



Government Equalities Office

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Rt Hon Caroline Nokes MP
Chair of the Women and Equalities Committee

By email to: womeqcom@parliament.uk

20 December 2021

Dear Caroline,

Thank you for your letter of 9 December outlining your Committee's initial response to the Government's proposals to ban so-called 'conversion therapy' practices and outlining areas where you would like further detail on our approach.

As I wrote in my letter also on 9 December, I was grateful for the opportunity to give verbal evidence to the Committee on 30 November 2021 and for your Committee's continued engagement with this policy.

I am acutely aware of the range of views held by stakeholders, including those expressed by the witnesses who gave evidence on 24 November. The Government understands the importance of ensuring our legislation implements an effective and proportionate ban. To support this, the Government Equalities Office has engaged with a wide range of groups from different sectors, including those with expertise on healthcare, criminal justice, faith, LGBT, and wider advocacy issues, both during the consultation and prior to this, since 2018. This engagement is something I am also personally committed to and since taking up my position in September, I have met with a number of key stakeholders, including perhaps most importantly with individuals who have direct personal experience of the considerable harm caused by conversion therapy practices. We will continue this work throughout the passage of this legislation.

I am very happy to address some of the specific concerns that you have outlined.

The term 'conversion therapy'

The Committee has expressed reservations around the term 'conversion therapy'. As you say, this term is one that is widely used to describe these abhorrent practices, including internationally. Canada, the Republic of Ireland and Australia, Queensland have used this term in both their legislation and related policy communications.

As I briefly referred to in the session, and as set out in the consultation itself, for us in the UK, this is a working term for acts that may be committed with the intention of changing a person's sexual orientation or changing them from or to being transgender. You ask that we use the term 'practices' in the Bill. One of the purposes of the consultation is to test and identify what precise acts should fall

within a conversion therapy offence; that will enable us to ensure we use language that correctly capture this intention and relevant practices in our legislation. I am sympathetic to the need to differentiate between such practices and legitimate and positive support that merits the term 'therapy'.

Raising Awareness

You highlighted the importance of promoting support services for victims of conversion therapy and on communicating the impact of future legislation.

From my conversations with victims, their loved ones and supporters, I understand how important it is that people are able to find and access the support that they need. The Government will launch a support service to provide just that. Funding of up to £240k over a two-year period will be made available. The initial package will run for two years from 2022 and I am committed to ensuring that this service is sustainable. We will work with the organisation that is contracted, via open procurement, to deliver the support service to ensure it is widely promoted.

I wholeheartedly agree that there is a need for effective and clear communication around the legislation itself. We will ensure that the package of measures, including the scope of the offence, is made clear to the public through stakeholder engagement and a programme of awareness-raising communications, with the messaging, tone and channels informed by insight.

Consent

I would like to reiterate our proposal that all forms of conversion therapy should be banned for under-18s regardless of circumstance.

In terms of adults, this Government believes that people's personal freedoms are key to the health and functioning of a democratic society. The proposals set out in the consultation document on conversion therapy propose that for over 18s, for consent to be valid in talking therapy, it must be voluntary and informed, and the person consenting must have the capacity to make the decision. The individual must also be capable of giving consent and can in no way be coerced into doing so - protecting vulnerable adults from exploitation.

My officials continue to engage with colleagues responsible for all relevant aspects of the criminal justice system to develop consent requirements for adults seeking out talking therapy which are robust and stringent. We will of course take into account consultation responses as we finalise our approach on this. We are also considering how best to support police and prosecutors once proposals are finalised and are committed to working with statutory services in updating and developing guidance to assist them.

Under 18s

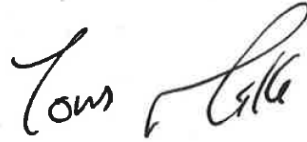
I am in complete agreement with the Committee that parents should be able to have free and open conversations with young people about their sexual orientation or whether they are transgender or not. As you reference in your letter, the same should also be the case for other family members, teachers, and clinicians. I want to be clear that our proposals will see no changes to the crucial support that teachers, clinicians, and others provide to young people.

As outlined in the consultation, which as you know is open for responses from the public and organisations with an interest until 4 February, the Government will work with the relevant public authorities to ensure the new legislative framework is understood and operates effectively and appropriately.

Next Steps

I would like to reiterate how grateful I am for the Committee's support in developing our proposals, amplifying and responding to the consultation, and - in due course - helping to shape and progress our Bill. We remain committed to preparing legislation for Spring 2022 and introducing this as soon as Parliamentary time allows.

I look forward to continuing to work with you throughout the legislative process.

A handwritten signature in black ink, appearing to read 'Mike Freer', with a stylized flourish at the end.

MIKE FREER MP
Minister for Equalities