

Ending conversion practices in Scotland Tell us what you think

Easy read Version

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Tell us what you think

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1. Do you think the idea is a good one?

Yes

No

Not sure



Part 1: What are conversion practices?



Conversion practices are actions that want to change or suppress the **sexual orientation** or **gender identity** of a person.

Suppress means to keep down or squash.

Sexual orientation means what kinds of people you love or have sexual or romantic feelings about.



This might be:

- only men
- only women
- both men and women
- or neither



Gender identity is if you see yourself as:

- a man
- a woman
- in a different way



Conversion practices:

- believe that some sexual orientations or gender identities are wrong
- believe that a gender identity or sexual orientation can be changed or **suppressed** – kept down or squashed
- tell the **LGBTQI+** community that they are broken or wrong and can or should be fixed



LGBTQI+ means people who are:

- lesbian
- gay
- bisexual
- transgender
- queer
- intersex

+ (plus) means people who feel part of the LGBTQI community but are not listed above



The Scottish Government wants to **ban** the promotion and practice of conversion practices.

Ban means there will be laws to stop it happening.



Conversion practices are harmful.

They often use threats, power, force, intimidation or control to push someone to change or stop their identity.

This is not the same as offering advice and support to someone.



Our plans for new laws on conversion practices will not stop rights to freedom of religion and freedom of expression.



We will make sure that stopping conversion practices respects **human rights**.

Human rights are the basic rights and freedoms that everyone in the world has.

What do we want to do?



The Scottish Government wants to have new criminal offences.

Criminal offences are things that are illegal – they are crimes.



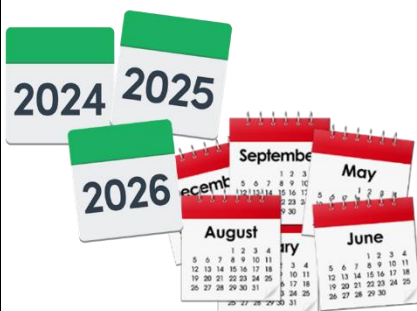
The crimes would be:

- providing a service of conversion practises
- carrying out a **coercive course of behaviour**
- taking someone out of Scotland for conversion practices

Coercive means forcing or threatening a person to do something they do not want to do.

A **course of behaviour** means that something must happen more than once.

If someone committed one of these crimes, and certain requirements are met, they would get a fine or go to prison.




The Scottish Government wants a new **statutory aggravation**.

This means when a criminal is convicted of a crime an **aggravation** – like more time in prison - can be added to their sentence.



The aggravation would show they committed the crime because they wanted to change or suppress a person's sexual orientation or gender identity.



 The right to be safe from serious harm

The Scottish Government wants a new protection order that:

- protects a potential victim from being harmed
- protects the community from harm

It would be a crime if a person does not follow the protection order.

How to fill in the survey.



The survey has 5 parts.
The number of each question is in **bold red text** and the question is in **bold black text** next to it.



Click on the box of the answer you agree with and a tick will appear.

If you change your mind you can click on it again to untick it.



If you have more to say type your answer in the 'Type your answer here' spaces.

The space will get bigger as you type.

If you do not want to answer a question miss it out.



Question 1. Do you agree that there should be a new law to stop conversion practices?

✓ Yes	<input type="checkbox"/>
✗ No	<input type="checkbox"/>
? I do not know	<input type="checkbox"/>

Part 2: Criminal law



We believe that making conversion practices a crime:

- shows that these practices are not acceptable and are harmful
- may stop people from carrying out conversion practices
- will protect LGBTQI+ people



We do not want to stop or make it a crime to have:

- medical or counselling practices that support people who want help to explore their sexual orientation and gender identity



- parental or family guidance for children

- conversations or guidance about sexual orientation and gender identity that do not try to change or suppress them



We will make sure that our new law is clear about this.



The new laws will cover two situations:

- where someone provides a service that intends to change or suppress another person's sexual orientation or gender identity



- where someone keeps pressuring or forcing someone to change or suppress themselves

	<ul style="list-style-type: none"> the behaviour will have to be about one specific person 						
	<ul style="list-style-type: none"> the purpose of the behaviour must be to change or suppress the other person's gender identity or sexual orientation <p>General statements of belief or opinion about sexual orientation and gender identity will not have this intention.</p>						
	<p>We will include a harm test.</p> <p>It will need to be shown that the victim suffered physical or emotional harm.</p>						
	<p>Question 2. How do you feel about the Scottish Government's plan to make conversion practices a crime?</p> <table border="1" data-bbox="651 1671 1334 2011"> <tr> <td data-bbox="651 1671 1334 1778">  I support it </td> <td data-bbox="1334 1671 1433 1778"> <input type="checkbox"/> </td> </tr> <tr> <td data-bbox="651 1778 1334 1886">  I do not support it </td> <td data-bbox="1334 1778 1433 1886"> <input type="checkbox"/> </td> </tr> <tr> <td data-bbox="651 1886 1334 2011">  I do not know </td> <td data-bbox="1334 1886 1433 2011"> <input type="checkbox"/> </td> </tr> </table>	 I support it	<input type="checkbox"/>	 I do not support it	<input type="checkbox"/>	 I do not know	<input type="checkbox"/>
 I support it	<input type="checkbox"/>						
 I do not support it	<input type="checkbox"/>						
 I do not know	<input type="checkbox"/>						

Please tell us more about your answer.

Type it here:



Question 3. What are your views on the main parts of the new criminal offence of conversion practices?:

- there must be a conversion service or behaviour that forces a person to do something they do not want to do
- this must be done to try to change or suppress another person's sexual orientation or gender identity
- harm has happened to a victim

Type your answer here:



It will be a **defence** if a person can show that their behaviour was reasonable in the circumstances.

Defence means the evidence a person puts forward to show they have not committed a crime or done anything wrong.



A **perpetrator** is a person who commits a crime.

Question 4. A perpetrator could say they have not committed a crime because their behaviour was reasonable.

Tell us what you think about this.

Type your answer here:



We believe that someone cannot **consent** to conversion practices.

Consent means agree.



Question 5. A perpetrator could not say that someone had given their consent to conversion practices as part of their defence.

Tell us what you think about this.

Type your answer here:



A **penalty** is a punishment for breaking rules or a law.

For less serious offences the penalty would be:

- a maximum of 12 months in prison
- a fine of not more than 10 thousand pounds
- or both these things



Where the offence is more serious, the penalty would be:

- up to 7 years in prison
- a fine that has no limit
- or both these things



We believe it should be a crime to take a person out of Scotland for conversion practices.

For the offence of taking someone out of Scotland the maximum penalty for serious cases would be up to 3 years in prison.



Question 6. Tell us what you think about it being a crime to take a person out of Scotland for conversion practices?

Type your answer here:



Question 7. What do you think about the penalties?

Penalties should be higher

Penalties should be lower

I do not know

The penalties are fair

Please tell us more. Type your answer here:



We also plan to make conversion practices an **aggravating factor** for existing offences.

This means if there is another crime committed, like assault, the court will consider if this was done as a conversion practice.

The judge will be able to give the criminal a larger penalty.



Question 8. What do you think of the plan that conversation practices should be an aggravating factor for an offence?

Type your answer here:

Question 9. Is there anything else you want to say about the planned new criminal offences?

Type your answer here:

Part 3: Civil protection orders



There may be cases where it is best not to use criminal law.

Many conversation practices happen in families or community groups.

Victims may not want people close to them to have criminal charges against them.



Criminal law can only react to a crime already committed.

It does not protect people from a risk of harm.

We want to have protection orders that do 2 things.

1. Protect a victim from the harm caused by a perpetrator

For example it may stop someone from:

- contacting the person at risk
- taking them outside of the country
- doing harmful things to them



2. Protect the wider community from the harmful actions of a person where:

- that person has already carried out conversion practices
- that person has already taken someone out of Scotland for conversion practices



Question 10. What do you think about the reasons for creating a conversion practices protection order?

Write your answer here:



People who can apply for protection orders include the police and the council.

Where there is a specific person at risk, an application can also be made by:

- the person who is at risk
- a parent, guardian or carer
- a teacher
- support organisations like an LGBTQI+ charity



These people can only apply if the court says they can.



Breaking the terms of the protection order would be a criminal offence.

This could be punished by:

- a fine
 - a prison sentence of up to 2 years
- or both these things



Question 11. What do you think about who should be able to apply for a conversion practices civil order?

Write your answer here:



Question 12. How do you feel about our plan that breaking either of the civil orders would be a criminal offence?

- | | |
|------------------|--------------------------|
| ✓ I agree | <input type="checkbox"/> |
| ✗ I do not agree | <input type="checkbox"/> |
| ? I do not know | <input type="checkbox"/> |

Please tell us more. Type your answer here:

Part 4: Other recommendations – things we want to happen



The Scottish Government will look at:

- how to tell children, young people and the public about conversion practices and the affect they have on victims' lives



- the support for victims and survivors of conversion practices, and how this could be made better



- how to give more support like helping people going through the criminal and civil prosecution process once the laws are in place



- starting a research project to help end conversion practices in Scotland and the rest of the world

Part 5: Equality



Question 13. Do you think this law will affect particular age groups?

Type your answer here:



Question 14. Do you think this law will affect particular groups of disabled people?

Type your answer here:



Question 15. Do you think this law will affect particular groups of people in relation to their sexual orientation?

Type your answer here:



Question 16. Do you think this law will affect particular groups of people who have experienced gender reassignment?

Type your answer here:



Question 17. Do you think this law will affect particular groups in relation to pregnancy and maternity?

Type your answer here:



Question 18. Do you think this law will affect particular groups in relation to ethnicity?

Ethnicity is the word we use to describe our background.

People from an ethnic group might have the same language, culture or religion.

Type your answer here:



Question 19. Do you think this law will affect particular groups in relation to religion or belief?

Type your answer here:



Question 20. Do you think this law will affect particular groups in relation to sex?

Sex means if you are a man or a woman.

Type your answer here:



Question 21. Do you think this law will affect particular groups in relation to marriage and civil partnership?

Type your answer here:



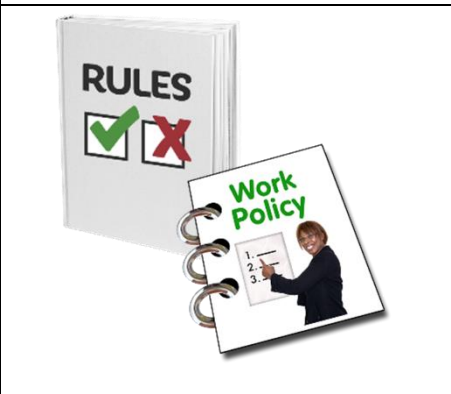
Question 22. Is there any work we need to do about children’s rights and wellbeing?

Type your answer here:



Question 23. Is there any work we need to do about island communities?

Type your answer here:



Question 24. Is there any work we need to do about business rules?

Type your answer here:



Thank you for filling out this survey.

Please save your answers on this document and email it to:

EndingConversionPractices@gov.scot

Email it to us before 2 April 2024.



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