LGB ALLIANCE

OUR CENTRAL ASK

Please oppose the Draft Conversion Practices Bill in its entirety. Abuse should be punished under existing law, without creating a broad new offence that could criminalise parents, deter therapists and make it harder for children to understand that it is OK to grow up lesbian, gay or bisexual.

KEY POINTS

- Violence, sexual assault, coercive control and other genuinely abusive conduct are already punishable under existing laws.

- The Bill uses broad, undefined ideas such as emotional pressure, psychological pressure and economic pressure.

- There is no clear protection for parents, teachers, friends, religious ministers or ordinary conversations.

- Protection orders could be imposed without a criminal charge or conviction and could restrict how a parent speaks to or cares for their child.

- The Bill could make affirmation appear legally safer than careful exploration for those on the frontline - particularly when supporting children who do not conform to sex stereotypes and who may grow up to be lesbian, gay or bisexual.

WHAT TO DO

1. Oppose the Bill in its entirety.

2. Write to the Minister for Equalities setting out our concerns.

3. Make these concerns known to the Joint Committee scrutinising the Draft Bill and, once its call for evidence opens, submit them formally as written evidence.

4. Ask the Government to identify precisely which abusive acts are currently lawful and why existing offences cannot be used or amended.

MORE DETAILED QUESTIONS

- What specific abusive conduct remains lawful, and why can any genuine gap not be addressed by amending an existing offence?
- How can a parent know when advice, boundaries or refusal to pay becomes emotional or economic pressure?
- Why is there no explicit protection for parents and ordinary conversations?
- Why can a Conversion Practice Protection Order (CPPO) be imposed without a criminal conviction, what restrictions could it place on a parent, and what prevents tactical use in family disputes?
- Why does criminal law need an open-ended definition of transgender identity?
- Who will shape the standards used to judge clinicians, how will ideological capture be prevented, and how will exploratory therapy be protected?
- What assessment has been made of the effect on children who may grow up lesbian, gay or bisexual?

You might think this Bill only punishes serious harm

That threshold applies to conviction for the main offence. It does not remove the uncertainty created by undefined forms of pressure. Nor does it prevent complaints, investigations, safeguarding referrals, professional proceedings or applications for CPPOs. People will change their behaviour to avoid those risks, even if very few cases ever result in conviction.

Abusive practices involved in gay conversion therapy are already illegal

The Draft Bill asks courts to consider whether conduct involved sexual words or behaviour, violence or threats, controlling or coercive behaviour, economic pressure, or psychological or emotional pressure.

Much of the conduct usually associated with abusive gay conversion therapy is already prohibited under laws covering assault, sexual offences, coercive control, harassment, child abuse and public order. Relevant legislation includes the Offences Against the Person Act 1861, Public Order Act 1986, Protection from Harassment Act 1997, Sexual Offences Act 2003, Serious Crime Act 2015 and Domestic Abuse Act 2021.

Serious offences such as rape and grievous bodily harm already carry much heavier sentences than the maximum five-year prison sentence under this Bill. Where conduct amounts to one of those offences, it should be prosecuted as that offence.

QUESTION

What specific abusive conduct does this Bill make illegal that cannot already be prosecuted? Why has the Government chosen a broad new offence instead of filling any clearly identified gap in an existing law?

The Bill leaves ordinary people guessing what the law means

The Bill does not define psychological pressure, emotional pressure or economic pressure. Nor does it provide a complete definition of controlling or coercive words or behaviour. The court would decide whether conduct was abusive by looking at all the circumstances of each case.

Parents and professionals need to know before they act whether setting a boundary, refusing to pay for treatment, repeatedly offering advice, disagreeing with a declared identity or encouraging someone to accept their sex, or sexual orientation, could later be presented as abuse.

For the main criminal offence, the conduct must cause serious harm, or serious alarm or distress that has a substantial effect on ordinary day-to-day life. A court would ultimately decide whether that threshold had been met, but the allegation could depend heavily on how the child, young person or vulnerable adult describes their distress and its effects.

A child might say that having their phone removed, being denied money for private treatment, being prevented from socially transitioning or hearing repeated disagreement caused them to withdraw from family life, stop attending school, self-harm or experience worsening mental health. Ordinary protective decisions could therefore be presented as evidence of both distress and a substantial effect on daily life.

Additionally it does not prevent complaints, police enquiries, safeguarding referrals, professional investigations or applications for protection orders. Fear of those processes could change reasonable behaviour long before any case reaches trial.

QUESTION

How are parents, teachers and therapists supposed to know in advance when ordinary advice, disagreement or setting boundaries could be treated as emotional or psychological pressure? Will you ask the Government to define these terms clearly in the Bill?

How will the Bill prevent a child's distress at ordinary parental boundaries or disagreement from being used to characterise protective parenting as a criminal conversion practice?

There is no clear protection for ordinary conversations

The Government says legitimate support and religious expression should remain lawful. But the Bill contains no general exemption for parents, teachers, friends, pastoral workers, religious ministers, charities, support groups or ordinary expressions of opinion.

A person should be free to listen, ask questions, discuss sexual orientation, challenge sexist stereotypes and encourage someone to become comfortable with their body without having to calculate whether their words could later be described as emotional pressure.

LGB Alliance is opposed to coercion and its use in any misguided attempts to change someone's sexual orientation. We oppose this bill because it carries with it the very real risk of categorising any conversation that challenges or questions someone's self-declared gender identity as coercion.

QUESTION

The Bill contains no clear protection for ordinary conversations involving parents, teachers, friends, therapists or religious ministers. Will you tell the Minister and the Joint Committee that assurances outside the legislation are inadequate - and call for the Bill to be withdrawn because ordinary discussion, questioning and disagreement should never carry the risk of criminal investigation?

The Bill could punish parents for protecting their children

The Government has refused to place a parental exemption in the Bill. This leaves parents responsible for protecting their children while exposing their conversations, rules and decisions to a new legal risk.

Imagine a teenage girl who is attracted to other girls and comes to believe that she is a boy. Her parents may think that she needs time to explore her sexual orientation, discomfort with puberty, autism, trauma, or mental health. And to consider if she has been influenced by people without her best interests at heart, for example in chatrooms online. They may want to reassure her that girls are still girls no matter how they dress or behave, and some grow up lesbian.

If her parents affirm a male identity, they could help move a girl who might grow up lesbian towards life as a “heterosexual” boy and towards social and medical interventions. If they question that identity, restrict online access, decline to fund private treatment or encourage her to accept her sex, their conduct could be alleged to involve emotional, psychological or economic pressure intended to change a transgender identity.

The Bill does not itself give the state an automatic power to remove a child. But an allegation could lead to safeguarding referrals, local-authority involvement and family-court proceedings. In a serious case, existing child-protection law could then be used. That prospect will be frightening to cautious parents.

QUESTION

Will you tell the Minister and the Joint Committee that parents must remain free to question a child’s declared transgender identity, restrict harmful online influences and refuse private treatment without risking allegations of conversion practices - and call for the Bill to be withdrawn because it makes protective parenting legally dangerous?

Protection orders could be used without a conviction

The Bill creates Conversion Practice Protection Orders (CPPOs). These are civil orders. A person would not have to be prosecuted or convicted before an order could be imposed.

An application could be made by the person said to need protection, the police or a local authority.

Another person could apply with the court's permission.

A family court could make an order during existing proceedings, including a dispute between separated parents.

In an urgent case, an order could initially be made without the accused person being present.

The court could impose any prohibitions, restrictions or requirements it considered appropriate for protection.

Breaching an order without a reasonable excuse could lead to an unlimited fine or up to two years in prison.

A CPPO could therefore be used in a hostile custody dispute or following a safeguarding referral. A parent could face restrictions on conversations, contact, travel, treatment decisions, spending or access to particular people or services, depending on the terms chosen by the court.

QUESTION

Will you tell the Minister and the Joint Committee that no parent should face restrictions on contact with their child, family conversations or treatment decisions without being convicted of any offence - and call for the Bill to be withdrawn because its protection orders could turn an allegation into state control of family life?

The Bill could favour affirmation

The legal risks are not equal.

Take a girl who is attracted to other girls and believes she is a boy. If adults affirm that belief, they will describe her as a boy attracted to girls - in other words, as heterosexual rather than lesbian.

That could change how she understands her sexual orientation. Yet affirmation is unlikely to be treated as conversion because it supports her declared transgender identity.

If adults instead help her explore whether she might grow up lesbian, they could be accused of trying to change her transgender identity.

The Bill does not explain how sexual orientation and transgender identity should be weighed when they point in opposite directions. In practice, it makes affirmation the safer option, even where affirmation risks converting away the gay.

Parents, schools, therapists, social workers and charities may therefore conclude that immediate affirmation is the safest course for them, even where careful exploration would be better for the individual. That creates a powerful institutional bias.

Many children referred to gender services are same-sex attracted or may grow up to be lesbian, gay or bisexual. Some are autistic, distressed by puberty, affected by trauma or struggling with mental health. They need time and freedom to understand themselves. The law should not make adults afraid to tell them that it is OK to be gay.

QUESTION

Will you tell the Minister and the Joint Committee that the Bill makes it legally safer to affirm a transgender identity than to help a young person explore whether they might grow up lesbian, gay or bisexual - and call for the Bill to be withdrawn because it risks conversion of gay people to an understanding of themselves as trans?

The Bill puts lesbian, gay and bisexual people at a disadvantage

For sexual orientation, the Bill uses the established Equality Act definition: attraction to people of the same sex, the opposite sex or both sexes.

For transgender identity, it creates a much broader and open-ended definition. It includes gender reassignment, being transsexual, identifying as neither male nor female, or identifying as not solely male or female. The Bill says the circumstances covered are not limited to those examples.

This creates unequal protection. Sexual orientation is tied to a person's sex and the sex of the people to whom they are attracted. Transgender identity can include a much wider and potentially expanding range of personal identities.

The Bill does not explain what should happen when the two come into conflict. A girl who is attracted to girls could be treated as a lesbian under the sexual-orientation definition, but as a heterosexual boy under the transgender-identity definition. Helping her consider whether she might grow up lesbian could then be portrayed as an attempt to change her transgender identity.

This puts children who do not conform to sexist stereotypes - and who may grow up lesbian, gay or bisexual - at particular risk. The broad protection given to transgender identity could make adults afraid to discuss their sexual orientation or help them become comfortable with their sex.

QUESTION

Why does the Bill give an open-ended transgender identity greater practical protection than the clearly defined sexual orientations of lesbian, gay and bisexual people? Will you tell the Minister and the Joint Committee that this inequality places LGB people at risk - and call for the Bill to be withdrawn?

Detransitioners could be silenced

A growing number of detransitioners, including lesbian, gay and bisexual detransitioners, are speaking about medical interventions they now regret. Some support people who are questioning transition and encourage them to explore other explanations for their distress.

Recounting a personal experience would not by itself satisfy the criminal offence. The danger arises when a detransitioner speaks directly to or supports a particular person. Their words could be alleged to show an intention to change a transgender identity and to involve emotional or psychological pressure. An accusation or application for a CPPO could be enough to deter individuals and support groups from helping others.

QUESTION

Will you tell the Minister and the Joint Committee that detransitioners must remain free to support people who are questioning transition without risking allegations, protection orders or criminal investigation - and call for the Bill to be withdrawn because it could silence the very people whose experience might prevent others from suffering irreversible harm?

Organisations and their leaders could be prosecuted

The Bill applies to companies, charities, partnerships and unincorporated organisations. Directors, managers, trustees and similar officers could face personal criminal liability if they authorised, permitted or participated in an offence, or failed to take all reasonable steps to prevent it.

This could affect counselling services, LGB organisations, parent groups, religious organisations and detransitioner support groups. Risk-averse trustees and insurers may restrict what staff, volunteers and members are allowed to say.

QUESTION

Will you tell the Minister and the Joint Committee that charities, LGB organisations, parent groups and detransitioner services must remain free to support people and express lawful views without their trustees or managers risking prosecution - and call for the Bill to be withdrawn because it could force whole organisations into silence?

Adults and vulnerable adults are affected too

The Bill is not limited to children. It could affect adults seeking exploratory therapy, people considering detransition, people under pressure from partners or online communities, and lesbian, gay or bisexual adults seeking help to accept their sexuality.

Adults should be able to ask for support that helps them question a transgender identity or reconcile with their sex. The law should not make willing conversations dangerous for the person providing that support.

QUESTION

Will you tell the Minister and the Joint Committee that adults and vulnerable adults must remain free to seek support that helps them question transition, reconcile with their sex or accept that they are lesbian, gay or bisexual - and call for the Bill to be withdrawn because it could deny them the conversations and help they actively want?