

CONVERSION PRACTICES (CRIMINALISATION) BILL

EXPLANATORY AND FINANCIAL MEMORANDUM

INTRODUCTION

1. This Explanatory and Financial Memorandum has been prepared by Eóin Tennyson MLA (the Bill Sponsor) in order to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the Assembly.
2. The Memorandum should be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the Bill. Where a clause or part of a clause does not seem to require an explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. “Conversion practices” are measures or efforts intended to suppress or change a person’s sexual orientation or gender identity, based on the belief that such aspects of a person are pathological. They can take many forms, including but not limited to, talking “therapy”, physical abuse, sexual abuse, the prescription of medication, aversion methods and coercion.
4. The Bill aims to clearly signal that practices attempting to change or suppress an individual’s sexual orientation and/or gender identity are wrong, that they are harmful to the individuals subjected to them and to society as a whole. Criminalising conversion practices is also intended to support ending stigmatisation of LGBTQIA+ people.
5. The Bill seeks to end conversion practices in Northern Ireland by creating three new criminal offences:
 - i. An offence of providing conversion therapy
 - ii. An offence of engaging in coercive conversion behaviour.
 - iii. An offence of removing a person from Northern Ireland for the purposes of conversion practices.
6. The Bill seeks to ensure that the behaviours targeted by these offences require clear intent to change or suppress the sexual orientation or gender identity of the victim.

7. The Bill provides an appropriate exemption in relation to therapy provided by certain registered healthcare professionals. This recognises that such regulated provision must be able to take place without any concern that it will be criminalised. This exemption may be reviewed over time and the Department of Health is delegated a power to modify its application.
8. The Bill includes provision to protect the expression of beliefs or opinions where these do not have the intent of directing victims towards a particular sexual orientation or gender identity. It is not the intent of the Bill to criminalise the expression of moral/religious beliefs on these matters. The intention of the Bill is to target conduct which extends beyond the expression of beliefs into directive practices.
9. In October 2017, a Memorandum of Understanding (MoU)¹ was signed by 25 health, counselling and psychotherapy organisations across the UK, including NHS England, the Royal College of GPs, the UK Council for Psychotherapy and the British Association for Counselling and Psychotherapy (BACP). The MoU makes it clear that conversion therapy in relation to gender identity and sexual orientation is unethical, potentially harmful and is not supported by evidence.
10. In June 2020², the UN Independent Expert on Sexual Orientation and Gender Identity issued a call for a global ban on conversion therapy, including a clear definition of prohibited practices, ensuring public funds are not used to support them, banning advertisements, establishing punishment for non-compliance and creating mechanisms to provide reparations to victims
11. In March 2021, the LGBTQI+ Strategy Expert Panel Report³ was published by the Department for Communities, including a call for an end to conversion practices in Northern Ireland.
12. In April 2021, the Northern Ireland Assembly passed a non-binding motion expressing support for a “ban on conversion practices in all its forms”. A similar motion was also passed in June 2024.
13. In May 2024, ‘A Study of Conversion Practices in Northern Ireland⁴’, was published by academics from Queen’s University Belfast and Ulster University. The research found evidence that conversion practices have been offered to LGBTQIA+ people and practiced in Northern Ireland over the last 10 years. Study participants identified conversion practices offered to or conducted on young adults and children in spiritual, health, and educational settings.

¹ BACP website: [memorandum-of-understanding-on-conversion-therapy-in-the-uk-july-2024.pdf](https://www.bacp.co.uk/press-releases/2017/10/2017-memorandum-of-understanding-on-conversion-therapy-in-the-uk-july-2024.pdf)

² United Nations OHCHR website: <https://www.ohchr.org/sites/default/files/ConversionTherapyReport.pdf>

³ Department for Communities website: [LGBTQI+ Strategy Expert Advisory Panel](https://www.dfc.gov.uk/sites/default/files/2021-03/LGBTQI%20Strategy%20Expert%20Advisory%20Panel%20Report.pdf)

⁴ Professor Fidelma Ashe & Dr Danielle Mackle: ‘A Study of Conversion Practices in Northern Ireland’
[Conversion-Practices-Research-Report.pdf](https://www.queensu.ac.uk/research/centres/queens-centre-for-diversity-and-inclusion/wp-content/uploads/2024/05/Conversion-Practices-Research-Report.pdf)

14. In its Annual Statement⁵ of December 2024, the Northern Ireland Human Rights Commission recommended that the Department for Communities (and the Northern Ireland Executive) “promptly introduces legislation in Northern Ireland to ban all conversion practices aimed at changing or suppressing a person’s sexual orientation or gender identity, by any person or group of person”. A similar recommendation was also made in the 2025 Annual Statement.
15. In July 2025, Amnesty International released a report⁶ revealing a sharp rise in funding and activity by anti-LGBTQIA+ groups across the UK. The report identified 12 organisations actively promoting conversion practices, with spending by these groups increasing by 165% between 2019 and 2023. Amnesty warned that these groups are “weaponising misinformation” and exploiting prejudice to undermine LGBTQIA+ rights.
16. In January 2026, the Council of Europe Parliamentary Assembly voted in favour of resolution 2643⁷ for a ban on conversion practices. The Bill Sponsor notes these examples reflect growing international concern around the prevalence and negative impact of conversion practices.
17. There is currently no legislation in Northern Ireland to specifically prohibit conversion practices, although some actions may already be captured by existing criminal offences, such as those involving physical assault or domestic abuse. The Bill intends to give specific and targeted expression to the need to ban conversion practices, with necessary safeguards for medical advice and expressions of belief.
18. Neighbouring jurisdictions have all indicated an intention to ban conversion practices but none have yet passed legislation:

Westminster – bills were introduced to both the House of Commons and the House of Lords but fell upon the dissolution of the Westminster Parliament in June 2024.

In May 2026, the UK Government renewed their commitment to outlaw conversion practices in England and Wales in The King’s Speech. The Minister for Equalities has previously committed that the UK Government will bring a “comprehensive, transinclusive ban on conversion practices before the House as soon as possible”.

Scotland – prior to dissolution for the May 2026 elections, First Minister Swinney gave an “absolute commitment” to bring forward a Scottish bill banning conversion practices in the first year of the new parliament, unless the UK Government has passed appropriate legislation before then. The Scottish Government had previously consulted extensively

⁵ NIHRC website: <https://nihrc.org/assets/uploads/resources/NIHRC-Annual-Statement-2024-TaggedUpdated.pdf> p.165

⁶ Amnesty International website: [The Anti-Rights Movement](https://www.amnesty.org/en/documents/eur12/001/202507/)

⁷ Council of Europe Parliamentary Assembly website: <https://pace.coe.int/en/files/35883>

on draft legislation but paused progress in order to engage with Westminster in the hope of developing GB-wide legislation.

Republic of Ireland - in June 2025, the Irish Government reaffirmed its commitment to banning conversion practices as part of its National LGBTIQ+ Inclusion Strategy II. The updated strategy expresses intent to “enact and commence” a ban before the end of 2026.

CONSULTATION

19. The Bill Sponsor conducted a 16-week online public consultation from December 2024 to March 2025. A total of 1,291 responses were available for analysis, including 38 from organisations.
20. Most respondents took one of two positions, either broadly in favour of legislation to ban conversion practices, or broadly against:

Those broadly in favour tended to see a clear case for change, citing gaps in existing law and the need for a clear deterrent. These respondents emphasised the inherent harm of conversion practices, describing them as unethical, ineffective and psychologically damaging. Amongst these respondents, there tended to be strong endorsement for the inclusion of both sexual orientation and gender identity within the scope of the ban on conversion practices, and for ensuring ‘suppression’ of both was also captured in the Bill. This was the perspective of the majority of individual respondents, and a clear majority of LGBTQIA+ groups, political parties, trade unions, professional bodies and women’s groups.

Those broadly opposed expressed concern about vague definitions or unintended consequences, fearing that the proposal could criminalise legitimate therapeutic, pastoral or parental support. These respondents were concerned that the legislation could infringe upon freedom of belief, expression, and the right to a private and family life. This group was much more likely to favour the inclusion of a reasonableness defence than the former groups. This was the perspective of a minority of individual respondents and the clear majority of religious bodies.

These themes illustrated the importance of striking the appropriate balance between the policy objectives of the Bill and steps to reassure those with concerns about overcriminalisation. This has been a core part of the development process

21. Before, during and after the online consultation period, the Bill Sponsor engaged directly with a wide range of stakeholders, including but not limited to: faith groups, LGBTQIA+ sector organisations, academics, healthcare professional bodies, the Public Prosecution Service and the Police Service of Northern Ireland (PSNI).
22. The initial legislative proposal was shared with the Equality Commission for Northern Ireland, and the Northern Ireland Human Rights Commission.

23. The Minister for Communities confirmed that the Department was not bringing forward any legislation in this area during the 2022-27 Assembly mandate but policy work remains ongoing.
24. The findings of the e-consultation and the direct engagement significantly informed the Bill's development. A full summary of the consultation process is also available⁸.

OPTIONS CONSIDERED

25. **Option 1:** Do Nothing. Conversion practices could continue in Northern Ireland and gaps in existing legislation would not be addressed.
26. **Option 2:** Legislate via a Member's Bill to criminalise conversion practices.
27. Following consultation, advice and deliberation, the Bill Sponsor considers that introducing and enacting primary legislation in the form of this Member's Bill is the most appropriate method by which to achieve the policy objectives.

OVERVIEW

28. The Bill makes it a criminal offence to provide conversion therapy, to engage in coercive conversion behaviour or to remove someone from Northern Ireland for the purposes of subjecting them to conversion practices. These conversion practices are done with the goal of changing a person's sexual orientation or gender identity.
29. Each of the three new offences has a defence of reasonableness. This allows for an accused person to show that their behaviour was, in the particular circumstances, reasonable. Whilst it is the Bill sponsor's view that such a circumstance is unlikely to occur, this defence has been included as an additional safeguard against unintended criminalisation.
30. None of the three new offences has a defence of consent. Given the nature of conversion practices, the element of coercion and the insidious behaviours underpinning, consent is not a relevant factor in their defence.
31. Each of the three new offences carry the same maximum penalties:

On summary conviction (i.e. in a magistrates' court) – imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both).

On conviction on indictment (i.e. in the Crown Court) – imprisonment for a term not exceeding two years or a fine (or both).

⁸ [Conversion Practices \(Prohibition\) – Consultation Summary Report](#)

32. The Bill has 11 clauses and no schedules. Clauses 1-3 set out the new offences, clauses 4-8 define elements of the new offences, clauses 9-11 describe technical aspects of the Bill. A commentary on each of the clauses follows below.

COMMENTARY ON CLAUSES

Clause 1: Offence of providing conversion therapy

This clause makes it an offence to provide conversion therapy, with the intent of changing or suppressing sexual orientation or gender identity, and where the victim suffers harm. There is a defence of reasonable behaviour, but there is no defence that the victim consented.

“Conversion therapy” is distinguished from “coercive conversion behaviour” in order to allow certain health professionals operating in accordance with the standards or code of ethics of their regulatory body to be excluded from the offence.

Clause 2: Offence of engaging in coercive conversion behaviour

This clause makes it an offence to engage in coercive conversion behaviour, with the intent of changing or suppressing sexual orientation or gender identity, and where the victim suffers harm. There is a defence of reasonable behaviour, but there is no defence that the victim consented.

Clause 3: Offence of removing a person from Northern Ireland for the purposes of conversion practices

This clause makes it an offence to remove a victim from Northern Ireland, with the intent that they are subject to conversion practices, and being reckless as to whether the victim suffers harm. There is a defence of reasonable behaviour, but there is no defence that the victim consented.

Clause 4: Definition of “conversion therapy”

This clause defines conversion therapy by setting out some of things it involves, for example, counselling, coaching or treatment. It does not matter if the therapy is paid for or provided free of charge. This Bill does not apply to therapy provided or carried out by members of the listed professional bodies (e.g. pharmacists, doctors) acting in accordance with their codes of practice. The Department of Health are delegated the power to amend this list of professional bodies by order via affirmative resolution.

Clause 5: Definition of “coercive behaviour”

This clause defines coercive behaviour. This definition is based upon the existing definition in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021. It includes violent or threatening behaviour, controlling the victim’s day to day activities,

and humiliating the victim. A failure to act is not coercive behaviour. Coercive behaviour must take place on two or more occasions.

Clause 6: Sexual orientation and gender identity

Under this clause, sexual orientation and gender identity includes what the victim considers it to be and what the perpetrator considers it to be. It includes not having any sexual orientation towards other persons.

Clause 7: Intent to change or suppress

This clause expands upon what it means to intend to change or suppress sexual orientation or gender identity. There is no intent to change or suppress if there is no intent to direct the victim towards a particular identity. There is no intent to change or suppress if the person is only expressing beliefs or opinions, without directing the victim towards a particular identity. There is no intent to change or suppress if the person is simply affirming the victim's choice of identity. It is irrelevant if the conversion practices are not capable of changing the victim's identity.

Clause 8: Psychological harm

Under this clause, psychological harm includes fear, alarm and distress.

Clause 9: Consequential Amendment

This clause amends Article 29(1) of the Magistrates' Courts (NI) Order 1981, by adding the offences created by this Bill to the list of offences for which there is no right to claim trial by jury (as summary offences where the penalty on conviction exceeds 6 months imprisonment).

Clause 10: Commencement

States that the Bill becomes law 12 months after the day it receives Royal Assent.

Clause 11: Short Title

States the name by which the Bill will be generally known and referred to publicly.

The Bill has been titled Conversion Practices (Criminalisation) to reflect the specific final offences it contains, rather than "Conversion Practices (Prohibition)" which was the term used during the consultation process.

FINANCIAL EFFECTS OF THE BILL

33. The Bill is not intended to carry significant costs. The Bill Sponsor intends the legislative requirements focus only on serious and sufficiently harmful conduct, and as such, considers that it is likely to be a low volume offence with a strong deterrent effect.

34. The Bill, if enacted, would create a potential ‘public impact’ on departmental resources in terms of developing and producing guidance for when the Bill is implemented. This will be an important element of ensuring the Bill’s offences are appropriately understood and communicated to the public. The Bill Sponsor is satisfied that this should be proportionate.
35. The Bill will also have public purse implications with regards to the PSNI in terms of their general costs and staffing requirements related to enforcement. The PSNI advised that they were not in a position to provide estimates of any additional resource requirements that might arise from the proposed Bill. The Bill Sponsor is keen to engage further on considering what is required to deliver enforcement of the Bill.
36. Financial penalties associated with the offences would accrue to the public purse.
37. The Bill Sponsor looks forward to continued engagement on these points.

HUMAN RIGHTS ISSUES

38. Whilst the provisions of the Bill are likely to engage a number of the rights in the European Convention on Human Rights (ECHR), the Bill Sponsor is satisfied that they do not do so in an unjustifiable manner. Particular consideration has been given to ECHR Articles 8-11 and Article 1 of the First Protocol during the development of the Bill.
39. No provision of the Bill is considered to be incompatible with Article 2(1) of the Windsor Framework.

EQUALITY IMPACT ASSESSMENT

40. An Equality Impact Assessment (EQIA) has not been undertaken. Engagement between the Bill Sponsor and the Equality Commission on the outline proposal did not raise any potential adverse effects and suggested that the Bill may positively affect some groups.
41. The Bill Sponsor is satisfied that the Bill will not have any adverse effect on any of the groups identified in section 75 of the Northern Ireland Act 1998.

LEGISLATIVE COMPETENCE

42. At Introduction, Eóin Tennyson MLA made the following statement under Standing Order 30:

“In my view the Conversion Practices (Criminalisation) Bill would be within the legislative competence of the Northern Ireland Assembly.”



**Northern Ireland
Assembly**

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