

Saunoamaali'i Dr Karanina Sumeo  
Acting Chief Human Rights Commissioner  
[infoline@hrc.co.nz](mailto:infoline@hrc.co.nz)

October 12 2024

Tēnā koe Dr Sumeo

**RE: Human Rights Commission (HRC) statement on gender identity**

1. Speak Up for Women (SUFW) is an advocacy group seeking to ensure sex-based rights for women and girls in New Zealand.
2. We would like to draw your attention to the article in Stuff on October 12th 2024 titled ***Christchurch Bars accused of 'archaic' dress code norms*** - link [here](#).
3. SUFW do not believe that service providers should be discriminating against people because of the way they dress or look, ***however***,
4. This statement reported to be from a Human Rights Commission spokesperson says "bars are entitled to have a dress standard so long as the rules "do not discriminate". They said human rights law protects people from discrimination based on their sexual orientation ***as well as their gender identity and how they express that identity, whether it's how they dress or their mannerisms***.
5. This statement is false, New Zealand human rights laws do not mention gender, gender identity, how people dress, or their mannerisms.
6. Sex and sexual orientation are both prohibited grounds of discrimination.
7. While it is likely that refusing to provide service to a male wearing a handbag, but allowing service for a female carrying the same bag is unlawful, it is because it is discrimination on the basis of sex - a prohibited ground of discrimination.
8. SUFW believe that this statement **is part of an ongoing campaign of the HRC to misrepresent the Human Rights Act 1993 (HRA) in such a way that employers, councils and service providers are led to believe that gender identity is a prohibited ground of discrimination. It is not.**
9. We believe that this campaign has led to a situation where councils and other service providers believe that it is unlawful to provide facilities based on sex, and unlawful to employ people for particular roles based on sex.

10. We call upon the Commissioner to conduct a review of the information relating to gender, gender identity and sex that has been produced, distributed, and / or promoted by the HRC in relation to human rights and discrimination.

Ngā mihi

***Suzanne Levy & Tania Sturt***  
Speak Up for Women