

Banning Conversion Practices in Scotland – Input from Ethnic Minority Communities

Introduction

This paper sets out the call from grassroots organisations working in LGBTQIA+ ethnic minority communities, for the Scottish Government to ensure greater engagement with these communities, and to gather more evidence to support the development of legislation to outlaw conversion practices which are fully informed and inclusive of these communities. This will help to ensure general LGBTQIA+ safety in these communities.

The issue

There is a fear in ethnic minority communities that the proposed legislation, if not appropriately designed, will further traumatise survivors of conversion practices, thus creating an unnecessary mental health burden, which must be picked up by the state. By having too many loopholes, or not adequately considering the experiences of ethnic minority communities, the legislation could unfairly affect different ethnic minority communities. This would allow conversion practices to continue, and discourage survivors of conversion practices from reporting incidents, being believed, and/or retaining ties with their chosen communities/networks.

Research commissioned by the UK government has shown that ethnic minority people are more than twice as likely as white people to have been offered conversion ‘therapy’. *The National LGBT Survey 2017, which had responses from over 108,000 LGBT people in the UK, found that Black/African/Caribbean/black British (13%) and Asian/Asian British (14%) respondents, and respondents belonging to an ‘other’ ethnic group (15%), were more likely than white (7%) respondents to have undergone or been offered conversion therapy.*¹

Despite this data, very limited research has been done so far to understand the depth, breadth, and impact of conversion practices in these communities. The work that has been done (including the National LGBT survey, and oral testimonies to the Equalities, Human Rights and Civil Justice Committee), did not successfully include enough representative data from different ethnic or religious minority communities.

The Scottish Government’s position

The Scottish Government’s current position is that *“one of the key messages emphasised by stakeholders we heard from, was that survivors of conversion ‘therapy’ are the experts and should be at the forefront of any decision-making process by the Scottish Government on the way forward.”*²

However, traditional consultations methods are often ineffective at getting survivors from ethnic minority communities to speak about their experiences of conversion practices, because of a lack of understanding of what constitutes such practices, trauma amongst those that have experienced it, community loyalties, and distrust in government and the establishment.

¹ Mike Freer: *House of Commons - Written Answers - Women and Equalities Monday 28 March 2022*

² The Scottish Parliament, Equalities, Human Rights and Civil Justice Committee: Report on Petition PE1817: End Conversion Therapy

Further, grassroots organisations lack the resources to undertake appropriate research, or to engage with governments individually without funding.

What we are asking for

We are asking the Scottish Government to improve its engagement with grassroots ethnic minority organisations supporting LGBTQIA+ people, through a form of collective engagement. For example, an ethnic and religious minority subcommittee that advises the ethnic minority representatives who sit on the Scottish Government's Expert Advisory Panel.

We are also asking that the Scottish Government commissions, or participates in commissioning, the independent research already proposed to the UK government, and rejected on the grounds of cost and time, without having an alternative.

The importance of Scottish Government support

Because of the controversy surrounding the proposed legislation, it is important that any research conducted is thorough and robust, and that it is seen by all sides as being independent.

The government also needs to actively seek and give due weight to representations from ethnic minority communities, based on existing and future evidence presented.

The Equality Network said in its briefing to MSPs: *"It is vital that diverse cultural communities, and forms of conversion practices in diverse contexts, are properly considered to ensure that any measures to end conversion practices deliver for everyone."*

Benefits of the research

Many people in the community on all sides would like to have an open debate based on independent evidence collected in the Scottish context. Sarbat LGBT+ Sikhs said: *"From our experience at Sarbat LGBT+ Sikhs, more research is required to understand the true extent of these practices within ethnic minority communities. To inform an open respectful debate in our communities"*.

The legislative response must protect ethnic minority communities, rather than having adverse mental health consequences for potential victims of conversion practices. It is essential that the voices of LGBTQIA+ people from ethnic minority communities are heard and made visible.

This work makes sense, because the work and engagement will create a more effective ban for all communities by adding to the overall body of evidence, and making additional recommendations not currently being considered.

By encouraging more grant-funding or philanthropic support of grassroots ethnic minority LGBTQIA+ organisations, and by helping to increase the visibility of ethnic and religious minority groups, the Scottish Government has the opportunity to counter narratives that persist about the prevalence of LGBTQIA+ people in some ethnic minority groups, and to advocate for community-led work. We believe that this will ultimately save the Scottish Government money, as community-led solutions are more effective, reducing the impacts of conversion practices, and the burden on both the mental health and criminal justice system.

Signatories:



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