

# Submission to the “Definitions of a Woman and Man” Bill from Resist Gender Education

## June 2026

---

### Introduction

Resist Gender Education is a diverse alliance of concerned citizens, educators, parents, and grandparents, including some who are members of the rainbow community. We formed in 2021 to advocate for age-appropriate, scientifically factual, and culturally relevant relationships and sexuality education (RSE).

We have a website and a Substack with 2800 followers. We were invited by the Education Review Office to contribute to its review of the RSE curriculum in 2024 and subsequently made a detailed submission regarding the Ministry of Education’s new draft RSE curriculum. We also were invited to meet with the Law Commission, and submitted, on its *Ia Tangata* report.

Our interest in the “Definitions of a Woman and Man” Bill is prompted by the widespread societal confusion about what is meant by ‘sex’ and ‘gender’ and the effect that has had in schools. Scientifically flawed RSE lessons and inequitable policies and practices that privilege ‘gender identity’ have become established in many schools.

**In principle, Resist Gender Education (RGE) supports the “*Definitions of a Woman and Man*” Bill.**

However, we submit that the wording of the Bill needs significant improvement if it is to achieve its intention, which is to clarify and reinforce legal protections for women and girls.

### Why the Bill is needed

In recent years there has been an orchestrated campaign that has led to general confusion about the meaning of sex and a profound fear of answering the simple question “what is a woman?”

Activist organisations, the media, politicians, entertainment, celebrities, politicians and even the Human Rights Commission have favoured dogmatic slogans that have robbed our sexed language of important meanings. “Transwomen are women” is an oft-repeated dogma that we are not supposed to question, although it holds no logic because only a man can be a ‘transwoman’.

According to transgender ideology, the word ‘woman’ no longer has its historical meaning – adult human female. Instead, it also includes certain males because a woman is supposedly “anyone who identifies as one”. The same applies to the word ‘man’ but the effects have not been as consequential for men as they are for women and girls. Additionally, when people say they have no sex (are ‘non-binary’), trans activists demand that they be believed as if they are stating an irrefutable fact. “Non-binary people exist and are valid” is another dogmatic, although meaningless, slogan that conveys that message.

Of course, people are free to hold their own beliefs and some do vehemently believe that sex is on a spectrum and it is a matter of personal choice. However, significant problems arise when those of us who do not adhere to those beliefs are routinely and sometimes viciously silenced (as happened in Albert Park in 2023) and the real world consequences of transgender ideology are denied and minimised by adherents.

Until about 2010, there was no need for ‘woman’ and ‘man’ to be defined in law because no-one disputed that sex is innate, immutable, and binary. But in the last 15 years, the lack of clear definitions has allowed a minority belief in transgenderism to creep into public life and, amongst other things, persuade teachers that it is kind and inclusive to pretend that some children have changed sex. This pretence starts as “kindness” but the practice soon leads to the whole community being coerced to go along with it or suffer public condemnation and social exclusion.

Our whole community is being harmed by this manufactured confusion around the meaning of ‘sex’ and ‘gender’. Activist propaganda has replaced critical thinking and has permeated into policy in every aspect of life, including into schools. This lack of clarity impacts on safety, dignity, and fairness for women and girls and also on the free speech and freedom of belief rights of all of us.

## Examples of negative impacts

This is just a small sample of the consequences of denying the sex binary in policies and practices across our society. All examples are from New Zealand and represent only a fraction of the negative consequences that are overwhelmingly imposed on women and girls.

- **Males in female sports.** In elite competitions, community sports, and school competitions, males have been permitted to compete in female categories and have taken cups, prize money, and opportunities that were intended for women or girls. <sup>1</sup>
- **The loss of single-sex toilets.** Many new public buildings, including schools, are only providing unisex toilets. The consequence is that young girls (and women) are having to wipe male urine off the seat before they can use the toilet. Some girls restrict their fluid intake so that they won’t have to use the toilet at school. Girls who are menstruating are subjected to the extra discomfit of knowing boys are in the communal space outside the toilets.

The Ministry of Education standard for toilets, updated in October 2025, says (p11) that toilet facilities should “maximise dignity for users”, yet removes the internationally recognised symbols of a figure in trousers or skirt as, according to the MoE, “this suggests that a person’s clothing accurately reflects gender or sex”.



Instead, the new recommended icons (p22) depict a toilet, a toilet with access to period product disposal, and a disabled toilet. Anyone can use any toilet. Reducing girls to a menstruation icon is deeply offensive and treats females as ‘other’ than the male norm.<sup>2</sup>

- **The loss of accurate sex education.** The most common RSE programme in NZ schools, *Navigating the Journey*, has for several years provided diagrams of external and internal reproductive organs that are not labelled ‘male’ or ‘female’ and the accompanying recommended script for teachers said: “*Do our body parts define who we are? (No. Some people with penises might feel more like girls and some people who identify as boys might have female body parts.)*” (p62) (*Emphasis added*)

Other resources provided to schools teach children that boys can menstruate. Although a new RSE curriculum has been written without gender identity ideology, these ideological resources remain present in most schools.<sup>3</sup>

- **The loss of trust in teachers.** Official Ministry of Education and school policies have encouraged teachers to lie about a student’s sex and affirm a gender ‘transition’ at school. Some schools have even colluded with students to keep secrets from the parents, who have been shut out of decisions about their own children.<sup>4</sup>
- **The loss of words that refer to female anatomy and female reproduction.** Health NZ and various other organisations have taken to replacing the word ‘woman’ with dehumanising and offensive phrases like “person with a cervix”, “menstruator” or “gestating parent”. Breastfeeding has become “chestfeeding” and the unique role women have in reproduction is being routinely disrespected by use of the phrase “pregnant people”. This language erasure has become so prevalent that the Associate Health Minister, Casey Costello, issued a directive to Health NZ to cease the demeaning practice in March 2025.<sup>5</sup>
- **Inaccurate data collection.** Even the census has not been spared the incursion of gender ideology. The 2023 census prioritised ‘gender identity’ over ‘sex’ so that data relating to female experiences can no longer be relied upon to exclude data belonging to males. Under the Stats NZ Data Standard, the system defaults to collecting gender identity rather than sex at birth. Health NZ is proposing to follow the Stats NZ example and record the gender identity of patients as the primary data identifier.<sup>6</sup>

- **Censure from regulatory bodies.** There are now multiple examples of people being punished by their professional regulatory bodies or government agencies for expressing opposition to transgender beliefs. Many more instances are hidden from view by confidentiality agreements.<sup>7</sup>

## **Category errors are the cause**

The reason we are in this conundrum is because of two popular but enormous category errors.

The first is the conflation of 'sex' and 'gender'. In everyday language the two words are often used interchangeably but this has allowed imprecise definitions to easily take hold and be transferred to policy. Without public consultation, the idea that a "woman" might include "anyone who identifies as a woman" has become sacrosanct so that any male who desires it can now be included in female spaces or competition.

### **The law must return to a precise definition of 'sex' and leave 'gender' to the field of social science.**

The second category error is that 'identity' has been accorded the status of a fact. Instead of recognising the statement "I identify as a woman" as a personal belief, we are required to treat it as an undeniable fact that we must all concur with on pain of denunciation.

An identity is a self-image; a belief about oneself that others are free to agree or disagree with. A person may 'identify' as an excellent driver, or the best journalist, or the opposite sex, but these are all subjective feelings that others should not be obliged to accept.

A fact is something objectively real and true such as: the earth is a globe; gravity is a force; or a woman is an adult human female.

An identity is not an observable fact. No one can validly identify into whichever group they choose. It is not a human right to be able to 'identify' into any group; it is an imposition on everyone who legitimately belongs in that group.

### **There is no human right to identify into a category to which you don't belong.**

### **Inclusion does not mean the right to be included into any group of your choice.**

The debate about the definition of 'sex' is a clash between fact and feelings, between reality and wishful thinking. It is not the role of the law to protect a person's self-image, no matter how sincerely they wish to be perceived as the opposite sex. The law must uphold the truth and champion policies that are based on principles.

The law cannot be based on these enormous category errors and still be applied without prejudice.

## Fixing the category errors

Under the guise of human rights, we are being asked to deny reality, undermine safeguards for women and children, strip our language of the words for women's anatomy and reproductive roles and hold our tongues about it, or else. This cannot carry on and is why the *Definitions of a Woman and Man Bill* must be enacted.

Coherent laws and policies depend on having clear definitions of who we mean when referring to males or females. We have now reached the point where, for the safety of our children and the sanity of the public, we need to clarify in law that sex is not a personal choice and that 'male' and 'female' are reproductive categories that cannot be changed by feelings, costumes, medication, or surgery.

We need to reinstate legal certainty about sex so that the Human Rights Act can be applied consistently with policies that are grounded in material reality rather than controversial personal beliefs.

It is not bigotry, exclusion, or erasure to expect everyone to be honest about their sex, as everyone was until very recently. Recognising that sex is binary is the only way to identify the specific needs of each sex, and the only way same-sex attraction is meaningful. It is the only way to put ethical principles ahead of 'inclusion' at any cost.

The law must clarify that sex is biology and identity is belief. Law can only be based on fact.

However, as it is currently worded, the Definitions Bill will not achieve this purpose. This Bill must be reworded so that the accurate meaning of sex and the ordinary meaning of 'woman' and 'man' are restored.

## Definition clarity

The Bill will not achieve its intentions unless the wording is corrected. Currently, the definitions used are circular and lack precise meaning because they are not coupled with an accurate biological definition of 'sex'.

### **First, the Bill must define 'sex' as two reproductive categories:**

*Males have the function of producing sperm, or small gametes. Females produce ova, or large gametes.*

To be male or female does not require that sperm or ova *are* being produced, only that the individual's anatomy is organised for that function. Thus, a pre-pubescent, menopausal, or post-hysterectomy woman is still a female and a pre-pubescent, sterilised, or castrated man is still a male.

The age of a person does not change their sex. Defining women and men as 'adult' human beings may have the unintended consequence of excluding girls and boys from legislation that specifies it applies to a 'woman' or a 'man'. Rather than removing the word 'adult', the Bill should add a definition that 'girl' and 'boy' are juvenile humans of their respective sex.

Sex is binary. Because there is no third gamete type, there are only two sexes. Those with disorders of sexual development (DSD, incorrectly called ‘intersex’) have variations of reproductive anatomy within one of the two sexes. No DSD produces a third type of gamete and therefore ‘intersex’ is not a third sex or a person between the sexes or a person somewhere on a sex ‘spectrum’. People with DSDs have a congenital condition that cannot be “erased” by an accurate, binary definition of sex. Those with DSDs can be acknowledged and existing legal provisions for them can be retained without affecting the definition of ‘sex’, which is foundational in law.

When ‘sex’ is defined accurately as above, the normal dictionary definitions of ‘woman’ and ‘man’ are instantly reinstated – adult human female or adult human male. There is no need for “biological” to appear in the legislation because the definition itself is based on biology.

The phrase “regardless of gender identity” should be removed. There should be no mention of “gender identity” in legislation as it is an indefinable personal belief and therefore has no place in law.

### **Next, apply the ‘sex’ definition to the Human Rights Act**

The Bill must make it crystal clear that ‘sex’ in the Human Rights Act means a natal male or female, not a self-declared gender identity. This would protect the single-sex provisions for sport, services, accommodation, and facilities that are already in the Act and would ensure that everyone’s dignity and safety is respected.

That this Bill is necessary highlights that the problem is not a lack of protections for women and girls, but that the sexed language we use has been so undermined that people are no longer confident in applying the law.

[As has happened in the UK](#), when sex is correctly defined it becomes inarguable that single-sex spaces are for the use of people of that sex and not to be infiltrated by someone who simply ‘identifies as’ the sex. ‘Identity’ is not a magical state that overrides reality.

### **Outcomes of the Bill**

RGE’s desired outcome from the Definitions Bill is that ‘sex’ as a binary human category is recognised and applied consistently in legislation and policy across all spheres of public life. Having an accurate definition of ‘sex’ will bolster existing protections, especially for the female sex, and will provide legal clarity for those providing single-sex spaces or care.

If the Bill’s wording is amended correctly, schools will no longer be pressured into having mixed sex sports, facilities, and sleeping arrangements where single-sex ones are necessary. Teachers, who are in locus parentis, will no longer be coerced into pretending a student is the opposite sex, an obvious safeguarding risk for everyone.

Defining that sex is innate, binary, and immutable does not mean that people must conform to sex stereotypes. Everyone would retain the right to present themselves as they choose but there would be a legal expectation that no-one has the right to encroach into single-sex spaces to which they do not belong.

All humans have inherent dignity and all have the human right to be treated with respect. What we don't have is the right to infringe on someone else's human rights. The law should clearly acknowledge that sometimes an individual's wishes have to give way to the rights of other people.

- Each person has a human right to housing but they do not have the right to move into someone else's house: *Males do not belong in female sports.*
- Each person has the human right to safety but not by encroaching on someone else's safety: *Males do not belong in female toilets and changing rooms.*
- Each person has the human right to hold and express their own beliefs but not to force others to concur. *No one should be coerced, shamed, or bullied into agreeing that someone has literally changed sex.*

People who claim a 'gender identity' need to stop expecting everyone else to accommodate their comfort without reciprocating the courtesy.

This Bill will not harm or "erase" transgender, takatāpui or non-binary people. They will still be able to declare their preferred self-image (aka 'identity') and dress and express themselves as they wish. All that will change is that the *existing* law that allows for single-sex provisions will be clarified. It will be made plain that people cannot be compelled to affirm another's self-image as if it is fact. And that single-sex facilities, sports, and opportunities are not open to people of either sex.

This Bill will not be "unenforceable" or "require bathrooms to be policed". Everyone knows their natal sex and can choose to use the facilities that align with that or can use unisex spaces, much as people follow the law to drive on the correct side of the road. Refusing to respect the longstanding social contract of sex-segregated spaces indicates an 'identity' that is so fragile that it must be sustained by subterfuge.

**No-one has the right to use their gender identity as an excuse to disregard the comfort and dignity of others.**

This Bill is not "anti-women" or "divisive". In fact, what could be more "anti-women" than redefining the female sex category to include males? We cannot have protective rights for women if we cannot say which of us are women. For their safety and dignity, for accurate statistics, for fairness and freedom of speech, females must be recognised as a human sex class with its own essential needs.

## Conclusion

When someone asks, “what is a woman”, the correct response is “what is a transwoman?” A transwoman cannot be defined without the sex binary. A transwoman is always a person born male who wishes to be perceived as a woman. Only men can be transwomen. “When you argue with reality, reality always wins.”

The Definitions Bill is an opportunity to set the record straight about the meaning of ‘sex’ in public life. With appropriate amendments, the Bill can restore the accurate binary meaning of ‘sex’ and confirm that many important human rights are based on sex. It is essential that the wording of the Bill is made precise enough to prevent inconsistent interpretation and court challenges about the intended effect of the legislation.

RGE urges the Select Committee not to miss this opportunity to uphold everyone’s basic human rights by defending the ordinary meaning of foundational words in our language and law. The Bill must be drafted specifically to provide a consistent and unambiguous legal framework that defends the existing rights of women and girls to single-sex spaces and fairness in sports, and that respects females as human beings wholly distinct from males.

### Recommendations:

1. Use binary reproductive categories to define the meaning of ‘sex’: Males have the function of producing sperm, or small gametes. Females produce ova, or large gametes.
2. Use the above definition of ‘sex’ to restore the ordinary meaning of ‘woman’ and ‘man’.
3. Include ‘girl’ and ‘boy’ in the definition as juvenile members of each sex category.
4. Remove the word “biological” from the definitions.
5. Delete the phrase “regardless of gender identity”.
6. Retain legal provisions for people with DSDs.
7. Specify that ‘sex’ in the Human Rights Act means ‘sex’ as defined in this legislation.
8. Add a clause that ensures the ‘sex’ definition applies to all legislation unless Parliament enacts an exception.
9. Consider all implications of enacting the definition of ‘sex’ to ensure that it operates coherently with all other legislation and can be applied consistently. Where there are conflicts or inconsistencies, enact provisions to overcome them.

## Footnotes

### 1. Males in female sports

- **Western Springs College** (<https://resistgendereducation.substack.com/p/its-not-okay-for-schools-to-let-boys>),
- **Anonymous primary school:** *“At a recent athletics day, sprints and all other competitions were run with boys and girls together, with students receiving individual score cards rather than being able to compare their abilities with others in their age and in their sex class. There was no prior discussion about this with parents and no request for feedback on the merits or not of this entirely new and debatable approach. No explanation or justification was given. This has led some parents to assume that this was done in order to avoid the need to confront the issue of sex categories in school sports. It is felt that these categories are being abolished by stealth, without robust, open debate about the merits and disadvantages of this. If this is being done in the interests of 'inclusion' for children questioning their gender, then this needs to be balanced with the needs of girls to have access to safe and fair school competitions that allow them to shine in a level playing field within their sex category.”*
- **Kate Weatherly** - male cyclist competing in female competitions. (<https://interactives.stuff.co.nz/2018/03/a-level-playing-field/>)
- **Laurel Hubbard** – male weightlifter representing NZ at the Olympics in the female category.

### 2. The loss of single-sex toilets

- **Wellington City Library** has just re-opened, fully refurbished with no single-sex toilets for women or for men.
- **Ministry of Education policy, October 2025.**  
<https://web-assets.education.govt.nz/s3fs-public/2025-11/Toilet%20and%20Changing%20Space%20Design%20Standards%20for%20Schools%20Nov%202025.pdf?VersionId=7UCDcLLJgXWi4e9WkfeCE0BNCO1jne0m>
- **From the mother of a five year old:** *“I’ve recently been into the school loo near my daughter’s classroom. They’re the usual unisex, fully enclosed toilets and I’m not a fan of girls having to share. More than once, I found wee all over the seat. Not a little bit – a proper clean-up job. Not altogether surprising as they’re used by young boys. But it got me wondering how often my daughter encounters this, so I asked her, and she confirmed that there is often wee all over the seat. I asked her what she did, and she said she just cleaned it up each time. This makes me quite annoyed really. I never had to deal with that – the odd drop sure – but nothing like the state I’ve encountered in there. How many other schoolgirls are just routinely cleaning up a seat covered in wee? If schools are going to insist that girls share toilet facilities, then they need to ensure girls aren’t cleaning up after the boys.”*

### 3. The loss of accurate sex education

- In the *Navigating the Journey* resource for Years 5-6 (10-11 year olds), Appendix 17 shows diagrams of human internal and external reproductive organs without labelling them as male or female. The resource explains that the authors have “chosen to remove the male/female labels from the reproductive parts handouts to support the discussion of sexual diversity” (p61). <https://resistgendereducation.substack.com/p/ero-dynamics>

- Another example of ideological resources is [Going with the Flow](#) produced by Education Outdoors NZ, purportedly to assist girls with managing menstruation while they are physically active. The whole resource treats menstruation as something ‘icky’ and embarrassing, particularly for those who don’t ‘identify’ as girls. On p24, we are airily told *“Well, if you’re thinking that girls and women are the only ones who menstruate, you’d be wrong!”* Gender dysphoria is discussed as a normal response to discomfort about puberty and body dissociative language is encouraged: *“Using the words ‘menstruation’ or ‘period’ can make trans people feel uncomfortable or disconnected with their own body, so some trans and intersex folk prefer to make up names like ‘shark week’ to make it easier to talk about.”* (p30 Going with the Flow)

#### 4. The loss of trust in teachers

(A sample of testimonials from RGE’s website.)

- *“My youngest son is enrolled at a big state co-ed high school. Last year (2020) when he was in year 10, he was kicked out of his Social Studies class by his female long-term reliever teacher for affirming that biological sex is fixed, determined at birth (actually even before, in the womb) and can never be changed and neither can a person’s DNA ever be changed.”*
- *“As a teacher, I am just disappointed that there is no discussion about the impact on teachers and school staff working at the schools who are being forced to deny the truth, deny science, forced to lie and to pay lip service to something they do not believe in - because they have a job that they love doing, earn a salary that they need to support themselves and their families - and they have to live with their own consciences knowing that they are denying science and are lying/not telling the truth every day.”*
- *“Most shocking for me [as a teacher] in these materials was the InsideOut (and therefore Ministry of Education endorsed) suggestion that schools might or should actively use new names, pronouns, and identities for students but hide this from parents should the student request it. To me, this is taking a stance of being actively dishonest - as well as not acting in the students’ best interests. That is, to have such a policy is to have a policy of dishonesty. I understand the argument that this is for safeguarding itself, but this is based on the ongoing use of incorrect statistics surrounding self-harm”.*
- *“My son told me that one day he said to his teacher “Sam is a girl, it’s not right to call her a boy.” He said the teacher responded that, yes, she knew, and she agreed with him, but we need to just keep it quiet. We understood that the teacher was also doing her best to manage this issue, however a teacher should never tell a child to keep secrets, this is inappropriate behaviour and unacceptable.”*

#### 5. The loss of words that refer to female anatomy and female reproduction.

- <https://www.rnz.co.nz/news/political/558168/coalition-directs-health-nz-to-stop-saying-pregnant-people>

#### 6. Inaccurate data collection

- **2023 census data standard for gender and sex**  
<https://www.stats.govt.nz/methods/data-standard-for-gender-sex-and-variations-of-sex-characteristics/>

- **Health NZ Gender and Sex data proposal** to use the same standard as Stats NZ standard. <https://www.healthnz.govt.nz/health-professionals/guidance-standards/topic/data-and-standards/health-information-standards/nz-core-data-for-interopability/nzcdi-2024-release>

#### **7. Censure by regulatory bodies**

- **Stephen Franks** <https://lawnews.nz/legal-profession/review-quashes-disciplinary-finding-against-stephen-franks-over-puberty-blocker-letter/>

Resist Gender Education

June 2026