

Conversion Practices (Prohibition) Bill

[AS INTRODUCED]

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B I L L

TO

Prohibit practices whose predetermined purpose is to change a person's sexual orientation or to change a person to or from being transgender; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Conversion practices: prohibition

- (1) An offence is committed if a person—
- (a) offers, undertakes or takes payment for conversion practices, or
 - (b) offers, provides or takes payments for materials, advice or guides to conduct conversion practices, 5
 - (c) advertises, or takes payment for advertising, conversion practices.
- (2) No offence is committed under this section where—
- (a) a person expresses a religious or other belief, provided that it is not directed to an individual as part of a conversion practice,
 - (b) a person expresses to an individual their disapproval of, or acceptance of, that person's sexual orientation or transgender identity or lack thereof, 10
 - (c) a health practitioner takes an action in the course of providing a health service, provided that—
 - (i) the health practitioner complies with regulatory and professional standards and considers in their reasonable professional judgement that it is appropriate to take that action, and 15
 - (ii) there was no predetermined outcome in terms of sexual orientation or transgender identity or lack of it at the start of any course of treatment, 20
 - (d) a person is assisting another person who is undergoing a regulated course of treatment,
 - (e) a person is, other than as part of a conversion practice, facilitating or offering support to a person who is— 25
 - (i) exploring or questioning their sexual orientation or transgender identity or lack thereof, or

- (ii) seeking to develop coping skills in relation to their sexual orientation or transgender identity or lack thereof,
- (f) a person is exercising parental responsibility for a child—
- (i) in England and Wales, in accordance with the Children Act 1989, 5
- (ii) in Scotland, in accordance with the Children (Scotland) Act 1995,
- (iii) in Northern Ireland, in accordance with the Children (Northern Ireland) Order 1995,
- provided that the child’s welfare is the person’s paramount consideration. 10
- (3) In this section “appropriate national authority” means—
- (a) in relation to England and Wales, the Secretary of State,
- (b) in relation to Scotland, the Scottish Ministers,
- (c) in relation to Northern Ireland, the Department for Communities in Northern Ireland (DfC). 15
- (4) The appropriate national authority must publish guidance about the offence in this section.
- (5) The appropriate national authority may revise guidance published under this section. 20
- (6) The appropriate national authority may by regulations amend subsection (2).
- 2 Offence of assisting a non-UK person to conduct conversion practice**
- (1) An offence is committed if a person aids, abets, counsels, or procures another person who is not in the United Kingdom to offer, undertake or take payment for a conversion practice outside the United Kingdom and— 25
- (a) it is done in relation to a United Kingdom national or United Kingdom resident, and
- (b) it would, if done by such a person, constitute an offence under section 1.
- (2) Proceedings for an offence committed under this section may be taken, and the offence may for incidental purposes be treated as having been committed, at any place in the United Kingdom in which this Act is in force. 30
- 3 Penalties**
- (1) A person guilty of an offence under this Act is liable on either way conviction to a fine not exceeding level 5 on the standard scale. 35
- (2) No proceedings are to be brought for an offence under this Act—
- (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions;
- (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland. 40

- (3) In section 178(1) of the Charities Act 2011, after Case K insert –
- “Case L
- P has been found guilty of an offence under the Conversion Practices (Prohibition) Act 2024.”

4 Interpretation 5

In this Act –

- “conversion practice” means a course of conduct or activity, the predetermined purpose and intent of which is to change someone’s sexual orientation or to change a person to or from being transgender, including to suppress a sexual orientation or transgender identity so that the orientation or identity no longer exists in full or in part, 10
- “health practitioner” means a person who is a member of a body overseen or accredited by the Professional Standards Body for Health and Social Care,
- “sexual orientation” has the same meaning as in the Sentencing Act 2020, 15
- “transgender” has the same meaning as in the Sentencing Act 2020,
- “transgender identity” has the same meaning as in the Sentencing Act 2020.

5 Extent, commencement and regulations

- (1) This Act extends to England and Wales, Scotland and Northern Ireland. 20
- (2) This Act comes into force –
- (a) in England and Wales, at the end of the period of six months beginning with the day on which it is passed,
- (b) in Scotland, on such day as the Scottish Ministers may by regulations appoint, 25
- (c) in Northern Ireland, on such day as the Department for Communities (DfC) may by regulations appoint.
- (3) The power to make regulations under this Act is exercisable –
- (a) in the case of regulations of the Secretary of State, by statutory instrument; 30
- (b) in the case of regulations of the Scottish Ministers, by Scottish statutory instrument.
- (c) in the case of regulations of DfC, by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)). 35
- (4) 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 resolution of each House of Parliament.
- (5) A Scottish statutory instrument containing regulations under this Act may not be made unless a draft of the instrument has been laid before and approved by resolution of the Scottish Parliament. 40

- (6) Regulations may not be made by DfC under this Act unless a draft of the regulations has been laid before and approved by a resolution of the Northern Ireland Assembly.
- (7) Regulations under this Act may make—
 - (a) different provision for different purposes; 5
 - (b) consequential, supplementary, incidental, transitional or saving provision.

6 Short title

This Act may be cited as the Conversion Practices (Prohibition) Act 2024.

7 Review 10

- (1) The Secretary of State must make arrangements—
 - (a) for a committee to carry out a review of the operation of this Act and, if appropriate in consequence of its findings, to make recommendations for the amendment of this Act, and
 - (b) for the publication of the committee’s findings and recommendations (if any). 15
- (2) A majority of the members of the committee are to be members of the House of Commons.
- (3) Arrangements under subsection (1) are to be made no later than four years after the coming into force of this Act. 20

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