

Conversion Therapy Prohibition (Sexual Orientation and Gender Identity) Bill [HL]

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

Clause 1

LORD BLENCATHRA

Clause 1, page 1, line 4, leave out subsection (2) and insert –

- “(2) In this Act, “conversion therapy” is any practice aimed at a child which demonstrates an assumption that a child’s gender identity is what they claim it is, and which has the intended purpose of attempting to encourage a child to –
- (a) change physical characteristics of sex, by surgical intervention or otherwise, or
 - (b) suppress a child’s biological development as a result of their sex, through puberty blocking drugs or otherwise.”

Member's explanatory statement

This amendment defines “conversion therapy” as an attempt to encourage a child to undergo irreversible, life changing surgery to change or suppress biological development, on the assumption that a child must be affirmed in whatever gender identity they claim.

LORD LUCAS

Clause 1, page 1, line 4, at beginning insert “Subject to subsection (2A)”

LORD LUCAS

Clause 1, page 1, line 9, at end insert –

- “(2A) Conversion therapy includes any practice intended to prevent a young person’s normal physical and mental development, in particular practices that are intended to discourage a young person from changing their mind about their sexual orientation or gender identity.”

Member's explanatory statement

This amendment, and others in the same place in the name of Lord Lucas, would ensure discussions with young people, therapists, families and on the subject of religion would not be considered “conversion therapy”.

LORD LUCAS

Clause 1, page 1, line 9, at end insert—

- “(2A) Conversion therapy does not include any practice pursued by a qualified therapist of a specified description that is intended to help a person explore their sexual orientation or gender identity.
- (2B) “Specified” in subsection (2A) means specified in regulations made by statutory instrument by the Secretary of State.
- (2C) A statutory instrument containing regulations under this Act may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This amendment, and others in the same place in the name of Lord Lucas, would ensure discussions with young people, therapists, families and on the subject of religion would not be considered “conversion therapy”.

LORD LUCAS

Clause 1, page 1, line 9, at end insert—

- “(2A) Conversion therapy does not include conversations within the family or with friends that are questioning of a person’s sexual orientation or gender identity, or of steps that a person proposes to take in those respects.”

Member's explanatory statement

This amendment, and others in the same place in the name of Lord Lucas, would ensure discussions with young people, therapists, families and on the subject of religion would not be considered “conversion therapy”.

LORD LUCAS

Clause 1, page 1, line 9, at end insert—

- “(2A) Conversion therapy does not include the exposition by a religious person of the tenets of their religion.”

Member's explanatory statement

This amendment, and others in the same place in the name of Lord Lucas, would ensure discussions with young people, therapists, families and on the subject of religion would not be considered “conversion therapy”.

After Clause 1

LORD LUCAS

After Clause 1, insert the following new Clause—

“Definitions

(1) In this Act—

“Gender” refers to the set of attributes normally associated with a particular sex, masculine for males and feminine for females, whether these attributes arise naturally from sexual development or are culturally determined.

“Gender Identity” refers to the set of gender-related attributes that a person identifies with and a person may identify with any set of such attributes, and may adopt any name or definition for their gender identity; the denial that they have any such identity is a gender identity for the purposes of this Act.

“Sex” refers to whether a person is male (biologically suited to producing small gametes / sperm) or female (biologically suited to producing large gametes / eggs and to incubating them in a womb) and a person who has differences in sex development is to be considered as belonging to the sex towards which their development has tended or, if it is not possible to determine this, the sex that that person chooses.

“Sexual orientation” is as defined in section 12(1) of the Equality Act 2010.

“Young Person” refers to any person under 26 years of age.”

Member's explanatory statement

This amendment would define the terms used in this Bill.

Clause 2

LORD STRATHCARRON

Clause 2, page 1, line 14, leave out subsection (2) and insert—

- “(2) This section comes into force on the day on which this Act is passed.
- (2A) The rest of this Act comes into force on such day as the Secretary of State may by regulations appoint.
- (2B) Before regulations under subsection (2A) may be laid before Parliament, the relevant body must prepare and issue guidance for constabularies in England and Wales, Scotland and Northern Ireland on enforcing the terms of section 1, which includes—
 - (a) other relevant offences under which conversion therapy could be charged if there is an element of physical or verbal abuse,
 - (b) advice on understanding the threshold of “change” and “suppress” in section 1(2), and
 - (c) a glossary of relevant religious terms and their meanings.

- (2C) In subsection (2B), “relevant body” means –
- (a) in England and Wales, the College of Policing;
 - (b) in Scotland, Police Scotland;
 - (c) in Northern Ireland, the Police Service of Northern Ireland.”

Member's explanatory statement

This amendment requires the College of Policing, Police Scotland and the Police Service of Northern Ireland to issue guidance to constabularies on enforcing the Act, before commencement.

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