7 September 2021

Ms Ginny Andersen MP
Chair, Justice Select Committee
Parliament Buildings
WELLINGTON

By email: ju@parliament.govt.nz

Tēnā koe Ms Andersen

Re: Conversion Practices Prohibition Legislation Bill

Thank you for the opportunity to make a submission on the Prohibition of Conversion Practices Bill. As set out in the Royal Australian and New Zealand College of Psychiatrists’ position statement on sexual orientation change efforts, the College is strongly opposed to the use of conversion practices due to the significant harm they can cause.

About the Royal Australian and New Zealand College of Psychiatrists (RANZCP)

The RANZCP is a membership organisation that prepares doctors to be medical specialists in the field of psychiatry, supports and enhances clinical practice, advocates for people experiencing mental health issues, and advises governments on mental health care.

This submission has been prepared by Tu Te Akaaka Roa – the RANZCP New Zealand National Committee. Tu Te Akaaka Roa oversees the College’s mahi in Aotearoa and is guided by a number of expert committees, including the Faculty of Child and Adolescent Psychiatry Committee.

The RANZCP supports the intent of the Bill

The RANZCP strongly supports the prohibition of conversion practices and the proposed purpose of the Act to:

- prevent harm caused by conversion practices; and
- promote respectful and open discussions regarding sexuality and gender.

Research has found that being subject to conversion practices increases the risk of adverse outcomes, including depression, anxiety and suicidality. This is not acceptable and particularly concerning given that LGBTIQ+\textsuperscript{1}/takatāpui people already face increased rates of mental distress as a result of discrimination and marginalisation.\textsuperscript{ii} For example, the New Zealand Counting Ourselves survey found that over 70% of trans and non-binary people had high or

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\textsuperscript{1} The term LGBTIQ+ is used to refer collectively to people who are lesbian, gay, bisexual, trans, intersex, queer, or questioning. The ‘+’ refers to people with sexual orientations, sex or gender identities that are not encompassed in ‘LGBTIQ’.

\textsuperscript{ii} For example, the New Zealand Counting Ourselves survey found that over 70% of trans and non-binary people had high or
very high levels of psychological distress. A survey of New Zealand secondary students found that up to 46% of rainbow youth reported suicidal thoughts (depending on ethnicity), compared with up to 24% of non-rainbow youth. This was even higher for rainbow youth with a disability or chronic condition.

Not only are conversion practices harmful, but there is no scientific evidence that sexual orientation can be changed. Misrepresenting the idea that sexual orientation is mutable and can be changed by conversion practices could be exploitative of individuals or their whānau trying to come to terms with their sexual orientation or gender identity. It also contributes to broader misrepresentation of sexuality and gender, and stigmatisation of LGBTIQ+

communities.

Suggestion for a clearer avenue for victims to receive mental health support

The RANZCP advocates for ensuring that victims and survivors have a clear avenue to access mental health support where needed. For some victims and survivors, this may be crucial to heal from the trauma and reduce the risk of suicide. The mental health support available should be trauma informed and respectful of the person's cultural, spiritual and/or religious background. The RANZCP strongly encourages the Government to include additional resourcing for psychological support alongside the proposed legislation.

Suggestion to remove the age limit on the offence in section 8

As the Bill stands, performing conversion practices on someone who is 18 years or over will not be considered an offence unless it causes “serious harm” (s9). This is concerning, as the threshold may be a barrier for adult victims and survivors to access redress. It may be difficult to prove 'serious harm', especially if psychological impacts are delayed. The RANZCP does not consider it acceptable to perform conversion practices on a person of any age and notes that people aged 18 and over can still be vulnerable to harm. We encourage the Justice Committee to strengthen the Bill for adult victims, for example by removing the age limit in section 8.

General comments

It is encouraging that the Bill’s explanatory note states that the Human Rights Commission will “play an important role in providing education about conversion practices”. Legislation alone will not prevent conversion practices. We hope that the Commission can support religious and other organisations to take proactive action to prevent conversion practices and promote greater understanding and inclusion of LGBTIQ+ people.

If you have any questions about this submission, please contact the National Manager, New Zealand, Rosemary Matthews. Rosemary supports the New Zealand-based committees and can be contacted on 04 4727 265 or by email at rosemary.matthews@ranzcp.org.

Nāku noa, nā

Associate Professor Susanna Every-Palmer FRANZCP
Chair, Tu Te Akaaka Roa – New Zealand National Committee

2 For more information see the RANZCP Trauma-informed practice Position Statement.
References