

Response ID ANON-VEE4-TS6F-Q

Submitted to Banning conversion therapy
Submitted on 2021-12-08 11:52:16

Introduction

Individual or organisation

Are you providing an individual or personal response or a response on behalf of an organisation?

Organisation

About your organisation

What is the name of your organisation?

Please write in:

Quakers in Britain and the Quaker Gender and Sexual Diversity Community (QGSDC)

What type of organisation is it? (Please tick the category which most closely reflects your organisation)

Religious organisation

Does your organisation work on behalf of any of the following people? (Please tick all that apply)

People with religious beliefs

Which country does your organisation work in? (Please tick all that apply)

England, Scotland, Wales

Approximately how many people work in your organisation?

50 to 249 people

Views on banning conversion therapy

Do you agree or disagree that the Government should intervene to end conversion therapy in principle?

Strongly agree

Why do you think this?

Please explain the reasons for your answer:

Our Quaker testimony of equality stems from the religious conviction that all people are of equal spiritual worth, that each one of us is unique, precious, and a child of God.

We believe that both sexual orientation and gender identity are sacred gifts and we are deeply troubled by practices that seek to change, suppress or "cure" them. The Quaker Gender and Sexual Diversity Community (QGSDC) agreed in October 2021 that any such practice is unethical, harmful, and is not supported by evidence. QGSDC joined with others, of many faiths and none, in calling on the UK government to ban so-called conversion therapy without delay.

Throughout our history, Quakers have been guided by our relationship with God to work to bring about a just and compassionate society which allows each person to use their gifts to serve God and their community. This has included equal rights, recognition, and appreciation of LGBTQIA+ people. In 2009 Quakers began actively campaigning for equal marriage, having officially recognised same-sex relationships since 1988. At our Yearly Meeting Gathering in August 2021, we recorded a minute to acknowledge and welcome gender diverse people in our Quaker communities and express appreciation for the contribution and gifts that they bring to our meetings. Each individual's unique identity should be celebrated. We see attempts to compel people to change, suppress or "cure" their identity as a failure to recognise that of God in each person.

As well as supporting a ban in principle, we believe the evidence shows that a ban is needed. The government's own commissioned research shows that LGBTQIA+ people who are subjected to conversion therapy are at higher risk of severe mental health problems. The government's National LGBT Survey found that 7% of LGBT people have been subjected or offered conversion therapy. These figures are higher for trans and asexual people.

We believe that banning so-called conversion therapy would send a strong message that the practice is unacceptable in our society. This would discourage current providers from continuing to carry out the practice, and empower victims to say 'no' and speak out against it.

Targeting physical conversion therapy

To what extent do you support, or not support, the Government's proposal for addressing physical acts of conversion therapy?

Strongly support

Why do you think this?

Please explain the reasons for your answer:

Conversion therapy should be recognised as a form of abuse and therefore illegal acts committed for that purpose should have the severity recognised. It will also assist with monitoring patterns of behaviour associated with connected individuals where the acts may be different but the motivations similar.

Targeting talking conversion therapy

The Government considers that delivering talking therapy with the intention of changing a person's sexual orientation or changing them from being transgender or to being transgender either to someone who is under 18, or to someone who is 18 or over and who has not consented or lacks the capacity to do so should be considered a criminal offence. The consultation document describes proposals to introduce new criminal law that will capture this. How far do you agree or disagree with this?

Somewhat agree

How far do you agree or disagree with the penalties being proposed?

Somewhat agree

Do you think that these proposals miss anything?

Yes

If yes, can you tell us what you think we have missed?

Please explain the reasons for your answer:

(1) Consent

The current wording allows so-called conversion therapy to continue in cases where an adult has 'consented'. Under the current standard definition of consent (freely-given, informed, with clear alternatives), people cannot consent to conversion therapy. Conversion therapy is harmful and ineffective. Concerns have been raised that this allowance of consent would undermine progress in tackling domestic abuse and other situations where 'consent' is given under duress.

The government's own research shows that adults who said they consented to conversion therapy were not given full and unbiased information about the practice and its alternatives. Victims of conversion therapy often feel pressured by people who they see as having greater power and knowledge than themselves. In this context of misinformation and power imbalance, consent is meaningless.

As the Anglican synod noted in their considerations before calling for a ban on conversion therapy in 2017 "It is important to recognise ways in which membership of some religious communities has the potential to compromise free consent."

At the point where people are seeking conversion therapy, they are vulnerable and need help. The age band is irrelevant, anyone supposedly consenting to conversion therapy has already been subjected to implicit or explicit emotional and psychological pressure and should be considered a vulnerable person under the law. People can give consent for counselling and support to help them explore their feelings around sexual orientation and gender identity. But counsellors should not present expected outcomes or try to persuade the individuals to take certain decisions. If the counsellor abuses their position in this way, this negates the consent that was given to enter into the counselling relationship.

(2) Definition of conversion therapy

We are concerned that the government has not fully defined conversion therapy or those affected by it, and that clarity will be needed in order for the legislation to be effective.

The definition must include attempts to suppress sexual orientation and gender identity as well as change it. The government must be clear that all attempts to suppress or change a person's sexual orientation or gender identity are protected by the ban. It is currently unclear whether all LGBTQIA+ people are protected by the ban, including aromantic, asexual, bisexual, gender nonconforming, intersex and non-binary people.

The government must also make clear that gender transition services, gender transition healthcare and legitimate and explorative gender therapy are not forms of conversion therapy and therefore would not be an offence under its proposals.

(3) Religious settings

The approach on talking therapy does not address the majority of instances which are conducted informally through religious networks. This would not include private prayer or public/congregation level religious statements, norms and practices as these are protected under religious freedom. However there needs to be a clear, broad definition of conversion therapy in this context. Anything which is directed at an individual for the purpose of conversion (eg. prayer, exorcism/deliverance practices, faith healing, study courses, home visits) must be explicitly prohibited. This must also include facilitating or

forcing participation in conversion techniques delivered remotely based outside the UK.

(4) Broader implications for society

Proposals which focus on individuals can fail to locate the means and responsibility for perpetuating harm within the context of wider society and structures. Within a religious body, this could mean blaming individuals who are themselves members of minoritised groups. The practise of 'converting' others can be seen as a way to establish a greater security in group identity, felt necessary to survive the wider structural violence of the society they find themselves in. This is not to excuse or minimise the serious harm done by conversion therapy, but to locate it as a symptom of wider societal issues.

The government must take action to improve wider societal attitudes towards LGBTQIA+ people so that no one believes it is necessary to suppress or change their own or someone else's sexual orientation or gender identity.

(5) Existing structures

We believe tackling conversion therapy should sit within existing structures to combat abuse (although these need to improve), so that authorities can support early identification and risk, rather than just taking a reactive approach.

Recognising conversion therapy as a form of abuse can enable it to be integrated into existing systems of domestic abuse and safeguarding, including abuse by people in position of trust (PIPOT). This will likely make it more effective through awareness-raising, especially since self-reporting is likely to be even less than in domestic abuse.

This will also increase the reach as it becomes a professional matter which all should be educated in (much like forced marriage and FGM) rather than standalone, especially since very few victims are likely to approach police with the issue. In the religious context the providers are most likely to be family or household members or connected to the religious organisation which would be covered under domestic abuse and PIPOT responses if included. We acknowledge and support government efforts to improve approaches to safeguarding and abuse in religious institutions.

Restricting the promotion of conversion therapy

The Government considers that Ofcom's Broadcasting Code already provides measures against the broadcast and promotion of conversion therapy. How far do you agree or disagree with this?

Prefer not to say

Why do you think this?

Please explain the reasons for your answer:

We do not have expertise in this area.

Do you know of any examples of broadcasting that you consider to be endorsing or promoting conversion therapy?

Prefer not to say

If yes, can you tell us what these examples are?

Please write in:

The Government considers that the existing codes set out by the Advertising Standards Authority and the Committee of Advertising Practice already prohibits the advertisement of conversion therapy. How far do you agree or disagree with this?

Prefer not to say

Do you know of any examples of advertisements that you consider to be endorsing or promoting conversion therapy?

Prefer not to say

If yes, can you tell us what these examples are?

Please write in:

Protecting people from conversion therapy overseas

The consultation document describes proposals to introduce conversion therapy protection orders to tackle a gap in provision for victims of the practice. To what extent do you agree or disagree that there is a gap in the provision for victims of conversion therapy?

Strongly agree

To what extent do you agree or disagree with our proposals for addressing this gap we have identified?

Strongly agree

Why do you think this?

Please explain the reasons for your answer:

We welcome this form of protection for LGBTQIA+ people at risk of conversion therapy. This could be handled much like forced marriage, but with a recognition that all those at risk should be considered a vulnerable adult with the protections that affords, because they have already directly or by society been driven to a position of mental distress in which they feel their very self is wrong and abhorrent.

We ask the government to also consider banning conversion therapy that is offered virtually by providers outside the UK to people inside the UK. The approach will need to include provisions for addressing those facilitating or coercing interaction with conversion practices based overseas but delivered remotely in the UK such as via internet or recorded media as well as risk of travel for the purpose of conversion therapy.

Ensuring charities do not support conversion therapy

Charity trustees are the people who are responsible for governing a charity and directing how it is managed and run. The consultation document describes proposals whereby anyone found guilty of carrying out conversion therapy will have the case against them for being disqualified from serving as a trustee at any charity strengthened. To what extent do you agree or disagree with this approach?

Strongly agree

Why do you think this?

Please explain the reasons for your answer:

Charity trustees need to be worthy of the trust and power that is placed in their hands. We would not want providers of conversion therapy to be punished indefinitely for their wrongdoing, particularly if their attitudes have changed. However, we do believe that trusteeships should be closely vetted and scrutinised. This measure would also provide an extra disincentive to carry out conversion therapy.

Recognition by authorities of conversion therapy as a problem

To what extent do you agree or disagree that the following organisations are providing adequate action against people who might already be carrying out conversion therapy?

Services action against people carrying out CT - Police:

Strongly disagree

Services action against people carrying out CT - Crown Prosecution Service:

Strongly disagree

Services action against people carrying out CT - OTHER statutory service:

Strongly disagree

Why do you think this?

Please explain the reasons for your answer:

More needs to be done to give statutory services and authorities the tools to identify and tackle conversion therapy. Once a ban is in place, guidance and training must be updated so that professionals know the difference between legitimate cultural and religious practices and conversion therapy. Individuals and institutions that practice or allow conversion therapy must be supported to understand its harmful consequences and to change their attitudes and behaviours.

To what extent do you agree or disagree that the following organisations are providing adequate support for victims of conversion therapy?

Services support for victims of CT - Police:

Strongly disagree

Services support for victims of CT - Crown Prosecution Service:

Strongly disagree

Services support for victims of CT - OTHER statutory service:

Strongly disagree

Why do you think this?

Please explain the reasons for your answer:

Evidence from Galop shows that the response of statutory services to victims of conversion therapy is inadequate.

Do you think that these services can do more to support victims of conversion therapy?

Yes

If yes, what more do you think they could do?

Please explain the reasons for your answer:

Victims must be at the heart of the government and statutory authorities' approaches to conversion therapy. Conversion therapy should be named within the new Victims Code and safeguarding guidance, so that victims of the practice are entitled to the same support as victims of other forms of abuse.

We hope that victims of conversion therapy in religious settings can be supported to remain part of their original religious community if they choose to, or to find new religious communities or ways to express their faith if they prefer.

Statutory authorities could also support victims of conversion therapy by doing more to promote LGBTQIA+ inclusion in general, so that people feel comfortable in turning to them for support, and they can help change attitudes in wider society.

Economic appraisal

Do you have any evidence on the economic or financial costs or benefits of any of the proposals set out in the consultation?

No

If yes, please can you provide us with details of this evidence, including where possible, any references to publications?

Please write in:

Equalities impacts appraisal

There is a duty on public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act 2010. Do you have any evidence of the equalities impacts of any proposals set out in the consultation?

Yes

If yes, can you provide us with details of this evidence, including where possible, any references to publications?

Please write in:

As a faith group we feel it is important for us to state that we do not believe a ban on conversion therapy would harm our freedom of religion. We do not practise or condone conversion therapy and we affirm and welcome LGBTQIA+ people in our Quaker communities.

We believe that conversion therapy constitutes inhuman or degrading treatment, which is prohibited under Article 3 of the European Convention of Human Rights, Article 7 of the International Covenant on Civil and Political Rights and Article 16 of the Convention Against Torture. We ask the government to reassert that the prohibition on inhuman or degrading treatment is absolute – freedom of speech and freedom of religion or belief cannot be used legally to justify torture or inhuman or degrading treatment.

It may also be worth noting that recent equality case law makes it clear that you are entitled to hold opinions and make general proclamations, but you cannot put them into practice in a way that discriminates against LGBTQIA+ people or people with any other protected characteristics.

Confidentiality

Would you like your response to be treated as confidential?

No