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Protecting Children's Bodily Integrity and Human Rights

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Brief Summary

Protecting **intersex people's human rights** presents an unresolved dilemma in Aotearoa New Zealand. Intersex variations, bodily characteristics that are neither typically male nor typically female, occur in 1.7–4% of people. Since the 1950s, medical interventions have been used to "repair" variations in sex characteristics during childhood. Although medical practice has changed over time, concerns remain about the effects of these interventions. Research shows that such non-essential medical interventions on children can lead to lifelong harm.

Delaying medical interventions until the person concerned can have a say is a core principle of human rights. The **United Nations** (UN) has told Aotearoa New Zealand to change medical practice on children with intersex variations.

Our research team will engage **public sector decision-makers** in workshops to build understanding about intersex human rights and identify opportunities for change. We will examine the issue of medical intervention on intersex children from the points of view of (i) human rights law, (ii) concepts of bodily autonomy and integrity, (iii) Indigenous models of health and well-being, and (iv) health economics. This project seeks to explain and address the

current inertia in Aotearoa New Zealand in relation to our continued failure to protect the human rights of intersex people.

Research Questions

1. How can **decision-makers respond more effectively** to UN human rights recommendations regarding intersex healthcare?
2. What interactions and **ways of thinking can bring about change** to decision-makers' understanding and implementation of Aotearoa New Zealand's human rights obligations regarding intersex healthcare?

Vision Mātauranga

The implementation of Aotearoa New Zealand's human rights obligations is informed by the acceptance of the rights of Indigenous peoples as a matter of international law. Our research will explore the extent to which key decision-makers recognise the relevance of these cultural and legal factors and the role that they play in articulating culturally sensitive ways of implementing the **human rights of Māori**, that will lead to better health and well-being outcomes for Māori with intersex variations.

Research Process

This research will involve active engagement with interlocutors who will participate in **structured conversations and/or workshops**. We will talk with leaders and key decision-makers in public bodies, particularly those with professional responsibility to respond to UN recommendations.

Our **health economics** analysis based on Health New Zealand records and focusing on surgical interventions on children with variations in sex characteristics over a 10 year period will include a breakdown by ethnicity, allowing us to draw out implications for Māori and Pacifica health and well-being, and a focus on Māori and Pacifica rights.

The research will be informed by regular dialogue with an **advisory group** that includes intersex people, as well as Māori researchers/policymakers, and representatives from human rights organisations, government bodies and health services.

In dialogue with our advisory group and with workshop participants, we will: (1) **map out a network** of public bodies that could contribute to upholding intersex human rights in Aotearoa New Zealand; (2) identify **opportunities and barriers** relevant to public bodies in Aotearoa NZ in upholding intersex human rights in Aotearoa New Zealand; (3) highlighting **examples of existing good practice** within Aotearoa NZ's public bodies, and strategies that staff and decision-makers talk about, including strategies for avoidance (barriers) and strategies for change (opportunities).