

Welsh pastors at risk of prosecution from ‘conversion therapy’ ban

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First Published by Christian Concern: September 3rd, 2021

Dr Carys Moseley comments on a new report by the Welsh government which admits that pastors and religious leaders could be at risk of prosecution for disagreeing with LGBT ideology.

The Welsh Government has admitted that Welsh pastors are at risk of prosecution from its proposals to ban ‘conversion therapy’ in Wales. This extraordinary admission is written in its recently published Equality Impact Assessment for the current consultation on its LGBTQ+ Action Plan for Wales¹. The closing date for this consultation is 22 October and we will be providing guidance on responding to it in due course.

Pushing criminalisation of pastors

The Equality Impact Assessment² says this on page 8:

“A proposal within the draft plan to ban conversion therapy practices may restrict religious freedoms and place faith leaders at risk of prosecution.”

As Wales does not have power over the criminal law, we must ask how this would work practically. It cannot make criminal law. So, what could this mean? First, it is possible that this is anticipating that Westminster will pass a law criminalising ‘conversion therapy’. In reality, the UK government has not published its consultation on this yet, and there is no guarantee that it will end up drafting a criminal ban.

Thus, we must take seriously the second possibility, which is that the Welsh Government wants people to be able to report faith leaders to the police for ‘hate incidents’.

Pushing ‘LGBTQ+ inclusion’ in faith communities

The reason for this risk is given in the Integrated Impact Assessment on the LGBTQ+ Action Plan. The section on Religion and Belief says this³:

“The LGBTQ+ Action Plan sets out our ambition to be the most LGBTQ+ inclusive country in Europe. This means we must pursue systemic

cultural change and progress in creating an LGBTQ+ inclusive Wales. LGBTQ+ people have the right to be feel safe at home, in school, in the workplace and in the wider community. This includes supporting faith communities to be inclusive of LGBTQ+ people.”

The Welsh Government does not have direct powers over matters of human rights such as religious freedom, so it is clearly pushing the envelope here in offering ‘support’ for those who would attack orthodox Christianity. It should really maintain a neutral stance.

Heretical clergy’s work as basis for restricting religious freedom

The text goes on to acknowledge the role of ‘faith leaders’ in promoting ‘LGBTQ+ inclusion’, ie. heresy. (It is highly likely that this refers to liberal clergy in Christian denominations.) This is extremely important because it is used as the justification for restricting the right to manifest a religious belief when it does not support such ‘inclusion’.

“The LGBTQ+ Action Plan intends to take an intersectional approach and build on the existing work of faith leaders in Wales to promote LGBTQ+ inclusion and support many LGBTQ+ people to express their own faiths or beliefs. The draft LGBTQ+ Action Plan may affect matters concerning freedoms of expression on the grounds of belief and faith. However, while the right to hold a belief is absolute, the right to manifest a religious or philosophical is a qualified one. The draft plan’s interference with the latter may be necessary in a democratic society in the interest of public safety, health or morals, or protecting the rights and freedoms of others.”

This language echoes that of the European Convention on Human Rights, and shows that the Welsh Government believes that what it calls ‘conversion therapy’ is harmful. This is clear from the Equality Impact Assessment, page 8 of which quotes the

report on 'conversion therapy'⁴ by the UN's Independent Expert on LGBT issues, which was published last year. I criticised this report last year⁵ and attended its launch with numerous Christian ex-LGBT people.

Welsh Government hypocrisy about 'dialogue'

These impact assessments were only published on 31 August, over a month after the consultation itself was opened on 28 July. The LGBTQ+ Action Plan was published along with the consultation. When we compare that to the impact assessments, a glaring inconsistency appears.

The Action Plan lists numerous actions that are proposed as policies. Action 27 says this⁶:

"Examine how we can provide support to faith groups to create open and accessible environments for LGBTQ+ people, and to promote inter-community dialogue." [page 12, Advancing LGBTQ+ Equality: LGBTQ+ Action Plan for Wales]

Here the Welsh Government wants to promote 'dialogue' between communities, presumably between the 'LGBTQ+ community' and 'faith groups'. Now, as of 31 August, it admits that faith leaders who refuse to bow down to this agenda could be at risk of prosecution. In other words, if you do not agree to participate in the (perhaps enforced) 'dialogue' in exactly the way the Welsh Government wants, you will be reported to the police.

Stonewall's Welsh connections show anti-Christian hostility

Perhaps none of this is surprising given that the Welsh Government handed control of its Transgender Action Plan to Stonewall last summer⁷. Upon reading, it is evident that this LGBTQ+ Action Plan is heavily biased towards transgenderism and is really an extension of the Transgender Policy. It is perhaps relevant here that Stonewall's former CEO Ruth Hunt, responsible for steering it towards transgender politics, is from Wales⁸. Hunt, a practising Roman Catholic, was responsible for much of Stonewall's work attempting to distort theology and ethics in the Christian denominations.

Also from Wales was former chair of Stonewall David Isaac⁹, under whom Stonewall massively expanded its Diversity Champions Programme¹⁰ and ran the 'Bigot of the Year

Award'¹¹ which targeted Christian and Jewish public figures for vilification. Lastly, Stonewall supported the successful lawsuit in 2007-8 by John Reaney¹², a former youth worker, against the Anglican Bishop of Hereford, claiming unfair dismissal on grounds of sexual orientation. Reaney then became a youth worker in the Church in Wales, only to be imprisoned in 2016 for soliciting a 14-year old boy on Grindr¹³. Thus, the idea that in Wales, the Welsh Government – in reality steered by Stonewall – is going to facilitate 'dialogue' with faith groups is disingenuous and implausible.

Could consultation responses be reported to the police?

Over the summer, gender-critical activists in Wales and beyond spotted a serious problem with the introductory page to the consultation. Originally it included this paragraph under the heading 'What we want from you'¹⁴:

"We will not tolerate hateful comments about a person's sexual orientation, gender identity, race, religion or disability and any responses that contain hate speech will be passed to the authorities."

It is highly unusual for a public consultation to include such a threat. Clearly 'the authorities' means 'the police'. Lawyers on Twitter started discussing what possible legal justifications there could be for this. A few weeks later, it was discovered that the Welsh Government had quietly changed the wording by saying responses needed to be 'lawful' and cited the Public Order Act and the Malicious Communications Act¹⁵ in relation to hate crime. This time no mention was made of referring 'offensive' responses to the police, however both the Public Order Act and the Malicious Communications Act are criminal law statutes and thus reporting responses to the police is precisely what would be involved if civil servants believed they had broken the law.

Pre-empting change in hate crime law

We must ask why the Public Order Act was referenced as a source here, given that it does not cover email communications. The Law Commission's recent consultation on changing hate crime law in England and Wales proposed that the Public Order Act should be amended to restrict free speech online¹⁶ (under 'inflammatory material'). The Law Commission has yet to publish its own

response to the public responses, and the UK government has therefore not yet said anything on the matter. Clearly this proposal would pose a threat to Christian freedom to teach sexual ethics in our current culture.

A former judge recently criticised the Law Commission for its reliance on Stonewall in formulating the Law Commission consultation¹⁷, saying that Stonewall should not be allowed to play the role of consultant and consultee at the same time. This seems to be what is going on with the Welsh Government's consultation. Has the Welsh Government, advised by Stonewall, anticipated a change in hate crime law to amend the Public Order Act? In so doing it is arguably misleading the public about the law on free speech. We must also ask whether citing hate crime law is not simply a tactic for intimidating those intending to submit critical responses, as the law on hate crime is often misunderstood and easily misinterpreted.

How independent is the Independent Expert Panel?

Along with the consultation documents the Welsh Government has published a list of recommendations from its Independent Expert Panel on LGBT issues. Panel members' close ties to Welsh public institutions raise questions about its independence however. Several members work for organisations already funded by the Welsh Government. Stonewall Cymru, Pride Cymru, NHS Wales, Cardiff University and Swansea University are all represented and all receive Welsh Government funding. The Welsh Government is a member of the Stonewall Diversity Champions Programme, as are Cardiff and Swansea Universities.

This means that, like in Scotland, the Welsh Government is funding the bodies that are now represented on its 'Independent' Expert Panel, which are calling for a 'conversion therapy' ban. The same problem was true of the UK government's LGBT Panel. This is not real independence from government.

LGBT Independent Expert Panel members attack women

The full list of the Welsh Government's Independent Expert Panel on LGBT issues is published at the end of the document of recommendations for the consultation¹⁸. As we go through the list, we can see many serious problems arising. Lu Thomas is listed as an

independent, but was chair of Pride Cymru¹⁹, which receives Welsh Government funding²⁰. Her Twitter feed is rather troubling. Here she is branding gender-critical women as 'TERFs'²¹ ('Trans-Exclusionary Radical Feminists')— a term that she may not realise was coined by an American sex offender to stigmatise women who campaign to keep single-sex protections in law. Thomas led Pride Cymru's protest against a gender-critical event²² run by Woman's Place booked for Hotel Mercure in Cardiff in 2018. In response Hotel Mercure cancelled the booking and Woman's Place ended up using another venue. Thomas is very clearly biased against those who would protect sex-based rights.

Similarly obnoxious name-calling has been dished out towards gender-critical women by another panel member, Kate Hutchinson. Hutchinson²³ is a male-to-female transgender who is also a director of Pride Cymru, helps run Pride in Wrexham and Chester, and used to run a group called Wipe Out Transphobia. Should the Welsh Government listen to people who behave in this manner?

Blatant cronyism

To add to the sheer cronyism involved, another Pride Cymru director, Lisa Cordery-Bruce from NHS Wales²⁴, is also a panel member. The other members of the panel are Dr Sophie Quinney, who runs Trans Health Services and is praised by the now infamous Helen Webberley²⁵; Cath Burton, chair of trustees of transgender children's charity GIREs²⁶; Professor Emma Renold from Cardiff University²⁷, who chaired the Welsh Government working group on RSE, and three members of Glitter Cymru²⁸, a BAME LGBT group, Ourania Vamvaka Tatsi, Rahim el Habichi, Numair Masud. Last but not least, Belinda Davies, former regional commander for South Wales Police²⁹, is on the panel. One has to ask why a former police officer is involved.

All of this adds up to a deeply troubling picture of blatant cronyism on the part of the Welsh Government. To cap it all, Lu Thomas co-runs a consultancy company called Re: Cognition³⁰ with Jon Luxton, yet another director of Pride Cymru and a true believer that 'trans women are women'³¹. That company frequently does work for the Welsh Government. For example, its website reveals that it did work for the Welsh Government on public engagement on the RSE curriculum. Is

this not all rather too close for transparency and integrity to prevail?

Welsh pastors need to wake up and take a stand

This massive overreach was not entirely unforeseeable. Back in March, I pointed out that correspondence with Jane Hutt, the Deputy Chief Minister, showed that the Welsh Government was looking at ways to ban 'conversion therapy'³² within areas of its own competence, whilst looking for Westminster to pass a criminal ban. These are Stonewall's wishes. It is also telling that the document of recommendations provides no verifiable evidence of 'conversion therapy' in Wales³³. Rather it infers from a Stonewall report

relaying hearsay by NHS staff that it must be going on.

The long and short of all this is that the process for this Welsh Government consultation cannot be trusted. The consultation involves an attack on religious freedom and single-sex rights, threatening to send responses to the police, spreading confusion about the law, and sheer cronyism. It is a perfect illustration of tyranny and nascent totalitarianism and has Stonewall's fingerprints all over it. Welsh pastors need to wake up and realise that they could be at risk of prosecution simply for faithfully doing their work. It is time to stand up and push back for the Kingdom of God.

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- ¹ <https://gov.wales/lgbtq-action-plan>
 - ² <https://gov.wales/sites/default/files/consultations/2021-08/lgbtq%2B-action-plan-equality-impact-assessment.pdf>
 - ³ https://gov.wales/sites/default/files/consultations/2021-08/lgbtq%2B-action-plan-integrated-impact-assessment_0.pdf
 - ⁴ <https://gov.wales/sites/default/files/consultations/2021-08/lgbtq%2B-action-plan-equality-impact-assessment.pdf>
 - ⁵ <https://christianconcern.com/comment/un-expert-report-demands-conversion-therapy-bans-worldwide/>
 - ⁶ <https://gov.wales/sites/default/files/consultations/2021-07/lgbtq%2B-action-plan.pdf>
 - ⁷ <https://christianconcern.com/comment/stay-alert-to-trans-tyranny-at-all-levels-of-authority/>
 - ⁸ https://en.wikipedia.org/wiki/Ruth_Hunt,_Baroness_Hunt_of_Bethnal_Green
 - ⁹ <https://publications.parliament.uk/pa/jt201516/jtselect/jtrights/648/64812.htm>
 - ¹⁰ https://en.wikipedia.org/wiki/Diversity_Champions
 - ¹¹ https://en.wikipedia.org/wiki/Stonewall_Awards
 - ¹² <http://news.bbc.co.uk/1/hi/wales/7234617.stm>
 - ¹³ <https://www.dailypost.co.uk/news/north-wales-news/john-reaney-tory-grindr-jail-12110146>
 - ¹⁴ <https://web.archive.org/web/20210729101024/https://gov.wales/consultation-lgbtq-action-plan-html>
 - ¹⁵ <https://gov.wales/consultation-lgbtq-action-plan-html>
 - ¹⁶ <https://christianconcern.com/action/tell-the-law-commission-to-ditch-proposals-to-extend-hate-crime-law/>
 - ¹⁷ <https://policyexchange.org.uk/wp-content/uploads/Hostility-crime-and-the-Law-Commission.pdf>
 - ¹⁸ https://gov.wales/sites/default/files/consultations/2021-07/recommendations-of-the-independent-lgbtq%2B-expert-panel_0.pdf
 - ¹⁹ <https://uk.linkedin.com/in/lu-thomas-bb61004a>
 - ²⁰ <https://gov.wales/the-welsh-government-announces-new-support-package-pride-part-ambitious-plans-make-wales-most-lgbtq>
 - ²¹ <https://twitter.com/genderisharmful/status/1423762104209887237>
 - ²² <https://www.walesonline.co.uk/news/wales-news/transgender-supporters-stage-protest-womens-14525090>
 - ²³ <https://twitter.com/katieloukhaos?lang=en>
 - ²⁴ <https://find-and-update.company-information.service.gov.uk/company/07217979/filing-history>
 - ²⁵ <https://www.gendergp.com/to-treat-or-not-to-treat-when-doctors-put-politics-before-patients/>
 - ²⁶ <https://www.gires.org.uk/about-us/gires-trustees/>
 - ²⁷ <https://www.cardiff.ac.uk/people/view/38095-renold-emma>
 - ²⁸ <https://web.archive.org/web/20200426064105/https://gaysians.org/Glitter-Cymru>
 - ²⁹ <https://www.bbc.co.uk/news/av/uk-wales-45309450>
 - ³⁰ <https://www.recognition.wales/>
 - ³¹ <https://twitter.com/JonLuxton/status/1281268036536864768>
 - ³² <https://christianconcern.com/comment/criminalising-conversion-therapy-will-backfire/>
 - ³³ https://gov.wales/sites/default/files/consultations/2021-07/recommendations-of-the-independent-lgbtq%2B-expert-panel_0.pdf