

Rainbow Support Collective

Submission on Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill

To the Justice Select Committee
18 October 2023

We are writing this submission as independent members of the Rainbow Support Collective (RSC). The 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 support the proposed changes, and believe that some of the limitations go too far. We believe that the youth voting age should also be lowered for participation in general elections, and that the proposed change should include enabling participation in alcohol licensing trusts and community trusts for people aged 16 and 17.

The first reason we support lowering the voting age is equity for populations which skew towards having a higher youth population. In particular, this affects Māori and Pasifika people, who already have a higher percentage of young people compared to the general population, which is a trend that is only expected to become more pronounced.¹

Populations who experience adverse social determinants of health are acutely affected by political decisions which affect their access to healthcare, housing and a higher standard of living. The Māori² and Pasifika³ healthcare plans clearly identify both of these populations as facing adverse social determinants of health, in comparison to the general population. We do not have a rainbow healthcare plan, however national studies show that rainbow young people, and especially transgender people face higher rates of psychological distress, discrimination, homelessness and violence in comparison to the general population.⁴⁵⁶

¹ Stats NZ. One in Three Children Projected to be Māori. September 2022, retrieved from <https://www.stats.govt.nz/news/one-in-three-children-projected-to-be-maori/#:~:text=Young%20M%C4%81ori%20and%20Pacific%20populations&text=The%20share%20of%20children%20who,percent%20over%20the%20same%20period>

² Minister of Health. 2023. Pae Tū: Hauora Māori Strategy. Wellington: Ministry of Health

³ Minister of Health. 2023. Te Mana Ola: The Pacific Health Strategy. Wellington: Ministry of Health.

⁴ Veale J, Byrne J, Tan K, Guy S, Yee A, Nopera T & Bentham R (2019). Counting Ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand. Transgender Health Research Lab, University of Waikato: Hamilton NZ. Retrieved from: <https://countingourselves.nz/2018-survey-report/>.

⁵ Fenaughty, J., Sutcliffe, K., Clark, T., Ker, A., Lucassen, M., Greaves, L., & Fleming, T. (2021). *A Youth19 Brief: Transgender and diverse gender students*. Retrieved from: <https://www.youth19.ac.nz/publications/transgender-and-diverse-students-brief>

⁶ Fenaughty, J., Sutcliffe, K., Clark, T., Ker, A., Lucassen, M., Greaves, L., & Fleming, T. (2021). *A Youth19 Brief: Same- and multiple-sex attracted students*. Retrieved from: <https://www.youth19.ac.nz/publications/same-and-multiple-sex-attracted-students-brief>

There is a double inequity for Māori and Pasifika people, who have worse social determinants of health compared to the general population, and a lower percentage of those populations are able to vote because they are on average substantially younger than non-Māori and non-Pasifika. We believe that lowering the voting age to 16 would be a powerful step towards ensuring that populations with a lower life expectancy, or a high youth population are not discriminated against through a smaller percentage of their members being able to take part in the political processes that affect them.

Research shows that the adverse effects of discrimination are especially severe for transgender young people. Among high school students, transgender students are more than twice as likely to experience depressive symptoms and self harm, and more than four times as likely to have attempted suicide in comparison to their cisgender peers.⁷ Lowering the voting age would be an important step in ensuring that some of these students at least have a voice in the issues that affect them.

We firmly believe that each individual has a fundamental right to make their own decisions about what happens to their own bodies within a medical setting, which is also a right under New Zealand law, through the Health And Disability Code of Consumer Rights.⁸ Youth access to gender affirming healthcare is an issue with growing political contention, and there is an increasing risk that political opinion may have an influence over long established best practice. It is inconsistent with the fundamental values of our democracy for this issue to be discussed in the political arena when the primary stakeholders do not have access to the political processes which may have a huge impact on their wellbeing and rights.

Rainbow education in schools is another topic which is becoming increasingly contentious. We believe that students themselves are the primary stakeholders regarding the curriculum, the content of their lessons and the culture of their learning environment. It is inconsistent with the fundamental values of democracy for these issues to be discussed in the political arena without input or representation from anyone under the age of 18.

Another key issue where we see rainbow young people as uniquely vulnerable, and therefore key stakeholders is homelessness. Research shows that transgender people throughout their lives face disproportionately high levels of homelessness,⁹ and additionally that for transgender people who are homeless at multiple points in their lives, they often first become homeless as youths.¹⁰ In addition to being particularly vulnerable to being made

⁷ Fenaughty, J., Sutcliffe, K., Clark, T., Ker, A., Lucassen, M., Greaves, L., & Fleming, T. (2021). *A Youth19 Brief: Transgender and diverse gender students*. Retrieved from: <https://www.youth19.ac.nz/publications/transgender-and-diverse-students-brief>

⁸ Health and Disability Commissioner. Code of Health and Disability Services Consumers' Rights. Retrieved from: <https://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/https://www.hdc.org.nz/your-rights/about-the-code/code-of-health-and-disability-services-consumers-rights/>

⁹ Veale J, Byrne J, Tan K, Guy S, Yee A, Nopera T & Bentham R (2019). Counting Ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand. Transgender Health Research Lab, University of Waikato: Hamilton NZ. Retrieved from: <https://countingourselves.nz/2018-survey-report/>.

¹⁰ Gender Minorities Aotearoa. 2020. Where Do You Sleep At Night: Transgender Experiences of Housing Instability and Homelessness. Wellington NZ. Retrieved from: <https://genderminorities.com/wp-content/uploads/2020/11/Transgender-Experiences-of-Housing-Instability-and-Homelessness-Gender-Minorities-Aotearoa-2020.pdf>

homeless, transgender young people are also especially vulnerable in that the majority of services in the homelessness sector are not set up to meet the needs either of youth, or of transgender people. We believe that lowering the voting age will give young people a more powerful political voice to address their unique vulnerability, and for political processes to encourage services that meet their specific needs.

We call on the Justice Select Committee to recommend that:

1. The Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill be passed
2. That the conditions restricting the bill from applying to Alcohol Licensing trusts and Community Trusts should be removed.
3. That similar legislation is needed to lower the voting age in general elections

We wish to present an in person submission.

Signed:

InsideOUT Kōaro
Burnett Foundation Aotearoa
Qtopia
OutLine Aotearoa