WOMEN'S REFUGE

NCIWR Submission to the
Social Services and Community Committee of Parliament on the

Legislation (Definitions of Woman and Man) Amendment Bill, June 2026

Introduction

The National Collective of Independent Women's Refuges (NCIWR) is a non-governmental organisation that has delivered services to women, children, and whānau affected by family violence in Aotearoa for 50 years. We have 41 affiliated member Refuges across Aotearoa.

Women's Refuge emerged in response to family violence, which was and is facilitated by gender inequality. Gender minorities are subjected to family violence and sexual violence at disproportionately high rates (Campo & Tayton, 2015; Dickson, 2016). Family violence is most commonly and most severely perpetrated by men against women and gender and sexual minorities. Women's Refuge stands collectively with all those harmed by gender-based violence, and as such:

- NCIWR strongly opposes the Legislation (Definitions of Woman and Man) Amendment Bill and strongly recommends the bill be abandoned immediately.
- To protect the integrity of "sex-based rights" NCIWR recommends redirecting efforts to improve the safety of all women, takatāpui, and rainbow communities by addressing the drivers of family and sexual violence as laid out in Te Aorerekura: The National Strategy to Eliminate Family and Sexual Violence, 2021.
- NCIWR recommends that the Government commit to rectifying the harm this bill is causing to our transgender, non-binary, LGBTQIA+, and takatāpui whānau.

Women's Refuge works to promote political and social rights and freedoms for women and children, as the attainment of these forms of equality keep women and children safe from gendered violence. An integral part of progress toward substantive equality for all women involves challenging the dominance and widespread acceptance of harmful beliefs about gender, gendered behaviours and expectations, sexual and gender orientations, and people who have innate variations of sex characteristics.

We are proud to be a takatāpui and LGBTQIA+ friendly service as we believe that everyone, regardless of gender identity or sexual orientation, deserves the right to freedom of identity, liberation from violence and oppression, affirmative support, and safety. Further, we believe (and our constitution reflects) that non-binary adults and trans women who experience family violence are entitled to the same support, resources, and safety pathways as cis women.

Women's Refuge acknowledges that restrictive and biologically-defined gender classifications align with colonising rather than traditional perspectives; and that to nurture the diversity of takatāpui, the experiences and needs of non-binary and transgender clients must be honoured alongside those of cisgender women.

Transgender women and Women's Refuge

Women's Refuge's commitment to the emancipation of women and our focus on perpetrator patterns of harm ensures an inclusive approach to understanding victims' individual experiences of victimisation regardless of sexual orientation, gender identity or gender expression.

Women's Refuge welcomes all women into our safe houses, programmes, and services. Trans women are proudly welcomed in all 41 of our Collective member Refuges. From the period spanning January 2019 to January 2024, Women's Refuge supported 179 known transgender clients. In that time, no other client raised a safety complaint linked to their inclusion, and it has never been flagged as a concern by any affiliated refuge.

We are aware of claims made by some that the inclusion of trans women in safe house accommodation puts cis women at risk of harm. The idea that biological sex predetermines that trans women are likely to engage in violent, coercive, or predatory behaviour towards other women is a harmful and baseless prejudice. This idea also conflicts with the current understanding of gendered violence as a socially-derived rather than biologically-based phenomenon. Further, these claims are counter to our experience of accommodating trans women in safe housing for women and children.

The Government's framing of the Bill assumes sex predicts violent or predatory behaviour. Family violence specialists instead understand violence as perpetrated along the lines of social power and control: perpetrators typically hold greater relative power over their victims, and the social marginalisation of trans women makes them more likely to be victimised, *not* more likely to offend. This is well backed up by research; studies have found trans people to be victimised at much higher rates than cisgender people (importantly, these studies did not find trans people to be the perpetrators of violence).

Refuge sees clients who are beaten at the hands of men who think they have the right to hurt them – because of their place at the top of a gendered hierarchy. Trans women are seen as lower on this gendered hierarchy, which puts them at greater risk but does not make them a threat to other women.

As specialists in violence against women and children, we constantly assess and mitigate their safety risks. We are confident that the real threat to women is from cisgender men – not from trans women.

This bill marginalises and creates risk for gender minorities

The social marginalisation of trans women creates more opportunities for perpetrators to target them as victims, while simultaneously reinforcing multiple and intersecting barriers to accessing both formal and informal support, help, resources, safety, and justice outcomes.[1]

The rates of violence and barriers to formal means of support are even more pronounced for Māori within Rainbow communities. This is reflected in recent studies that highlight both the high rates of violence against trans women and the negative responses that transgender victims receive when calling Police for help when experiencing family violence. Their overrepresentation as victims of family violence, rather than as perpetrators, is reflected in family violence literature.

[1] The Backbone Collective & Hohou Te Rongo Kahukura (2024) Make it about us: Victim-survivors' recommendations for building a safer police response to intimate partner violence, family violence and sexual violence in Aotearoa New Zealand. Retrieved from https://www.kahukura.co.nz

When harmful gender and sexual stereotypes, assumptions, and beliefs are socially sanctioned and reproduced through institutional practices, they inform both individual and collective perpetuation of forms of oppression such as heterosexism, homophobia, biphobia, and transphobia. These populations are put at risk both by oppressive societal attitudes and behaviours and by perpetrators of violence. Having a bill which strictly defines 'men' and 'women' in biological terms serves no useful purpose *and* causes further harm and marginalisation to gender minorities.