

Northern Ireland Assembly votes hypothetically for 'conversion therapy' ban

Dr. Carys Moseley, Public Policy Researcher
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Dr Carys Moseley comments on the recent motion brought forward in the Northern Irish Assembly, proposing to ban so called 'conversion therapy'.

On Tuesday, two politicians from the Ulster Unionist Party (UUP) proposed a private members' motion¹ in the Northern Ireland Assembly calling for a 'conversion therapy' ban. You can watch the entire debate here² (it starts 2 hours in). The text of the motion read as follows:

"That this Assembly rejects the harmful practice widely referred to as conversion therapy; notes that the UK Government National LGBT Survey in 2018 reported that 2% of respondents had undergone conversion therapy with a further 5% having been offered it; acknowledges the damage this practice causes to the mental health of those who are subjected to it; further acknowledges that this practice has been widely rejected by medical professionals; declares that it is fundamentally wrong to view our LGBTQ community as requiring a fix or cure; and calls on the Minister for Communities to commit to bringing forward legislation before the end of the current Assembly mandate to ban conversion therapy in all its forms."

The motion was passed by 59 votes to 24. This gave the green light for the Minister for Communities to continue the work of drafting a law for Northern Ireland.

Amendment to protect religious activities defeated

The DUP tabled an amendment to the motion which called for protections for "legitimate religious activities such as preaching, prayer and pastoral support." It claimed that these do not qualify as 'conversion therapies'.

Political opponents complained about the DUP amendment as it removed the line from the motion which said that it is wrong to consider the LGBTQ population as needing 'a fix or cure'. The DUP amendment was defeated.

LGB and T – how would this work?

The debate showed up the usual incoherence of the 'conversion therapy' debate. On the one hand the target was 'gay conversion therapy'. On the other politicians spoke about protecting 'the LGBTQ community'. It is as if they were deliberately ignoring the highly complex debate in the rest of Britain, particularly in England and Wales, about how gender identity problems should be treated. Why would this be?

Transgender ideology came to Northern Ireland quite late, and the transgender movement is tiny there. It could not really survive without the LGB movement. Stonewall has no independent presence in Northern Ireland; the head of Stonewall in Scotland also covers Northern Ireland. Amnesty International, which supports a 'conversion therapy' ban in Northern Ireland, joined with Liberty last year to complain about the High Court judgment restricting the administration of puberty blocking drugs³. If a 'conversion therapy' ban comes to Northern Ireland we can expect puberty blockers to be freely available there.

Will questioning sexuality be criminalised?

Given that the motion spoke of 'the LGBTQ community', it is worth asking how the proposed ban would affect those who consider themselves as 'Q', as in 'questioning' their sexuality. If a ban is to 'protect the LGBTQ community', is it going to protect the questioning from their inclination to question their sexuality?

Pam Cameron, a DUP politician said this:

"We are concerned at the absence of any clear or evidence-based definition of conversion therapy contained anywhere within the motion. There is a risk that such ambiguity, if translated into legislation, would criminalise legitimate activities or conversations. We want to avoid unintended and unjustified consequences."

Ban could lead to criminalising gay-affirmative therapy

Arguably the scope of what counts as 'legitimate activities and conversations' is even wider than this. The DUP referred to religious

practices, and is itself traditionally a socially conservative party supported by Christians. However, terminology such as 'legitimate activities and conversations' can be used by anyone for any purposes.

In reality, a ban on 'gay conversion therapy' could lead to that legal framework being used to criminalise other types of therapy currently deemed legitimate. If, in future, elite and public opinion turns against homosexuality, the legal framework could be used to criminalise gay-affirmative therapy instead. There are some in the UK government who understand this. In January 2014 Geraint Davies MP for Swansea West called for a ban. Dr Daniel Poulter, the Parliamentary Under-Secretary of State for Health, replied thus⁴:

"The issue is – it is an important issue and he should listen to this – that 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."

Legislating about our sense of self

Sinn Féin went further in its reasoning on homosexuality. Sinn Féin MLA Sinéad Ennis had this to say: "There is no cure required for being yourself, and you do not need to be fixed, because you are not broken." The implication here is that the law should protect someone's psychological sense of self.

The question here is, what about some people's sense of self as men or women experiencing same-sex attraction they do not want? Why is this being undermined? The sense of men and women having been created for each other as male and female is being attacked. For example, a man or woman who is married to a member of the opposite sex might struggle with temptation toward the same sex. In today's culture they would be encouraged to accept that they are 'really' gay or lesbian and act accordingly by ending the marriage. A door is being opened to deny therapy to anybody and everybody on the basis of belief that male-female biological complementarity is true and right. Sexual identity becomes more protected in law than biological identity.

Legislating 'born gay' theory

This creeping trend towards legislating for people's sense of self links to the statements made at the start of the debate⁵ by Doug Beattie, the UUP politician who helped table the motion. He said this:

"I'm a straight man, I was born straight, there is no fix or cure for me. There is no therapy that will make me a gay man. So why on earth would we say that a gay man wasn't born that way? Why would we say that a gay man can be fixed or cured? Why can we say there is a therapy to change a gay man into a straight man? There isn't. It is ludicrous."

There are several problems with these words. First of all, they assume that 'straight' and 'gay' are equivalents when they are not. Heterosexual attraction is rooted in the complementarity and design of human beings as male and female, and is linked to procreation. Homosexual attraction is not rooted in human biology. As such it cannot be equivalent to heterosexual attraction. Second, Beattie assumes that no therapy can make him gay. The real purpose of saying this is to deny that anything at all can make it more likely that someone will develop same-sex attraction. In reality this denies a great deal of evidence, but he clearly isn't interested in discussing that. The obvious intent is to assume a straight/gay equivalence to legislate for the latter as a natural, inherent protected characteristic that should not be subject to modification.

Criminalising preaching and prayer

Concern was also raised about the effect on normal Christian practices. Jim Allister, the leader of the Traditional Unionist Voice, said LGBT activists had two goals: criminalising preaching and criminalising prayer.

He said that they want to "criminalise preaching in accordance with the sexual ethics that are set forth in holy scripture... They want to criminalise praying. Where there has been legislation, that's exactly what happened." Jim Allister is right. This is what has happened in Victoria, Australia⁶. It seems that Northern Irish politicians are looking to the Victoria law as a model to follow.

Why target Northern Ireland?

LGBT activists are annoyed that the UK government is not moving forward strongly on

this issue for England and Wales. They are furious that Boris Johnson wrote a response to the Evangelical Alliance UK saying the government would not criminalise religious activities⁷. In their eyes the government should not talk to orthodox Christians at all on this issue. So why are LGBT activists pushing hard in Northern Ireland, given that a ban there would not affect the rest of the UK?

Activists are targeting Core Issues Trust⁸, a Christian charity offering counselling for people with unwanted same-sex attraction. Core Issues Trust operates across the UK and is constantly accused of conducting 'conversion therapy'. If activists can criminalise 'conversion therapy' they have more chance of shutting down Core Issues Trust. In addition, by winning Northern Ireland they can claim that a Christian jurisdiction voted for a ban, as happened with Malta⁹. Finally, activists hope that if a ban goes through in Northern Ireland, this will put pressure on Westminster to pass

one for England and Wales, and on Holyrood to pass one in Scotland.

Cracks in the edifice of the proposed ban

As we have seen, there are lots of cracks in the edifice of Tuesday's motion to ban 'conversion therapy'. Northern Irish politicians have for the most part not shown support for religious freedom or free speech. They have not heeded all the considerations about treating gender problems, those questioning their sexuality, preaching and prayer. Westminster has considered these kinds of things in the recent past. However, Westminster has not promised to protect counselling and therapy as such. If Northern Ireland criminalises 'conversion therapy', pressure will mount for Westminster to sideline such concerns among others to placate LGBT activists. Neither Northern Ireland nor Westminster has good reason to do so.

¹ <https://www.belfasttelegraph.co.uk/news/politics/uup-bid-to-ban-conversion-therapy-in-northern-ireland-passes-assembly-vote-40335283.html>

² <https://www.youtube.com/watch?v=VK3us9cpA4U&t=7420s>

³ <https://www.amnesty.org.uk/press-releases/amnesty-international-uk-and-liberty-joint-statement-puberty-blockers>

⁴ https://publications.parliament.uk/pa/cm201314/cmhansrd/cm140114/debtext/140114-0001.htm#140114-0001.htm_snew73

⁵ <https://www.belfastlive.co.uk/news/belfast-news/gay-conversion-therapy-motion-debated-20430127>

⁶ <https://www.christian.org.uk/news/prison-for-praying-under-new-aus-state-conversion-therapy-ban/>

⁷ <https://www.eauk.org/news-and-views/letter-of-response-from-the-prime-minister-regarding-our-calls-to-end-conversion-therapy>

⁸ <https://www.core-issues.org/>

⁹ <https://slate.com/human-interest/2016/12/malta-bans-ex-gay-conversion-therapy.html>