

# CONVERSION THERAPY BAN

Criminalising parents, carers & counsellors



## BACKGROUND

During the 2020 election campaign, Labour pledged to pass a law to ban 'conversion therapy'.<sup>1</sup> Both the Greens and National support a ban, but ACT do not.<sup>2</sup>

### ▶ WHAT IS 'CONVERSION THERAPY'?

The term 'conversion therapy' has been coined by activists but not clearly defined – so the rest of us are left trying to work out what it means.

If it means practices which are coercive, abusive or involuntary, or includes things like electric shock therapy or 'anti-gay boot camps', then we can all agree such things are inhumane and must be condemned. These types of 'therapy' should not be part of any community, let alone a faith-based one. Therapy or counselling should never be forced on anyone. Sadly, in the past, many state institutions sanctioned inhumane treatments such as electroconvulsive therapy (ECT)<sup>3</sup>, being stripped naked and being locked in a small room<sup>4</sup>, massive doses of medication<sup>5</sup>, lobotomies and screaming patients chained to chairs<sup>6</sup>. **Fortunately, these are not part of current practice and certainly not part of any religious organisation.**

However, banning 'conversion therapy' has expanded to mean stopping someone who experiences **unwanted** same-sex attraction or gender dysphoria from getting counselling or support of any sort that they may themselves desire.

### ▶ CRIMINALISING PARENTS

Under the proposed law, **parents – yes, parents – could be criminalised and liable to six months imprisonment** simply for affirming that their sons are boys and their daughters are girls. A ban would criminalise parents who wish to protect their child from the physical, emotional and psychological harm caused by gender dysphoria.

A mother who encourages and helps her 11-year-old daughter to accept the body she was born with, rather than being placed on dangerous puberty blockers and wearing chest binders, would be committing a criminal offence. That's how dangerous this bill is. Can Dad even gently discourage his nine-year-old son from wearing a dress and using the girls' toilets?

This 'ban' would turn parents into criminals, religious leaders & counsellors into 'human rights abusers', and make it impossible for faith-based schools to teach that you are born male or female.



If your daughter learns about gender fluidity at school and says they're no longer a girl, you have to affirm that. Encouraging a "wait and see" approach could be criminal.

**A parent who promotes biological sex will be criminalised, but an activist who indoctrinates young children with the concept of 'gender fluidity' and 'third gender' will be celebrated.** Affirming biological sex will become illegal; affirming 'gender identity' will remain legal.

This is not loving or compassionate towards children. Numerous reviews show the majority of children who are confused about their gender also suffer from diagnosed mental disorders, such as depression and anxiety. As Australian paediatrician Dr John Whitehall asks: *"Isn't the current 'transitioning' of a child to an alternate gender just another form of 'conversion therapy', using the old and abhorrent means of psychological pressure, hormones and surgery?"*

## ► CRIMINALISING COUNSELLORS, CARERS & TEACHERS

Under the proposed ban, it would be illegal for a counsellor, spiritual leader, pastor, youth worker, teacher or other professional to counsel a child or adult with gender dysphoria in a way that affirms biology. **The professional would be criminalised and liable to up to 12 months imprisonment.**

If a young person, for example, wanted to align their sexuality with the teachings and values of their particular faith – be it Muslim or Christian, Jewish or Sikh, etc – and sought help to do so from a minister or faith leader, the proposed law change would make it virtually impossible to access the support they wanted. Furthermore, if they were able to find someone prepared to provide counselling of that kind, they could well cause that person to become implicated in a criminal offence. Even an ethical discussion of this risk with a counsellor, faith leader or youth worker **could be interpreted by the patient, and the law, as "trying to stop you being trans or gay."**

It also seems possible that prayer, as part of counselling or within the setting of a religious meeting for example, could fall inside the concept of 'conversion therapy'. Thus, if a church minister, imam or youth leader were to pray for a teenager to be freed from *unwanted* sexual thoughts, this could be interpreted as constituting a criminal offence. **It may therefore become dangerous for a child or adult to express confusion over their sexuality or gender.** No-one would be able to legally protect them from the gender-transitioning protocols that are backed by the State.

**One-on-one counselling to help a teen struggling with body image due to anorexia would be permitted, but the very same counselling would be prohibited if the goal is to help a teen struggling with body image due to gender dysphoria.**



**"I was neglected, incessantly abused, molested, raped, and affected by trauma that left me with unwanted same-sex attraction. This led me to becoming a gay rights activist. But without therapy and prayer, I would likely have eventually become another suicide statistic. A ban is going to increase suicides, depression, and anxiety. It will leave people trapped in their trauma."**

*James Parker facilitates True Identity, an informal network that supports those struggling with sexuality & gender identity issues.*

## ► CRIMINALISING FAITH-BASED SCHOOLS & PLACES OF WORSHIP

Islamic and Christian schools could be breaking the law for teaching their students that Allah/God made us male and female. Church leaders, youth workers and imams could become criminals for reading and explaining the Quran or the Bible – that is, for doing their job.

All New Zealanders have a right to freedom of religion. This teaching is a legitimate activity for places of worship, faith-based schools and for other religious groups.

**If you're a spiritual leader and someone says to you, "I'm struggling with my sexuality and gender identity, please pray for me," you may be being asked to commit a crime.**

## ▶ SELECT COMMITTEE SAID NO IN 2019

In 2019, the Justice Select Committee, consisting of MPs from Labour and National, considered two petitions wanting to ban 'conversion therapy'. In their report, they **declined to support such a ban**, stating:

*"The Bill of Rights Act affirms, protects, and promotes human rights and fundamental freedoms in New Zealand. It allows all New Zealanders to live free from discrimination, including in relation to their sexual orientation. New Zealanders also have the right to freedom of religion. This protects those who offer and seek out conversion therapy because of their religious views."<sup>9</sup> (our emphasis added)*

## ▶ THE RIGHT OF SELF-DETERMINATION

The right of self-determination is a founding principle of the mental health profession, and for children, the wider whanau/ family is part of this important value and support base.

To restrict the ability to give or receive counselling, teaching, prayer, group discussion and guidance on important personal issues like sexual orientation, gender identity and gender expression would constitute a serious interference with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (BORA).



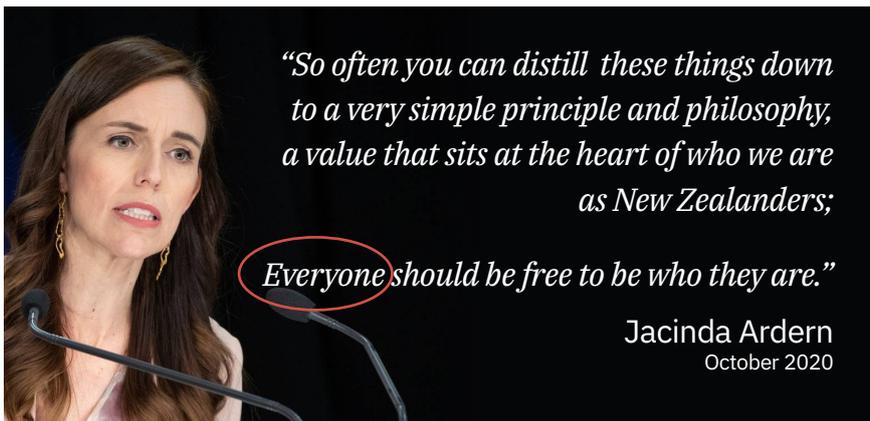
Those who dare to seek inner freedom and healing from *unwanted* behavioural or thought patterns will have nowhere to turn as a result of this proposed ban. **The law would oppress and violate the right to seek whatever lifestyle you desire.**

## ▶ THE CONTRADICTIONS

The Prohibition of Conversion Therapy Bill, a private members bill put forward by Labour MP Marja Lubeck in October 2018<sup>7</sup> is likely to form the basis of the new law. It says: *"[Conversion therapy] tells people that, due to their sexuality or gender, there is something fundamentally wrong with who they are and they should be changed."*<sup>8</sup> Yet, when it comes to gender dysphoria, the conversion practices of the LGBTQ movement are based on the notion that there **is** something fundamentally wrong with these individuals: that they were 'born in the wrong body'. The contradiction is obvious.

**Another contradiction:** Convincing people that they are a different gender to their biological sex is **not** considered 'conversion therapy'. Nor is it considered 'conversion therapy' to encourage a person to explore and develop same-sex attraction. But if a same-sex attracted individual wishes to explore and strengthen a heterosexual attraction or lifestyle, or a person wishes to align with their biological sex, **it would be illegal** – subject to a fine or imprisonment – to encourage them to do so under the proposed bill.

## ▶ THE DISCRIMINATION



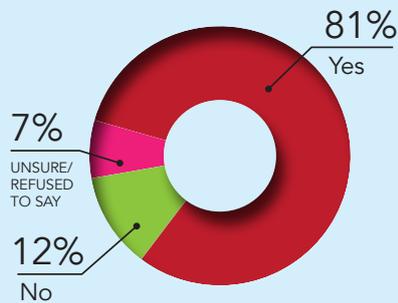
If diversity and inclusivity are things we want for our country, then the Prime Minister's "Everyone" must include people who hold different ideas and beliefs about gender and sexuality.

To penalise people on the basis of their beliefs or personal lifestyle decisions is a dangerous discrimination. It should certainly not be a crime.

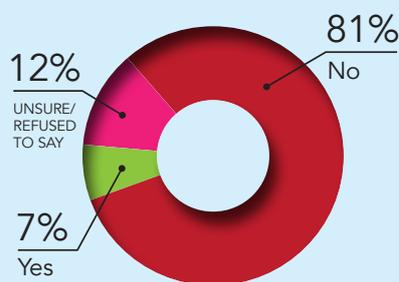
## POLLING – WHAT DO NEW ZEALANDERS THINK?

Curia Market Research - December 2020

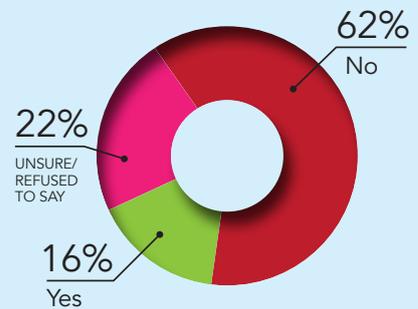
1,000 respondents, margin of error of +/- 3.1%



**Q:** If a person is unsure about their sexual orientation or gender identity, should they be able to seek counselling support to determine their own direction in how they identify?



**Q:** If a child is confused about their gender, should it be a crime for a parent to affirm to their daughter that she's a girl or to their son that he's a boy?



**Q:** Should it be a crime for a faith leader to teach a Biblical or Quran view of sexuality, and of gender being determined at birth?

## ☰ SUMMARY

All New Zealanders should be protected from coercive, abusive or involuntary psychological or spiritual practices. However, participation in psychological assessments, counselling sessions, prayer meetings and other therapeutic practices is almost always an expression of voluntary behaviour and personal freedom.

**Under this proposed ban, people would be prevented from getting help to live the lifestyle they choose – if that lifestyle is heterosexual and/or based on their biological sex.**

While gender and sexuality is supposedly 'fluid', activists want the law to stipulate that it can only go in the direction they approve.

**Banning practices which bring about positive change for people in pain, changes they genuinely desire for themselves, is the real crime.**

### WHAT CAN YOU DO?

- 📍 Make an appointment to visit your local MP/s, or write to them and express your views about this important issue. The contact details of all MPs (plus an easy-to-use email set-up) are on our website **HaveYourSay.nz**
- 📍 Family First New Zealand will keep you updated on this issue. Sign up for free email updates by visiting **FamilyFirst.nz**
- 📍 Read more background information on the official website **FreeToLive.nz**



For source references, testimonies, and further background reading, visit

**FreeToLive.nz**

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