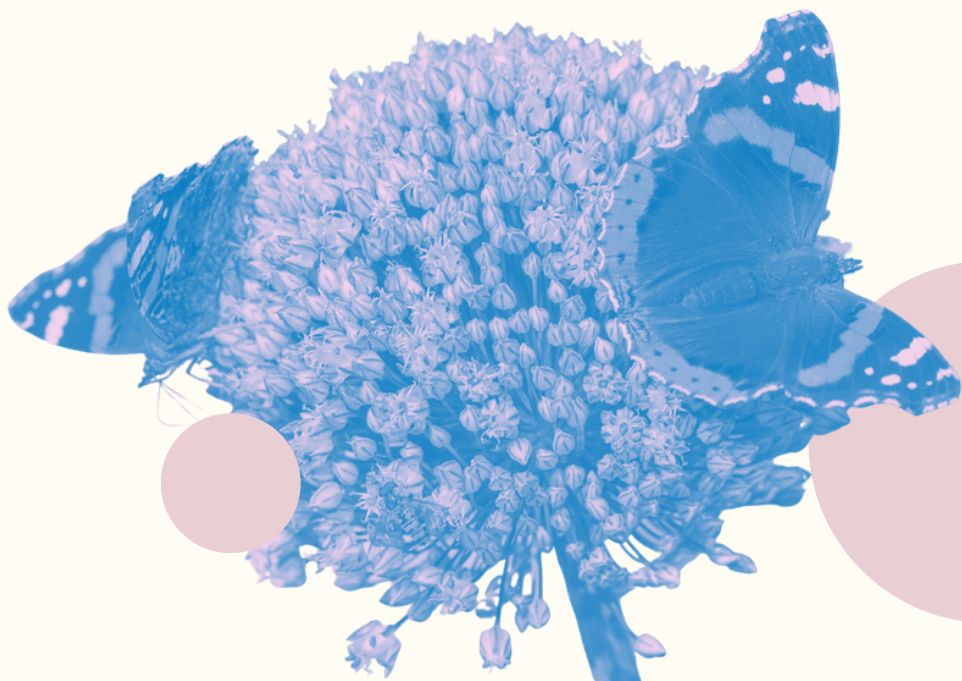


The 'Definition
of a Man and a
Woman' Bill



**What does the
research say?**



In full, the whole Bill reads:

“The purpose of this amendment is to uphold legal certainty, protect the integrity of sex-based rights, and ensure that language in law reflects biological reality.”

13A Meaning of woman or female

In any legislation, regardless of gender identity,

- (a) woman means an adult human biological female; and
- (b) female means a human biological female.

13B Meaning of man or male

In any legislation, regardless of gender identity,

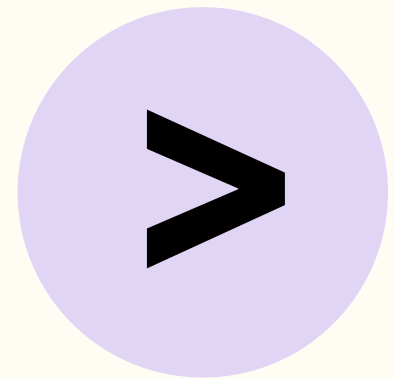
- (a) man means an adult human biological male; and
- (b) male means a human biological male.



The Bill has been framed as being to
'protect women and girls.'

However, as its introductory statement suggests, a main intent is to limit legitimacy and access for gender-diverse people.

**Let's explore
some research**





1

**It's inaccurate
to define sexes
with a binary.**

**That erases the biological
reality of intersex people.**


Around 1.7% of the population have intersex traits. How would the Bill effect how they're categorised legislatively?



It's not just gender that's a spectrum. It's sex too.

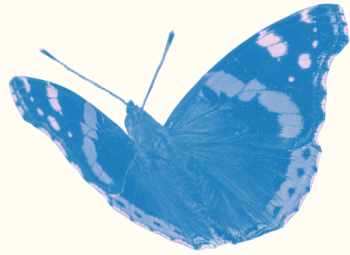
From hormones, to chromosomes, to physical characteristics... There are at least 40 known intersex variations.

Some intersex variations are visible, some aren't - many people are unaware they are intersex.



Geraldine Christmas (2013) - "'It's a... does it matter?': Theorising 'boy or girl' binary classifications, intersexuality and medical practice in New Zealand'

2



Research doesn't back up the idea that allowing trans women into 'women only' spaces makes other women less safe.

In fact, trans women are more likely to be victims of violence. Across surveys it is indicated that “lifetime sexual violence experience for trans people may reach 50%.”

Sandra Dickson (2017)

3

“There's no need to define ‘man’ and ‘woman’ in the law because the law already works well using the usual meaning of those words.”

Professor Gail Pacheco

Equal Employment Opportunities Commissioner and
Women's Rights spokesperson - Te Kāhui Tika Tangata
Human Rights Commission

Te Kāhui Tika Tangata Human Rights Commission (2026) - Definitions of Woman and Man legislation not necessary, risks further harm to Rainbow people (<https://tikatangata.org.nz/news>)



**“Adding strict definitions
can create confusion, leave
people out, and cause problems
without actually changing how
the law works.”**



Professor Gail Pacheco

Equal Employment Opportunities Commissioner and
Women’s Rights spokesperson - Te Kāhui Tika Tangata
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of Woman and Man legislation not necessary, risks further harm to Rainbow
people (<https://tikatangata.org.nz/news>)

4

Binary sex definitions don't align with a Māori worldview and aren't Tiriti-led

Systems of binary gender and sex are Western. These values travelled to Aotearoa through colonisation.

Pre-colonial Māori worldviews included space for fluidity, like irawhiti (transgender), ira tangata (intersex), irakore (non-binary), irarere (genderfluid) and irahuhua (gender diverse) whānau.



In fact, the same is true across several cultures and places.

Some examples include:

Pacific:

māhū (Hawai'i and Tahiti)

vakasalewalewa (Fiji)

palopa (Papua New Guinea)

fa'afafine or fa'atama (Samoa)

akava'ine (Cook Islands)

fakafifine (Niue)

fakaleitī/leitī (Tonga)

Worldwide:

neamh-dhénártha (Irish)

kua xing bie (Mandarin)

babaylan (Filipino)

tumtum (Hebrew)

neo-bhinearaidh, tar-

bhoireannach, targhnèitheach (Scottish Gaelic)

two-spirit (North American)

anneuaidd (Welsh)

New Zealand Law Commission (2025) - 'Ia Tangata: Protections in the Human Rights Act 1993 for people who are transgender, people who are non-binary and people with innate variations of sex characteristics'

Māori cosmologies tell us that *ira*
- *a fluid principle meaning ‘gene,’*
***‘essence,’ ‘gender,’ or ‘mortality’* -**
is not fixed.

Ira situates all beings within the vastness between Papatūānuku and Ranginui. From this worldview, complexities and diversities of ira, sex, and identity are normalised - not an exception.

Carl Te Hira Mika (2015) - ‘The Co-Existence of Self and Thing Through Ira’
(<https://doi.org/10.1080/20539320.2015.11428461>)

Rogena Sterling (2024) - ‘Gender inhibits embodiment for intersexuality and in te ao Maori.’ (<https://doi.org/10.15286/jps.133.3.301-324>)

Whakatinanatanga (embodiment) is an expression of whakapapa.

Disrupting the diversity of peoples' innate or chosen embodiment harms whakapapa.

“Te ao Māori asks not ‘what category do you fit in,’ but ‘who are your people.’”

Tu Chapman (2026)



Rogena Sterling (2024) - ‘Gender inhibits embodiment for intersexuality and in te ao Maori.’ (<https://doi.org/10.15286/jps.133.3.301-324>)

Tu Chapman (2026) - ‘From visibility to sovereignty: Reclaiming intersex lives, data and power.’ (Presentation)

5

**Embodiment is a
cornerstone of personhood
and wellbeing.**

**Not recognising a person's
relationship with their own
body takes away their
humanity.**

Dr Rogena Sterling (2024)

Legal frameworks matter socially. For example, when binary ideas about bodies are imposed in public social life and institutions, intersex and gender diverse peoples' development of personality and dignity is harmed.



In education, this becomes a human rights issue, as highlighted by Sterling (2020).

6

Reducing community freedoms and expression impacts population hauora.

Imposing strict definitions isn't an evidence-based path to improving safety, wellbeing or positive outcomes in society - for anyone.



Counting Ourselves - 2018 Survey Conclusions & Recommendations
(<https://countingourselves.nz/2018-survey-report/>)

Rogena Sterling (2024) - 'Gender inhibits embodiment for intersexuality and in te ao Maori.' (<https://doi.org/10.15286/jps.133.3.301-324>)

Community-led research doesn't highlight a societal need for gender or sex to be defined.



It actually indicates that to achieve higher wellbeing in Aotearoa, more support, safety, and affirmation for the breadth of genders and sex characteristics that human beings experience is needed.

Counting Ourselves - 2018 Survey Conclusions & Recommendations
(<https://countingourselves.nz/2018-survey-report/>)

Logan Hamley et al. (2025) - The glue that binds us.
<https://doi.org/10.1002/hpja.890>

For information on a legal/policy breakdown on the Bill's effects (and ineffects), see...

Online article by Te Kāhui Tika Tangata Human Rights Commission:

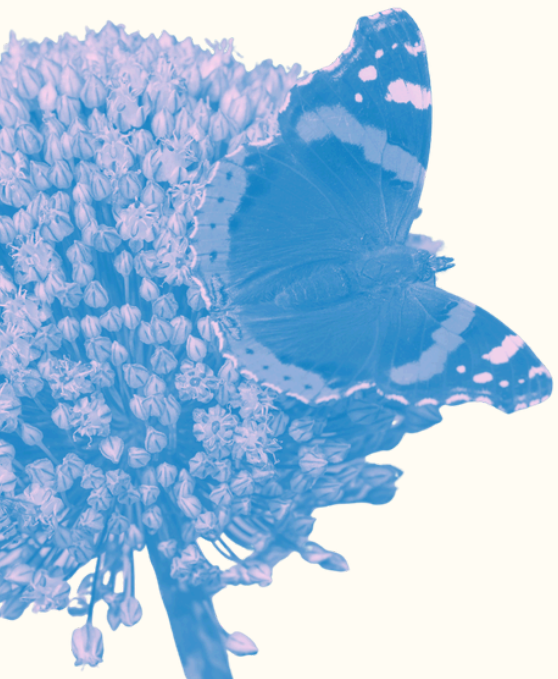
‘Definitions of Woman and Man legislation not necessary, risks further harm to Rainbow people’ (<https://tikatangata.org.nz/news>)

LawNews article by discrimination, administrative and public law specialist Matt McKillop:

‘Is NZ First’s gender definition bill a solution looking for a problem?’ (<https://lawnews.nz/administrative-public>)

Find this information
insightful?

Submit on the Bill before July 2



Further research

Carl Te Hira Mika (2015) - 'The Co-Existence of Self and Thing Through Ira'
(<https://doi.org/10.1080/20539320.2015.11428461>)

Counting Ourselves - 2018 Survey Conclusions & Recommendations (<https://countingourselves.nz/2018-survey-report/>)

Geraldine Christmas (2013) - "'It's a... does it matter?": Theorising "boy or girl" binary classifications, intersexuality and medical practice in New Zealand'
(<https://www.wsanz.org.nz/journal/docs/WSJNZ271Christmas25-35.pdf>)

Intersex Aotearoa - All About Intersex
(<https://www.intersexaotearoa.org/all-about-intersex>)

Logan Hamley et al. (2025). 'The glue that binds us: The positive relationships between whanaungatanga (belonging), the wellbeing, and identity pride for takatapu who are trans and non-binary.' (<https://doi.org/10.1002/hpja.890>)

Further research

Maia Berryman-Kamp (2024) - 'Tikanga-Informed Considerations for Māori Gender Diversity.' (DOI: 10.20507/MAIJournal.2024.13.1.10)

New Zealand Law Commission (2025) - 'Ia Tangata: Protections in the Human Rights Act 1993 for people who are transgender, people who are non-binary and people with innate variations of sex characteristics' (<https://www.lawcom.govt.nz/assets/Publications/Reports>)

Rogena Sterling (2021). Intersex people and educating for the development of personality. (<https://doi.org/10.1080/14681811.2021.1908983>)

Rogena Sterling (2024). 'Gender inhibits embodiment for intersexuality and in te ao Maori.' (<https://doi.org/10.15286/jps.133.3.301-324>)

Tu Chapman (2026) - 'From visibility to sovereignty: Reclaiming intersex lives, data and power.' (Presentation)