

## CONVERSION THERAPY UPDATE – April 2022



**P**ublic concern about plans to ban 'conversion therapy' has increased considerably in recent months. Much of the opposition stems from the serious lack of clarity about what is to be outlawed.

Prime Minister Boris Johnson decided to drop the ban, only to do a partial U-turn when his plans were leaked. Westminster now intends the ban to cover only sexual orientation, not transgenderism. But MPs and Peers who want trans included will try to amend the legislation.

And Government ministers in Scotland, Northern Ireland and Wales all want trans to be covered.

Conversion therapy is a deliberately broad term chosen by LGBT activists. There may be quack therapists – and sadly, even some church leaders – who exploit people and use abusive practices. Of course, verbal and physical abuse is illegal already. But activists want a ban to reach into churches and use the criminal law to force Christians to endorse LGBT theology.

## Thousands of church ministers speak out



Raymond Anthony Brown, Revd Matthew Roberts and Revd David Gobbett helped author a letter to Liz Truss MP.

More than 2,500 Christian ministers and pastoral workers have called on Westminster's Equalities Minister Liz Truss to ensure the ordinary work of churches is not caught by a ban on so-called conversion therapy.<sup>1</sup>

The letter, authored by church leaders including Raymond Anthony Brown, Revd David Gobbett and Revd Matthew Roberts, was in response to the Westminster Government's consultation. It accepts the Government "does not intend this legislation to impact the normal practice of religion" but

expresses deep concern that the proposed approach "would do exactly this".

The church ministers said conversion therapy is "a bizarrely broad category" which implies "an equivalence between calling people to conversion to Christ" and "evil and disreputable past practices which are already illegal and which Christians are the first to condemn".

They warned that the plans could make it illegal "for us as Christian ministers to persuade, to teach and to help people of every age to become, and to live

as, orthodox Christians".

Some LGBT activists have tried to intimidate those who signed the letter. The leading activist on this issue, Jayne Ozanne, falsely claimed the ministers were "perpetrators of conversion therapy abuse" and one LGBT charity leader even compared the letter to the Nazi Holocaust.<sup>2</sup>



# Key concerns still unresolved

The Westminster Government's consultation document said personal freedoms, including freedom of speech and belief, are "central" to the proposals. It also said that "everyday religious practice" will not be affected, and that "parents will remain able to raise their children with the values of their faith". These are important promises, but there was not enough detail in the consultation to know how they would be kept. Key concerns include:

## GAPS IN THE LAW?

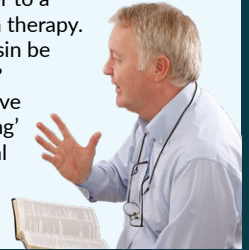
The Government proposes a new coercive 'talking conversion therapy' offence, but there is huge uncertainty around what it is actually targeting. The consultation document said it has "identified gaps in the law". But it gave no examples of behaviours that are currently lawful that it believes would be criminalised, and so the proposals remain dangerously vague.

## CHRISTIANITY IS NOT COERCIVE

The Government says it will outlaw coercive 'talking conversion therapy'. Christians oppose coercion. But some activists claim aspects of Christian teaching, such as sexual ethics and the judgement of God, are inherently 'coercive'.

What little detail the consultation paper gave about this new coercion offence was worryingly broad. It risks innocent conversations being deemed coercive and therefore criminal. For example, the consultation document said likening same-sex attraction or being transgender to a "deficiency" could amount to conversion therapy. Could a Christian's beliefs about sexual sin be interpreted as likening it to a deficiency?

The refrain in the Lord's Prayer "forgive us our sins" tells us that we are all 'lacking' in the sight of God. These are theological matters and it is not the job of the State to dictate doctrine.



# MSPs call for extreme conversion therapy ban

In February MSPs debated a report from the Scottish Parliament's equalities committee which calls for an extreme ban on conversion therapy, modelled on controversial legislation in the Australian state of Victoria.<sup>4</sup> Many MSPs who spoke in the debate agreed with such broad legislation, with one referring to the Victoria ban as "best practice".



Many MSPs did say they want to respect religious freedom, and the Equalities Minister said concerns about the potential impact of a ban would be "considered

extremely carefully and sensitively". Contact from concerned constituents clearly made an impact. But it was also evident that many MSPs did not understand that

'religious freedom' includes beliefs they don't personally agree with. Some made it clear that only religious activities that they considered 'non-judgemental and non-directive' would be allowed to continue.<sup>5</sup> Christians are often wrongly accused of being 'judgemental' merely for holding to Christ's teachings. And the Christian faith is most certainly 'directive'.



## CONSENT TO PRAY?

The consultation said adults would be able to consent to receiving non-coercive ‘talking conversion therapy’. It would be utterly wrong to label ordinary prayer and pastoral conversations as ‘talking conversion therapy’ in the first place. And it is unclear how ‘consent’ would be proved if someone had to defend himself from an allegation that he gave ‘talking conversion therapy’.

If a minister is asked by a church member to pray with them about sexual temptation, it should be of no interest to the criminal law whether the temptation is heterosexual or homosexual. It would be an intolerable imposition if the minister had to have a signed consent form before he could pray with a same-sex attracted person.

## PROSECUTING PARENTS

The consultation said young people should be supported in “exploring their identity without being encouraged towards one particular path”. This could have disturbing implications for parenting. Parents must not be at risk of prosecution simply because they direct their children towards the path they believe is best for them. The Supreme Court has emphasised the importance of families being ‘left to bring up their children in their own way’.<sup>3</sup>

It appears there would be a single test for the new criminal offence of ‘talking conversion therapy’ against someone under 18. Merely being ‘motivated by conversion therapy’ would apparently be enough. Since under-18s could never consent, this would create an extraordinarily broad and dangerous offence. There would be no need to prove that the behaviour itself was in any way harmful. An obviously benevolent act could still result in a criminal conviction if a court decided it was motivated by conversion therapy.



## Feminists: trans ban will hurt young people

A number of feminist groups have raised concerns about the potential impact of a conversion therapy ban on young people, especially if it covers transgenderism.

Scottish group Fair Play For Women fears the proposed legislation could criminalise those “trying to help children with gender dysphoria to feel more comfortable in their body”.<sup>6</sup> They are particularly concerned about the increasing number of gender-confused adolescent girls seeking help, who are being encouraged to “pursue a pathway to puberty

blockers, cross-sex hormones and surgery”.<sup>7</sup>

The Westminster Government said last year that a person will be “able to openly explore what works for them without feeling pressured into any particular outcome”.<sup>8</sup> But the Sex Matters organisation says a ban that includes trans would mean more young people facing “one-way pressure to transition” because of the climate of fear it would create for those “who do not support an affirmation-only approach to gender identity”.<sup>9</sup>

The trans aspect of a ban



has so far been the most controversial part, hence Westminster’s decision to leave it out. But activist journalists, spurred on by groups like Stonewall and the Ban Conversion Therapy campaign, are furiously campaigning to get it put back in.

# Ordinary work of churches targeted



Jayne Ozanne



Fiona Bennett



## ACTIVISTS MAKE OUTRAGEOUS DEMANDS

Those calling for a ban to include the everyday practices of Bible-believing churches have become increasingly unguarded in their public pronouncements.

Jayne Ozanne, Chair of 'Ban Conversion Therapy', said that "gentle, non-coercive prayer" must be covered by a ban.<sup>10</sup> In an interview with Premier Christianity, Ozanne said: "I'm trying to ban harmful prayer that has a predetermined purpose that is directed at an individual with an aim to change".

Asked whether she wants to ban praying with someone, at their request, about remaining celibate, she said: "Yes, because it is damaging".<sup>11</sup> Ozanne has even claimed that church leaders who express

concerns about a broad ban are "determined to continue to inflict their known harm on vulnerable LGBT people".<sup>12</sup>

Ozanne's colleague Fiona Bennett told the Scottish Parliament's equalities committee that they want the ban to affirm their particular brand of LGBT theology: "It would be very helpful and would be life-affirming for all of us in the church who stand in that perspective."<sup>13</sup>

The 'Ban Conversion Therapy' campaign's 'Cooper Report' claimed restrictions on the right to manifest religion and belief, including prayer, are "necessary, justified and proportionate". It said that only prayer seeking to help someone accept their sexual orientation or gender identity should be lawful.<sup>14</sup>

## CALLS TO BAN REPENTANCE

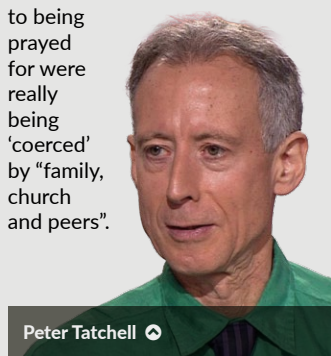
In October, LGBT campaigner Peter Tatchell told GB News that gentle prayer should be outlawed, "If people are saying to us that we are sinful, immoral" or that "we must repent, that we're going to end up in hell".<sup>15</sup>

And in response to the Westminster consultation, Humanists UK called for a ban to include

"verbal communications... such as confessions/repentances" along with "faith declarations, fasting, pilgrimages, and attendance on religious courses".<sup>16</sup>

Core aspects of the gospel message are protected by human rights law. Yet activists say they should be banned and claim even those who consent

to being prayed for were really being 'coerced' by "family, church and peers".



Peter Tatchell

# CI working to protect churches

## PREPARING FOR COURT ACTIONS ACROSS THE UK

In May 2021 we instructed Ai Law to write to the Government at Westminster, preparing the ground for a judicial review if its conversion therapy law tramples on human rights. Since then we've instructed Hewitt & Gilpin in Northern Ireland and Lindsays in Scotland to do the same with the governments there. In each case we provided ministers with written advice from leading QC Jason Coppel.<sup>17</sup>

Coppel states that evangelism, church membership, baptism, communion and even

one-to-one prayer could all fall foul of the kind of conversion therapy ban sought by activists.

However, he said: "The Courts have consistently regarded [Christian beliefs about sex, sexuality and marriage] as protected by Article 9 [of the European Convention on Human Rights] and worthy of respect... These beliefs must be treated by the State with neutrality and impartiality."

He added: "...one of the fundamental facets of

freedom of religion or belief is the right of a religion to determine its own beliefs and practices, the legitimacy of which should not be questioned by the state".

On parents encouraging their children to embrace Christian teaching, he said: "There are additional barriers to the legality of prohibiting the expression of Christian beliefs within the family, by parents to their children."



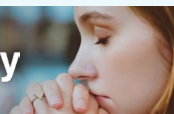
## 'LET US PRAY' CAMPAIGN LAUNCHED

In September 2021 the Let Us Pray campaign was launched, spearheaded by the Institute, campaigning in the media and on social media to prevent innocent parenting and the ordinary work of churches being caught by a ban. We have also continued to make our case directly to civil servants and politicians. Both the Institute and Let Us Pray produced guides to help people respond to the consultation within days of it being announced, and we held popular webinars to encourage people to take part.

Sign up to the Let Us Pray email list to be the first to hear about developments in the campaign: [www.letuspray.uk](http://www.letuspray.uk)



let us pray



## THE CI GIVES EVIDENCE TO PARLIAMENT



The Institute was invited to give evidence to MPs on the Commons Women and Equalities Committee in November 2021.<sup>18</sup>

Deputy Director Simon Calvert stressed that coercive and abusive behaviour "should be caught by existing law". He added that the consultation's proposals are 'confused' and suffer from a "lack of detail". He also told the Committee that it would be difficult to devise a ban that "does not get used to undermine the ordinary work of churches". Mr Calvert warned that activists are calling for "one of the most religiously repressive laws" the UK has ever seen.



# Worrying developments overseas

## 'NOT AFFIRMING GENDER IDENTITY' OUTLAWED



The Australian State of Victoria's ban on 'conversion therapy' is held up by UK activists as a model to be followed.<sup>19</sup>

But the Victoria legislation, which came into force in February 2022, expressly criminalises prayer if it is deemed not supportive of a person's sexual orientation or gender identity.<sup>20</sup> The penalty can be up to ten years in prison and a maximum fine of over £100,000.<sup>21</sup>

The Victorian Equal Opportunity and Human Rights Commission (VEOHR) has started 're-educating' church ministers in how to

comply with the law. Murray Campbell, a pastor based in Melbourne, attended one of the events. He said: "We were informed that no person's sexuality or gender identity is broken or sinful, and to suggest so contravenes the intent of the new laws". He added: "We were informed by a lawyer representing the Government that, 'We are to affirm people's sexual orientation and preferences and "the love of God" in that.'"<sup>22</sup>

The VEOHRC, responsible for enforcing parts of the new ban, has released guidance on what is now outlawed. It says conversion therapy includes:

"not affirming someone's gender identity", and parents "refusing to support" their children receiving puberty blockers. It says it would be illegal for church leaders to tell someone they will be 'excommunicated' if they continue a same-sex relationship. The guidance says encouraging someone to practise celibacy is also unlawful conversion therapy."<sup>23</sup>



## VIEWS ON SEXUAL BEHAVIOUR BANNED



In December, Canada passed into law a Bill banning conversion therapy, just nine days after its introduction.<sup>24</sup> Motions in the Canadian House of Commons and Senate allowed the Bill to pass at speed without any scrutiny by MPs or Senators.<sup>25</sup>

The Bill's definition of conversion therapy is very

broad and includes any practice designed to "reduce non-heterosexual attraction or sexual behaviour".<sup>26</sup>

The Evangelical Fellowship of Canada says the wording of the law could "ban sincere expressions of religious beliefs and teachings in sermons, courses of religious study and consensual pastoral counselling".<sup>27</sup>

References at [the.ci/ctupdate-april22-ref](https://the.ci/ctupdate-april22-ref)