

Hon Mark Mitchell
Minister of Corrections
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Tēnā koe Minister Mitchell

RE: Trans-identifying males in women's prisons

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 believe that incarcerated women, a group at higher risk of having been exposed to physical and sexual violence, and with no say over their living conditions, are particularly vulnerable to male intimidation and violence.
3. In July 2024 we submitted a request to The Department of Corrections under the Official Information Act 1982 requesting information between 2020 and 2024 in five areas:
 - a. The number of trans identifying males in custody
 - b. How many were housed in a female corrections facility
 - c. How many requested to transfer to a female corrections facility
 - d. How many were sentenced or on remand for crimes involving sexual assault during each period
 - e. How many were sentenced or on remand for crimes involving 'an act intended to cause injury'
4. The results we recently received were, frankly, shocking. In brief:
 - a. Approximately 14% of the trans-identifying male sentenced offenders were charged with (on remand) or sentenced for sexual assault.
 - b. Approximately 14% of trans-identifying males are housed in a female Corrections facility
5. Based on these numbers and other data available on Corrections and Statistics New Zealand websites about prison and general populations, we established the following ratios of people in Corrections facilities per population type. These

figures relate to snapshot data rather than the total number of prisoners passing through the prison system in a year.

Female - 1 in 3,975

Male - 1 in 284

Trans-identifying male (TiM) - 1 in 140

When this is altered to reflect the number of trans-identifying males incarcerated at any time during a 12 month period, **the ratio changes to 1 in 54** - which is an extraordinary figure.

6. While there is a huge difference in the sentencing rates of males and females, we are surprised and concerned that trans-identifying males - even more than the whole male population - are over-represented in prison statistics. **These are the men that women are told they should be comfortable sharing spaces with.**
7. For the data in full, you can read our press release [here](#)
8. SUFW is concerned for the safety of the female population who have no choice who they are housed with and who very often are victims of physical and/or sexual violence prior to incarceration. The presence of trans-identifying males, who offend at rates far higher than women, poses a direct challenge to the safety, dignity, and well-being of female inmates.
9. SUFW is concerned that gender identity is trumping biological sex in a high-risk environment such as a prison. Housing individuals with patterns of male offending in women's prisons is incompatible with maintaining the safety of female prisoners.
10. SUFW calls on the Minister to **disestablish the practice of housing trans-identifying males in female facilities immediately.** The safety of our female prisoners should matter more than men's feelings.

Ngā mihi

Suzanne Levy & Tania Sturt
Speak Up for Women