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| Title: | Response to the call for inputs to the report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity |
| Purpose: | To inform the Independent Expert’s thematic report focussing on practices of so-called ‘conversion therapy’ |
| Date: | 20 December 2019 |

## For more information please contact

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**Response to the call for inputs to the report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity**

20 December 2019

**Introduction**

The Equality and Human Rights Commission is Great Britain’s national equality body accredited at ‘A’ status by the United Nations. The Commission is a statutory body established under the Equality Act 2006 and operates independently to encourage equality and diversity, eliminate unlawful discrimination and promote and protect human rights. We enforce equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**Response**

**Definitions of conversion therapy**

* What different practices fall under the scope of so-called conversion therapy and what are the common denominators that allow their grouping under this term?
* Are there definitions adopted and used by States on practices of so-called conversion therapy? If so, what are those definitions and what was the process through which they were created or adopted?

The UK Government has described conversion therapy as “techniques intended to change someone’s sexual orientation or gender identity” ranging from “pseudo-psychological treatments to spiritual counselling” and, in extreme cases, surgical and hormonal interventions or so-called ‘corrective’ rape.[[1]](#footnote-1) Conversion therapy is sometimes also referred to as cure, aversion or reparative therapy.

A memorandum of understanding on conversion therapy agreed by a number of national health, counselling and psychotherapy bodies describes the practice as:

“an umbrella term for a therapeutic approach, or any model or individual viewpoint that demonstrates an assumption that any sexual orientation or gender identity is inherently preferable to any other, and which attempts to bring about a change of sexual orientation or gender identity, or seeks to supress an individual’s expression of sexual orientation or gender identity on that basis.”[[2]](#footnote-2)

**Data and information on conversion therapy**

* What are the current efforts by States to increase their knowledge of practices of so-called conversion therapy? Are there efforts to produce information and data on these practices?
* What kinds of information and data are collected by States to understand the nature and extent of so-called conversion therapy, eg through inspections, inquiries or surveys?

The UK Government ran a national survey in 2017 of the experiences of LGBT and intersex people, including experiences of so-called conversion therapy. The survey was carried out to improve the evidence base on LGBT’s people experiences and support efforts to address inequality. As part of the survey respondents were asked whether they had ever undergone or been offered conversion therapy, and if so who had conducted or offered it.

There were 108,100 responses to the survey. Two per cent of all respondents reported having previously undergone conversion therapy and a further five per cent reported that they had been offered it.[[3]](#footnote-3) The responses were analysed in terms of sex, religion or belief, ethnicity, age, gender identity and sexual orientation to understand differences between different groups. Significant variations were observed between certain groups - for example 10 per cent of Muslim respondents reported having been offered conversion therapy compared with 1 per cent of those with no religion.[[4]](#footnote-4)

**Positions on conversion therapy**

* Has there been an identification of risks associated with practices of so-called conversion therapy?
* Is there a State position on what safeguards are needed, and what safeguards are in place to protect the human rights of individuals in relation to practices of so-called conversion therapy?
* Have any State institutions taken a position in relation to practices of so-called conversion therapy?

The UK Government has committed to bring forward proposals to end the practice of conversion therapy. The National LGBT action plan, published in July 2018, sets out the Government’s intention to “fully consider all legislative and non-legislative options to prohibit promoting, offering or conducting conversion therapy.”[[5]](#footnote-5)

The memorandum of understanding on conversion therapy is clear that the practice, whether in relation to sexual orientation or gender identity, is “unethical and potentially harmful”.[[6]](#footnote-6) Signatory organisations include NHS England, NHS Scotland, the UK Council for Psychotherapy, the British Psychological Society and the British Psychoanalytical Council.

The UK Government’s LGBT action plan notes that the intention in banning conversion therapy is not to prevent LGBT people from seeking legitimate medical support or spiritual support from their faith leader in the exploration of their sexual orientation or gender identity.[[7]](#footnote-7) The memorandum of understanding similarly notes that for some people who are unhappy with their sexual orientation or transgender identity there may be grounds for exploring therapeutic options to help them live more comfortably, reduce their distress and reach a greater degree of self-acceptance.[[8]](#footnote-8) Ethical practice in these cases is described as requiring adequate knowledge and understanding of the broad spectrum of sexual orientations, gender identities and expressions.[[9]](#footnote-9)

1. Government Equalities Office (2018), [National LGBT survey](https://www.gov.uk/government/publications/national-lgbt-survey-summary-report). [↑](#footnote-ref-1)
2. [Memorandum of understanding on conversion therapy in the UK](https://www.psychotherapy.org.uk/wp-content/uploads/2017/10/UKCP-Memorandum-of-Understanding-on-Conversion-Therapy-in-the-UK.pdf), version 2 (October 2017). [↑](#footnote-ref-2)
3. Government Equalities Office, National LGBT survey. [↑](#footnote-ref-3)
4. Ibid, table 5.6. [↑](#footnote-ref-4)
5. Government Equalities Office (2018), [LGBT action plan: improving the lives of lesbian, gay, bisexual and transgender people](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721367/GEO-LGBT-Action-Plan.pdf). [↑](#footnote-ref-5)
6. Memorandum of understanding on conversion therapy in the UK. [↑](#footnote-ref-6)
7. Government Equalities Office, LGBT action plan. [↑](#footnote-ref-7)
8. Memorandum of understanding on conversion therapy in the UK. [↑](#footnote-ref-8)
9. Ibid. [↑](#footnote-ref-9)