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Justice Committee
Select Committee Services
Parliament Buildings
WELLINGTON 6610

Submitted via online portal

Tēnā koutou katoa

Conversion Practices Prohibition Bill

The Royal New Zealand College of General Practitioners is the largest medical college in New Zealand. Our membership of 5,500 general practitioners comprises almost 40 percent of New Zealand's specialist medical workforce. Our kaupapa is to set and maintain education and quality standards for general practice, and to support our members to provide competent and equitable patient care.

Thank you for the opportunity to submit on the Conversion Practices Prohibition Bill currently before your Select Committee. This submission has been prepared including feedback that has been directly sourced from our membership.

Submission

The College upholds actions to ensure equity for people in the area of Sexual Orientation / Gender Identity / Expression Change Efforts (SOGIECE) and the impact on people with diverse sexual orientations, gender identities and expressions, and sex characteristics. The College supports this bill passing into law, for reasons outlined in our submission.

Tino rangatiratanga

Article 2 of Te Tiriti o Waitangi promotes tino rangatiratanga for Māori. Tino rangatiratanga includes self-determination over, and self-expression of, sexual orientation, gender, gender identity, and gender expression. Practices that impinge on this self-determination and self-expression run counter to the rights of Māori under Te Tiriti and should not be permitted.

Differences of sexual orientation, gender, gender identity, and gender expression are not illnesses

The American Psychiatric Association removed homosexuality from its Diagnostic and Statistics Manual (DSM) for mental illness in 1973. The World Health Organization (WHO) followed in 1990¹, and in 2019 approved a resolution to remove "gender identity disorder" from its global manual of diagnoses (ICD)². The Pan American Health Organization – the regional office of the WHO – published a paper called "Cures" For an Illness That Does Not Exist³ in 2012. Beliefs that sexual orientation should be heterosexual only and that gender is fixed at birth as binary – either male or female – are not supported by the evidence. We consider that people with diverse sexual orientations, gender identities and expressions are not 'broken' and do not need to be 'fixed'.

¹ <https://roodepoortrecord.co.za/2018/05/17/today-in-history-who-removed-homosexuality-from-its-list-of-mental-illnesses-web/>

² <https://time.com/5596845/world-health-organization-transgender-identity/>

³ <https://www.paho.org/hq/dmdocuments/2012/Conversion-Therapies-EN.pdf>

Change or suppression practices are not effective and are therefore unethical

In 2009, the American Psychological Association (APA) Task Force on Appropriate Therapeutic Responses to Sexual Orientation conducted a systematic review of the peer-reviewed journal literature on sexual orientation change efforts and concluded that

“the results of scientifically valid research indicate that it is unlikely that individuals will be able to reduce same-sex attractions or increase other-sex sexual attractions through SOCE.”⁴

In 2012, the World Psychiatric Association issued a statement that

“There is no sound scientific evidence that innate sexual orientation can be changed. Furthermore, so-called treatments of homosexuality can create a setting in which prejudice and discrimination flourish, and they can be potentially harmful. The provision of any intervention purporting to “treat” something that is not a disorder is wholly unethical.”⁵

Conversion practices lead to negative health impacts

Experience of SOGIECE is associated with negative psychosocial health outcomes⁶, and many of those who are exposed require intervention and support from the health-care system.”⁷ SOGIECE impacts can include poor self-esteem, internalized stigma and discrimination, self-harm, self-hatred, depression, anxiety, and adaptive substance use (i.e., as a form of coping or suppression)⁸. Those experiencing SOGIECE can suffer also from community isolation, and have an alarmingly high rate of attempted suicide⁹.

The RNZCGP supports the view of the Royal Australian and New Zealand College of Psychiatrists (RANZCP) which issued its position statement on sexual orientation change efforts in 2019 with the following key messages:

- The RANZCP does not support the use of sexual orientation change efforts of any kind.
- There is no scientific evidence that sexual orientation can be changed.
- Sexual orientation change efforts risk causing significant harm to individuals as well as contributing to the misrepresentation of alternative sexualities as mental disorders, and to the broader prejudice and discrimination faced by people with alternative sexualities¹⁰.

⁴ American Psychological Association (APA), Task Force on Appropriate Therapeutic Responses to Sexual Orientation. (2009). Report of the American Psychological Association Task Force on Appropriate Therapeutic Responses to Sexual Orientation. Retrieved from <https://www.apa.org/pi/lgbt/resources/therapeutic-response.pdf>

⁵ World Psychiatric Association (D Bhugra et al.) WPA position statement on gender identity and same-sex orientation, attraction, and behaviors. (March 2016). https://www.wpanet.org/detail.php?section_id=7&-content_id=1807

⁶ Salway T, Ferlatte O, Gesink D, Lachowsky NJ. Prevalence of Exposure to Sexual Orientation Change Efforts and Associated Sociodemographic Characteristics and Psychosocial Health Outcomes among Canadian Sexual Minority Men. *Can J Psychiatry*. 2020 Jul;65(7):502-509. doi: 10.1177/0706743720902629. Epub 2020 Jan 26. PMID: 31984758; PMCID: PMC7298582.

⁷ Ibid

⁸ Kinitz, D.J., Salway, T., Dromer, E. et al. The scope and nature of sexual orientation and gender identity and expression change efforts: a systematic review protocol. *Syst Rev* 10, 14 (2021). <https://doi.org/10.1186/s13643-020-01563-8>

⁹ Ibid

¹⁰ <https://www.ranzcp.org/news-policy/policy-and-advocacy/position-statements/sexual-orientation-change-efforts>

The practices breach human rights standards

The RNZCGP holds that no person should be discriminated against on the basis of sexuality, gender, gender identity or gender expression, and we affirm that all sexualities, genders, and gender expressions are a normal part of our diverse society in Aotearoa. Our position is supported by the NZ Bill of Rights Act and the NZ Human Rights Act and reflects commitments that our country has made in supporting the Universal Declaration of Human Rights, and subsequent UN human rights treaties. We note that discrimination is not the only human rights provision that these practices breach.

Conclusion

In summary, SOGIECE are unwarranted, ineffective, unethical, impact negatively upon recipients, and constitute breaches in New Zealand's human rights framework. The College urges the Select Committee to ensure that the rights and wellbeing of people with diverse sexual orientations, gender identities and expressions, and sex characteristics are paramount in considering this important piece of legislation.

We would welcome the opportunity to speak to this submission.

Please don't hesitate to contact the College if you have any questions, or seek additional information at policy@rnzcgp.org.nz

Nāku noa, nā



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