

**Rainbow Support Collective**

# Key Issues in the 2023 General Elections

**Burnett  
Foundation  
Aotearoa**



**The Rainbow Support Collective (RSC) is made up of both national and regional organisations around Aotearoa who provide year round on the ground support to Rainbow people. This includes organisations with a specialised focus on transgender, intersex and youth populations.**

Together our organisations make up hundreds of dedicated staff and volunteers, who are committed to supporting thousands of Rainbow, transgender, intersex and takatāpui New Zealanders.

We use the term 'Rainbow' to include anyone whose sexuality is not heterosexual, anyone who does not align with the gender assigned to them at birth and anyone with innate variations of sex characteristics. We do acknowledge that not everyone who fits into these categories will see themselves as Rainbow. Regardless of identity we work for the rights and equity of anyone marginalised on the basis of their sexuality, gender, gender expression or sex characteristics.

**We have identified four areas where Rainbow populations face severe inequities compared to the general population, and where our unique needs are neglected.**



**Health System Reforms**



**Housing and Homelessness**



**Education and Youth**



**Rights and Legislation**

**In this election year, we call on all political parties to commit to equity for Rainbow people, by committing to these policies. We also call on Rainbow people and our allies to take these unmet needs and inequalities into account when making decisions as voters.**

# Health System Reforms



When the Pae Ora legislation was going through Parliament, we campaigned for Rainbow people to be included within the populations Manatū Hauora would be required to engage with to create a comprehensive strategy to ensure their needs will be met. This was on the basis that: transgender people have some of the highest levels of unmet medical need in gender affirming healthcare, a human rights based approach to intersex healthcare is long overdue and the sexual health needs of Rainbow people are not adequately met by mainstream sexual health services. Despite these needs, there is still no strategy or coordinated approach to tackle the health needs of Rainbow people.

- **Improve provisions for Rainbow people within Te Pae Tata for Te Whatu Ora and Te Aka Whai Ora, and require the Ministry of Health to develop Rainbow, Transgender, and Intersex Health Strategies; including provision of gender-affirming healthcare, Rainbow sexual health, continued funding of the HIV Action Plan, development of human rights-based health strategies and healthcare services for both trans and intersex people.**
- **Ensure that the Ministry of Health consults with trans and Rainbow community health experts regarding any inclusion of Rainbow people within healthcare strategies.**
- **Support and fund the implementation of Intersex Healthcare Reform across primary and secondary healthcare services, with the development of intersex-led guidelines, compulsory training-modules for all healthcare staff and resourcing for community-led peer support services for intersex people and their whānau.**

- Improve access to gender affirming healthcare nationwide by establishing consistent pathways across all regions, based on informed consent and including a clear pathway for transgender young people. This must be complemented with the establishment of a team within Te Whatu Ora and Te Aka Whai Ora who are responsible for ensuring this happens. These pathways should be easily accessible to professionals within primary care, mental health, and community healthcare services, as well as service users. Any pathways or clinics established to improve gender affirming healthcare under past or future funding should be codesigned with trans community experts.
- Develop a targeted transgender and Rainbow mental health strategy and action plan. Work in partnership with community organisations and leaders to ensure a targeted response that meets the needs of Rainbow populations.
- Provide funding for peer-to-peer services for transgender and intersex populations and Rainbow people, including services for youth as well as rural and regional communities.
- Appropriately resource the HIV action plan to ensure elimination of local transmissions and provide support for people living with HIV. This includes ensuring services and information are relevant and responsive to gay and bisexual men and their sexual partners, which may include transgender and non-binary people, as well as those on temporary migrant visas.
- Clarify in Work and Income policy that staff must follow standard procedures for essential medical treatments identified in a medical certificate with regard to permanent facial hair removal, hair prosthetics, vocal therapy and chest binding prosthetics.

# Housing and Homelessness



The lack of appropriate housing available through private housing and rental markets as well as social housing is a widely recognised issue affecting Aotearoa and has been recognised by UN Special Rapporteur on Housing Leilani Farha as a “human rights crisis”. This is especially so for Rainbow people, with one in four transgender people of colour experiencing homelessness at some point in their lifetime. Although Kainga Ora periodically identifies Rainbow people as a priority population with disproportionate difficulty obtaining sustainable, appropriate housing, nothing has been done to actually address the additional barriers faced by our populations in accessing this fundamental need and human right, which is already in short supply.

- **Name Rainbow, and particularly transgender people, as a priority population in Kainga Ora’s housing strategy and the Homelessness Action Plan. This should include permanent social housing options specifically for transgender people, as well as funding services that provide transgender and Rainbow friendly emergency and transitional housing services.**
- **Require Rainbow competency and transgender competency for all housing and residential care providers, including Oranga Tamariki, rehabilitation facilities, retirement homes and hospitals, as part of their funding contracts. Ensure Rainbow and transgender organisations are funded to provide competency training and policy review.**
- **Provide trans specific emergency and transitional housing, as an alternative to the current gender specific options. This should include violence shelters and rehabilitation housing through mental health and addictions services.**

- Fund specialist Rainbow support workers who can help people navigate housing services and address the wider challenges they may be facing as a Rainbow person.
- Provide Rainbow competency as accredited ongoing professional development for all housing providers and social workers in this sector.
- Ensure that Work and Income is not the only access point for state funded housing services, as research shows Work and Income is often the most traumatic relationship in service users’ lives.
- Provide trans and Rainbow specific long term social housing.



# Education and Youth

Rainbow young people face systemic barriers to full participation in school and education. Many schools' infrastructure does not meet the needs of transgender students, and school policies do not adequately support Rainbow and transgender students to be safe in schools. The biggest priorities for Rainbow students include gender neutral bathrooms and uniforms, inclusive school policies, supportive and competent teachers and school staff and being able to learn about Rainbow, transgender and intersex people within the curriculum.

- **Require all schools, including 'special charter schools' to implement anti discrimination policies and guidelines that explicitly name and define sexual orientation, gender identity and expression, and sex characteristics as protected categories. These policies must outline how the school will ensure safe and inclusive environments for Rainbow students, including addressing bullying, respecting student privacy and options for gender-neutral uniforms.**
  - **Support the provision of mandatory dedicated, ongoing support and professional development to school staff and teachers in training, regarding Rainbow people. This professional development must be delivered from Rainbow organisations, with a specialised approach for Māori-medium schools.**
  - **Develop resources to provide inclusion of variations of sex characteristics in primary and secondary relationships and sexuality education - led by intersex-led orgs and other relevant advocacy stakeholders.**
  - **Fund and require all schools to provide gender neutral toilets.**
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- Require schools to keep a register of guardians who forbid their children from participating in Rainbow-inclusive discussion, to better enable teachers to answer the questions of their other students while respecting these guardians' wishes. Provide teachers with clear guidelines on carrying out their educational duties to other students.
  - Ensure the health needs of Rainbow young people are prioritised in the Ministry of Education's 2024 Health and Physical Education curriculum refresh, including HIV and STI awareness being taught as part of sexual health education in schools and proactively engaging Rainbow organisations and young people in consultation.

# Rights and Legislation



Legislation is a fundamental tool for fostering equity and wellbeing. While there have been important gains made in the last few years, there are still many key legislative changes needed to support the rights of Rainbow populations.

- **Implement a process for migrants, refugees and asylum seekers to access legal documents that reflect both their affirmed name and gender/sex that is easily accessible and is recognised by all government agencies.**
  - **Ban non consensual medical interventions on intersex infants/infants with innate variations of sex characteristics.- this includes all invasive medicalisation and ‘normalisation’ surgeries. For intersex young people to be able to provide informed consent to any medical interventions, doctors and other healthcare professionals must be better trained about intersex bodies and intersex rights.**
  - **Establish a Ministry for Rainbow People, to hold the responsibility for ensuring the needs of Rainbow people are adequately acknowledged, understood, and resourced across other government agencies.**
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- Enable young people aged 16 or 17 to change the registered name and gender on identification documents without requiring third party support, and enable youth aged 15 and under to amend their registered gender on identification documents with support from either a guardian or qualified professional instead of requiring both.
  - Amend the Human Rights Act to ensure that human rights protections explicitly cover any discrimination against transgender and intersex people. This must cover variations of sex characteristics, including innate variations of sex characteristics, and protect trans people from discrimination regardless of their sex characteristics.
  - Complete the hate crime law review and ensure the protection of transgender, intersex and sexuality minority populations under the law. Update hate speech provisions to effectively address hate speech based on sexual orientation, gender identity, gender expression, and sex characteristics, and collect data about crimes motivated by hostility towards people within these populations, including through research and effective police and justice sector recording processes. This work needs to be undertaken as part of a wider action plan to address discrimination, harassment, and hate speech, particularly towards transgender New Zealanders.
  - Develop a strategy to combat mass online harassment and its offline components, in co-development with transgender and Rainbow organisations. The strategy must include protective measures for victims of ‘crowd sourced’ harassment and stalking, including when the online component is based outside of the New Zealand jurisdictional reach and when the actions of each individual harasser does not meet the harassment threshold for significance or duration.

For more information and contact details, visit  
**[rainbowsupportcollective.nz](http://rainbowsupportcollective.nz)**