



THE HIGH COURT OF NEW ZEALAND TE KŌTI MATUA O AOTEAROA

17 December 2025

MEDIA RELEASE

PRESS SUMMARY

This summary is provided to assist in the understanding of the Court’s judgment. It does not comprise part of the reasons for that judgment. The full judgment with reasons is the only authoritative document. The full text of the judgment and reasons can be found at High Court Judgments of Public Interest: <https://www.courtsofnz.govt.nz/judgments/high-court/>.

Professional Association for Transgender Health Aotearoa Incorporated v Minister of Health [2025] NZHC 4045

Background to the application for judicial review

[1] On 19 November 2025, the Government issued a press release announcing restrictions on the prescribing of gonadotropin-releasing hormone analogues commonly known as “puberty blockers”.

[2] Regulations banning the prescription of puberty blockers for the purpose of puberty suppression in a child or adolescent with gender incongruence or gender dysphoria are due to come into force on 19 December 2025.¹

¹ Medicines (Restriction on Prescribing Gonadotropin-releasing Hormone Analogues) Amendment Regulations 2025, reg 4; and Medicines (Restriction on Prescribing Gonadotropin-releasing Hormone Analogues) Amendment Regulations (No 2) 2025, reg 4.; Medicines (Restriction on Prescribing Gonadotropin-releasing Hormone Analogues) Amendment Regulations, reg 2; and Medicines (Restriction on Prescribing Gonadotropin-releasing Hormone Analogues) Amendment Regulations (No 2), reg 2.

[3] The ban will not apply to any person who has been prescribed a puberty blocker for those purposes before 19 December 2025.²

[4] Puberty blockers will remain available for other purposes, including to treat precocious puberty in young children.

The application for judicial review

[5] The Professional Association for Transgender Health Aotearoa Inc (PATHA) has filed an application for judicial review seeking a declaration that the regulations are unlawful and an order quashing the regulations.

[6] PATHA seeks to preserve the status quo before the regulations were passed namely that the prescription of puberty blockers for gender-based care should remain an individually focused medical decision made by doctors in consultation with affected families.

[7] Pending judicial review, PATHA applies for an interim order directing the respondent, the Minister of Health, to take all necessary steps to suspend the regulations pending further order of the Court.

[8] The Minister of Health opposes the application for interim relief.

[9] The application was heard as a matter of urgency on 9 December 2025.

What this judgment does

[10] This is an interim judgment that concerns what should happen before the substantive judicial review can be heard.

[11] This judgment makes declaration that the Crown should take no steps to enforce the regulations before the substantive judicial review is determined. (See para [187] of the judgment). The judicial review should be heard with all possible urgency.

² Medicines (Restriction on Prescribing Gonadotropin-releasing Hormone Analogues) Amendment Regulations, reg 6.

[12] This judgment does not make an order directing the Minister to advise the Governor-General to amend or repeal the Regulations as this would not be constitutionally appropriate. (see paragraph [183] of the judgment).

The issues that the Court had to decide on

[13] The issue before the Court was whether the ban on new prescriptions of puberty blockers should take effect before the judicial review can be heard.

[14] The broad public interest issue is whether the ability to prescribe puberty blockers for gender affirming care should be removed from doctors. The specific issue for judicial review will be whether that ability was lawfully removed in this case by way of secondary legislation.

The reasons of the court

[15] In giving reasons for the decision, the court noted:

- (a) That the total ban imposed by the regulations goes further than restrictions implemented recently in the United Kingdom and in Scandinavia and that the evidential justification for such a ban is scant. For instance, there is no evidence that they affect fertility. (See paragraphs [177]–[179])
- (b) There is no evidence of a particular need to act urgently to prevent new prescriptions because of some immediate risk to physical health if young people commence treatment.
- (c) That puberty blockers are reversible and have been prescribed for children with precocious puberty in New Zealand for decades. They may alleviate distress for a child who is simply not ready to cope with puberty either because they are too young or because their mental health is such that a delay is recommended.
- (d) The only evidence-based impact on physical health is on bone density, which occurs as a result of long term use. A period of months until the Judicial Review can be heard is not said to create any issues with bone density.

- (e) The evidence relating to mental health outcomes suggests negative outcomes from a ban are a more immediate concern.

[16] The court also noted that the timing of the Regulations compared with the lack of notice that a ban was contemplated had the effect of taking PATHA and the whole transgender community by surprise. It prevented PATHA seeking interim relief under s 15 of the Judicature Act. Such relief would have been unexceptional given the lack of any apparent urgency in bringing a ban into effect.