| **Draft your answers in your own words in the grey boxes, and then cut and paste them into the online consultation form.**<https://equalityhub.citizenspace.com/government-equalities-office/banning-conversion-therapy/consultation/intro/> It will take at least an hour to complete the survey. |
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**Do you agree or disagree that the Government should intervene to end conversion therapy in principle? (We said: somewhat agree)**

**This question is not one of the numbered “consultation questions” in the** [**list of questions**](https://www.gov.uk/government/consultations/banning-conversion-therapy/annex-a-consultation-questions)**. The government has said that this consultation is about how, not whether, to ban conversion therapy, so we fear this question will be used as a filter: respondents who answer “disagree” may have the rest of their answers discounted in the analysis. That’s why we suggest answering “somewhat agree”. That answer is accurate, because we regard surgical or hormonal “transition” as a form of conversion, and we think that such physical conversion of children needs to be strictly controlled.**

**Explain your answer:**

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This is an opportunity to explain why the government’s proposed approach to banning conversion therapy is misdirected and risks having the opposite effect to its intention: that it will lead to more gay children being told that something is wrong with them, and that they require social and physical conversion, which will prevent them having a fulfilling adult sex life and relationships.You can share your personal perspective and experience - for example as a parent, someone who works with children or vulnerable people, or because of other life experiences.

**Points you may wish to make:**

* The UK is a largely secular country where religion is declining in influence over how people live their lives. The focus on religious conversion therapy should not be used to bring in a law encouraging physical conversion, which is currently the fastest-growing form of conversion of children - undertaken in schools, charities and the mainstream healthcare system.
* Sexual orientation and being transgender/transitioning are not the same. They should not be bundled in the same legislation concerning treatment pathways for children and vulnerable people.
* The rapid rise in young people identifying as transgender and seeking medical treatment requires a sensitive evidence-based approach, not threats to criminalise parents, teachers and therapists.

**CONSULTATION QUESTIONS**

**Question 1: To what extent do you support, or not support, the Government’s proposal for addressing physical acts of conversion therapy? (We said: strongly not support.)**

**​​**

**Explain your answer:**

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**Points you might wish to make:**

* Physical and sexual abuse are already crimes under English and Welsh law.
* Hate crime legislation already requires that courts treat a crime more seriously if it is perceived by the victim, or any other person, to be motivated by hostility or prejudice, based on a person’s sexual orientation or perceived sexual orientation, or transgender identity or perceived transgender identity.
* This can already be used as an aggravator for conversion-related assault or other criminal acts.

**Question 2. 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 a new criminal law to this end. How far do you agree or disagree with this? (We said: strongly disagree.)**

**Question 3: How far do you agree or disagree with the penalties being proposed?** **(We said: strongly disagree.)**

**Question 4: Do you think that these proposals miss anything?** **(We said: yes.)**

**Explain your answer:**

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**Points you might want to make:**

This is the most important section of the consultation for the protection of parents, therapists, clinicians, teachers, social workers and other professionals working with children and young people, and consequently for the protection of children themselves. Put your long answer to question 2, 3 and 4 here

**Points you might wish to make:**

**In general**

* The government is right to want to protect therapists and other healthcare staff who are providing legitimate support to children with gender dysphoria, but it is not clear how this legislation will do that.
* The proposed approach to protecting therapists depends on a child or vulnerable person presenting as “questioning”. If a child or vulnerable person identifies as transgender, therapists could be threatened with criminal penalties if they do not affirm this identity, and fewer would be willing to work with children with gender issues.
* Social transition often comes before a child has had any formal assessment or therapy, and is a significant step. Schools are making the decision to transition children, often without parental consent. The proposed legislation would threaten schools, teachers, youth workers and others who work with children if they don't agree to affirm children as the opposite sex.

**On penalities:**

* The legislation risks criminalising therapists, social workers, teachers, youth workers and parents for acting in the best interests of individual children.
* The urgent problem for the growing number of children and young people with gender issues is the lack of thoughtful mental health care which considers the whole child in all their complexity.
* Threatening therapists and counsellors with prosecution would further reduce the number of professionals willing to see such children, and result in them being funnelled into waiting lists for medical transition

**On things missing:**

* The proposal lacks evidence and clarity in the definition of conversion therapy.
* It will have adverse unintended consequences, in particular pressure to socially transition children, leading to greater pressure for medical transition.
* The government should wait for the recommendations of the Cass Review before passing any legislation affecting the treatment of children and young people.

**Question 5: 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?** **(We said: Somewhat agree.)**

**Explain your answer:**

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**Points you might want to make:**

* The Ofcom code states that material that might seriously impair the physical, mental or moral development of people aged under 18 must not be broadcast.
* Broadcasters should be aware that transition (including social transition) is a significant medical step and should not be promoted as uncomplicated, or as a panacea.
* Programmes that equate not conforming to gender stereotypes about dress, hair, make-up and hobbies with being trans are irresponsible. Particular care should be taken with storylines and advocacy that use suicide as a threat.

**Question 6: Do you know of any examples of broadcasting that you consider to be endorsing or promoting conversion therapy?**

**Explain your answer:**

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Examples include: *100 genders* (BBC Teach), *I am Leo* (CBBC), *Just a Girl* (CBBC), *First Day* (CBBC), *Butterfly* (ITV), *Transitioning Teens* (BBC3)

**Question 7: 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?** **(We said: Somewhat agree.)**

**Explain your answer**

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**Points you might want to make:**

* The Advertising Standards Agency recognises that: “children and young people are vulnerable to body image pressures and negative body image perceptions are prevalent amongst those groups, which can have an impact on their self-esteem, wellbeing, mental health and behaviours.”
* The Committee for Advertising Practice (CAP) gives guidance against trivialising surgery and says that “marketers should ensure that cosmetic surgery ads do not exploit the insecurities of children, young people and vulnerable groups”.
* New rules being introduced in 2022 will ban cosmetic surgery clinics from targeting adverts at under-18s. The ASA should be aware of advertising (including social-media influencers) encouraging young women to have breast removal (so called “top surgery”), and for gender transition in general.

**Question 8: Do you know of any examples of advertisements that you consider to be endorsing or promoting conversion therapy?**

**Explain your answer**

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Examples include: The cosmetics company Lush is currently promoting “chest binders”, The Starbucks 2020 ad campaign #WhatsYourName together with Mermaids.

**Question 9: 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?** **(We said: Somewhat disagree.)**

**Question 10: To what extent do you agree or disagree with our proposals for addressing this gap we have identified? (We said: Somewhat disagree.)**

**Explain your answer:**

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**Points you might want to make:**

* Giving charities and teachers the power to apply for such an order could result in oppressive court orders, preventing parents from travelling abroad or to live in another country with their children.
* This would interfere with the freedom of parents to bring up their children as they see fit.
* Proving that the intention was to seek out conversion therapy for gender identity would often be impossible.

**Question 11: 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?** **(We said: Strongly disagree.)**

**Explain your answer:**

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**Points you might want to make:**

* The proposal is for “conversion therapy” to be triable as a summary offence by a magistrate. This is a low level to disqualify someone from serving as a trustee or senior manager.
* The definition of “conversion therapy” being proposed is political and is likely to be used to put pressure on charities to affirm the gender identity of young people.

**Question 12: 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?**

* **Police:** **(We said: Neither agree or disagree.)**
* **Crown Prosecution Service: (We said: Neither agree or disagree.)**
* **Other statutory service: (We said: Neither agree or disagree.)**

**Explain your answer:**

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**Points you might want to make:**

* The term “conversion therapy” has not been sufficiently clearly defined to allow this judgment to be made.
* The police, the CPS and other statutory services should not be given leave to interfere with family life on the basis of such a nebulous concept.

**Question 13: To what extent do you agree or disagree that the following organisations are providing adequate support for victims of conversion therapy?**

* **Police:** **(We said: Neither agree or disagree.)**
* **Crown Prosecution Service: (We said: Neither agree or disagree.)**
* **Other statutory service: (We said: Neither agree or disagree.)**

**Explain your answer:**

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**Question 14: Do you think that these services can do more to support victims of conversion therapy?** **(We said: Prefer not to say.**)

**Explain your answer**

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**Points you might want to make:**

No evidence has been provided on the extent of conversion therapy.

**Question 15: Do you have any evidence on the economic or financial costs or benefits of any of the proposals set out in the consultation?** **(We said: No.)**

**Explain your answer:**

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**Question 16: 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?**

**Explain your answer:**

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Points you might wish to make: Key groups with protected characteristics under the Equality Act affected by this legislation are likely to include:

* people with autism (disability);
* children (age);
* members of certain faith groups (religion or belief);
* therapists/teachers/parents with gender-critical views (religion or belief);
* gender-dysphoric people (gender reassignment);
* gay men and lesbians (sexual orientation).

If you have specific experience or evidence about any of these groups you can include it in this section and make the point that this should be included in an equality impact assessment.

Once you are happy with your answers, don’t forget to go to

<https://equalityhub.citizenspace.com/government-equalities-office/banning-conversion-therapy/consultation/intro/> and upload them **before 10:45 pm on 10 December.**

You can also tell us about it [here.](https://us7.list-manage.com/survey?u=46a58c952648fba2a6ace567d&id=fc7cc6c2be&attribution=false)