



Conversion Practices

Guidance for those working with rangatahi and their whānau



Te Kāhui Tika Tangata
Human Rights Commission

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Introduction

Te Kāhui Tika Tangata Human Rights Commission (the Commission) is providing people who work with rangatahi and their whānau information on the Conversion Practices Prohibition Legislation Act 2022, which makes conversion practices unlawful in Aotearoa New Zealand.

Children and young people are particularly vulnerable to conversion practices. Youth work organisations and educational institutes play a vital role in providing acceptance, understanding and support for all young people. This guidance details what conversion practices can look like in youth work and education settings and provides suggestions for supporting children and young people in these contexts.

What are conversion practices?



Conversion practices are actions taken towards an individual with the intention of changing or suppressing their sexual orientation, gender identity, or gender expression.¹ They are sometimes referred to as ‘conversion therapy’. These practices are typically directed at members of the LGBTQIA+, takatāpui² Māori and MVPFAFF+³ Pasifika communities. They result from a conversion ideology that promotes the idea that being a member of the rainbow community is wrong and can be changed.

Conversion ideology

Conversion ideology is a homophobic and transphobic view that includes:

- the belief that all people are heterosexual and cisgender
- the belief that anyone who is not heterosexual and cisgender has experienced some damage, neglect, abuse or other inappropriate influence that affected their ‘development’. This can result in LGBTQIA+ identities being treated as an illness and even ‘contagious’
- the belief it is possible to fully or partially stop being LGBTQIA+ through spiritual, psychological or other intervention
- the belief that change would be positive for the individual, family, community or culture, or that it is a condition for being fully accepted, affirmed and included

- the belief that being LGBTQIA+ clashes with a given faith, culture, community or family value set
- the belief that LGBTQIA+ people are present in certain settings for malevolent reasons such as ‘recruiting’ to a group which has ‘chosen’ to be this way.

These beliefs are propagated by mis- and dis-information. While they do not amount to a conversion practice in themselves, they put LGBTQIA+ people, including those concealing their identity, at risk.

Conversion ideology is supported in environments where beliefs are taught as fact and where testing beliefs is discouraged by people in authority. Children and young people are particularly at risk in indoctrinating environments because they are learning ideas that will affect how they organise and interpret information throughout their life.

The harm caused by conversion practices

Even though conversion practices occasionally appear to provide short term results, they inevitably fail and cause significant harm.⁴ Evidence, internationally and in Aotearoa, shows survivors of conversion practices experience mental distress, withdrawal and isolation, negative career impacts, physical health symptoms, and suicidal thoughts, plans and attempts.⁵

Conversion practices have been declared harmful in Aotearoa and internationally by:

- New Zealand Psychological Society⁶
- the Royal Australian and New Zealand College of Psychiatrists (RANZCP)⁷
- the NZ College of Clinical Psychologists⁸
- the New Zealand Association of Counsellors⁹ and other clinical peak bodies.

A US study of young people's experiences reported that those who had experienced conversion practices were twice as likely to seriously consider or attempt suicide than those who had not.¹⁰ Research published in Aotearoa in 2023¹¹ found young people experiencing conversion practices:

- had increased frequency of non-suicidal self-injury
- had double the risk of planning suicide
- had triple the risk of attempting suicide.

People who have experienced conversion practices have often faced, and will continue to face, abusive

relationships within their communities, post-traumatic stress disorder, major traumatic incidents and a harmful accumulation of smaller traumas.¹²

For young people, leaving their family or community, or even leaving conversion practices themselves, may be impossible. They may need to continue in harmful environments for some time before leaving becomes a realistic option. Adults in their lives, such as youth workers or educators, may find themselves in a support role during this time. For more information, see Supporting young people experiencing conversion practices, further on in this resource.

An unwelcome discovery reported by many survivors is that stopping conversion practices is a lengthy and difficult process.¹³ Immediately after leaving the sudden lack of a support network can lead to increased risk of poor mental health and thoughts of suicide. Young people are at particular risk of housing and financial instability.

Conversion Practices Prohibition Legislation Act 2022



The Conversion Practices Prohibition Legislation Act 2022 (the Act) prohibits any action to change or suppress a person's sexuality or gender. It is unlawful to perform a conversion practice, to arrange for a conversion practice to be performed, or to advertise a conversion practice. In addition to conversion practices being unlawful some are a criminal offence.

It is a criminal offence to:

- perform a conversion practice on someone under 18-years-old, or someone who lacks the capacity to understand the nature, and foresee the consequences, of decisions relating to their health or welfare¹⁴
- perform a conversion practice on a person of any age where that causes serious harm.¹⁵

Conversion practices are still unlawful even when a person seeks them out for themselves. Consent from someone undergoing a conversion practice is not a defence to providing them.¹⁶ In cases where a person has sought conversion practices for themselves, they are not party to the offence – which means they cannot be prosecuted.¹⁷

The Act also amends the Human Rights Act 1993 so that conversion practices are within scope of the civil redress pathway and other functions of the Commission¹⁸ which means it can:

- provide support and information to survivors and to those who are consciously or unconsciously contributing to conversion practices
- help to mediate and resolve disputes related to conversion practices
- help to work out if something may be an offence and provide support for next steps such as reporting to Police or the Health and Disability Commissioner.

Providing there is no intention to change or suppress an individual's sexual orientation, gender identity or gender expression it is not a conversion practice for¹⁹:

- a parent to or guardian to respectfully discuss sexuality or gender with their child – including offering advice and guidance or expressing a belief or religious principle
- a youth leader to teach, pray or provide pastoral care for a young person.

Human Rights and Te Tiriti implications



Human rights

Conversion practices have human rights implications and are connected to violence and discrimination based on sexual orientation and gender identity. The following international and national human rights laws and standards are applicable:²⁰

- **Non-discrimination:** The application of human rights law is guided by the fundamental principles of universality, equality and non-discrimination. Conversion practices target a specific group on the exclusive basis of sexual orientation and gender identity, with the specific aim of interfering with their personal integrity and autonomy. United Nations human rights entities and mechanisms call out the practices as discriminatory.²¹
- **Right to health:** Every person should be able to enjoy the highest attainable standard of physical and mental health, and freedom from non-consensual medical treatment.²²
- **Prohibition of torture and ill-treatment:** United Nations entities and human rights mechanisms have expressed concern that conversion practices can amount to torture, cruel, inhuman or degrading treatment.²³
- **Right to freedom of conscience and religion, and freedom of expression:**²⁴ The United Nations Committee on the Rights of the Child (UNCRC) has emphasised the rights of all children and young people to freedom of expression and respect for their physical and psychological integrity, gender identity and emerging autonomy. It condemns 'treatments' that try to change sexual orientation and forced surgeries or treatments on intersex adolescents.²⁵

- **Rights of the child:**²⁶ The United Nations Convention on the Rights of the Child states that "the best interests of the child shall be a primary consideration" in all actions relating to children.²⁷ The UNCRC has clarified that a child's right to identity, which includes sexual orientation and gender identity, must be respected and taken into consideration when assessing the child's best interests. According to the UNCRC, assessment of the child's best interests must also include consideration of their safety. That is, the right to protection from all forms of physical or mental violence, injury or abuse.²⁸

Te Tiriti o Waitangi

Conversion practices also breach rights under Te Tiriti o Waitangi, which protects self-determination for Māori. Te Tiriti o Waitangi also protects religious and spiritual equality for all, including LGBTQIA+, takatāpui Māori and MVPFAFF+ Pasifika people.

Relevant articles include:

- Article 2 provides tino rangatiratanga to iwi and the right to exercise authority over taonga
- Article 3 provides equality of access to protection by the Crown
- Article 4 (oral) guaranteed freedom of religious and spiritual customs for all, which should have protected the ongoing roles of takatāpui in the spiritual life of the community.²⁹

The United Nations Declaration on the Rights of Indigenous People is also relevant, including the right to identity, the right to protection against destruction of culture, and the right to future manifestations of culture.

Conversion Practices in Aotearoa



Historically, Indigenous communities in Aotearoa and the South Pacific embraced sexuality and gender fluidity, using specific terms to denote these significant spiritual and cultural roles.

Missionaries' introduction of Christianity to Aotearoa in the 19th century brought with it concepts of binary gender, monogamy, and heteronormativity, which influenced attitudes towards sexuality and gender. As a result, the traditional inclusion of diverse expressions of sexuality and gender fluidity within Indigenous communities changed led to non-conforming individuals and practices being marginalised and stigmatised. These attitudes came to underpin the social, education and health sectors in Aotearoa.

Over time society, and some faith communities, in Aotearoa have become more accepting, inclusive and celebratory of LGBTQIA+, takatāpui Māori and MVPFAFF+ Pasifika people and experiences. However, homophobic and transphobic views are still common and religious communities are one of the most frequent settings for conversion practices. Conversion practices also show up in family, community, youth work, education, counselling and medical healthcare settings. They tend to be motivated by religious-based conversion ideology and a strict adherence to heteronormativity.

Rangatahi experiences of conversion practices

Many LGBTQIA+ people in Aotearoa begin to identify with a minority sexual orientation or gender while still in school.³⁰ In 2021, an Aotearoa study showed 73% of transgender and diverse gender participants had started to identify as LGBTQIA+ before the age of 14.³¹

A 2023 study³² of the experiences of LGBTQIA+ young people in Aotearoa found that 3-7% had experienced conversion practices. Having someone suggest conversion practices was associated with increased risk of self-injury or suicidal thoughts. This increased still further if the suggestion came from a religious leader or family member.

A separate study showed that transgender young people in this country were more likely than transgender adults to be exposed to conversion practices.³³ Intentionally delaying or refusing gender affirming healthcare, as a way to change or suppress someone's gender identity or gender expression, is a

conversion practice. An Aotearoa survey showed 20% of transgender and non-binary people who had talked to a health professional about their gender were given advice aimed at stopping them being transgender or non-binary.³⁴

Acknowledging these findings, and recognising the vulnerability of children and young people in general, it is crucial that youth work organisations and educational institutes are adequately equipped to provide support. They can be a vital source of guidance, acceptance and understanding for all young people. Education amongst professionals about conversion ideology, conversion practices, and the harm they cause is key.

Conversion practices in youth work settings

Conversion practices may show up in youth work settings in a number of ways.

In 2023, the Commission collaborated with Ara Taihoi to bring together a number of youth work sector leaders and professionals from across Aotearoa to ensure the safety of young people. It is clear that when conversion ideology appears in youth work it largely stems from adherence to religious tenets. Prayer and religious pastoral care were given as the main examples in which conversion practices manifest in youth work settings.

We heard that 'mental health support' is another common context for conversion practices in youth work settings, which may include pseudoscientific approaches like reparative therapy³⁵ or aversion therapy³⁶, or more general and usually controlling counselling to change or suppress someone's gender or sexuality. Both group counselling and one-on-one counselling or mentorship were offered by youth workers as examples of vehicles for conversion practices.

Some youth workers also described occurrences when someone was knowingly referred to a non-affirming healthcare practice as a way of delaying gender affirming healthcare. This may be considered a conversion practice.

The Code of Health & Disability Services Consumers' Rights³⁷ should protect young people from conversion practices in mental health and medical healthcare settings. Individuals have the right to:

- services free from coercion (Right 2)
- services of an appropriate standard (Right 4)
- to be fully informed (Right 6)
- to give informed consent (Right 7).

Youth workers acknowledged some environments can foster conversion ideology and put young people at risk of conversion practices. Across settings, examples ranged from concerted efforts through to unconscious activities, from manipulation by leadership and peers, dishonesty and secrecy, toxic behaviour, and jokes about gender or sexuality. Implicit bias, ignorance, and the use of binary-gendered groups and language were mentioned, and are ways that an environment can isolate transgender, non-binary and gender diverse young people. Others spoke of overt conversion ideology in these settings, such as pro-conversion literature, marketing and messaging.

Conversion practices in education settings

Through engagement with survivors in Aotearoa, and through the sharing of their stories in the media, we know that conversion practices take place in schools and education settings. As in youth work settings, this is primarily underpinned by adherence to religious tenets and can take many forms.

Acts such as refusing to use a student's preferred name and pronouns, deliberately recording the wrong gender for them on school documents, or barring access to gender-affirming uniform items could constitute a conversion practice.

In education settings student safety is critical. To stay safe, an LGBTQIA+, takatāpui Māori or MVPFAFF+ Pasifika student may wish that a different name, pronoun, or gender marker is used in correspondence with their whānau (that is, one that does not align with their LGBTQIA+ identity). In this situation fulfilling a student's wishes would not be considered a conversion practice. The student's rights under the Privacy Act 2020, the Human Rights Act 1993, and the Conversion Practices Prohibition Legislation Act 2022 need to be considered alongside the school's obligations under the Education & Training Act 2020.

Religious schools' responsibilities to provide safe and inclusive environments

In Aotearoa religious schools, legally called state-integrated or 'special character' schools, are governed by boards who are responsible for protecting the special character. Under the Education and Training Act 2020 boards are also responsible for the physical and emotional safety of all students and for giving effect to the Human Rights Act 1993.

While the Human Rights Act 1993 does not explicitly include discrimination on the basis of transgender status, the Commission interprets discrimination on the ground of sex to include transgender status. The Solicitor General has taken a similar approach.³⁸

The New Zealand Bill of Rights Act 1990 protects freedom of thought, conscience, religion and belief, as well as the right to freedom of expression. These are essential for the functioning of a democratic society. However, these freedoms are not absolute and must be balanced with other rights and freedoms of individuals, including LGBTQIA+, takatāpui Māori and MVPFAFF+ Pasifika people. There are many resources available to schools to help them to consider and balance the relevant rights (see Resources). Educators and school leaders can also contact the Commission for assistance, or they may wish to seek legal advice.

Supporting young people experiencing conversion practices



Talking with young people

People that are experiencing conversion practices, or that have experienced them in the past, often struggle to talk about their experiences and might not know if what was done to them was a conversion practice.

Steps at disclosure

If a child or young person discloses to you they are experiencing something that could be a conversion practice, immediately create a safe space for them including:

- letting them know you are there for them, and that you accept them and their LGBTQIA+ identity
- letting them know you will continue to be there as a source of support and someone to talk to
- validating their feelings about the experience, and telling them that conversion practices are harmful to mental health because they undermine someone's identity and generally involve control and misuse of authority
- not forcing them to do anything straight away, but rather communicating that you are available to work with them to decide some next steps
- talking with them about their immediate safety (at home, at school, or in another context) and addressing any urgent needs, with their consent
- involving the police, if the young person is at immediate risk of hurting themselves or someone else, or if they are at immediate risk of being hurt by someone else.

Evidence has shown one of the keys to recovery from conversion practices for LGBTQIA+ people is access to a safe person³⁹ who will listen without judgement and accept them for who they are. It is also someone that will respect their privacy and safety, and not pass on any information without permission.

Steps after disclosure

After a disclosure of conversion practices next steps to discuss with the young person include bringing in professional support, such as an affirming mental health practitioner. This must be done in collaboration with the young person as it may not be appropriate or safe to step in and make these arrangements.

In complicated situations, escalate your concerns as there should be a clear documented process for managing disclosures and harmful environments.

Some people who have experienced conversion practices may not be able to, or may not want to, leave the environment where it happened. It is important for someone supporting a survivor to avoid making assumptions that a survivor can or wants to leave their whānau, faith or community. Taking the time to properly understand a survivor's goals is important.

Depending on their age, a survivor may not have full autonomy of choice and attending religious services or events may be a family expectation. In these situations, the ongoing support of affirming individuals is key.

Talking with families

Only speak to a young person's family about their experience if the child or young person has given you permission to do so. If the conversion practices are occurring in the family, or if it is perpetuating conversion ideology, their safety could be at risk.

Families that support conversion practices likely believe they are doing the right thing for their loved one. When the time is right, share information with them about the harm caused by conversion practices, including the risks of self-injury and suicidal thoughts. You might also refer to research that shows family influence is significant, and when family members suggest conversion practices the harm increases.⁴⁰

A useful topic to cover in discussions with families is underlying values, whether they are cultural, religious, or both. There may be a way to reinterpret these values, or other ways to find and build on common ground. Stories from people in similar situations, in particular from other survivors' families, are useful. The list of resources at the end of this guidance can help with this.

Information about the Conversion Practices Prohibition Legislation Act 2022 also needs to be shared so everyone is aware of the legal environment and can make informed choices.

The Commission is available to help

Concerns about the rights, safety and wellbeing of children and young people can be taken to the Commission's complaints and dispute resolution processes. The Commission will consider consent, and whether a child or young person is capable of making an informed, balanced decision. Where they cannot consent, the consent of a guardian may be necessary. The Commission can provide detailed information about the handling of complaints on the behalf of children and young people.

Civil pathway

The Commission can support survivors of conversion practices with a dispute resolution process. Mediation is free, confidential and protects the rights of everyone involved. A tikanga Māori-based process is also available, as are referrals to a variety of support resources and agencies.

Common outcomes of dispute resolution processes are an apology, an acknowledgement of the impact of the behaviour, agreement not to do the same thing in the future, a training programme or financial compensation. If mediation is not appropriate or does not result in a satisfactory outcome an application can be made to the Office of Human Rights Proceedings for free legal assistance.

To access this pathway contact 0800 496 877 or infoline@hrc.co.nz. Further [information on the complaint process](#) is available on the Commission's website at www.tikatangata.org.nz.

Criminal Pathway

If a complaint meets the legal threshold for criminal investigation, survivors may choose to pursue a criminal complaint with police. Making such a complaint can be done by:

- calling 111 if someone is in immediate danger or a crime or incident is happening now
- calling 105 or using the [105 online form](#) if an incident has already happened and no one is in immediate danger.

Police have relationships with groups such as Victim Support who provide services to help the survivor if their complaint is progressed. Through this pathway the person who performed the conversion practice could face a prison term of up to three years.

Other resources

The Commission has developed guidance for people working in religious communities. This may be helpful to people and communities navigating the tension of adhering to a faith practice while also better affirming their LGBTQIA+ members.

Next steps for organisations and institutes

The following suggestions have been offered by professionals in the youth work and education sectors we have engaged with.

Environment

- Push back on harmful unconscious bias with a gentle curiosity approach. Be careful to respect culture while doing so
- Bring people on a journey rather than shutting them down
- Centre difficult conversations on common ground, such as shared interest in someone's wellbeing
- Address personal beliefs and biases

Capability

- Support youth workers to create spaces that are safe
- Know and build relationships with local rainbow organisations
- Arrange deliberate and focussed training
- Reach out across regions to coordinate capability-building efforts
- Engage with the multitude of resources available online (see the next section)

Organisation

- Create policies that protect the rights and wellbeing of LGBTQIA+ children and young people in your organisation or institution. Review the code of practice against these
- Know the process: create tailored processes and procedures for dealing with disclosures of conversion practices, and include this in onboarding or health and safety activities
- Embed prevention of conversion practices into curriculum
- Engage in regular professional self-reflection at personal and organisational levels.

Conclusion



Acknowledging the research evidence about rangatahi experiences of conversion practices, and the significant harm they cause, it is imperative that youth work organisations and educational institutes are adequately equipped to provide support.

The heightened vulnerability of children and young people in general necessitates a proactive approach to ensure their safety and wellbeing. It is crucial for youth work organisations and educational institutes to prioritise the implementation of comprehensive policies and programs that promote inclusivity, acceptance, and respect for diverse people.

This includes providing training and resources to staff members, teachers, and mentors to enhance their understanding of the issues faced by LGBTQIA+, takatāpui Māori and MVPFAFF+ Pasifika rangatahi.

By fostering environments that celebrate diversity, offer non-judgmental support, and promote affirmative approaches, we can empower young people to embrace their authentic selves and create a society where all individuals are valued and accepted without prejudice or discrimination.

Glossary

Gender affirmation is an umbrella term for a range of actions and possibilities involved in living, surviving, and thriving as your authentic gendered self. What this looks like for each individual trans person is unique and based on what is personally affirming for them, what feels safe to do, and what is accessible and available. It may include changing a name or pronoun, wearing different clothes or cutting/growing hair, engaging in speech and language therapy, taking gender-affirming hormones, or having surgery(s).

Gender expression refers to a person's physical presentation of gender – including dress, hairstyles, accessories and cosmetics – and mannerisms, speech, behavioural patterns, names and personal references. Gender expression may or may not conform to a person's gender identity.

Gender identity refers to a person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at their birth. This includes their sense of their body and other expressions of gender including dress, speech and mannerisms.

Gender marker refers to the way someone's gender is recorded in a dataset, like in a school administrative database. Typically, "M" and "F" are used as gender markers to denote "male" and "female" respectively. Different databases will use different gender markers to denote genders other than these, such as "N" for "non-binary".

LGBTQIA+ is an acronym of different identities including Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and Asexual. The plus is used to include other terms not listed. The LGBTQIA+ community is also sometimes called the 'rainbow community'.

There are many examples of identities that reach beyond the Eurocentric acronym of LGBTQIA+ across South Asian regions. These include Hijra (a thriving 'third gender'), Aravani, Thirunangaigal, Khwajasara, Kothi, Thirunambigal, Jogappa, Jogatha, Nachchi, and Shiva Shakti.⁴¹

MVPFAFF+ is an acronym to describe Pasifika identities; Mahu (Hawai'i and Tahiti), Vaka sa lewa lewa (Fiji), Palopa (Papua New Guinea) Fa'afafine (Samoa) Akava'ine (Rarotonga), Fakaleiti (Tonga), Fakafifine (Niue). The abbreviation is gaining increasing use to signify the existence of different Pacific cultures that have a strong presence in Aotearoa.

Takatāpui is used by some Māori that identify with a minority sexual orientation, gender identity or sex characteristics. The term has been reclaimed and expanded from its original meaning, which was "intimate companion of the same sex".

Sexual orientation refers to each person's capacity for emotional and sexual attraction to, and intimate and sexual relations with, people of the same or different gender or more than one gender.

Sexuality refers to a person's sexual feelings, thoughts, attractions and behaviours towards other people.

More definitions can be found in the [InsideOut Terminology Handbook](#) or [Te Kawa Mataaho Public Service Commission website](#).

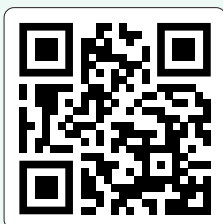
Resources



InsideOUT

A national charity working to make Aotearoa safe for LGBTQIA+ young people, offering support and resources tailored for educational settings, amongst others.

<https://insideout.org.nz/>



Rainbow Youth

A national organisation providing support, resources, and advocacy for LGBTQIA+ young people in Aotearoa.

<https://ry.org.nz/>



Supporting LGBTIQ+ students

A Ministry of Education guide and repository of resources for schools in Aotearoa

<https://inclusive.tki.org.nz/guides/supporting-lgbtiqa-students/>



Te Ngākau Kahukura

An organisation within Te Ara Taiohi that works to improve safety and inclusivity of LGBTQIA+ people in Aotearoa

<https://www.tengakaukahukura.nz/>



Te Kāhui Tika Tangata Human Rights Commission

To make a complaint or seek guidance about conversion practices contact the Commission free on 0800 496 877 to leave a message for a case advisor or email infoline@hrc.co.nz. You can also find information, guidelines and resources on our website at www.tikatangata.co.nz including specific guides for mental health, medical healthcare and faith settings.



Supporting Aotearoa's Rainbow People

A Practical Guide for Mental Health Professionals

<https://www.rainbowmentalhealth.com/>



Healing Spiritual Harms Report

Supporting recovery from conversion practices

https://www.latrobe.edu.au/_data/assets/pdf_file/0007/1201588/Healing-spiritual-harms-Supporting-recovery-from-LGBTQA-change-and-suppression-practices.pdf



Gender Minorities Aotearoa

A database of affirming healthcare providers and resources and support for people navigating a gender-affirming journey.

<https://genderminorities.com/>



Born Perfect

An American organisation dedicated to supporting survivors of conversion practices, and a good source of survivor stories.

<https://bornperfect.org/>

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Endnotes

- ¹ Conversion Practices Prohibition Legislation Act 2022
- ² Takatāpui is a term used by some individuals who embrace diverse sexual orientations, gender identities, and expressions within an indigenous Māori context, and acknowledges and affirms the unique spiritual and cultural roles these individuals embody
- ³ MVPFAFF+ is an acronym used to describe Pasifika LGBTQIA+ identities: Mahu (Hawai'i and Tahiti), Vaka sa lewa lewa (Fiji), Palopa (Papua New Guinea) Fa'afafine (Samoa) Akava'ine (Rarotonga), Fakaleiti (Tonga), Fakafifine (Niue).
- ⁴ Przeworski, Peterson, & Piedra, 2021
- ⁵ Blossnich, et al., 2020; Fenaughty, et al., 2023; Veale, et al., 2021; RANZCP, 2019; United Nations, 2020,
- ⁶ New Zealand Psychological Society, n.d.
- ⁷ RANZCP, 2019
- ⁸ NZCCP, 2021
- ⁹ NZAC, 2020
- ¹⁰ Green, et al., 2020
- ¹¹ Fenaughty, et al., 2023
- ¹² Jones, et al., 2022
- ¹³ Jones, et al., 2021
- ¹⁴ Conversion Practices Prohibition Legislation Act 2022, Section 8(1)
- ¹⁵ Conversion Practices Prohibition Legislation Act 2022, Section 9(1)
- ¹⁶ Conversion Practices Prohibition Legislation Act 2022, Section 10
- ¹⁷ Conversion Practices Prohibition Legislation Act 2022, Section 11
- ¹⁸ Conversion Practices Prohibition Legislation Act 2022, Section 14
- ¹⁹ Conversion Practices Prohibition Legislation Act 2022, Section 5(2)
- ²⁰ For a full overview of applicable international human rights law see Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, UN Doc A/HRC/44/53 (1 May 2020).
- ²¹ International Covenant for Civil and Political Rights, article 2; International Covenant for Economic, Social and Cultural Rights, article 2; New Zealand Bill of Rights Act 1990, section 19; Human Rights Act 1993, section 21(1)(a) and (m).
- ²² International Covenant for Economic, Social and Cultural Rights, article 12.
- ²³ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; New Zealand Bill of Rights Act 1990, section 9.
- ²⁴ International Covenant for Civil and Political Rights, articles 18, 19; New Zealand Bill of Rights Act 1990, sections 13, 14 and 19.
- ²⁵ United Nations Committee on the Rights of the Child (2016). General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, 6 December 2016, CRC/C/GC/20. Retrieved from <https://www.refworld.org/docid/589dad3d4.html>
- ²⁶ Convention on the Rights of the Child.
- ²⁷ United Nations Convention on the Rights of the Child, Article 3(1)
- ²⁸ Committee on the Rights of the Child, general comment general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, para. 21; and general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, paras. 55 and 73.
- ²⁹ Reese, 2022
- ³⁰ Fenaughty, et al., 2021a; Fenaughty, et al., 2021b
- ³¹ Fenaughty, et al., 2021b
- ³² Fenaughty, et al., 2023
- ³³ Veale, et al., 2021
- ³⁴ Veale, et al., 2019
- ³⁵ Though the term has come to refer generically to conversion practices, “reparative therapy” was coined by J. Nicolosi and concentrated on a man’s relationship with masculinity and centered on father-son relationships with the intention of “repairing” a “misguided” sexuality.
- ³⁶ Aversion therapy aims to create a negative association with an “undesirable” behaviour through concurrent exposure to a stimulus and discomfort.
- ³⁷ <https://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/>
- ³⁸ A Crown Law opinion on transgender discrimination in 23 August 2006 concluded that sex discrimination under the Human Rights Act 1993 can be interpreted to include discrimination on the basis of transgender status, see <https://www.beehive.govt.nz/release/crown-law-opinion-transgender-discrimination>. The Human Rights Commission interprets the Human Rights Act 1993 in this way.
- ³⁹ Jones, et al., 2022
- ⁴⁰ Fenaughty, Tan, & Ker, 2023
- ⁴¹ Adhikaar Aotearoa, 2022