

Criminalising 'conversion therapy' will backfire

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Dr Carys Moseley comments on the implications of a potential ban on so-called 'conversion therapy'.

Last Monday, a small number of MPs gathered in Westminster Hall to debate a petition calling for the criminalisation of 'conversion therapy' in England and Wales¹. You can read the entire debate on Hansard² and watch it here on Parliament TV³.

All the usual deceitful and manipulative talking points were used. It would be tempting to dismiss this event as mere posturing, but the desire for criminalisation is very strong. In addition, the government hinted that it sees 'conversion therapy' as extremism.

The biggest problem now in Parliament and the press is the total lack of real debate and critical analysis of this issue. In relation to Monday's 'debate' there is a backstory to this.

Petitions Committee didn't want to hear people's experiences

The setting of the debate was in Westminster Hall, which means it was only a discussion with no possibility of a vote leading to legislation being passed⁴. (The Petitions Committee does also have the right to ask for a debate in the House of Commons chamber, which would feel more like a real debate. It did not choose this option.) There is a reason that LGBT activists chose this format: they do not want our side of the argument to be heard in Parliament. We can tell this from the way in which they hounded the House of Commons' Twitter account on Friday 3 July 2020.

The petition which was debated on Monday attracted the attention of the Petitions Committee of the House of Commons last summer. On 3 July 2020, the House of Commons Twitter account tweeted a survey based on the petition⁵. It asked 'How does #conversiontherapy affect the #LGBTQ community?' and 'Should it be made illegal? What would that mean to you?' Within hours, the Commons Twitter account was attacked by a mob of LGBT activists led by Stonewall and Gendered Intelligence. They demanded the survey be deleted as it offensively suggested that banning 'conversion therapy' was a matter of debate. The House of Commons Twitter account deleted the tweet and apologised for

causing offence. It promised a new survey for the following week, but this never appeared.

LGBT activists did not want a real debate. How on earth would they cope with having to debate a parliamentary bill to ban 'conversion therapy'?

House of Commons staff concerned about impartiality

Emails shown to us via Freedom of Information show that House of Commons staff had real concerns about being seen to remain impartial. They revealed that journalists were phoning up and tweeting a lot about the issue. The emails also revealed that some MPs were very angry that the survey was published, and a leader of an LGBT organisation from outside was also pressurising them. It emerged that the Petitions Committee chair, Catherine McKinnell MP (Labour)⁶ also wanted the survey deleted.

Perhaps it is relevant that last week a FOI response to the Legal Feminist campaign showed that the House of Commons did not renew its membership of the Stonewall Diversity Champions Programme in 2020⁷. This is relevant because Stonewall is a member of the Coalition Against Conversion Therapy.

MPs cited fake 'survivor testimonies' by undercover journalists

The Petitions Committee did not want to hear people's experiences via the proposed survey. Instead on Monday, MPs such as Elliot Colburn⁸, who sits on the committee, cited fake testimonies of 'survivors' of 'conversion therapy'.

Advanced by the Ozanne Foundation⁹, this is a deliberate echo of the anti-cult movement of the 1980s and 1990s. Its aim is obviously to characterise the entire ex-lgbt movement as a 'cult' that should be proscribed by the government. (They should be careful to take the log out of their own eyes. Many parents talk about 'the trans cult' having taken away their children.)

Elliot Colburn cited the case of gay journalist Josh Parry from the Liverpool Echo as the

story of a 'survivor'. This is completely dishonest. Parry did an undercover report in a black-led church in Liverpool¹⁰ in 2018. Likewise, Stella Creasy MP paid tribute to gay journalist Patrick Strudwick as supposedly relating his 'experiences' of 'conversion therapy'. As is well-known Strudwick chose to go undercover to a female therapist and a male psychiatrist¹¹ for help posing as a client.

LGBT activists know sexuality is changeable

LGBT activists know very well that sexual attraction is changeable. Early in 2014, the Department of Health held a round table event on banning 'conversion therapy' with the mental health professional bodies. Dominic Davies, the CEO of Pink Therapy, spoke at this event and blogged about it. He said, "sexuality can be quite plastic for many people," and that there are "plenty of examples...of sexual fluidity over a lifespan for many LGB and T people¹²." Further evidence obtained under Freedom of Information reveals that it was admitted in the meeting that 'sexuality is fluid for most people'. This belief is not confined to him. It is found in numerous academic publications, polls and surveys. MPs deliberately ignored all this.

Criminalising help for romantic attraction

Some MPs complained that 'conversion therapy' amounted to 'emotional manipulation'. There is a risk that in their zeal, these MPs demand legislation that criminalises actions or words eliciting certain emotions. This would be totalitarian.

Unfortunately, this isn't a far-fetched concern. The current professional ban on 'conversion therapy'¹³ already effectively prohibits therapy to align romantic attraction to the opposite sex with sexual attraction to the opposite sex. This is clear from the fact that Version 2 has description of sexual orientation includes romantic attraction as a distinct component:

"For the purpose of this document, sexual orientation refers to the sexual or romantic attraction someone feels to people of the same sex, opposite sex, more than one sex, or to experience no attraction."

Normalising asexuality

It is significant that the section just quoted defines experiencing no sexual or romantic attraction as a 'sexual orientation'. This echoes the fact that Stonewall now defends asexuality¹⁴. This requires an explanation, as there is no natural reason why people who don't experience sexual or romantic attraction at all would fit into the LGBT umbrella.

The 'conversion therapy' ban is really based on opposing the understanding that heterosexual attraction is the human norm. It doesn't take a huge leap of logic to appreciate that this is creating a lot of problems for marriage counselling. What it does for the ethics of marriage however is to smuggle in the assumption that lack of sexual attraction and therefore behaviour is normal. None of the MPs who spoke on Monday mentioned this.

Rush to criminalise before RSE curriculum rollout

The evidence above shows clearly that 'ban conversion therapy' really means 'smash heteronormativity'. This is the LGBT catchphrase popularised by Ellie Barnes, the CEO of the charity Educate and Celebrate¹⁵. Educate and Celebrate have been at the forefront of campaigning for the new RSE curriculum. Speaking of 'conversion therapy' in July 2018, Baroness Williams of Trafford said the government "plans to ban it for adults and especially children."¹⁶

The sudden rush now to ban 'conversion therapy' should be questioned. The timing is important given that schools are starting to reopen across the UK. Schools are able to refer children for counselling. Indeed, in most of the UK they have to have a setup for this.

We must ask whether the real purpose of criminalisation is to prevent children and teenagers who are inappropriately affected by RSE material from getting adequate help. It's worth taking a closer look at the Welsh Government's approach in this respect.

The Welsh Government is subservient to Stonewall

Last Monday's debate saw Kemi Badenoch the Minister for Equalities tell Hywel Williams, the Plaid Cymru MP for Arfon, that the Welsh Government has not asked for legislative competence to ban 'conversion therapy'¹⁷. Recent correspondence from Jane Hutt, the Deputy Chief Minister, published by the Petitions Committee of the Welsh Parliament,

shows that the Welsh Government has been looking at ways to ban 'conversion therapy' within its own areas of competence¹⁸. These would include education, healthcare, social care and culture. However Wales has no power over criminal law.

A future Welsh Government could vote to repeal a 'conversion therapy' ban if it was based on devolved competence only. However Stonewall wants a criminal ban. The minister's remark therefore suggests that the Welsh Government is waiting silently for London to enact a criminal ban in England and Wales. It does this because Stonewall effectively controls its LGBT policy¹⁹.

Fear of backlash against RSE

The most likely reason for a future Welsh Government repealing a 'conversion therapy' ban it had passed would be a backlash against RSE in Wales. This would come from parents and teachers, but also from children and teenagers themselves.

LGBT activists across the UK were seriously frightened by Muslim parents protesting the new RSE in Birmingham. Teachers were crying and said to need counselling. This is undoubtedly part of the reason the Welsh Government ended parents' right to withdraw children from RSE in Wales²⁰. It desperately wants to avoid the same scenario occurring again. For one thing it would not want to see the growth of Islam, including the growing use of Islamic law, in reaction. Islamic law criminalises homosexual behaviour. The survey evidence shows that half of British Muslims want it to be criminalised²¹.

Proposed Protection Order for 'victims of conversion therapy'

Monday's debate saw lots of mentions of behaviours considered extremist, such as forced marriage and honour-based violence. These are already illegal. The government seems to be looking at legislation on these issues as models for criminalising 'conversion therapy'.

Also Charlotte Nichols, Labour MP for Warrington North²², proposed that there should be Protection Orders for people undergoing or at risk of 'conversion therapy'. It is worth quoting her words in full:

"Putting laws on the statute book such as protection orders for people who

are vulnerable to cultural or religious pressure to suppress, deny or forcibly change their sexuality or gender identity is not merely a matter of virtue signalling; it would make concrete legal defences for people who need them and would make it simpler for statutory support services to work together to help people in need. I commend Galop, the LGBT+ anti-violence charity that I met on Friday ahead of the debate to hear not only the harrowing evidence it has collected about such abhorrent practices but how protection measures, including multi-agency risk assessment conferences, would have allowed individuals to have been safeguarded. The Labour party welcomes the action that the Government have taken in the past decade to legislate against female genital mutilation and to take further steps against honour-based violence and forced marriage where these protection order frameworks are in place. This is a further area where we must now see action."

Targeting people with unwanted same-sex attraction

This safeguarding language is the language of the Prevent Duty. Clearly, this could lead to ex-LGBT ministries being reported as extremist to Prevent. This disingenuous language is what justifies this outrageous desire to target individuals. The current professional ban targets therapists and counsellors. These Protection Orders would target prospective clients and those seeking ministry, particularly young people. 'Cultural and religious pressure' clearly excludes any admission that the LGBT movement is engaged in recruitment and indoctrination, and thus pressure.

Much depends on how 'cultural and religious pressure' would be defined. If very broadly defined, such Protection Orders could be a problem for teenage boys who turn to Christian ministries, e.g. to escape older men who are grooming them. Or perhaps the teenage girl who has developed same-sex attraction in response to being trafficked into prostitution, and who now is being reached out to by Christians, won't be able to access that help. Or requiring sexual fidelity from an erring spouse could be deemed 'cultural and religious pressure'.

Criminal ban will open door to LGBT (re-)criminalisation

The reality is that pushing a criminal ban inevitably creates a framework for criminalising LGBT-affirmative therapy. Dr Daniel Poulter, the Parliamentary Under-Secretary of State for Health, said this in January 2014²³:

“If we were to ban or put in place regulations on that it may have unintended consequences. That may stop counsellors practising who are supporting people coming to terms with their sexuality. That is an important service, and I hope we can support it on both sides of this House.”

Moreover a ban creates a framework for (re-)criminalising same-sex sexual behaviour in future, i.e. recriminalising male same-sex behaviour and criminalising female same-sex behaviour for the first time. The government should have no illusions about this. Charlotte Nichols' idea of a protection order is one that could very easily be turned around in future to more restrictive ends. Fools rush in where angels fear to tread – not that Monday night's gathering of MPs realised this.

Government LGBT Panel members resign

Kemi Badenoch, the Minister for Equalities, spoke at length in Monday's debate. However LGBT activists were not happy with what she said. This week, Jayne Ozanne resigned from the government's LGBT Panel²⁴, claiming the government was not truly committed to banning 'conversion therapy'. She also claimed the government is creating “a hostile environment for LGBT people” and that it did not understand them. Two other panel members from Scotland and Northern Ireland also resigned. Ozanne said she did this to pressurise Boris Johnson to act to ban 'conversion therapy'. In reality, all the panel members' terms are due to end on 31 of March this year. Paul Brand, ITV head of news (himself a gay activist), says there is fear the LGBT Panel might be disbanded²⁵.

LGBT activists are very angry and upset²⁶ that Kemi Badenoch said the government wants to 'end conversion therapy' not 'ban' it. They see this as meaning the government does not want to table a law. This makes sense as no government can actually bring to an end things that aren't actually happening (like electroshock treatment) or that people will always do (like talking and praying). They also weren't pleased with Badenoch saying it wasn't for the government to decide what is 'harmful expression of religion'. Perhaps the government is learning to be wise on this whole issue. For now, it seems it is too scared to ditch its proposals publicly.

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- ¹ <https://petition.parliament.uk/petitions/300976>
 - ² <https://hansard.parliament.uk/commons/2021-03-08/debates/552D6176-C4D5-47F1-A8C1-C900B58AEB7C/LGBTConversionTherapy>
 - ³ <https://parliamentlive.tv/Event/Index/5577ccbe-d3a1-4dd0-a1d6-81e81a3cea92>
 - ⁴ <https://www.parliament.uk/get-involved/sign-a-petition/e-petitions/>
 - ⁵ <https://www.lbc.co.uk/politics/lgbt-charities-condemn-commons-for-tweet-asking-if-gay-cure-therapy-should-be-il/>
 - ⁶ <https://members.parliament.uk/member/4125/contact>
 - ⁷ <https://twitter.com/StoatlyL/status/1367852733500436483/photo/1>
 - ⁸ <https://members.parliament.uk/member/4775/contact>
 - ⁹ <https://ozanne.foundation/letter-to-sec-of-state-july-16th-2020/>
 - ¹⁰ <https://www.liverpoolecho.co.uk/news/liverpool-news/echo-goes-undercover-gay-cure-13468107>
 - ¹¹ <https://www.independent.co.uk/news/uk/this-britain/ex-gay-files-bizarre-world-gay-straight-conversion-1884947.html>
 - ¹² <https://pinktherapyblog.com/2014/04/03/curing-the-gays/>
 - ¹³ <https://www.bacp.co.uk/media/6526/memorandum-of-understanding-v2-reva-jul19.pdf>
 - ¹⁴ <https://www.stonewall.org.uk/about-us/news/six-ways-be-ally-aseexual-people>
 - ¹⁵ <https://www.youtube.com/watch?v=nt2bSF2xOVg>
 - ¹⁶ <https://www.theyworkforyou.com/lords/?id=2018-07-12b.1012.2&s=%22conversion+therapy%22#g1023.0>
 - ¹⁷ <https://hansard.parliament.uk/Commons/2021-03-08/debates/552D6176-C4D5-47F1-A8C1-C900B58AEB7C/LGBTConversionTherapy>
 - ¹⁸ [https://business.senedd.wales/documents/s112567/15.01.21 Correspondence - Deputy Minister and Chief Whip to the Chair.pdf](https://business.senedd.wales/documents/s112567/15.01.21%20Correspondence%20-%20Deputy%20Minister%20and%20Chief%20Whip%20to%20the%20Chair.pdf)
 - ¹⁹ [https://business.senedd.wales/documents/s112567/15.01.21 Correspondence - Deputy Minister and Chief Whip to the Chair.pdf](https://business.senedd.wales/documents/s112567/15.01.21%20Correspondence%20-%20Deputy%20Minister%20and%20Chief%20Whip%20to%20the%20Chair.pdf)
 - ²⁰ <https://www.walesonline.co.uk/news/wales-news/sex-education-religion-parents-wales-17602761>
 - ²¹ <https://www.theguardian.com/uk-news/2016/apr/11/british-muslims-strong-sense-of-belonging-poll-homosexuality-sharia-law>
 - ²² <https://members.parliament.uk/member/4799/contact>
 - ²³ https://publications.parliament.uk/pa/cm201314/cmhansrd/cm140114/debtext/140114-0001.htm#140114-0001.htm_snew73
 - ²⁴ <https://www.itv.com/news/2021-03-10/exclusive-government-creating-hostile-environment-for-lgbt-people-says-adviser-as-she-quits-over-conversion-therapy>
 - ²⁵ <https://twitter.com/PaulBrandITV/status/1369699469948764162>
 - ²⁶ <https://www.pinknews.co.uk/2021/03/09/kemi-badenoch-conversion-therapy-ban-equalities-office-liz-truss-lgbt-crispin-blunt-john-nicolson-charlotte-nichols/>