PATHA Wins Challenge against Puberty Blocker Ban

21 October 2026 **For Immediate Release**

PATHA is pleased to announce that the High Court has declared that the decision to ban new prescriptions of puberty blocker medication (GnRH agonists) for trans young people was **unlawful** and **invalid**. **The Court has set aside the ban, meaning it is no longer in place and prescriptions can continue as per normal**.

The Court found that the ban breached section 19 of the Bill of Rights Act because a blanket ban on prescriptions for transgender young people was unjustified and disproportionate discrimination on the basis of disability. Although being transgender is not a disability, gender dysphoria and gender incongruence are recognised clinical diagnoses and are included in the prohibited ground of 'disability' in the Human Rights Act 1993. PATHA also alleged that the ban was discriminatory on the basis of sex.

"We're incredibly relieved that the Court has come to this finding," said Jennifer Shields, PATHA President. "Moves to restrict transgender people's right to access healthcare are rooted in disinformation and have massively significant impacts on the health and wellbeing of transgender people in Aotearoa. I'm pleased that the Court agreed that this ban was an act of unjustified discrimination."

"We know the last year has been scary for many trans rangatahi, their whānau, and the people who love them across Aotearoa. You can breathe a little easier today knowing this care will be available for you when you need it."

"As clinicians, we see clearly the benefits of puberty blockers and the significant impact they have on the lives of young transgender people. Decisions about this healthcare are best made by patients and their doctors. The removal of this regulation is crucial and puts that decision back in the consult room," says Dr Elizabeth McElrea, GP and PATHA Vice-President. "This judgement means that as clinicians we can continue to prescribe GnRH agonists in line with best practice and without fear of retribution for doing the right thing."

The High Court also found that the Minister failed to carry out the appropriate consultation required under the Medicines Act, having never consulted on a blanket ban nor with those most affected: transgender young people.

Because of the discriminatory nature and the lack of proper consultation, the High Court has found that the regulations are unlawful and invalid, and has set them aside.

“We would like to acknowledge the harm caused by these regulations, both when they were announced and over the last year while trans young people, their families, and their doctors were waiting for this judgment,” says Avery Zavoda, PATHA Secretary. “Such an act of discrimination is something no young person should have to experience. It’s now a matter of law that restricting trans young people’s access to puberty blockers is discriminatory.”

“We’re glad that decisions about this care have been returned to the right place: between transgender young people, their whānau, and their doctors,” said Shields. “To trans communities facing these attacks internationally, we hope this win strengthens your cause. To trans young people and your whānau: we’re sorry you were subjected to this injustice. I hope it brings some comfort knowing how hard so many people are fighting for your right to live as who you are.”