

CONSULTATION RESPONSE: ENDING CONVERSION PRACTICES MARCH 2024

LGBT Youth Scotland is the national charity for LGBTQ+ young people, aged 13-25. We support young people in all aspects of their lives through the provision of amazing youth work, and we support them to use their voice to create change in equality and human rights.

To collect views of LGBTQ+ young people, we ran a survey for two weeks from 19th of February – 4th of March 2024. The survey was conducted online, promoted by our social media channels. In total, there were 11 responses, one of which was removed due to transphobia. Whilst this is a small sample, and not meant to be representative of the whole community, it is a useful snapshot of the views of LGBTQ+ young people.

This is reflective of our experience in engaging LGBTQ+ young people on conversion practices. Through listening to people with lived experience, we share the understanding the young people may not realise that they are experiencing or have experienced conversion practices until they reflect on their experiences later in life.

To increase accessibility, we selected the most relevant questions for LGBTQ+ young people and where appropriate rephrased the question. For transparency, below we have the question that we asked LGBTQ+ young people. To help with the analysis of our response, we have included the question which it relates to [in brackets].

We would also wish to acknowledge and share our support for responses to the Ending Conversion Practices consultation from our colleagues at the Equality Network / Scottish Trans, LGBT Health and Wellbeing, and Stonewall Scotland. We hope between our respective organisations that the support for this bill is clear – as it has been since our joint manifesto published in 2021 and from the years of campaigning before that.¹

Should conversion practices cover both sexual orientation and gender identity? Why? *[Relates to Question 1]*

There was unanimous agreement between respondents that both sexual orientation and gender identity should be covered by new legislation regarding conversion practices. Respondents talked about both gender identity and sexual orientation being innate and unchangeable – in fact they

¹ Available online: <https://lgbtyouth.org.uk/lgbti-equality-manifesto/>

believe that attempting to convert someone's sexual orientation or gender identity with conversion practices has a significant negative impact on a person.

Should 'suppression' of a person's sexual orientation or gender identity be covered? Why?

[Relates to Question 3]

One key theme in the responses from LGBTQ+ young people was around the impacts of suppression on individuals. They were keen to point out that those in the community often are at increased risk of poor mental health which can manifest in behaviours such as self-harm or substance misuse. They felt that whilst this was often due to internalised homophobia, biphobia and / or transphobia, the additional pressure of this occurring through conversion practices could have a significant impact.

Should there be a requirement for the perpetrator(s) to have caused the victim to suffer physical or psychological harm (eg fear, alarm or distress)? Why?

[Relates to Question 11]

There was a sense that the impacts of conversion practices can have a wide range of impacts on victims, some of which may be apparent at the time, and some which a victim may not realise has impacted them for significant periods of time. Respondents were aware that this could be subjective and require a case-by-case analysis, perhaps with a range of punishments based on the severity of the harm.

If a person consented to undertake conversion practice, does that mean that the perpetrator should not be punished? Why?

[Relates to Question 17]

Respondents discussed this being a difficult to answer question – but the emerging theme is one of victims not being able to fully consent. Respondents thought this was due to them being lied to, manipulated or blackmailed. There was also some concern that young LGBTQ+ people may agree to undertake the process as a form of self-harm.

A couple of respondents pointed out that individuals can't consent to torture / abuse.

Some respondents thought there was an underlying theme where consent could not be obtained as victims were being lied to, and manipulated (whether that's about the outcome or the process) so informed consent is not achievable.

Should it be a criminal offence if the victim is taken out of Scotland for conversion practices? Why?

[Relates to Question 22]

Respondents were unanimous in their support for it to be an offence for victims to be taken out of Scotland for conversion practices.

One respondent pointed out that if it is not a criminal offence, it will open up a loophole which could be abused.

Other crimes may be committed in the process of conversion practices – for example assault. If found guilty, should the judge be able to factor conversion practices into sentencing and give a harsher sentence? Why?

[Relates to Question 24]

The respondents felt strongly that harsher sentencing should be an option where conversion practices are established to have taken place. One respondent noted this is similar to hate crime protections.

Respondents often referred to the significant impact that conversion practices have on individuals, and how this will impact them in the long term.

Respondents also noted that underlying conversion practices is homophobia, biphobia and / or transphobia and that these are protected characteristics.

One respondent also called for tougher sentencing for vulnerable people such as children and young people.

FOR FURTHER INFORMATION ABOUT THIS CONSULTATION RESPONSE, PLEASE CONTACT:

PAUL DALY

**INTERIM SENIOR POLICY, PARTICIPATION AND RESEARCH
MANAGER**

PAUL.DALY@LGBTYOUTH.ORG.UK

0141 552 7425

Ending Conversion Practices in Scotland

Respondent Information Form

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:

<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

LGBT Youth Scotland

Phone number

0141 552 7425

Address

3/2, 30 Bell Street
Glasgow

Postcode

G1 1LG

Email Address

info@lgbtyouth.org.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No