issues and responses experienced.

The PHA **joins** the condemnation of "conversion therapy" by key stakeholders including: the Human Rights Commission; the Royal Australian and New Zealand College Psychiatrists; the New Zealand College of Clinical Psychologists; the New Zealand Association of Counsellors; Aoteroa New Zealand Association of Social Workers; and Rainbow Youth. Such practices have **no** place in our society.

Sincerely,

A handwritten signature in black ink that reads "Grant Berghan". The signature is written in a cursive, slightly slanted style.

Grant Berghan, CEO, PHA