

'Conversion Practices (Criminalisation) Bill' – Call for Evidence

Guide to responding

You can find the text of the Bill at the.ci/nictbill26

You can respond to the consultation online at the.ci/nictrespond26

The consultation closes on Thursday 1 October.

You can choose to respond confidentially, meaning your response may still be published but with any content that may identify you removed.

You do not have to answer every question.

THIS GUIDE IDENTIFIES THE KEY QUESTIONS AND GIVES TIPS ON HOW TO RESPOND.

It is very important that you use your own words.

QUESTIONS

General Views (Page 2)

Do you support the overall purpose of the Conversion Practices (Criminalisation) Bill?

- Please answer 'No'.

Please explain your answer, including any areas where you believe the Bill should be amended. (2500 character limit)

- There are already laws covering verbal and physical abuse that protect everybody, so there is no need for a new law.
- The Bill's sweeping language captures innocent, everyday conversations, risking the criminalisation of standard pastoral care, prayer, and parental guidance.
- There are various laws that can be used to tackle attempts to harm people, including Northern Ireland's existing law on coercion.
- The 'harm' threshold of the Bill is dangerously low. Conversations in this area are inherently difficult, and the person will often already feel "fear, alarm or distress" before even talking to someone, so this threshold will be very easily met, even where the behaviour was entirely innocent.
- Legal advice from senior human rights lawyers has consistently said that a law of this type is unnecessary and risks unintended consequences.
- 'Conversion practices' is an ill-defined term often used by activists to describe behaviour that should not be illegal, such as ordinary prayer and pastoral care.
- The Bill is so broad that it will have a chilling effect on ordinary, responsible parenting, such as discouraging underage sexual activity or restricting internet access to harmful content.
- The evidence base for legislating on 'conversion therapy' in Northern Ireland is very weak. Government-commissioned research only referred to ten examples in NI, none of which support legal change.

- Many of those calling for a conversion therapy law have said they want it to actively target the ordinary work of churches.

Clause 1: Offence of providing conversion therapy (Page 3)

Clause 1 would make it an offence to provide or carry out conversion therapy where the person intends to change or suppress the victim's sexual orientation or gender identity, and the victim suffers physical or psychological harm as a consequence. Do you support this approach?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Criminalising "suppression" captures entirely harmless or beneficial guidance, such as a parent advising a child not to engage in sexual activity or a religious believer voluntarily seeking help to live by a Christian sexual ethic.
- Consent is ruled out as a defence, potentially denying someone who is struggling from being able to seek and receive ordinary pastoral support or prayer that they actively desire.
- The weak 'harm' threshold means an offence could be committed simply if someone feels upset or offended, which is an alarmingly low bar for a criminal record.
- The definition of 'intent' is so broad that it would cover almost all Christian activity which actively seeks to 'suppress' sinful desires and behaviours. This is ordinary Christian practice, not a form of abuse.
- It is patronising to tell adults that they cannot consent to taking part in challenging conversations about their own sexuality or gender.

Are the elements of the offence sufficiently clear, including the requirements relating to intent, harm, the reasonableness defence, consent and penalties?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Placing the burden on the accused to prove their actions were "reasonable" provides no legal certainty; people will only find out if they broke the law after being dragged through the justice system.
- A judge may find it difficult to judge an action 'reasonable' if it meets the threshold of 'conversion therapy' and has technically caused 'psychological harm'.
- Because what counts as "reasonable" is undefined, parents and pastors will have no idea whether a judge will agree that their guidance was acceptable.
- The Bill gives no definition of 'suppression', meaning that it would likely cover ordinary Christian pastoral guidance to avoid temptation.

Clause 2: Offence of engaging in coercive conversion behaviour (Page 4)

Clause 2 would make it an offence to engage in coercive conversion behaviour where the person intends to change or suppress the victim's sexual orientation or gender identity, and the victim suffers physical or psychological harm as a consequence. Do you support this approach?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Defining coercive behaviour to include "regulating or monitoring the victim's day-to-day activities" directly captures normal parenting, like restricting a child's internet access to protect them.
- The definition includes making a person feel "punished or intimidated", which is highly subjective, especially for teenagers who naturally push against parental boundaries.
- Relying on an undefined "reasonableness" defence forces parents to prove their innocence rather than asking the State to prove their guilt.
- Parents often appear to 'suppress' their children's behaviour, as learning self-control is a natural part of growing up.
- The harm threshold is far too low – it is very natural to feel 'fear, alarm or distress' when discussing these issues with anyone else, even when they are being supportive.

Are the elements of the offence sufficiently clear, including the requirements relating to intent, harm, the reasonableness defence, consent and penalties?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- The elements of intent and harm are far too broad and rely heavily on the emotional state of the accuser rather than the intent of the accused.

- The "reasonableness" defence offers no guidelines, leaving teachers, parents, and pastors guessing whether their actions cross a legal line.
- The inability to point to a person's consent makes it impossible to define clearly when voluntary support crosses into 'coercive behaviour'.
- Subjecting ordinary citizens to the threat of prison for vaguely defined 'coercive' actions that amount to standard parenting or pastoring is entirely disproportionate.

Clause 3: Offence of removing a person from Northern Ireland (Page 5)

Clause 3 would make it an offence to cause or facilitate a person leaving Northern Ireland for the purposes of being subject to conversion therapy or coercive behaviour. Do you support this approach?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- People regularly travel within the UK and Ireland with their church or to attend religious events and residential. People should not be made to feel afraid that they are limited in their freedom to do so.
- This could capture parents who take their children out of Northern Ireland for perfectly legal activities, such as attending a Christian youth camp in Scotland or the Republic of Ireland.
- The definitions provided are far too broad to prevent ordinary activity being caught across the border. This is made worse by the inability to investigate such accusations properly because they happen in another jurisdiction.
- A parent could be prosecuted if a child later claims they felt 'distressed' by the teaching or activities they experienced while away.
- There could be a chilling effect on those who normally travel around the UK and Ireland for large conferences, particularly where they know someone in their group is struggling with these issues.

Are the elements of the offence sufficiently clear, including the requirements relating to intent, recklessness as to harm, the reasonableness defence, consent and penalties?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Combining 'recklessness' with the low threshold of 'distress' means a parent could be prosecuted just for not anticipating that a youth camp discussion might upset their child.
- Threatening families with criminal penalties for travel based on subjective emotional reactions is draconian.
- Many families in Northern Ireland travel across the border to attend Church or Christian youth activities. They risk being effectively blocked from travelling.

Clause 4: Definition of conversion therapy & Regulatory Bodies (Pages 6 & 7)

Clause 4 defines conversion therapy as including counselling or any form of talking therapy, coaching or instruction, and treatment or purported treatment. Is this definition sufficiently clear and appropriate?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Including "counselling or any form of talking therapy" alongside "coaching or instruction" captures a huge proportion of human communication and advice.
- Because the definition is so broad, it directly threatens standard pastoral care, preaching, and prayer, which could readily be described as 'instruction' or 'counselling'.
- The word 'instruction' is so broad it could apply to a parent instructing a child on family values or a teacher answering a moral question.
- Any attempt to encourage someone in a particular direction could be deemed 'coaching' or 'instructing'.

Clause 5: Definition of coercive behaviour (Page 8)

Clause 5 defines coercive behaviour for the purposes of the Bill. Is the definition sufficiently clear and workable?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- "Regulating or monitoring the victim's day-to-day activities" could well be a description of responsible parenting, not criminal coercion.
- Making it a crime to cause someone to feel "punished or intimidated" is unworkable when parents routinely and legitimately use punishment to enforce boundaries.
- The law should not criminalise parents for fulfilling their primary duty to protect their children, such as removing access to dangerous online gender-transition materials.
- The definition relies entirely on the subjective feelings of the 'victim', making it very difficult for the police and courts to know what amounts to a crime.
- The definition is significantly different from that used in domestic abuse legislation, removing some important safeguards.
- The coercive behaviour definition is not limited to a domestic setting, meaning that some of the terms apply to a variety of ordinary behaviour outside the home. For example, teachers, managers or social workers may need to monitor activities or restrict actions as part of their role. This is obviously not 'coercion', but falls under the definition in the Bill.

Does the requirement that coercive behaviour must take place on two or more occasions provide an appropriate threshold for the offence?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- The primary problem is the low threshold for committing an offence. Requiring something to happen on two or more occasions does little to protect against the overly broad definitions in the Bill.
- Normal, responsible parenting happens daily. If restricting a child's internet access is wrongly deemed 'coercive', doing it on two or more occasions is inevitable.
- Two instances of causing a teenager 'distress' through standard discipline is a worryingly low threshold for initiating criminal proceedings.
- This threshold risks turning minor, repeated family disagreements over values or rules into matters for the police.

Clauses 6 & 7: Sexual orientation, gender identity and intent (Page 9)

Clauses 6 and 7 define sexual orientation and gender identity, and set out when there is, or is not, intent to change or suppress sexual orientation or gender identity. Are these provisions sufficiently clear?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Section 6 defines "gender identity" purely subjectively as whatever "the victim considers it to be". There is no actual definition of what the term means.
- There has never been a legal definition of 'gender identity' before in NI law. It is a highly contested term that cannot merely be added to legislation without being defined.
- Because the definitions are based entirely on the internal feelings of the accuser, the law can change moment to moment, making it impossible for citizens to know the rules.
- Criminal laws should be based on clear, objective, and stable concepts; not fluid, self-declared identities.

Do these clauses provide sufficient protection for legitimate expression of beliefs or opinions, and for support which affirms a person's sexual orientation or gender identity?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- The Bill pretends to protect expression, but only if it doesn't 'direct' the other person. It is very rare for someone to share their viewpoint without intending to change the other person's mind or behaviour, making this 'protection' almost worthless.
- Preaching, pastoral advice, and prayer inherently involve directing people toward living in accordance

with biblical teaching. This clause demonstrates that such activities are not protected.

- Advising a congregant that God's design for marriage is between a man and a woman will be targeted by activists as unlawfully directing them.
- The clause is entirely one-sided: it protects affirming a person's identity but criminalises expressing orthodox religious beliefs that challenge it. So if someone expresses a view that they 'might be' transgender, someone can strongly encourage them towards that identity; while anyone who urges caution risks criminalisation.

Clause 8: Psychological harm (Page 10)

Clause 8 provides that psychological harm includes fear, alarm or distress. Is this definition appropriate and sufficiently clear for the purposes of the offences in the Bill?

- Please answer 'No'.

Please add any additional information to support your answer. (2500 character limit)

- Defining harm as mere "fear, alarm or distress" sets the bar so low that an offence is committed simply if a person feels offended or upset.

- This definition is far too subjective. Convictions will be possible based simply on self-reporting by the person making the accusation. It is difficult to disprove someone's claim that they were distressed.
- Teenagers struggling with sex and gender issues often already feel "distress" before raising it. This means the threshold is almost automatically met regardless of the conduct that takes place.
- A parent refusing to use a child's new pronouns, or a pastor preaching on biblical marriage, could easily cross this threshold if the listener feels distressed.
- Emotional discomfort is unfortunately a normal part of life. It is unavoidable in any circumstance where there is disagreement.
- There is no requirement to prove that the accused intended any harm. Being sure their behaviour was harmless will not help them. This will criminalise acting with the best of intentions merely because the person making the accusation claims to have been distressed.