

Dear Prime Minister,

As you consider proposals for a draft Conversion Practices Bill, we write to remind you of our concerns and to request a meeting.

You are undoubtedly aware how controversial this legislation will be among the public and within your own party. So far, there has been no evidence that new legislation is needed. The Government has admitted, in leaked documents, that new legislation is unnecessary because LGBT people are already fully protected from verbal and physical abuse by existing law. The leaked document also admitted that “the evidence-base for further legislative measures on conversion therapy is weak”.<sup>1</sup>

The danger is that the Government will legislate, not because it is necessary, but merely in order to be seen to be doing something.

In the Australian state of New South Wales (NSW), the Department of Communities and Justice has put forward its own proposal to ban conversion therapy.<sup>2</sup>

This apparently conflicts with another planned law, aimed at protecting religious freedom.<sup>3</sup> There is significant concern over the risk that it could see aspects of the ordinary work of churches treated as a criminal offence.

It could also see parents investigated merely for seeking to protect their children from transgender ideology.

NSW is emulating the state of Victoria, where official guidance on its ban states:

- “not affirming someone’s gender identity” is an illegal practice.
- Parents “refusing to support their child’s request for medical treatment that will prevent physical changes from puberty” are breaking the law.
- It is prohibited for church leaders to warn members they will be excommunicated if they continue their same-sex relationship.<sup>4</sup>

Religious leaders in Victoria have been invited to attend state-approved re-education, where they have been told to change their beliefs about sin and morality or risk prosecution.

The body legally responsible for upholding Victoria’s ban has also published guidance telling Christians what they can and cannot pray and teach. Directly conflicting with orthodox belief, Christians are told to only pray in a way that affirms that everyone is “perfect the way they are”. Prayers that “talk about a person’s brokenness or need to repent” are deemed harmful and likely illegal.<sup>5</sup>

Activists say the ban in Victoria is “the gold standard” which the UK should follow.<sup>6</sup>

And parents have been left “distracted”. One newspaper says: “Many parents feel trapped, unable to do anything to prevent their children pursuing potentially irreversible and harmful changes - from chest-binding to taking hormone blockers and ultimately sex-change surgery.”<sup>7</sup>

Like your own Government, the NSW administration recognised the dangers of legislating in this vexed area. They even made an election commitment that “taking offence at the teachings of a religious leader”, “expressing a religious belief through sermon”, or “seeking guidance through prayer” will not be banned.<sup>8</sup>

They have sought to keep this pledge by proposing an exclusion for religious teachings or practices that do not have ‘changing or suppression’ as their “primary purpose”.<sup>9</sup>

But this perfectly demonstrates the problem. Those lobbying for a ban insist that prayer (and even “casual conversations”) which uphold orthodox Christian ethics on sex and gender are *inherently* suppressing LGBT people. For example, the Scottish Government’s Expert Advisory Group on Ending Conversion Practices claimed that religious groups merely stressing “the importance of marriage” was a suppressive practice.<sup>10</sup> The Stonewall-led ‘Ban Conversion Therapy’ campaign has gone on record to state that “gentle non-coercive prayer” is a form of suppression, and must be included in a ban.<sup>11</sup>

Under the NSW proposals, religious believers could still face arrest, interrogation or prosecution over their prayers and conversations with LGBT people. The police and the courts would decide which conversations and prayers are acceptable and which are forbidden.

Gender-critical feminists in NSW are also up in arms, warning that the proposals are ill-defined.<sup>12</sup>

Your own Government is likely to face the same problem. It is almost certainly impossible to placate the demands of pro-ban activists whilst also protecting the freedom of religious people to live out their faith, and the freedom of parents to protect their children from radical gender ideology in their own homes.

Any legislation on ‘conversion therapy’ will likely see ordinary people facing investigation over claims that their innocent conversations were really malign attempts to ‘change or suppress’ LGBT people.

Any protections in the legislation will be attacked by activists and may be stripped out by their allies in Parliament.

Jason Coppel KC has warned of the risks inherent in attempting to ban conversion therapy.<sup>13</sup> We are grateful for the engagement we have had with GEO officials but since it appears you will be personally deciding on this policy, we wish to request a meeting to explain our concerns directly.

The Christian Institute is supported by over 5,000 churches and church leaders. They deserve to have their concerns heard.

Yours Sincerely,

Simon Calvert (*Deputy Director, Public Affairs, The Christian Institute*)



- 
- <sup>1</sup> 'Text of leaked Government memo on conversion therapy', *Let Us Pray*, 6 April 2022, see <https://letuspray.uk/blog/text-of-leaked-government-memo-on-conversion-therapy> as at 17 August 2023
- <sup>2</sup> *Banning LGBTQ+ Conversion Practices: Consultation Paper*, NSW Department of Communities and Justice, 31 July 2023
- <sup>3</sup> *The Guardian online*, 3 August 2022, see <https://www.theguardian.com/australia-news/2023/aug/04/nsw-gay-conversion-opponents-may-have-to-be-careful-what-they-say-under-new-anti-discrimination-law> as at 17 August 2023
- <sup>4</sup> 'Have you experienced a change or suppression practice?', *Victorian Equal Opportunity & Human Rights Commission*, see <https://www.humanrights.vic.gov.au/change-or-suppression-practices/have-you-experienced-a-change-or-suppression-practice/> as at 17 August 2023
- <sup>5</sup> 'For people of faith, professionals, and other communities', *Victoria Equal Opportunity & Human Rights Commission*, see <https://www.humanrights.vic.gov.au/change-or-suppression-practices/for-professionals-institutions-and-communities/> as at 21 August 2023
- <sup>6</sup> Scottish Parliament, Equalities, Human Rights and Civil Justice Committee *Official Report*, 2 November 2021, col. 24
- <sup>7</sup> *Mail Online*, 14 August 2022, see <https://www.dailymail.co.uk/news/article-11101415/Parents-counsellors-face-prosecution-gender-transition-children-suppression-law.html> as at 17 August 2023
- <sup>8</sup> *The Sydney Morning Herald online*, 27 February 2023, see <https://www.smh.com.au/politics/nsw/gay-conversion-ban-won-t-stop-right-to-pray-and-preach-minns-tells-faith-leaders-20230227-p5cnyt.html> as at 17 August 2023
- <sup>9</sup> *Banning LGBTQ+ Conversion Practices: Consultation Paper*, NSW Department of Communities and Justice, 31 July 2023, para. 3.7.3
- <sup>10</sup> *Expert Advisory Group on Ending Conversion Practices Report and Recommendations*, Scottish Government, October 2022, page 39
- <sup>11</sup> *The Guardian online*, 9 June 2021, see <https://www.theguardian.com/world/2021/jun/09/conversion-practices-church-of-england-bishop-backs-prosecution> as at 17 August 2023
- <sup>12</sup> 'Secretive Consultation on Conversion Practices Bill', *Respect Our Sex*, see <https://respectoursex.org/2023/08/01/secretive-consultation-on-conversion-practices-bill/> as at 17 August 2023
- <sup>13</sup> *Human Rights Implication of Proposals to Ban 'Conversion Therapy'*, Jason Coppel KC, April 2021, (available at <https://www.christian.org.uk/human-rights-implications-of-proposals-to-ban-conversion-therapy> as at 17 August 2023)