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Assembly

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Conversion Practices (Criminalisation) Bill

RaISe

This Bill Paper provides an overview of the Conversion Practices (Criminalisation) Bill. It provides a background to the policy changes proposed by the Bill including a comparison of the approach in other jurisdictions and an overview of responses to the public consultation. It further lays out what the Bill proposes and includes some scrutiny points Members may wish to consider during their examination of the Bill.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

Key Points

- The Conversion Practices (Criminalisation) Bill would create three new criminal offences: providing conversion therapy; engaging in coercive conversion behaviour; and causing or facilitating a person to leave Northern Ireland for the purposes of conversion practices.
- The offences of providing conversion therapy and engaging in coercive conversion behaviour require an intention to change or suppress a person's sexual orientation or gender identity, and for the person to suffer physical or psychological harm as a consequence. Psychological harm includes fear, alarm or distress. The proposed harm threshold differs from approaches elsewhere, including the higher threshold proposed for England and Wales and the absence of a specific harm requirement in the Isle of Man legislation. Members may wish to consider whether the proposed harm requirement is appropriate.
- The Bill provides a defence of reasonableness for each of the three offences. The paper identifies other legislation which provides further detail on how such a defence operates. Members may wish to consider whether similar wording could provide greater clarity around the reasonableness defence in this Bill.
- Consent would not constitute a defence to any of the three proposed offences. The Bill's approach reflects the proposals consulted on by the Scottish Government; the draft legislation for England and Wales does not make reference to a defence of consent.
- Clause 4 defines conversion therapy to include counselling or talking therapy, coaching or instruction, and treatment or purported treatment. Therapy provided by individuals registered with or regulated by four specified professional bodies is excluded where it complies with the applicable professional standards and codes of ethics. Members may wish to consider the scope of the definition, particularly the inclusion of "coaching or instruction".
- Approaches in some other jurisdictions include express provisions identifying activities which do not constitute conversion practices. The

paper highlights examples from the Isle of Man and New South Wales concerning exploratory services, religious teachings and discussions between parents and children. Members may wish to consider whether additional avoidance of doubt provisions are required in this Bill.

- Clause 6 makes provision concerning sexual orientation and gender identity. The paper identifies differences between definitions used or proposed in England and Wales, Scotland, the Isle of Man and Australia. Members may wish to consider the definitions used in other existing or proposed legislation and how these compare with the Bill.
- Clause 7 provides further detail concerning the intention to change or suppress a person's sexual orientation or gender identity, including protections for expression of beliefs or opinions in specified circumstances. Members may wish to consider whether these protections are sufficient or whether additional avoidance of doubt provisions should be included.
- The three offences would carry maximum sentences of 12 months' imprisonment on summary conviction and two years' imprisonment on conviction on indictment, or a fine, or both. The maximum sentence proposed during consultation was subsequently reduced from seven years to two years. Members may wish to consider whether the proposed maximum sentences are appropriate.
- In relation to the offence of removing a person from Northern Ireland, the Bill does not include a residence or nationality requirement, although the consultation referred to people habitually resident in Northern Ireland. Members may wish to consider whether they are content with this change.
- Unlike the proposals in Scotland and the draft legislation for England and Wales, the Bill does not provide for specific civil protection orders. Members may wish to ask why such provisions were not included and consider whether they should form part of the Bill.
- The Bill engages a number of Convention rights. The Bill sponsor considers that the requirements relating to intent and harm, the exclusions in clause 7 and the reasonableness defence provide

appropriate protections. Members may wish to consider whether the Bill provides an appropriate balance of rights and whether these protections will operate as intended.

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Introduction

The Conversion Practices (Criminalisation) Bill is a Non-Executive Bill, introduced to the Assembly by Eóin Tennyson MLA ('the Bill sponsor') on 30 June 2026. It passed Second Stage on 28 September 2026 following debates on the [15 September](#), [22 September](#) and [28 September](#). It is now being considered by the Assembly's Committee for Communities at Committee Stage.

As set out in the Bill's Explanatory and Financial Memorandum (EFM), 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."¹

The Bill seeks to end conversion practices in Northern Ireland through creating three new criminal offences. These are:

- 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.

This paper provides some background and context to the issue of conversion practices, both in Northern Ireland and more widely. It also outlines the approach to legislation in neighbouring jurisdictions.

The paper outlines the specific clauses of the Bill and, where relevant, there is also discussion of the responses to the consultation on the Bill, undertaken by the Bill sponsor and comparison to legislation in other jurisdictions. There are also some potential scrutiny points that Members may wish to note. These are highlighted within blue boxes for ease.

A number of variations are used throughout civil society, government and academia in relation to the initialisation of LGBTQIA+ (for example LGBT, LGBTQ, LGBTQI+). This paper uses the acronym LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual) as this is the term

¹ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p1

used in the Bill's EFM. A number of the reports and research referenced in this paper use different acronyms in their titles and elsewhere. Where this is the case, this paper tries uses the acronym used in the relevant report.

This paper does not consider the financial implications of the Bill. This paper should be read in conjunction with RaISe briefing paper [NIAR-303-26](#) which provides a review of costs associated with the Bill.

1 Background and Policy Context

In April 2021, the Assembly passed a non-binding motion on conversion therapy calling on the then Minister for Communities to commit to banning conversion therapy. This was passed by 59 votes to 24.² No legislation was brought forward before the end of the last mandate and none since before this Bill. The draft Programme for Government 2024-2027, published on 9 September 2024, does not reference a ban.³

In Northern Ireland, there are a number of pieces of legislation which cover some of the conversion practices which may be undertaken. These however have a number of limitations which are highlighted in [section 1.2](#) of this paper.

The International Lesbian, Gay, Bisexual, Trans, and Intersex Association (ILGA) notes that bringing a claim against a provider of conversion practices under existing laws in cases where no “evident” physical violence or extreme mistreatment has taken place tends to be very difficult and can be almost impossible in practice.⁴ The ILGA explains a gap in legal protections can act as a deterrent to survivors accessing justice and reduces the chances for them to bring claims and seek redress.⁵ As [section 3.2.1](#) of this paper sets out, a number of international bodies are supportive of legal bans on conversion practices.

A number of organisations in Northern Ireland have called for a specific ban on conversion practices. This includes the Northern Ireland Human Rights Commission (NIHRC) who have highlighted this issue to a number of international bodies including the UN’s International Covenant on Economic, Social and Cultural Rights (ICESCR) Committee⁶ and the UN Human Rights

² Northern Ireland Assembly Official Report 20 April 2021 [Vol. 138 No. 4 p17](#)

³ Northern Ireland Executive, [‘Our Plan: Doing What Matters Most’ Draft Programme for Government 2024-2027](#) (2024)

⁴ ILGA World, [‘Curbing Deception’ A world survey on legal regulation of so-called “conversion therapies](#) (2020) p72

⁵ As cited immediately above, [p72](#)

⁶ Northern Ireland Human Rights Commission, [Submission to the UN Human Rights Committee on the United Kingdom’s Eighth Periodic Report on Compliance with the International Covenant on Civil and Political Rights](#) (2024)

Council as part of the UK's Universal Periodic review (UPR).⁷ In their most recent Annual Statement in December 2025, the NIHRC called on the Department for Communities, with the support of the Executive, to introduce a comprehensive ban on conversion therapy as soon as possible.⁸

1.1 Definition of conversion practices

The Department for Communities' LGBTQI+ Strategy Expert Advisory Panel called for a ban in Northern Ireland,⁹ outlining that the research suggests the following should be made illegal:

- Any practice (medical, therapeutic or otherwise) aimed at changing or suppressing a person's sexual orientation or gender identity.
- Attempts to rebrand or reshape conversion practices in order to subvert legal prohibitions.
- Causing a person to undergo conversion practices against their will.
- Causing a minor to undergo conversion practices.
- Profiting from providing conversion practices.
- Advertising an offer to provide conversion practices.

The Panel also stated the need for a robust system for investigating claims of conversion practices is required.¹⁰

In 2022, a number of LGBTQIA+ organisations (Cara-Friend, HEReNI, The Rainbow Project and TransgenderNI) commissioned research into conversion practices in Northern Ireland. In their published report, they used the American Psychiatric Association (APA) definition which is that conversion practices:

⁷ Northern Ireland Human Rights Commission, [UN UPR Submission](#) (2022)

⁸ Northern Ireland Human Rights Commission, [2025 Annual Statement](#) (2025) p200

⁹ Department for Communities LGBTQI+ Strategy Expert Advisory Panel, [Themes and Recommendations](#) (2020) p16

¹⁰ Department for Communities LGBTQI+ Strategy Expert Advisory Panel, [Themes and Recommendations](#) (2020) pp82-83

“encompass all medical, psychological, religious, cultural, or any other interventions that seek to erase, repress, or change a person’s sexual orientation and/or gender identity”¹¹.

In 2021 the LGBTQI+ Strategy Expert Advisory Panel published a report setting out key recommendations for the then Minister for Communities. Their definition was very similar but also added that: “in its ‘therapeutic’ forms it is a scientifically discredited, unprofessional and dangerous practice.”¹²

The Scottish Parliament’s Equalities, Human Rights and Civil Justice (EHRCJ) Committee has also considered the issue and published a report in January 2022 following a petition to “End Conversion Therapy”¹³. They recommended that the definition used in the Report on Conversion Therapy by the UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity (IESOGI), should be adopted for use in the legislation, namely “an umbrella term to describe interventions of a wide-ranging nature, all of which have in common the belief that a person’s sexual orientation or gender identity (SOGI) can and should be changed. Such practices aim (or claim to aim) at changing people from gay, lesbian, or bisexual to heterosexual and from trans or gender diverse to cisgender”¹⁴.

1.2 Existing legislation and limitations

As conversion practices is an umbrella term for a number of different practices, there is legislation in place which may prohibit some of these. This is particularly the case when practices involve violence. However, given the broad nature of conversion practices, this existing legislation is unlikely to cover a number of the practices that are known to occur. The following table provides an overview of

¹¹ F Ashe and D Mackle, [A Study of Conversion Practices in Northern Ireland](#) (2023) p1

¹² Department for Communities LGBTQI+ Strategy Expert Advisory Panel, [Themes and Recommendations](#) (2020) p31

¹³ Scottish Parliament Equalities, Human Rights and Civil Justice Committee, [Report on Petition PE1817: End Conversion Therapy](#) (2022) p1

¹⁴ United Nations Independent Expert on protection against violence and discrimination based on Sexual Orientation and Gender Identity, [Report on Conversion Therapy](#) (2020)

existing legislation and its limitations before covering these in further detail below.

Table 1 Existing legislation in Northern Ireland

Existing legislation	What it covers	Limitations
Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021	Criminalises abusive behaviour, including psychological and physical abuse. ¹⁵	Limited to people who are personally connected. Would not cover e.g. health professionals, faith groups.
Protection from Stalking Act (Northern Ireland) 2022 ¹⁶	Creates offence of stalking which causes another person “to suffer fear, alarm or substantial distress.” Section 2 creates a new offense of threatening or abusive behaviour, where there is either a one-off incident or a course of behaviour where it cannot be shown that there is substantial distress for the victim.	Whilst conversion practices can have harmful effects, these may not necessarily be considered “fear, alarm or substantial distress” in this context. Not all methods of conversion practice would be considered threatening or abusive in this way.

¹⁵ [Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021](#), Explanatory Notes Part 1 Chapter 1

¹⁶ Public Prosecution Service, [The Offence of Stalking](#) (2022)

Existing legislation	What it covers	Limitations
Sexual Offences (Northern Ireland) Order 2008	Consolidates sexual offences law in Northern Ireland and also modernises and strengthens the body of offences and penalties. ¹⁷	Would not cover practices where no sexual assault has taken place.
Offences Against the Person Act 1861 ¹⁸	Covers physical assaults and bodily harm to a person.	Would likely not cover practices where no physical assault has taken place.

¹⁷ [Explanatory Memorandum to Sexual Offences \(Northern Ireland\) Order](#) 2008, 7. Policy Background

¹⁸ [Offences against the Person Act](#) 1861

The Explanatory Notes to the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 ('the 2021 Act'), outline how the 2021 Act criminalises abusive behaviour, including psychological and emotional abuse, rather than being limited to violent behaviour. However, given the nature of the legislation it is limited to people who are personally connected (partners, ex-partners and family members).¹⁹ This means that people who are not personally connected in these ways are not covered. Given the range of people and organisations who undertake conversion practices (e.g. health professionals, religious/faith groups), this legislation is considered not sufficiently broad enough to cover these.

There are also some relevant provisions in the Protection from Stalking Act (Northern Ireland) 2022 ('the 2022 Act'). In the 2022 Act, the offence of stalking requires a course of conduct which causes another person "to suffer fear, alarm or substantial distress"²⁰. The person committing the offence must do so with the intention of causing a person to suffer fear, alarm or substantial distress; or that they ought, in all the circumstances to have known, that engaging in the course of conduct would be likely to cause someone to suffer fear, alarm or substantial distress.²¹ Whilst conversion practices can have harmful effects, these may not necessarily be considered "fear, alarm or substantial distress" in this context. Given the variety of conversion practices, many are likely to fall outwith the offences specified in this legislation.

Section 2 of the 2022 Act creates a new offence of threatening or abusive behaviour, which is designed to be used in circumstances where there is either a one-off incident or a course of behaviour where it cannot be shown that there is substantial distress as an impact for the victim.²² It is anticipated that this offence would still consist of the elements of the stalking offence but with a lower threshold in respect of the expected impact to the victim(s).²³ Again, given

¹⁹ [Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021](#), Explanatory Notes Part 1 Chapter 1

²⁰ Public Prosecution Service, [The Offence of Stalking](#) (2022)

²¹ As cited immediately above

²² Public Prosecution Service, [Threatening or Abusive Behaviour](#) (2022)

²³ Public Prosecution Service, [Threatening or Abusive Behaviour](#) (2022)

the broad scope of conversion practices that may be undertaken, this legislation would likely not cover a number of them – specifically those which are not considered threatening or abusive.

Sexual offences are covered under the Sexual Offences (Northern Ireland) Order 2008. Any conversion practices which involve offences of this nature such as ‘corrective’ rape would likely already be an offense under this existing legislation. Again, there is a limitation in this legislation in that it would not cover other types of conversion practice which take place.

Similarly, physical assaults and practices of that nature may be covered by existing legislation in the form of the Offences Against the Person Act 1861. However, again this does not cover the full array of conversion practices and shows a limitation of using existing legislation.

2 Prevalence of Conversion Practices

This section of the paper looks at the prevalence of conversion practices in the UK and Ireland. There is relatively limited research in this area, but where it has been undertaken it tends to be relatively recent given the moves by various Governments in the United Kingdom and Republic of Ireland to legislate to ban conversion practices. The UK Government notes that there are challenges to measuring the prevalence of conversion practices, largely due to its hidden and complex nature.²⁴

Before looking at the prevalence, it is important to highlight the impact that conversion practices have on the LGBTQIA+ individuals who are subject to them. The discriminatory nature of conversion practices (as they target a specific group of people) and because they are based on the incorrect idea that a person is in some way unwell or abnormal can cause feelings of shame, guilt, self-disgust, and worthlessness, suicidal ideation, suicide attempts, and PTSD.²⁵ Research also shows that children are particularly vulnerable and conversion practices serve to increase the stigma and shame that many LGBTQIA+ young people already experience.²⁶

2.1 UK wide research

Some of the key findings and themes from UK-wide research into conversion practices are highlighted here, in particular those covering the overall prevalence of conversion practices, whether faith/belief (or not) of a person has an impact, as well as their racial background and location.

²⁴ Cabinet Office [Draft Conversion Practices Bill: Draft Final stage impact assessment](#) 2026 p2

²⁵ Department for Communities LGBTQI+ Strategy Expert Advisory Panel, [Themes and Recommendations](#) (2020) p82, Galop, [“There was nothing to fix” LGBTQ+ survivors’ experiences of conversion practices](#) (2022) p4, and United Nations General Assembly, [Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity: Practices of so-called “conversion therapy”](#) A/HRC/44/53 (2020) p4

²⁶ Department for Communities LGBTQI+ Strategy Expert Advisory Panel, [Themes and Recommendations](#) (2020) p82

2.1.1 Prevalence of conversion practices

Research on the prevalence of conversion practices in the UK remains limited and different studies use different methodologies. As a result, findings should be interpreted with appropriate caution and direct comparisons between studies may not be possible.

In 2017, the UK Government launched the National LGBT Survey, an online self-selecting survey which received over 108,000 valid responses.²⁷ The published findings showed that 2% of respondents reported having undergone conversion practices and a further 5% reported having been offered them.²⁸

Galop's 2022 report, which it describes as the first nationally representative study of its kind, was based on research with more than 2,000 LGBT+ adults.²⁹ The report estimated that around 18% of LGBT+ people in the UK had experienced conversion practices.³⁰ Differences between this estimate and the findings of the National LGBT Survey may reflect differences in methodology, sampling approaches and how experiences were identified and measured.

In 2025, Opinium published findings from research it had undertaken which was commissioned by Stonewall, involving 2,000 LGBTQ+ adults in Great Britain. Participants were recruited through online survey panels, and the results were weighted to be nationally representative by region, age and gender identity. The survey explored experiences of attempts to change or suppress an individual's sexual orientation or gender identity. It estimates that approximately 11% of the LGBTQ+ population experienced specific types of conversion practices in the previous 12 months.³¹

A further report published by Galop in 2026 analysed 371 cases involving individuals who had accessed Galop's advocacy and support services between

²⁷ This was an online, self-selecting survey. It collected a mixture of quantitative and qualitative data.

²⁸ Government Equalities Office, [National LGBT Survey Research Report](#) (2018) p84

²⁹ Galop, ["There was nothing to fix" LGBT+ survivors' experiences of conversion practices](#) (2022) p4

³⁰ Galop, ["There was nothing to fix" LGBT+ survivors' experiences of conversion practices](#) (2022) pp4-6

³¹ Cabinet Office, [Draft Conversion Practices Bill - Draft Final stage impact assessment](#) (2026) p3 which references data from Opinium/Stonewall, [Culture Wars and Hate: Press Tables](#) (2025)

November 2022 and November 2025. The report found that, in most cases, conversion practices were described as current, recent or ongoing.³² It also found that 11% of cases (23 of 371) involved conversion practices that had taken place abroad.³³

2.1.2 Racial/Ethnic origin

For cisgender respondents (those whose gender identity corresponds with the sex registered for them at birth), the UK Government's LGBT survey found that respondents from Black/African/Caribbean/Black British (13%), Asian/Asian British (14%) and 'other' ethnic group backgrounds (15%), were more likely than White (7%) respondents to have been offered or undergone conversion practices.³⁴

Galop's survey, however, did not see similar results. Indeed, it found that white LGBTQIA+ people and LGBTQIA+ people of colour, at 18%, were all equally as likely to be subject to conversion practices³⁵.

2.1.3 Religion/belief

There were notable differences by religion/belief of cisgender respondents to the UK Government survey with Muslims the most likely to have had or undergone conversion practices (19%), ahead of Jewish people (13%) and Christians (10%) and those of no religion or belief the least likely (6%)³⁶. This aligns with the body of research in this area which suggests the vast majority of conversion practices are undertaken in religious settings³⁷.

The Galop research found similar differences between those belonging to a religion that those who do not. Whilst their results are not broken down into

³² Galop, [*"Still not illegal" Evidence of modern-day conversion practices from Galop's frontline services*](#) (2026) p11

³³ As cited immediately above [p11](#)

³⁴ Government Equalities Office, [National LGBT Survey Research Report](#) (2018) p84

³⁵ Galop, ["There was nothing to fix" LGBT+ survivors' experiences of conversion practices](#) (2022) p4

³⁶ Government Equalities Office, [National LGBT Survey Research Report](#) (2018) p88

³⁷ Scottish Parliament Equalities, Human Rights and Civil Justice Committee, [Report on Petition PE1817: End Conversion Therapy](#) (2022) p12

specific religions, they did find that LGBTQIA+ people who belonged to a religion were more likely than those who were non-religious to have been subjected to conversion practices³⁸.

In Northern Ireland, in a study speaking to a small number of people who had undertaken conversion therapy, six out of the ten said they were members of faith groups as were their families.³⁹

2.1.4 Who conducted or offered conversion practices

Religion also played a part in relation to who conducts or offers conversion practices. The UK Government survey found that for most respondents, faith organisations had offered (53%) or conducted (51%) conversion therapy. Beyond this, 19% said that the practices were conducted by medical professionals or healthcare providers and 16% by family members or guardians.⁴⁰

NI specific research found that seven out of the ten individuals spoken to, had been subject to conversion practices conducted by faith groups.⁴¹

2.1.5 Age

Both the UK Government and the Galop report, show that younger people (ages 16-24) have been subject to conversion practices, indicating that this is a current issue which is ongoing and not something in the past.

The UK Government survey shows consistency in relation the age of those who had both undertaken or been offered a form of conversion. Meanwhile Galop shows that these practices are more prevalent for younger people (ages 16-24) than those aged over 45. In fact, 22% of LGBTQIA+ people aged in that younger age bracket had been subjected to conversion practices.⁴²

³⁸ Galop, [“There was nothing to fix” LGBTQ+ survivors’ experiences of conversion practices](#) (2022) p7

³⁹ F Ashe and D Mackle, [A Study of Conversion Practices in Northern Ireland](#) (2023) p12

⁴⁰ Government Equalities Office, [National LGBT Survey Research Report](#) (2018) p93

⁴¹ F Ashe and D Mackle, [A Study of Conversion Practices in Northern Ireland](#) (2023) p12

⁴² Galop, [“There was nothing to fix” LGBTQ+ survivors’ experiences of conversion practices](#) (2022) p6

2.1.6 Location

In terms of the location of respondents who had undertaken or offered conversion practices, the UK Government's survey showed there was relatively little variation across the UK, however people resident in Northern Ireland were the most likely to have undertaken or been offered at 12%.⁴³ For comparison, for those resident elsewhere in the UK the figures for those who had undertaken or been offered conversion practices was:

- Scotland 6.6%
- Wales 7%
- England was broken down regionally and varied from the North East at 5.8% to London at 7.7%.

The Galop research showed a slightly different variation and identified that people residing in Wales were most likely to have undergone conversion practices. There is no data specifically for Northern Ireland in the Galop report as only 1% of respondents were from the jurisdiction.⁴⁴ The report does state, however, that conversion practices take place all over the UK⁴⁵.

2.2 Northern Ireland

The recent Northern Ireland specific research, commissioned by Cara-Friend, HEReNI, The Rainbow Project and TransgenderNI was undertaken by Queens University Belfast and Ulster University. This was supported by funding from the Department for Communities. Researchers undertook in-depth qualitative research with people who had all undergone conversion practices. They state that whilst "the report findings offer significant insights into conversion practice, but they do not represent findings that can be generalised to the entire LGBTQIA+ community as there may be, for example, a range of other practices that the study did not capture."⁴⁶

⁴³ Government Equalities Office, [National LGBT Survey Research Report](#) (2018) p84

⁴⁴ Galop, ["There was nothing to fix" LGBT+ survivors' experiences of conversion practices](#) (2022) p35

⁴⁵ As cited immediately above, [p6](#)

⁴⁶ F Ashe and D Mackle, [A Study of Conversion Practices in Northern Ireland](#) (2023) p10

Whilst the study involved 10 participants, researchers note that other similar UK-wide studies have only included 30. This demonstrates that samples are likely to be small given the nature of the subject and that people may not wish to come forward.⁴⁷ For example, four people who were originally interested in participating in the study withdrew before it began due to the stigma and trauma of the conversion practices they had experienced.⁴⁸ The Northern Ireland context and the particular sensitivities here around conversion practices, sexual orientation and gender identity also played a part in the small number of participants.⁴⁹

Nevertheless, the research found that there is evidence that conversion practices have been offered to, and carried out on, LGBTQIA+ people in Northern Ireland over the last 10 years.⁵⁰ These have been undertaken in faith settings as well as educational and health settings, mirroring the UK-wide studies which show similar places where these practices occur.

2.3 Republic of Ireland

The research commissioned by the Irish Government provides the first robust evidence of the prevalence of conversion therapy. Until this there was only anecdotal evidence.⁵¹ As well as a wider literature review, the research involved a survey of 278 LGBTQIA+ individuals. Of these, 70 (25%) had been offered conversion practices and 38 (13%) had undergone them. Two of these had undergone conversion practices outside of the country.⁵² Despite the small sample size, this shows that conversion practices are being offered and are taking place in Ireland.

⁴⁷ F Ashe and D Mackle, [A Study of Conversion Practices in Northern Ireland](#) (2023) pp9-10

⁴⁸ As cited immediately above, [p1](#)

⁴⁹ As cited at footnote 47, [p1](#)

⁵⁰ As cited at footnote 47, [p1](#)

⁵¹ Keogh, B., Carr, C., Doyle, L., Higgins, A., Morrissey, J., Sheaf, G. and Jowett A., '[An Exploration of Conversion Practices in Ireland](#).' School of Nursing and Midwifery, Trinity College Dublin (2023) p5

⁵² As cited immediately above, [p5](#)

2.3.1 Consent

A small number of respondents said that they had consented and voluntarily accessed conversion practices themselves, although the researchers note that this should not necessarily be looked at as informed consent. It should be seen in the context of internal, religious and societal pressures which exist and which encouraged these people to seek conversion practices in the first place.⁵³

Of the respondents to the survey who answered the question on whether it had been their decision to seek conversion practices, 38 people responded. Of these, 20 (52.6%) said that it was not at all their decision,⁵⁴ showing that people did not consent to these practices being undertaken on them.

⁵³ Keogh, B., Carr, C., Doyle, L., Higgins, A., Morrissey, J., Sheaf, G. and Jowett A., '[An Exploration of Conversion Practices in Ireland](#).' School of Nursing and Midwifery, Trinity College Dublin (2023) p5

⁵⁴ As cited at footnote 52, [p48](#)

3 Human Rights Considerations and International Obligations

3.1 ECHR Considerations and the balance of rights

The 2020 report by the IESOGI, considered a number of submissions from groups who argued that there was a difference between coercive and abuse conversion practices and those which were non-coercive and non-abusive. They expressed that banning the latter would contravene the right to self-determination, the right to freedom of opinion and expression and the right to freedom of belief and religion.⁵⁵

The submissions argued that conversion practices can be used as a “tool” by some to further their own rights by allowing people “who experience same-sex desire but wish to pursue their life plan as heterosexuals or of persons experiencing an existential want to identify as a gender different than that assigned to them, but nonetheless wish to pursue their life under the gender assigned to them.”⁵⁶

In the Independent Expert’s view, there is no direct correlation between religion and the exclusion of sexual orientation and/or gender identity and that a number of churches and religious communities themselves condemned conversion practices and welcomed a range of people with diverse sexual orientations and gender identities.⁵⁷ Their view was that people’s desire to address their existential dilemmas in relation to this and their right to self determination could still mean they could choose to access support and counselling related to the free development and exploration of their identity and that these are not conversion practices.

The former UN special rapporteur on freedom of religion or belief wrote in 2021 that safeguards within proposed conversion practice ban legislation would

⁵⁵ United Nations Human Rights Council, [A/HRC/44/53 Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#) (2020) p16

⁵⁶ As cited immediately above, [p16](#)

⁵⁷ As cited in footnote 55, [p16](#)

protect religious freedoms and that ending conversion therapy for LGBT+ people is “necessary to uphold the fundamental rights to life, health, equality, and freedom from cruel, inhuman and degrading treatment.”⁵⁸

In the Scottish Government’s consultation, they also considered the issue of potentially competing rights. Legislation passed in the Scottish Parliament, as with the Northern Ireland Assembly, must be compatible with the ECHR. The consultation sets out the potential impact of the proposed legislation with a number of rights, particularly the right to family and private life; freedom of thought, conscience and religion; and freedom of expression⁵⁹, similar to those also considered by IESOGI.

These rights are qualified rights, which means that interference with them is permissible under ECHR. This can be justified when:

1. The interference is legal;
2. It pursues a legitimate aim, and;
3. It is “necessary in a democratic society” to pursue the aim in question.

The European Court of Human Rights (ECtHR) view proportionality as being key to this. It has recognised that it is primarily for national authorities to safeguard human rights and strike the right balance and provides states with a “margin of appreciation” to strike such a balance.⁶⁰

In this case, the aim is protection of the rights of LGBTQIA+ people and the Scottish Government believe that their proposals are necessary and proportionate to achieve this.⁶¹ They consider that by ensuring the ban targets acts which are harmful and coercive and that conversion practices are defined as having a specific intention to change or suppress a person’s sexual orientation and/or gender identity this will ensure a balance of rights as it would

⁵⁸ ‘[There is no legal defence of LGBT+ conversions](#)’, *The Guardian*, 23 April 2021

⁵⁹ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p56

⁶⁰ Council of Europe, [Articles 8-11](#)

⁶¹ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p56

not prevent general statements of opinion without such an intention or voluntary practices undertaken in line with a person's own belief.⁶²

The EAG also found that a ban on conversion practices would not constitute an unlawful restriction on either freedom of expression or freedom of religion.⁶³

They similarly pointed to the qualified nature of those rights and that conversion practices create the potential of significant harm to others meaning that their prohibition is justified and necessary.⁶⁴

Some responses to the Scottish Government's consultation highlighted four Convention rights which it was felt would be impacted: Article 8 (right to respect for private and family life), Article 9 (freedom of thought, conscience and religion), Article 10 (freedom of expression) and Article 11 (freedom of assembly and association).⁶⁵ As noted, these rights can be interfered with in certain circumstances and it is important to ensure that such circumstances outlined in any Bill are sufficient, and the balance of rights is considered.

3.2 International Obligations

There are a number of international obligations on the UK which cover the rights of LGBTQIA+ people as well as wider rights protections which cover conversion practices. In addition, there are international human rights bodies, and others, who have spoken out about conversion practices both worldwide and in the UK.

3.2.1 International calls for a ban on conversion practices

The then IESOGI called for a global ban on conversion practices in a report in 2020. In this report, he called for a worldwide ban of conversion practices as well of a number of other recommendations including monitoring programmes for places where young people are deprived of liberty, to protect them from

⁶² Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p56

⁶³ Scottish Government Expert Advisory Group on Ending Conversion Practices, [Report and Recommendations](#) (2022) p13

⁶⁴ Scottish Government Expert Advisory Group on Ending Conversion Practices, [Report and Recommendations](#) (2022) pp13-14

⁶⁵ Scottish Government, [Ending Conversion Practices in Scotland - Analysis of responses to the consultation exercise](#) (2025) p79

conversion practices and the implementation of education campaigns to tackle the stigma and prejudice against LGBTQIA+ people.⁶⁶

During the most recent Universal Periodic Review, undertaken by the UN's Human Rights Committee, a number of recommendations were given to the UK. These included a call to implement a ban on conversion practices.⁶⁷

The European Commission's LGBTIQ Equality Strategy for 2020-2025 stated that conversion practices "may have serious bodily and mental health repercussions"⁶⁸ and committed to helping Member States share best practice in relation to banning and ending these practices.⁶⁹ In May 2026, the Commission announced its intention to adopt a Commission Recommendation, calling on EU Member States to ban conversion practices. This Recommendation will be adopted in 2027.⁷⁰

In January 2026, the Parliamentary Assembly of the Council of Europe called on European countries to adopt legislation to prohibit conversion practices following the passing of a resolution by 71 to 26.⁷¹

In June and July 2022, the then Commissioner for Human Rights of the Council of Europe visited the UK. In her report following this visit, she emphasised the harm, pain and suffering that conversion practices and urged that these practices be banned across the UK as soon as possible. She also made clear the importance of ensuring such bans covered gender identity as well as sexual orientation to ensure that trans people were provided equal protection.⁷²

⁶⁶ United Nations Human Rights Council, [A/HRC/44/53 Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity](#) (2020) pp21-22

⁶⁷ United Nations Human Rights Council, [UPR of United Kingdom of Great Britain and Northern Ireland \(4th Cycle - 41st Session\): Thematic list of recommendations](#) (2023)

⁶⁸ European Commission, [COM\(2020\) 698 Union of Equality: LGBTIQ Equality Strategy 2020-2025](#) (2020) p13

⁶⁹ As cited immediately above, [p13](#)

⁷⁰ European Union, [Ban on conversion practices in the European Union](#) (2026)

⁷¹ Council of Europe, [Council of Europe body calls for ban on conversion practices](#) (2026)

⁷² Commissioner for Human Rights of the Council of Europe, [Report following her visit to the United Kingdom from 27 June to 1 July 2022](#) p23-24

The World Bank's most recent Equality of Opportunity for Sexual and Gender Minorities report also calls for a worldwide ban on conversion practices, including those targeting people's gender identity.⁷³

3.2.2 International legal framework

The UK is a signatory to a number of international agreements which are relevant to the issue of conversion practices:

- International Covenant on Civil and Political Rights (ICCPR) which commits states to non-discrimination of individuals. In the Human Rights Committee's concluding observations in May 2024 following the most recent report of the UK in relation to ICCPR, they stated the UK should prohibit conversion practices, including in relation to gender identity. This also included a specific mention of Northern Ireland.⁷⁴
- European Convention on Human Rights, in particular Article 8; the right to respect for private and family life, and Article 12; prohibition of discrimination.⁷⁵
- UN Convention on the Rights of the Child (CRC). In the Committee's most recent concluding observations in 2023, they called for the UK to ban conversion practices for children, including in relation to gender identity.⁷⁶
- UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- International Covenant on Economic, Social and Cultural Rights (ICESCR).
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

⁷³ World Bank Group, [Equality of Opportunity for Sexual and Gender Minorities](#) (2024) p.xix

⁷⁴ United Nations Human Rights Committee, [CCPR/C/GBR/CO/8 Concluding observations on the eighth periodic report of the United Kingdom of Great Britain and Northern Ireland](#) (2024) p5

⁷⁵ Council of Europe, [Convention for the Protection of Human Rights and Fundamental Freedoms](#)

⁷⁶ United Nations Committee on the Rights of the Child, [CRC/C/GBR/CO/6-7 Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland](#) (2023) p12

- UN Convention on the Rights of Persons with Disabilities (CRPD).
- Council of Europe Convention on preventing and combating violence against women and domestic violence.

4 Legislation to ban or restrict Conversion Practices outside Northern Ireland

There is currently no legislation which explicitly prohibits conversion practices in the UK or Republic of Ireland. The Isle of Man does have such legislation and this is included here given the proximity to this jurisdiction. However, a number of governments have committed to introducing such bans. The following table briefly outlines these before going into more detail.

Table 2 Current legislative position and commitment in the United Kingdom, Republic of Ireland and Isle of Man

Jurisdiction	Legislative Action/Commitments	Statue/Progress	Key Issues
England and Wales (UK Government)	Labour 2024 manifesto commitment to a full trans-inclusive ban. Draft bill published 25 June 2026 would cover England and Wales only.	Draft bill will undergo pre-legislative scrutiny by Joint Committee of both Houses.	Previous opposition to a trans-inclusive bill and concerns over religious freedom and parental rights. A previous Private Member's Bill did not pass.
Scotland	Committed to a trans inclusive ban on conversion practices; consultation held in early 2024 with report analysis in October 2025.	No specific Bill introduced yet; awaiting progress on UK-wide legislation.	Legislation consulted on would focus on protecting LGBTQIA+ rights and balance with religious freedoms; offence of removing a person from Scotland for conversion practices.

Jurisdiction	Legislative Action/Commitments	Statue/Progress	Key Issues
Wales	Welsh Government committed to pressing the UK Government on a full, trans-inclusive ban on conversion practices	UK Government's draft bill includes Wales	Support for a clear definition of conversion practices to avoid restricting legitimate discussions and support.
Republic of Ireland	Committed to banning conversion therapy in 2025 Programme for Government. Reconfirmed during Dáil debate in May 2026.	No legislation brought forward to date.	Research shows conversion practices still occur in Ireland; delays in legislative progress.
Isle of Man	Ban on conversion practices in place via the Sexual Offences and Obscene Publications Act 2021	Legislation in place	Legislation makes it an offence to practice, or offer 'conversion therapy'.

Jurisdiction	Legislative Action/Commitments	Statue/Progress	Key Issues
UK and Republic of Ireland (Memorandum of Understanding)	States that conversion therapy is unethical and harmful, signed by numerous professional and medical organisations in the UK and island of Ireland, including parts of the NHS.	Updated in 2022 and 2024, with increased signatories, and a similar MoU from organisations on the island of Ireland.	Provides ethical guidelines but does not constitute binding legislation.

4.1 England and Wales

The current UK Government was elected in July 2024 with a manifesto commitment to deliver a trans-inclusive ban on conversion practices.⁷⁷ The Conversion Practices Bill was published in draft on 25 June 2026 for pre-legislative scrutiny and will be considered by a Joint Committee of both Houses.

The draft Bill's explanatory notes outline that a wide range of acts can constitute a conversion practice: from physical acts to psychological abuse and coercive control.⁷⁸ It considers that the draft Bill is balanced and targeted to allow legitimate healthcare to be undertaken as well as broader support a person might receive as well as not interfering with a person's right to religious belief and expression.⁷⁹

4.1.1 What practices would be prohibited?

The draft Bill would create three new offences in relation to carrying out conversion practices. These are:

- The offence of carrying out an abusive conversion practice on an individual;
- The offence of encouraging or assisting an abusive conversion practice performed outside England and Wales;
- The offence of breaching a conversion practice order.

It defines conversion practices as “any conduct which has the intention to cause an individual to have, or not to have, a sexual orientation or transgender identity. It also includes conduct that intends to make an individual believe that they have, or do not have, a sexual orientation or transgender identity.”⁸⁰

The Bill introduces a criminal offence that may be committed if a person carries out an “abusive conversion practice”. It would be for a court to decide what

⁷⁷ Cabinet Office, [Draft Conversion Practices Bill - Explanatory Notes](#) (2026) p3

⁷⁸ As cited immediately above [p4](#)

⁷⁹ As cited at footnote 77 [p4](#)

⁸⁰ As cited at footnote 77 [p4](#)

constitutes abuse for this purpose but the draft Bill does reference particular types of conduct which should be considered.⁸¹ Clause 1(6) sets these out:

- a) words or behaviour of a sexual nature;
- b) violent or threatening words or behaviour;
- c) controlling or coercive words or behaviour;
- d) use of economic pressure;
- e) use of psychological or emotional pressure.⁸²

There is also a requirement for harm to have been caused in the undertaking of an abuse conversion practice for a person to have committed an offence. The conversion practice must cause either:

- a) serious harm to the victim's physical or mental health, or
- b) serious alarm or distress to the individual which has a substantial adverse effect on their usual day-to-day activities.⁸³

Also included is a specific provision around the avoidance of doubt which clarifies that conduct that is carried out with such intention (as outlined previously) but is carried out in the course of providing healthcare services is not a conversion practice as long as it meets the standards reasonably expected.⁸⁴

4.1.2 Sexual orientation and transgender identity

The draft Bill, at clause 1(7) and 1(8) provides a definition of sexual orientation and transgender identity. Sexual orientation has the same meaning as in the Equality Act 2010⁸⁵ whilst transgender identity is defined as including, but not limited to, circumstances where:

- a) the individual is undergoing, is proposing to undergo or has undergone a process of gender reassignment,

⁸¹ Cabinet Office, [Draft Conversion Practices Bill - Explanatory Notes](#) (2026) p5

⁸² [Conversion Practices Draft Bill](#) 2026, clause 1(6)

⁸³ Cabinet Office, [Draft Conversion Practices Bill - Explanatory Notes](#) (2026) p10

⁸⁴ [Conversion Practices Draft Bill](#) 2026, clause 1(3)

⁸⁵ [Conversion Practices Draft Bill](#) 2026, clause 1(7)

- b) the individual is transsexual,
- c) the individual identifies as neither male nor female or as not solely male or female.⁸⁶

4.1.3 Removing a Person from England or Wales for Conversion Practices

The draft Bill would make it an offence to carry out conduct in England and Wales which could encourage or assist an abusive conversion practice being carried out on a UK national or someone habitually resident in the UK, outside England and Wales. The same harm requirement as the offence of carrying out practices is also necessary.

4.1.4 Conversion Practices Protection Order (CPPO)

The draft Bill would also provide for civil orders, CPPOs. Through these CPPOs, the family or criminal court would be able to make an order to protect either an individual from undergoing abusive conversion practices. The court is able to impose whatever conditions are considered appropriate in the context of a particular case. Breach of such an order would be a criminal offence.⁸⁷

4.1.5 Penalties

The draft Bill contains penalties for those carrying out an abusive conversion practice and for the offence of encouraging or assisting an abusive conversion practice outside England or Wales. These are:

- on summary conviction: to imprisonment for a term not exceeding the general limit in a magistrates' court, to a fine or to both⁸⁸;
- on conviction on indictment: imprisonment for a term not exceeding 5 years, to a fine or to both.

⁸⁶ [Conversion Practices Draft Bill](#) 2026, clause 1(8)

⁸⁷ Cabinet Office, [Draft Conversion Practices Bill - Explanatory Notes](#) (2026) p5

⁸⁸ The general limit is currently 6 months.

The proposed offence of breaching a CPPO would make a person liable to:

- on summary conviction: to imprisonment for a term not exceeding the general limit in a magistrates' court, to a fine or to both;
- on conviction on indictment: imprisonment for a term not exceeding 2 years, to a fine or to both.

4.1.6 Territorial extent

The UK Government's draft Bill would only apply in England and Wales. However, they have said that they will continue to engage with Devolved Governments on the possibility of extending the legislation to other jurisdictions. This is happening as part of the current pre-legislative process.⁸⁹

4.2 Scotland

The Scottish Government has made a number of commitments to introducing a ban on conversion practices and in January 2024 it launched a public consultation on its detailed proposals. This consultation closed on 2 April 2024. This builds on work undertaken by the Expert Advisory Group on Ending Conversion Practices (EAG).

The EAG was formed of experts from LGBTQIA+ organisations, faith and belief organisations and communities, who are mental health professionals, legal professionals, human rights advocates, academics and people with personal lived experience of conversion practices. The group produced a report which included a number of guiding principles which they hoped would help to develop the legislation, as well as specific recommendations. These guiding principles included:

- The Scottish Government's approach to conversion practices must consider the human rights of LGBTQIA+ people;
- Conversion practices infringe the human rights of individuals;
- The rights of the child must be considered;

⁸⁹ Cabinet Office, [Draft Conversion Practices Bill - Explanatory Notes](#) (2026) p7

- Consideration that a ban on conversion practices does not constitute an unlawful restriction on freedom of religion or freedom of expression, and;
- The balancing of rights.

The EAG's recommendations covered a wide area and can be viewed fully in the Annex to their report⁹⁰.

The Scottish Parliament's Equalities, Human Rights and Civil Justice Committee has also considered the issue and published a report in January 2022 following a petition to "End Conversion Therapy."⁹¹ They noted that the majority of religious organisations that they heard from are in favour of a ban on conversion practices and that the legislation should not restrict ordinary religious teachings.

The Scottish Government's public consultation document contains detailed information around the proposed legislation. This paper will not repeat that in detail as this can be viewed in the consultation documents⁹² themselves but will highlight some of the important areas that the Bill proposes to cover.

4.2.1 What practices would be prohibited

In order to fall under the proposed legislation, "conversion practices must have an intention that another person's sexual orientation or gender identity will be changed or suppressed."⁹³ This means that general statements of opinion are not covered as they must have this specific intention. Nor do voluntary practices undertaken by the person themselves due to their own beliefs, where this hasn't been pushed on them by another person.⁹⁴

Also included is a specific provision around the avoidance of doubt which clarifies that "conversions that do not intend to direct a person towards a

⁹⁰ Scottish Government Expert Advisory Group on Ending Conversion Practices, [Report and Recommendations](#) (2022) p8

⁹¹ Scottish Parliament Equalities, Human Rights and Civil Justice Committee, [Report on Petition PE1817: End Conversion Therapy](#) (2022)

⁹² Scottish Government, [Ending conversion practices in Scotland: consultation](#) (2024)

⁹³ As cited immediately above [p15](#)

⁹⁴ As cited at footnote 92, [p56](#)

particular sexual orientation or gender identity is not a conversion practice and nor is behaviour that consists entirely of expression of opinion of belief.”⁹⁵

A defence of reasonableness is also included. This provides a protection by allowing someone accused of undertaking conversion practices to put forward a defence that their behaviour was reasonable, this could include demonstrating they were exercising their rights under the ECHR.⁹⁶

4.2.2 Removing a Person from Scotland for Conversion Practices

The Scottish Government’s proposals would also make it an offence “to cause someone who is habitually resident in Scotland to leave Scotland with the intention that they will undergo conversion practices.”⁹⁷ This would include a number of examples such as paying for someone’s travel costs with the intention that that person would then undergo conversion practices elsewhere, including elsewhere in the UK.⁹⁸

4.2.3 Consent

The proposals do not include a defence of consent in relation to these new criminal offences as the Scottish Government, taking into account the available information and evidence, do not feel an individual can give informed consent to harmful conversion practices.⁹⁹

4.2.4 Statutory Aggravation

The Government proposals creating a new statutory aggravation which would mean that where the act(s) undertaken as part of a conversion practice are already criminal offences, for example, assault, and where the crime was motivated by change or suppression of a person’s sexual orientation or gender

⁹⁵ Scottish Government, [Ending conversion practices in Scotland: consultation](#) (2024) p57

⁹⁶ As cited immediately above, [p57](#)

⁹⁷ As cited in footnote 95, [p48](#)

⁹⁸ As cited in footnote 95, [p48](#)

⁹⁹ As cited in footnote 95, [p45](#)

identity, Courts will be required to take this motivation into account during sentencing.¹⁰⁰

4.2.5 Civil Protection Order

Under the proposals, the civil courts would be able to make an order to protect either a specific victim or the wider community from the harm of conversion practices. Breach of such an order would be a criminal offence.¹⁰¹

4.2.6 Penalties

In Scotland, the Scottish Government's consultation includes proposed penalties for those engaging in conversion practice. These are:

- on summary conviction: imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum (£10,000), or to both.
- on conviction on indictment (solemn procedure)¹⁰²: imprisonment for a term not exceeding 7 years, or to an unlimited fine, or both.¹⁰³

There are also proposed penalties for the offence of removing a person from Scotland for conversion practices:

- on conviction under summary procedure: imprisonment for a term not exceeding 12 months, or a fine, or both.
- on conviction on indictment (solemn procedure): imprisonment for a term not exceeding 3 years, or a fine, or both.¹⁰⁴

¹⁰⁰ Scottish Government, [Ending conversion practices in Scotland: consultation summary](#), Part 5

¹⁰¹ As cited immediately above, [Part 5](#)

¹⁰² In **summary procedure**, a trial is held in the Sheriff or Justice of the Peace Court before a judge without a jury. The maximum sentence on conviction is one year of imprisonment. In **solemn procedure**, the trial is held before a judge sitting with a jury in either the Sheriff Court or the High Court. This is used for more serious allegations and consequently attracts higher penalties. The decision on which procedure to use is decided by the Crown Office and Procurator Fiscal Service depending on the seriousness of the alleged offence

¹⁰³ Scottish Government, [Ending conversion practices in Scotland: consultation](#) (2024) p44

¹⁰⁴ As cited immediately above [p49](#)

4.2.7 Progress of legislation

The Scottish Government, in their most recent manifesto, made clear their continued view that conversion practices “have no place in Scotland.”¹⁰⁵ They committed to legislating for a ban on such practices should the UK Government fail to bring forward legislation themselves and that, if necessary, this would be introduced within the first year of the new parliament following the election in May 2026.¹⁰⁶ It is not clear what the position is given the UK Government’s draft bill currently only extends to England and Wales.

4.2.8 Consultation Analysis

An analysis of the Scottish Government’s consultation was published in October 2025. It is extensive and detailed and this paper will not seek to repeat this in depth but will outline some of the headline figures highlighted.

In total, 5811 responses were available for analysis, 5649 from individual members of the public (97% of responses) and 162 from groups or organisations. These included faith or belief bodies, medical, psychology or counselling bodies, LGBTQI+ groups, campaign groups and political parties and trade unions.¹⁰⁷ It is worth noting that the analysis sets out that it was clear some respondents had drawn on materials produced by, or responses published by, one or more organisation for their own responses. For those who tended to oppose the proposals, many respondents drew from material from faith bodies, LGB groups and some Women’s groups whilst many of those broadly supportive had drawn from materials from LGBTQI+ groups.¹⁰⁸ This must be recognised when considering the responses as a whole.

The analysis found that there was a small majority of people who did not support the proposals (around 54% to 45%) and that, with some small

¹⁰⁵ SNP, [On Scotland’s Side – SNP Manifesto 2026](#) p33

¹⁰⁶ As cited immediately above, [p33](#)

¹⁰⁷ Scottish Government, [Ending Conversion Practices in Scotland - Analysis of responses to the consultation exercise](#) (2025) p.i

¹⁰⁸ As cited immediately above, [p.ii](#)

variations, this balance of opinion repeated across a number of the closed questions and similarly reflected in responses to the open questions.¹⁰⁹

In terms of the bodies and organisations who responded, there was general split between them in that:

- “Those who generally did not support the proposals included most of the Campaign groups, Faith or belief bodies or groups and Women’s groups and all LGB groups.
- Those who generally supported the proposals included most or all of the LGBTQI+ groups, Medical, psychology or counselling groups or bodies, Political parties or trade unions, Social work, legal or community safety bodies and Third sector respondents.
- Family or parental support groups tended to be evenly divided.”¹¹⁰

The analysis also notes that a number of those who opposed the legislative proposals noted that they did not have concerns about the proposals as they would apply to sexual orientation but did not agree that gender identity should be covered. Some that supported the proposals saw them as importantly offering an inclusive and non-discriminatory approach.¹¹¹

4.3 Wales

The Welsh Government opposed conversion practices “in all forms.”¹¹² In its LGBTQ+ Action Plan for Wales, there are a number of references to conversion practices and the Government’s move to ban these for all LGBTQ+ people in Wales.¹¹³ In the 2021 update to their programme for Government, the then Welsh Government promised to ban all conversion practices within their powers

¹⁰⁹ Scottish Government, [Ending Conversion Practices in Scotland - Analysis of responses to the consultation exercise](#) (2025) p.ii

¹¹⁰ As cited immediately above, [p.ii](#)

¹¹¹ As cited at footnote 109, [p.iii](#)

¹¹² Welsh Government, [Banning conversion practices in Wales](#) (2024)

¹¹³ Welsh Government, [LGBTQ+ Action Plan for Wales](#) (2023) p20

and to seek the devolution of any further powers necessary.¹¹⁴ However, no legislation was ever brought forward.

The new Plaid Cymru Government, following the May 2026 Senedd election, highlighted in their manifesto that they were committed to the rights of LGBTQ+ people and had played a key role in ensuring the LGBTQ+ Action Plan was delivered. Their manifesto committed to pressing the UK Government on a full, trans-inclusive ban on conversion practices.¹¹⁵

The responses to the consultation on the LGBTQ+ Action Plan were overwhelmingly in favour of stopping conversion practices that try and force people to change their sexual orientation or gender.¹¹⁶ The responses also highlighted the need for a clear definition of conversion practices to ensure legitimate discussions and support would not be included in any ban.¹¹⁷

As touched upon, the UK Government's draft legislation would cover Wales as well as England.

4.4 Republic of Ireland

In the Irish Government's 2025 Programme for Government, it stated that it would advance legislation to ban conversion therapy.¹¹⁸ The Minister for Children and Equality, Roderic O'Gorman stated in June 2023 that legislation to ban LGBTQIA+ conversion practices would be brought forward that year and that this was likely to cover practices targeted at changing a person's sexual orientation or gender identity.¹¹⁹ No legislation was brought by the last Government and none has yet been introduced following the 2024 Irish general election. In response to a question in the Dáil in May 2026, the Minister for Children, Disability and Equality reaffirmed the Government's commitment to

¹¹⁴ Welsh Government, [Programme for Government – Update](#) (2021) p14

¹¹⁵ Plaid Cymru, [2026 Manifesto – LGBTQ+](#)

¹¹⁶ Welsh Government, [LGBTQ+ Action Plan for Wales](#) (2023) p21

¹¹⁷ As cited immediately above, [p21](#)

¹¹⁸ Irish Government, [Programme for Government](#) (2025) p98

¹¹⁹ Irish Legal News, [Ban on conversion practices to be brought forward this year](#) (2023)

legislating to prohibit conversion practice. The Minister noted that proposals raise complex and sensitive policy and legal questions but did not give any timeframe for the introduction of legislation.¹²⁰

In 2023, the Irish Government published research, which indicated that conversion practices do take place in the Republic of Ireland, and which was expected to inform the planned legislation.¹²¹

4.5 Isle of Man

[Section 88 of the Sexual Offences and Obscene Publications Act 2021](#) ('the Act') in the Isle of Man created a new offence for any person to practise, or to offer to practise conversion therapy in the jurisdiction. It is one clause in a much wider piece of legislation and refers to "conversion therapy" rather than conversion practices. The Act came into effect in March 2024.

4.5.1 Definition of conversion therapy

The Act defines conversion therapy as any form of therapy which "demonstrates an assumption that any sexual orientation or gender identity is inherently preferable to any other" and attempts to change or suppress a person's sexual orientation or gender identity.¹²² It is worth noting that, unlike in the Scotland and UK Government proposals, there is no specific harm requirement outlined in order for an offence to be committed.

It has been argued that the use of 'inherently' helps to determine the scope of what is covered as open-minded exploratory therapies are not premised on a belief that a certain sexual orientation or gender identity is preferable or that another is undesirable. They, therefore, would not be covered by the ban.¹²³

¹²⁰ Dáil Éireann Parliamentary Question [38646/26](#)

¹²¹ Irish Government, [Press release: Minister O'Gorman announces the publication of the report 'An Exploration of Conversion Therapy Practices in Ireland'](#) (2023)

¹²² [Sexual Offences and Obscene Publications Act 2021](#) sec 88(2)(a)

¹²³ Modern Law Review, [Nailing Down a Conversion Therapy Offence](#) (2026)

4.5.2 Avoidance of doubt

There is an avoidance of doubt clause contained within the Act which sets out that conversion therapy doesn't include services which are available for the purpose of helping a person to "explore, develop or affirm freely" their sexual orientation or gender identity.¹²⁴

4.5.3 Penalty

The penalty for the offence of practicing, or offering to practice conversion therapy is:

- a) On conviction on information: a maximum of 2 years' custody or a fine¹²⁵;
- b) On summary conviction: 12 months' custody or a fine of level 5 on the standard scale or both.¹²⁶

4.5.4 Human Rights

The Isle of Man's Human Rights Act 2001 is similar to the UK's Human Rights Act 1998 in that it incorporates the fundamental rights and freedoms in the European Convention on Human Rights into Manx domestic law.¹²⁷ This means that legislation, including the Act which contains the ban on conversion practices, must be interpreted and given effect as far as possible, compatibly with the Convention rights.¹²⁸

4.5.5 Review of the Act

An independent review of the Act is currently being undertaken to evaluate how effectively it has been working.¹²⁹ This may provide some further insight into

¹²⁴ [Sexual Offences and Obscene Publications Act](#) 2021 sec. 88(2)(b)

¹²⁵ These are dealt with by the Court of General Gaol Delivery

¹²⁶ [Sexual Offences and Obscene Publications Act](#) 2021 sec. 88(5)

¹²⁷ Isle of Man Government, [Human Rights](#) (accessed 15 August 2026)

¹²⁸ As cited immediately above

¹²⁹ Isle of Man Government, [Review of the Sexual Offences and Obscene Publications Act 2021](#) (2026)

how the section 88 provisions are working. The independent review is ongoing and the public consultation aspect of this closed on 3 April 2026.

Members may wish to consider whether engagement with the Isle of Man Government may be helpful to better understand how legislation is working in practice.

4.6 Memorandum of Understanding

In 2017, a Memorandum of Understanding (MoU) was signed by health, counselling and psychotherapy organisations drafted which made clear that “conversion therapy in relation to gender identity and sexual orientation (including asexuality) is unethical, potentially harmful and is not supported by evidence.”¹³⁰ It was most recently updated in 2022 and is signed by a number of organisations across the UK including, but not limited to:

- Association of Christians in Counselling and Linked Professions
- British Association for Counselling and Psychotherapy
- British Association of Behavioural and Cognitive Psychotherapies
- British Psychoanalytic Council
- British Psychological Society
- Mental Health Network – NHS Confederation
- Mind
- National Counselling and Psychotherapy Society (NCPS)
- NHS England
- NHS Scotland
- NHS Wales
- Northern Ireland Humanists
- Royal College of General Practitioners
- Royal College of Psychiatrists¹³¹

¹³⁰ British Association for Counselling and Psychotherapy, [Memorandum of understanding on conversion therapy in the UK](#) (2024)

¹³¹ As cited immediately above

In July 2024, three organisations signed a similar MoU on conversion therapy on the island of Ireland. The College of Psychiatrists of Ireland; The Irish Association for Counselling and Psychotherapy, and; The Psychological Society of Ireland also signed the MoU to say that “that conversion therapy in relation to gender identity and sexual orientation (including asexuality) is unethical, potentially harmful and is not supported by evidence.”¹³²

¹³² The College of Psychiatrists of Ireland, The Irish Association for Counselling and Psychotherapy (IACP) and The Psychological Society of Ireland, [Memorandum of Understanding on Conversion Therapy on the Island of Ireland](#) (2024) p1

5 Conversion Practices (Criminalisation) Bill

The Bill contains 11 clauses which are outlined below. Some of these, given their more technical or standard nature, may require less discussion. Where relevant, discussion on individual clauses also highlights relevant areas of note raised in the consultation responses, from other jurisdictions or elsewhere. It does not repeat, in full, all the Bill's clauses and should be read in conjunction [with the Bill itself](#).

The Bill would introduce three new criminal offences:

- Offence of providing conversion therapy,
- Offence of engaging in coercive conversion behaviour, and
- Offence of removing a person from Northern Ireland for the purposes of conversion practices

The EFM states that this differentiation between “conversion therapy” and “coercive conversion behaviour” is 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”.¹³³

5.1 Offence of providing conversion therapy

Clause 1 of the Bill would introduce the first of three new criminal offences, namely the offence of providing conversion therapy. Clause 1(1) sets out that a person would commit this offence if they:

- a) Provide or carry out conversion therapy in relation to another person (referred to in the Bill as “the victim”),
- b) Have the intent of changing or suppressing the victim's sexual orientation or gender identity, and
- c) The victim suffers physical or psychological harm as a consequence.

¹³³ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p6

There are, therefore, three parts necessary for the offence: the undertaking or provision of conversion therapy + the intent to change or suppress + the suffering of harm as a consequence.

A definition of what constitutes 'conversion therapy' for the purposes of the Bill, is included at clause 4 and is discussed at [section 5.4](#) of this paper.

5.1.1 Harm

Clause 8 of the Bill, as introduced, is also relevant here as it provides more information on what is meant by psychological harm. It sets out that, for the purposes of the Bill, harm in this context includes fear, alarm or distress. This mirrors the wording in relation to psychological harm in respect of domestic abuse which is included at section 1(3) of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021.¹³⁴

During Second Stage, some Members raised concerns around the definition of harm proposed in the Bill.¹³⁵ In response to some of these, the Bill sponsor noted that he was open to this being further discussed during Committee stage as to whether other wording used such as "fear, alarm or distress, excluding trivial and transient harm" or "serious harm."¹³⁶

As outlined at [section 4.1](#), the UK Government's proposed Bill contains:

(1) A person commits an offence if the person carries out an abusive conversion practice on an individual which causes—

*(a) serious harm to the individual's physical or mental health, or (b) serious alarm or distress to the individual which has a substantial adverse effect on their usual day-to-day activities.*¹³⁷

The Explanatory Notes to these proposals explains that:

¹³⁴ [Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021](#) section 1(3)

¹³⁵ Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No4 p109](#)

¹³⁶ Northern Ireland Assembly Official Report 15 September 2026 [Vol. 198, No2 p56](#)

¹³⁷ [Conversion Practices \(Criminalisation\) Bill](#) 2026 clause 2(1)

“Subsection (1)(a) captures harm which is comparable to the degree of harm required for actual bodily harm. This harm does not need to be permanent but must be more than transient and trifling. Serious harm to mental health would be equivalent to psychiatric injury, so would, for example, include PTSD or clinical depression.

Subsection (1)(b) captures serious alarm or distress which adversely impacts an individual’s ability to live their everyday life. An adverse impact on a person’s ability to live their everyday life could include social isolation, a noticeable decline in physical or mental health that lead to self-harm, an inability to work, and an inability to care for oneself. This is comparable to the threshold set out in the offence of controlling or coercive behaviour, provided for in section 76 of the Serious Crime Act 2015.”¹³⁸

This is a higher level of harm than that required under the Bill, as introduced. However this would also mean that individuals who had undergone conversion practices but had not suffered this level of harm would not have the same level of protection.

The wording in the Bill sponsor’s Bill is the same as that used by the Scottish Government in their proposed Bill.¹³⁹ There is no specific harm requirement contained within the Isle of Man legislation.

Members may wish to consider the current harm requirement and whether a higher bar could be used or whether that may exclude some individuals who have undergone conversion practices.

¹³⁸ Office for Equality and Opportunity, [Conversion Practices Bill Explanatory notes](#) 2026

¹³⁹ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p37

5.1.2 Reasonableness defence

Clause 1(2) sets out that there is a defence of reasonableness whereby the person could show that the therapy was reasonable in the particular circumstances. Specifically it says:

*(2) It is a defence for the person to show that the therapy was reasonable in the particular circumstances.*¹⁴⁰

The EFM notes that each of the three new offences has a defence of reasonableness which allows for an accused person to show that their behaviour was, in the particular circumstances, reasonable. The Bill sponsor's view is that, while such a circumstance is unlikely to occur, this defence has been included as an additional safeguard against unintended criminalisation.¹⁴¹

The Bill sponsor's consultation report notes that a plurality, though not a majority, of respondents agreed with the inclusion of a defence of reasonableness. Of the 1297 respondents who answered the relevant question, 48% agreed 37% disagreed and 15% were unsure.¹⁴²

For those who agreed, some reasoning included that it was an approach consistent with similar offences and, if applied consistently and robustly, could enhance confidence in the application of the offence. For those who disagreed, they believed such a defence could be exploited to justify harmful behaviour and concerns that this defence could also put undue pressure on victims to "prove" that the behaviour was unreasonable.¹⁴³

The Bill's reasonableness defence mirrors proposals consulted on in Scotland, where the Scottish Government described it as an objective safeguard that would allow an accused person to argue that, in the particular circumstances, their conduct was reasonable, including where they were exercising rights

¹⁴⁰ [Conversion Practices \(Criminalisation\) Bill](#) 2026 clause 1(2)

¹⁴¹ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p5

¹⁴² Eóin Tennyson MLA, [Banning Conversion Practices: Consultation Summary Report](#) (2025) p21

¹⁴³ As cited immediately above [p21](#)

protected by the ECHR.¹⁴⁴ As discussed previously in the paper, the Government indicated that the defence would apply only in limited circumstances and suggested that situations involving an immediate risk of harm, such as a risk of suicide, may provide one possible example.¹⁴⁵

The defence of reasonableness was discussed a number of times through the Second Stage debates and some concerns were raised around what would (or would not) be considered reasonable.¹⁴⁶ A standard of “the reasonable person” is not uncommon in criminal law and, indeed, reasonableness is found in a number of branches of law.¹⁴⁷

Some other examples of this in legislation also include a further subsection to this defence, for example [section 12 of the Domestic Abuse and Civil Proceedings Act \(Northern Ireland\) 2021](#):

12—(1) In proceedings in respect of a charge against a person (“A”) of the domestic abuse offence, it is a defence for A to show that the course of behaviour was reasonable in the particular circumstances.

(2) That is shown if—

(a) evidence adduced is enough to raise an issue as to whether the course of behaviour is as described in subsection (1), and

(b) the prosecution does not prove beyond reasonable doubt that the course of behaviour is not as described in subsection (1).

The Explanatory Notes to this Act explain that “subsection (2) allows for the accused to adduce evidence that is enough to raise an issue as to whether the course of behaviour was reasonable, with the prosecution then needing to disprove this version of events. Nothing in this section affects the broader

¹⁴⁴ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p57

¹⁴⁵ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) pp40-41

¹⁴⁶ For example at Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p101](#)

¹⁴⁷ RalSe, [NIAR-217-2020 Defence on Grounds of Reasonableness](#) (2020) p1

requirement for the prosecution to prove beyond reasonable doubt that the offence has been committed.”¹⁴⁸

Similar subsections to that included above are included in other legislation both in Northern Ireland and elsewhere, including in the Scottish Government’s proposals on a ban on conversion practices.¹⁴⁹

Members may wish to consider whether the addition of wording similar to that in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 could help provide any further clarity around the defence of reasonableness.

5.1.3 Consent

Clause 1(3) makes clear that there could be no defence that the victim consented to the conversion therapy.

None of the three new offences has a defence of consent. The EFM explains that given the nature of conversion practices, the element of coercion and the insidious behaviours underpinning them, the Bill sponsor does not believe consent is a relevant factor in their defence.¹⁵⁰

Again, this mirrors the Scottish proposals. There, the Scottish Government, taking into account the available information and evidence, did not feel an individual can give informed consent to harmful conversion practices.¹⁵¹

There is no reference to a defence of reasonableness or consent in the draft Bill published by the UK Government.

¹⁴⁸ Domestic Abuse and Civil Proceedings Act (Northern Ireland), [Explanatory Notes](#) 2021 sec.12

¹⁴⁹ Scottish Government, [Ending conversion practices in Scotland: consultation](#) (2024) p51

¹⁵⁰ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p5

¹⁵¹ Scottish Government, [Ending conversion practices in Scotland: consultation](#) (2024) p45

5.1.4 Penalties

Finally, clause 1(4) deals with the penalty aspect of the offence and sets out that if found guilty, a person is liable to

- a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both),
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).

All three proposed new offences in the Bill would carry the same maximum penalty. The penalty for conviction on indictment in the Bill is similar to that in the Isle of Man (at [section 4.5.3](#) of this paper) but considerably lower than that proposed in Scotland (at [section 4.2.6](#)) and the draft Bill for England and Wales (at [section 4.1.5](#)), apart from for removing a person from Northern Ireland where the equivalent offence in Scotland proposes a maximum jail term of 3 years for conviction on indictment.¹⁵²

In the consultation, the proposed maximum sentence for the offence of engaging in conversion practice was 7 years imprisonment. In the consultation report, it is noticed that a plurality, though not a majority, of respondents agreed that this proposed sentencing range was appropriate. Of the 1,287 respondents who answered this question, 48% agreed, 36% disagreed, 14% indicated they were unsure and 2% indicated 'other'.¹⁵³ The Bill sponsor has explained that this was subsequently reduced to the 2 years included in the Bill, as introduced, during the drafting process as it was recognised following consultation that criminalisation rather than length of sentence was the deterrent, and many of the most serious examples would be captured by other offences.¹⁵⁴

The Bill sponsor has also sent correspondence to the Minister of Justice as part of the consultation process. The Minister responded and noted that whilst the policy rested with the Department for Communities, she was supportive of the

¹⁵² Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p49

¹⁵³ Eóin Tennyson MLA, [Banning Conversion Practices: Consultation Summary Report](#) (2025) p24

¹⁵⁴ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

proposals and that the proposed penalties for the offences in the Bill were “consistent and proportionate.”¹⁵⁵

Members may wish to consider the maximum sentences and whether they are satisfied with the proposals in this regard.

5.2 Offence of engaging in coercive conversion behaviour

Clause 2 of the Bill deals with a separate offence to that in clause 1.

This offence, as laid out in clause 2(1) is similar in nature to that at clause 1(1) whereby a person commits an offence if:

- a) They engage in coercive behaviour in relation to the victim,
- b) Have the intent of changing or suppressing the victim’s sexual orientation or gender identity, and
- c) The victim suffers physical or psychological harm as a consequence.

Clauses 2(2), (3) and (4) mirror those in clause 1 in relation to a reasonableness defence, no defence of consent and the potential penalties if convicted of the offence.

A definition of what constitutes ‘coercive behaviour’ for the purposes of the Bill, is included at clause 5 and is discussed at [section 5.5](#) of this paper.

5.3 Offence of removing a person from Northern Ireland for the purposes of conversion practices

Clause 3 covers the third offence that would be created under the Bill. It sets out that a person would commit this offence if they

- a) Cause or facilitate the victim to leave Northern Ireland with the purposes of being subject to conversion therapy or coercive behaviour,
- b) Intends this therapy or behaviour to change or suppress the victim’s sexual orientation or gender identity, and

¹⁵⁵ Eóin Tennyson MLA, [Banning Conversion Practices: Consultation Summary Report](#) (2025) p4

- c) Is reckless as to whether the victim suffers physical or psychological harm as a result.

As with the previous two offences, there would, again, be a defence of reasonable behaviour but there would be no defence that the victim consented. Again the penalties should a person be found guilty would be the same as for the other two offences. These are set out in clauses 3(2) to 3(4).

A clear majority of the 1288 respondents to this question in the consultation agreed (63%).¹⁵⁶ The consultation asks about the removal of someone habitually resident in Northern Ireland. Again, this mirrors the language in the Scottish proposals.¹⁵⁷ In the UK Government proposals, the victim must be habitually resident in the UK or a UK national.¹⁵⁸ The Bill, as introduced, however, has no residence or nationality requirement. In correspondence with RalSe, the Bill sponsor has explained that this change was made during the drafting of the Bill to avoid any complications over the interpretation of “habitually resident”.¹⁵⁹

Members may wish to consider whether they are content with the change to residency requirements from the consultation proposal to those in the Bill, as introduced.

5.4 Conversion therapy

Clause 4 of the Bill provides a definition of conversion therapy. Clause 4(1) lays out that, for the purposes of the Bill, a person provides or carries out conversion therapy if they provide or carry out:

- a) counselling or any form of talking therapy,
- b) coaching or instruction,

¹⁵⁶ Eóin Tennyson MLA, [Banning Conversion Practices: Consultation Summary Report](#) (2025) p26

¹⁵⁷ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p50

¹⁵⁸ [Conversion Practices Draft Bill](#) 2026, clause 4(b)

¹⁵⁹ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

c) a treatment, or purported treatment.

As outlined in clause 4(2) it would not matter whether the therapy was paid for or provided free of charge.

There is a protection included at clause 4(3) which would mean the Bill, if enacted, would not apply in respect of therapy provided or carried out by individuals registered to, or regulated by four specific regulatory bodies, so long as the therapy was provided in line with the standards and code of ethics that apply to the relevant body. These are:

- the General Medical Council,
- the Health and Care Professions Council,
- the General Pharmaceutical Council, or
- the Pharmaceutical Society of Northern Ireland.

The Bill would allow the Department of Health to amend this list through an order, but that order would need to be approved by the Assembly, as detailed in clauses 4(4) and 4(5).

This clause was also discussed during the Second Stage debates, particularly around the wording of “coaching and instruction”. There were concerns that this may criminalise people when there is no therapeutic intervention and that, for example, faith leaders, parents and sports coaches could be criminalised for discussions with children about their sexual orientation or gender identity.¹⁶⁰ As already discussed at [section 5.1](#) of this paper, there are three parts which are necessary for the offence of providing conversion therapy: the undertaking or provision of conversion therapy + the intent to change or suppress + the suffering of harm as a consequence. All three of these would need to be met and any coaching or instruction would have to be in this context. The Bill sponsor also highlighted this requirement for intent when it came to the action of parents.¹⁶¹

¹⁶⁰ For example: Northern Ireland Assembly Official Report 28 September 2026 [Vol. 199, No 1 p74](#)

¹⁶¹ For example: Northern Ireland Assembly Official Report 28 September 2026 [Vol. 199, No 1 p77](#)

The Isle of Man legislation, in its definition of conversion therapy, states that this “does not include services which are for the purpose of assisting a person to explore, develop or affirm freely the person’s sexual orientation or gender identity.” This may allow for more exploratory conversations to take place and Members may see it as an additional safeguard.

In New South Wales, Australia, the Conversion Practices Ban Act 2024 contains additional safeguards through an avoidance of doubt clause. This says that:

- a) stating what relevant religious teachings are or what a religion says about a specific topic,
- b) general requirements in relation to religious orders or membership or leadership of a religious community,
- c) general rules in educational institutions, and
- d) parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children

are not conversion practices under the legislation.¹⁶²

Members may consider whether the definition of conversion therapy is too broad, particularly in relation to “coaching or instruction” and whether any other wording could be added to ensure this targets “therapeutic” practices.

Members may also wish to consider whether an avoidance of doubt clause, similar to that in New South Wales, may provide additional safeguards as Members feel appropriate.

¹⁶² New South Wales [Conversion Practices Ban Act](#) 2024 sec. 3(4)

5.5 Coercive behaviour

Clause 5 sets out a definition of coercive behaviour for the purposes of the Bill. As per the EFM, this definition is based upon the one used in the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021.¹⁶³

Coercive behaviour, described at clause 5(1) means:

- a) behaviour directed at the victim that is violent,
- b) behaviour directed at the victim that is threatening,
- c) controlling, regulating or monitoring the victim's day-to-day activities,
- d) depriving or restricting the victim's freedom of action, or
- e) making the victim feel frightened, humiliated, degraded, punished or intimidated.

The Bill also makes clear that coercive behaviour does not include failure to do a thing and that it is not just behaviour on one occasion, it means behaviour on two or more occasions which may include the same behaviour on a number of occasions or different behaviour on different occasions.

Again, concerns were raised here that parents may be criminalised unfairly, particularly in reference to controlling and monitoring their children's activities.¹⁶⁴ The Bill sponsor, in response to some of these concerns, highlighted that such behaviour is already within domestic abuse legislation and that such normal behaviour has never resulted in a parent being taken to court for domestic abuse.¹⁶⁵

As referenced above the legislation in place in New South Wales, Australia contains a specific avoidance of doubt clause which includes parents. It states that "parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children" does not constitute a conversion practice.¹⁶⁶

¹⁶³ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p6

¹⁶⁴ For example: Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p86](#)

¹⁶⁵ Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p86](#)

¹⁶⁶ New South Wales [Conversion Practices Ban Act](#) 2024 sec. 3(4)(d)

Members may wish to consider whether a similar avoidance of doubt clause could alleviate concerns on the unintended criminalisation of parents.

5.6 Sexual orientation and gender identity

Clause 6 contains some definitions of sexual orientation and gender identity in respect of the Bill. At clause 6(1) it states that references to these would include both what the victim considers their sexual orientation or gender identity to be and what the person undertaking the conversion practice considers it to be.

Clause 6(2) sets out that reference to sexual orientation includes when the victim has no sexual orientation towards other persons.

In correspondence with RalSe, the Bill sponsor has outlined the reasoning behind this clause. Clause 6(1) is intended to address a potential defence whereby a person states that they genuinely believed a person to be, for example, heterosexual or cisgender and so that they were not therefore trying to change or suppress the victim but instead to reveal what they believed their true identity to be. In other words the Bill prevents a defence of “there’s no such thing as gay/trans”.¹⁶⁷

The Bill sponsor also outlined that clause 6(1) is intended to ensure both what the alleged perpetrator considers and what the victim considers is taken into account when a fact-specific assessment is undertaken by the court.¹⁶⁸

The Scottish proposal included what the victim “considered” to be their sexual orientation or gender identity, and what the accused “presumed” their sexual orientation or gender identity to be.¹⁶⁹ For this Bill, the sponsor has explained

¹⁶⁷ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁶⁸ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁶⁹ Scottish Government, [Ending Conversion Practices in Scotland: Consultation](#) (2024) p16

that “considered” was employed for both the victim and the accused to avoid giving rise to unnecessary questions of statutory interpretation / consistency.¹⁷⁰

As outlined at [section 4.1.2](#), the proposed UK Government Bill does not use the term “gender identity” and instead uses “transgender identity” which is defined for the purposes of the proposed Bill. The definition of sexual orientation in this proposed Bill is the same as that in the Equality Act 2010.¹⁷¹

The Isle of Man legislation does not define sexual orientation or gender identity on the face of the Bill. It instead allows for guidance to be issued by the Department of Home Affairs, which must be laid before Tynwald.¹⁷² No such guidance on this could be identified.

In Australia, the New South Wales (NSW) legislation defines sexual orientation in a similar way to the UK Government’s proposal but also includes “having a lack of sexual attraction to any individual of any sex”.¹⁷³ The Bill sponsor has included this in this Bill, as outlined, at clause 6(2). In the NSW Act, gender identity is defined as “the gender-related identity of an individual, which may or may not correspond with the individual’s designated sex at birth.”

In Victoria, Australia, the Change or Suppression (Conversion) Practices Prohibition Act amends the wider Equal Opportunity Act 2010 in respect of the definition of gender identity which takes it beyond solely legislation on conversion practices. It has defined gender identity as “a person’s gender-related identity, which may or may not correspond with their designated sex at birth, and includes the personal sense of the body (whether this involves

¹⁷⁰ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁷¹ Section 12(1) defines sexual orientation as a person’s sexual orientation towards—

- (a) persons of the same sex,
- (b) persons of the opposite sex, or
- (c) persons of either sex.

¹⁷² Isle of Man [Sexual Offences and Obscene Publications Act](#) 2021 sec.88

¹⁷³ New South Wales [Conversion Practices Ban Act](#) 2024 Sch. 2

medical intervention or not) and other expressions of gender, including dress, speech, mannerisms, names and personal references;".¹⁷⁴

Members may wish to consider the definitions for sexual orientation and gender identity used in other legislation or proposed legislation.

It may also be of interest to Members to discuss these with officials or representatives in these jurisdictions to understand how these work in practice.

5.7 Intent to change or suppress

This section, clause 7, sets out some more detail on an intent to change or suppress sexual orientation or gender identity mentioned in the Bill. It says that there would be no intention to do this:

- a) if there is no intent to direct a victim towards a specific sexual orientation or gender identity,
- b) where the intent is only to express beliefs or opinions without a trying to direct a victim towards a specific sexual orientation or gender identity, or
- c) where the intent instead is to affirm a sexual orientation or gender identity which the victim considers is or may be theirs.

There is clarification in clause 7(2) that when determining whether there is an intent to change or suppress, it does not matter whether the conversion therapy or coercive behaviour does change or suppress or is capable of doing so.

Concerns were raised by some Members during Second Stage that the Bill could criminalise preaching.¹⁷⁵ The Bill sponsor, in response noted that clause 7 protects the expression of beliefs or opinions and that the offences that would be created by the Bill require an individual, specific victim. As previously mentioned, the avoidance of doubt clause in the New South Wales legislation

¹⁷⁴ Victoria [Change or Suppression \(Conversion\) Practices Prohibition Act 2021](#) sec.59(1)

¹⁷⁵ For example: Northern Ireland Assembly Official Report 28 September 2026 [Vol. 199, No 1 p55](#)

covers some of these areas that do not constitute conversion practices, namely: “stating what relevant religious teachings are or what a religion says about a specific topic and general requirements in relation to religious orders or membership or leadership of a religious community.”¹⁷⁶

Members may wish to consider whether the protections contained in the Bill for expression of belief or opinion are sufficient or whether any additional avoidance of doubt clause could be added.

Members may wish to consider whether clause 7 provides sufficient clarity on the meaning of “suppression”, particularly where conduct is intended to suppress a person's sexual orientation or gender identity but not to direct them towards a specific sexual orientation or gender identity.

5.8 Psychological harm

As discussed in [section 5.1.1](#) of this paper, clause 8 specifies the meaning of psychological harm in relation to the Bill and that this includes fear alarm or distress.

5.9 Further clauses

Clauses 9, 10 and 11 complete the Bill, as introduced. Clause 9 is a consequential amendment which would amend the Magistrates' Courts (Northern Ireland) Order 1981 in relation to the right to claim trial by jury for certain summary offences. It would add the offences in this Bill to the list of those where there is no right to claim trial by jury.

Some concerns were raised during Second Stage around clause 9 and that this would mean those on trial would not be tried by a jury of their peers.¹⁷⁷ The Bill

¹⁷⁶ New South Wales [Conversion Practices Ban Act](#) 2024 sec.3(4)

¹⁷⁷ For example Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p110](#)

sponsor responded to this, setting out that this was a recommendation from the Department of Justice to ensure a consistent and appropriate approach.¹⁷⁸ It was further explained that this was in keeping with other exceptions including stalking and domestic abuse, in order to protect victims from further trauma.¹⁷⁹ As the clause lays out, this would only be for those lower-level offences in the Magistrate's Court and would not impact the more serious offences in the Crown Court, as also outlined by the Bill sponsor in the debate.¹⁸⁰

Clause 10 would provide for the Bill to come into force 12 months after being given Royal Assent whilst finally, clause 11 sets out the short title of the Bill, should it be enacted.

5.10 Civil Protection Orders

Unlike in the Scottish Government's proposals and the UK Government's draft Bill, the Bill would not create any specific civil orders in relation to protecting individuals or the wider community from conversion practices.

Members may wish to ask the Bill sponsor why no provisions for civil orders were included and consider whether any such provisions should be included in the Bill.

5.11 Bill specific equality and human rights considerations

The Conversion Practices (Criminalisation) Bill has been considered within the competence of the Assembly as this is required before introduction. The Assembly's legal service will also produce a Convention Rights Memorandum (CRM). Ultimately, it would be for a court to decide on the legality of the Bill should there be a challenge at some point.

¹⁷⁸ Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p89](#)

¹⁷⁹ Northern Ireland Assembly Official Report 22 September 2026 [Vol. 199, No 1 p89](#)

¹⁸⁰ Northern Ireland Assembly Official Report 22 September 2026 [Vol. 198, No 4 p110](#)

In correspondence with RalSe, the Bill sponsor explained that they had carefully considered rights and equality issues in relation to the Bill's compliance with Section 6 of the Northern Ireland Act 1998.¹⁸¹ On ECHR considerations, the Bill sponsor highlighted the Scottish Government's assessment of their own proposals which are similar to those contained in this Bill.¹⁸² These are briefly touched on at [section 3.1](#) of this paper. In the case of this Bill, the aim which is deemed "necessary in a democratic society" to justify any interference with the qualified rights under Articles 8,9 and 10 is the protection of the rights of LGBTQIA+ people, and the Bill sponsor is of the view that the Bill is necessary and proportionate to achieve this.¹⁸³ Again, the Bill sponsor referenced the Scottish Government's considerations that the balance of rights is achieved as the legislation targets coercive and harmful acts with a specific intention and does not prevent general statements of opinion without such an intention.¹⁸⁴

Whilst there is no avoidance of doubt provision, as has been seen in other legislation/proposals, there are specific exclusions included within the Bill which the Bill sponsor feels provides adequate protections in relation to the balance of rights. These exclusions are designed to ensure behaviour which is not intended to direct an individual towards a particular sexual orientation or gender identity is not a conversion practice, nor is behaviour consisting entirely of expression of opinion or belief (clause 7 of the Bill).¹⁸⁵

An additional protection is provided in the form of a defence of reasonableness (included in all three proposed new offences at clauses 1,2 and 3). Whilst, in the Bill sponsor's view, it is difficult to envision any objectively reasonable behaviour would meet the tests of the offence in the first place (intent, act, victim and harm), an accused person could nonetheless put forward a justification as to

¹⁸¹ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁸² Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁸³ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁸⁴ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

¹⁸⁵ Correspondence between RalSe and Eóin Tennyson MLA, 5-19 August 2026

why their behaviour was reasonable in the circumstances, which could include the exercise of their Convention rights.¹⁸⁶

Members should consider the CRM alongside this paper.

Members may wish to consider whether the Bill provides for an appropriate balance of rights and that the protections within the Bill will work in the way they are intended.

Unlike an Executive bill, when a Department would be required to undertake a Section 75¹⁸⁷ screening in relation to equality issues, this is not completed by an individual Member introducing a Member's Bill as they are not a public body. However, the Bill sponsor has noted in the EFM that he engaged with the Equality Commission for Northern Ireland (ECNI) who did not raise any potential adverse effects and suggested that the Bill may positively effect some groups.¹⁸⁸ The EFM also notes that the Bill sponsor is satisfied that the Bill would not have any adverse effects on any of the section 75 groups.¹⁸⁹

RaISe has contacted ECNI in relation to this Bill to ask if they have a policy position on conversion practices but as of the date of publication there has been no response. In a statement, ECNI briefly set out its view that "any legislation in this area needs to be based on International Human Rights standards and best practice and that actions to end conversion practices should not deny access to appropriate counselling and support in psychological, medical, faith-based and domestic settings."¹⁹⁰ The statement indicated that the Commission would respond to the Committee for Communities call for evidence.

¹⁸⁶ Correspondence between RaISe and Eóin Tennyson MLA, 5-19 August 2026

¹⁸⁷ Section 75 of the Northern Ireland Act 1998.

¹⁸⁸ Conversion Practices (Criminalisation) Bill, [Explanatory and Financial Memorandum](#) (2026) p8

¹⁸⁹ As cited immediately above [p8](#)

¹⁹⁰ Equality Commission for Northern Ireland, [Equality Commission and the Conversion Practices \(Criminalisation\) Bill](#) (2026)

Members may wish to engage with ECNI to ask what their position is on the Bill as introduced and whether they believe there would be no adverse effects on any section 75 groups, or that these can be or are suitable mitigated.

As was highlighted earlier (at [section 4.5.4](#)) the Isle of Man legislation passed in the Tynwald which contained the section prohibiting conversion practices, must be interpreted and given effect as far as possible, compatibly with the Convention rights. RaISe cannot find any record of this legislation having been challenged as not compatible with the Convention.