



Unite the Union submission to the Joint Committee's call for evidence: *on the Draft Conversion Practices Bill*

November 2026

Unite the Union

Unite is the UK and Ireland's largest trade union, with over 1.2 million members across all sectors of the economy, including health, transport, manufacturing, financial services, food and agriculture, information technology, service industries, construction, energy and utilities, local government and the not-for-profit sector. Unite also organises in the community, enabling those not in employment to join our union.

Equality is a pivotal element of Unite's comprehensive agenda, which encompasses job security, equitable pay, and favourable working conditions. To ensure that these values are actively promoted and upheld, we have established a dedicated equality department. This department supervises multiple Equality Committees, each designed to address the specific needs and challenges faced by various groups, including women, individuals with disabilities, members of the LGBT+ committee, as well as Black and Asian Ethnic Minorities (BAEM) groups, in addition to young workers. These committees play an essential role in advocating for inclusive practices and fostering an environment where every member can thrive, thereby enhancing the overall integrity and fairness of our organisation.

Unite has consistently championed equal opportunities, striving to eliminate barriers in the workplace and across all facets of society. As part of our commitment to this mission, we have conducted a thorough consultation process to gather comprehensive insights and concerns from our members who identify as LGBT+ working across all sectors of industry. Through this effort, we aim to amplify the voices of underrepresented groups and ensure their experiences shape our advocacy for a fairer, more inclusive environment for everyone.

Our submission examines the draft Bill and makes recommendations drawn directly from the views and lived experiences of our 34,000 LGBT+ members who registered as LGBT+.

Executive summary

Unite has long supported a comprehensive, trans-inclusive statutory ban on conversion practices, as set out in our January 2022 response to the Government Equalities Office consultation. Conversion practices are harmful and discriminatory, and they undermine the dignity and autonomy of LGBT+ people. We welcome the Government's commitment to legislate and several features of the draft Bill which include; a statutory definition that expressly includes non-binary people, a new offence, an offence of arranging conversion practices abroad, liability for organisations and their officers, and Conversion Practice Protection Orders (CPPOs).

The test of this Bill is whether it protects the people who experience these practices, including those subjected to quiet, sustained pressure rather than dramatic abuse. On that test, we have five main concerns.

1. **Suppression is not covered.** Clause 1(2) only captures conduct intended to change someone's sexual orientation or transgender identity, or their belief about it. It misses coercion to hide, deny or not express an identity the person knows is theirs.
2. **The harm threshold is too high.** An offence under Clause 2 requires serious harm, which the Explanatory Notes equate with psychiatric injury, or serious distress with a substantial effect on daily life. Psychological abuse is cumulative and often invisible. People can keep going to work and still be badly harmed.

3. **The healthcare exclusion is too broad.** Under Clause 1(3), conduct in healthcare is not a conversion practice unless it falls "far below" expected standards. That risks sheltering harmful practices presented as therapy.
4. **Protection has gaps.** The offence of arranging conversion practices abroad is limited by nationality and habitual residence, and applications for CPPOs by LGBT+ organisations need the court's leave. The preventive threshold for CPPOs mirrors the high harm threshold.
5. **Protection stops at the border.** The Bill covers England and Wales only.

We recommend that the Government:

- amend Clause 1(2) to cover both change and suppression;
- lower the harm thresholds and recognise cumulative harm, with differentiated offences where children or people lacking capacity are involved;
- narrow the healthcare exclusion so it cannot shield deliberate attempts to change or suppress identity, while protecting non-directive, exploratory care;
- set out in the Bill and in guidance what abuse looks like, including shame, threats of rejection or homelessness, economic pressure and religious coercion;
- widen access to CPPOs, support it with legal aid and advocacy, and ensure no one fears immigration consequences for seeking protection;
- fund training, referral pathways and survivor support, developed with LGBT+ organisations, survivors, faith groups and trade unions; and
- work with the devolved administrations so that protection does not depend on where someone lives.

Freedom of belief and protection from abuse are not in conflict. Nobody should be forced to choose between their identity and their family, community or faith.

Bill purpose and evidence

1. To what extent do the draft Bill's measures reflect the Government's stated aims?

We support the Government's aims: to reduce the prevalence of conversion practices, deter perpetrators, strengthen accountability and protect victims and survivors. The draft Bill is a real step towards them. But the legislation must reach the coercive, cumulative pressure through which people are pushed to deny, hide or suppress who they are, not only the most extreme abuse.

One of our LGBT+ members put it this way:

"We should not have to justify our identities, prove that we are who we say we are, or continually defend our right to exist."

a. What are the benefits of defining conversion practices in legislation?

A clear definition gives certainty to victims, police, prosecutors and professionals, and separates abuse from legitimate care and faith practice. Conversion practices are often subtle and sustained, often involving being told repeatedly that your identity is wrong, that you are confused, that you are letting down your family or faith. The impact of this on mental health, self-esteem, relationships and participation in society can be devastating.

The definition should therefore include attempts to change, deny, suppress or undermine a person's sexual orientation or gender identity, not just forced treatment. It should be backed by a wide range of examples in legislation and guidance. The law should prevent harm, and not simply respond to the worst cases, and nobody should have to have their identity fixed, understood or explained before they qualify for protection.

2. To what extent does the draft Bill address conduct and harms not dealt with effectively by existing legislation?

The Bill closes a real gap, because much conversion activity (verbal or non-violent) is not clearly covered by current criminal law. But Unite believes the Bill should go further in recognising the ways people are pressured and suppressed. Conversion practices do not only happen in organised programmes. They also happen behind closed doors; in families, faith communities, relationships and workplaces.

For trans and non-binary people this can mean persistent pressure to deny their gender, to drop their name or pronouns, or to go back to living as the gender they were assigned at birth. Young people, disabled people and neurodivergent people who depend on family for housing and money may face threats of rejection, being disowned or losing support. Faith and community leaders can use their position of trust to pressure people who rely on them for spiritual and emotional support.

Abuse within the family is not a private matter. The law must also recognise that this kind of abuse is repeated, cumulative and hard to see when each incident is viewed alone. It must reach the home, the community (including faith settings), the workplace and online spaces, where LGBT+ people can be targeted and directed towards conversion practices.

a. Which existing domestic laws are most useful for comparison?

Several areas of law show how Parliament has already dealt with coercion within families and communities:

- **Female genital mutilation and forced marriage.** The Female Genital Mutilation Act 2003 (strengthened by the Serious Crime Act 2015) and section 121 of the Anti-social Behaviour, Crime and Policing Act 2014 recognise that abuse can involve several perpetrators, cross-border arrangements and the exploitation of trust, and that family, culture or religion cannot legitimise unlawful conduct. Both also provide civil protection orders, a model for CPPOs.
- **Domestic abuse and coercive control.** The Domestic Abuse Act 2021 and section 76 of the Serious Crime Act 2015 recognise psychological, emotional and economic abuse and sustained patterns of control. These are close to how conversion practices operate. But they apply to personally

connected people. Conversion practices are often carried out by religious leaders, counsellors or others who fall outside that definition, which is why a specific offence is needed. The Government should borrow the principle that abuse is assessed as a pattern, not as isolated incidents.

- **Children and family law.** The Children Act 1989 recognises non-physical ill-treatment and impairment of emotional and psychological development, and allows intervention where a child is suffering or likely to suffer significant harm. Parental responsibility must be exercised consistently with a child's welfare and cannot justify attempts to change or suppress a child's identity. The Family Law Act 1996 shows how non-molestation, occupation and forced marriage protection orders can be accessible and urgent.
- **Harassment, stalking and capacity.** The Protection from Harassment Act 1997 and Stalking Protection Act 2019 recognise that repeated conduct causes serious psychological harm and allow early, preventive intervention. The Mental Capacity Act 2005 protects autonomy, but having capacity does not mean being free from coercion: the Bill must distinguish genuine choice from apparent consent produced by fear, dependency or pressure.
- **Equality and human rights.** The Equality Act 2010 protects against discrimination, harassment and victimisation, including on grounds of sexual orientation and gender reassignment, and should complement the new law. The Human Rights Act 1998 supplies the framework for balancing Articles 3, 8, 9, 10 and 14.
- **Safeguarding and online harms.** The Care Act 2014 and Social Services and Well-being (Wales) Act 2014 give safeguarding models for adults at risk, and the Online Safety Act 2023 is relevant to online advertising and facilitation of conversion practices, particularly by overseas providers. Domestic abuse legislation also offers protections against victims being intimidated or re-traumatised in court.

Together these show that protecting people from abuse and protecting freedom are not opposing aims, and that effective protection needs more than criminal penalties: clear definitions, early intervention, accessible remedies and recognition of psychological harm.

3. What implications arise from different approaches across the UK?

The Bill extends to England and Wales only (Clause 6(2)). We should not accept a situation where protection from abuse depends on which part of the UK someone lives or works in. We note that the Northern Ireland Assembly's Committee for Communities is already scrutinising a Conversion Practices (Criminalisation) Bill, and we would welcome clarity on the position in Scotland.

The UK Government should engage actively with the devolved administrations, LGBT+ organisations, trade unions and survivors, to ensure equivalent and effective protection is available across the UK while respecting devolved responsibilities.

4. How does the draft Bill compare to legislation abroad?

Unite has not carried out a full comparative study, but three jurisdictions are instructive. Canada, New Zealand and Victoria (Australia) all expressly cover suppression or repression of identity or expression, not just attempts to change it. New Zealand also creates separate offences protecting children and people lacking decision-making capacity without requiring proof of serious harm, alongside an offence based on serious harm.

Unite believes the Committee should look closely at these models, which suggest that precise definitions, differentiated offences and supporting guidance can protect people without criminalising genuine, non-coercive conversation or legitimate healthcare.

Practical operation

5. Are the key concepts defined appropriately and is their scope clear?

a. Conversion practices and abusive conversion practices (Clause 1)

Unite welcomes a statutory definition that expressly covers sexual orientation and transgender identity, including non-binary people (Clause 1(8)(c)). It needs strengthening in three ways.

First, suppression. Clause 1(2) covers conduct intended to cause someone to have, not have, or believe they have or do not have a particular sexual orientation or transgender identity. It does not clearly cover coercion to conceal an identity, to avoid same-sex relationships or to hide gender expression, where the person still knows who they are.

One LGBT+ member told us: ***"For many transgender and non-binary people, the pressure is not necessarily to become something different. It is to stop being who they are, to remain silent, to hide their identity or to conform to somebody else's expectations."***

Unite's position, and the TUC's November 2021 submission, is that conversion practices include any intervention, medical, psychological, religious, cultural or otherwise, intended to change, erase, repress or suppress identity. We return to this under Question 6.

Second, the two-tier structure. The Bill distinguishes a "conversion practice" from an "abusive conversion practice". Severity should matter for penalties, but the definition should not suggest that coercive attempts to change or suppress someone's identity are acceptable simply because they do not reach the criminal threshold. Unite supports a definition that clearly separates these practices from legitimate, evidence-based, non-directive counselling and healthcare, where people can explore their identity freely without pressure towards a predetermined outcome.

Third, healthcare. Clause 1(3) excludes conduct in the course of healthcare unless it falls "far below the standards reasonably expected of a person in their position", and Clause 1(9) defines health care services broadly, including procedures similar to medical or surgical care. Unite supports protecting legitimate care, but the wording is unclear about unregulated therapists and about practices presented as counselling. Because conduct inside the exclusion is not a conversion practice at all, it also falls outside the protection order and overseas provisions. We discuss this further under Question 11.

b. The definition of abuse

Unite welcomes the factors in Clause 1(6); sexual conduct, violent or threatening behaviour, coercive control, economic pressure, and psychological or emotional pressure. However, Clause 1(5) leaves the question of abuse to the courts to decide on the facts. Flexibility is helpful, but without more detail, courts, police and victims will struggle with non-physical abuse. The Bill or guidance should expressly recognise:

- psychological manipulation, humiliation and deliberate use of shame to undermine identity;

- repeated coercive attempts to stop someone expressing their identity or having relationships consistent with their orientation;
- threats of family rejection, homelessness, isolation or exclusion from faith or community groups;
- economic coercion, including threats to employment, housing or financial support;
- religious or spiritual practices used as tools of coercion or intimidation; and
- repeated conduct causing cumulative harm, even if no single act would meet the threshold alone.

As an LGBT+ member explained: ***"Someone might continue going to work, attending college, maintaining relationships and appearing to function normally while privately experiencing shame, anxiety, fear and emotional distress."*** The TUC's 2021 submission described the depression, anxiety, isolation and self-loathing LGBT+ union members reported.

Consent also needs care. Where someone depends financially, emotionally or socially on those administering the practice, apparent consent may not be free. For that reason, Unite and the TUC have consistently opposed exemptions based on adult consent. Finally, abuse is often presented as care, religious guidance or concern. The absence of hostility should not mean the conduct is not abusive.

c. Organisations and the liable persons within them (Clause 5)

Unite welcomes Clause 5, under which relevant officers commit the offence if they authorise, permit or participate in it, or fail to take all reasonable steps to prevent it. It reflects the TUC's 2021 call for all organisations, including faith-based ones, to be covered. Unite calls for greater clarity on what "reasonable steps" means and how responsibility is assessed in different structures. Organisations should be expected to have safeguarding procedures, trained staff and volunteers, safe reporting routes and a duty to act on concerns. The line should be drawn between senior decision-makers and ordinary employees or members with no real control.

The Government should also check whether Clause 5 reaches organisations that advertise, fund or commission conversion practices without carrying them out directly, including through third-party or online providers, and whether subcontracting or transferring activities between organisations could be used to evade it. Unite supports disqualifying charity trustees convicted of such offences. Statutory guidance should set out preventive measures and when individual officers can be liable, and recognised trade unions, equality reps and health and safety reps should help develop policies and support workers who raise concerns.

6. To what extent does the draft Bill cover the suppression of a gender identity or sexual orientation?

It does not do so expressly, and we see this as the most significant gap. Unite recommends that Clause 1(2) is amended to include conduct intended to change or suppress a person's sexual orientation or transgender identity, including coercive attempts to prevent its expression. The Government can draw on Canada, New Zealand and Victoria, where suppression is expressly recognised.

a. What are the considerations?

In its 2021 submission, TUC called for the law to recognise the lasting harm caused by suppression, and Unite repeated this in its 2022 submission. Someone may be subjected to sustained pressure from relatives or a religious organisation not to have same-sex relationships, to conceal their identity or to hide

their gender expression. They may still know they are LGBT+, but suffer serious psychological harm. The risk is greatest for people who are disabled, young, migrant workers, socially isolated or financially dependent on family. And LGBT+ workers should be able to live authentically inside and outside work.

Unite recognises that the law must distinguish coercive suppression from free personal choices about relationships, celibacy, religious observance and self-expression. Including suppression must not criminalise genuine, non-coercive conversations about sexuality, gender, faith or values, or legitimate non-directive healthcare. But freedom of religion or belief cannot be a defence for coercion, intimidation or psychological abuse. Precise definitions and guidance can draw this line. Leaving suppression out is not the answer. We urge the Government to cover both change and suppression, with clear safeguards for healthcare, autonomy and belief.

7. Are the thresholds for criminal liability appropriate and sufficiently clear?

Unite welcomes a specific offence, but the thresholds are too restrictive. Clause 2 requires an abusive conversion practice that causes either serious harm to physical or mental health, or serious alarm or distress with a substantial adverse effect on usual day-to-day activities. The Explanatory Notes say serious mental harm is equivalent to psychiatric injury, for example PTSD or clinical depression. That is a very high bar for conduct whose effects build gradually and are hard to evidence.

One LGBT+ member said: ***"We should not have to wait until someone reaches breaking point before intervening."*** Another: ***"The fact that someone is still managing their everyday responsibilities does not mean they have not been harmed."*** Requiring serious harm may stop prosecutions precisely where perpetrators exploit trust, authority or dependency. The criminal law should focus on the abusive and coercive nature of the conduct, not mainly on how much harm has already been suffered. That would better reflect the Government's aims of prevention and deterrence.

a. Is the structure of the offence clear and appropriate?

The offence has three cumulative elements; intention to change identity, conduct amounting to abuse, and a specified level of harm. We have four concerns.

- **Suppression falls outside the intention element** (see Question 6).
- **Abuse is left to the courts.** More statutory detail is needed for consistent enforcement in cases of non-physical abuse, family coercion and religious or community pressure (see Question 5b).
- **Cumulative conduct.** Repeated acts that are individually below the threshold may together have a serious and lasting impact. The Bill should recognise this expressly, so victims need not show serious psychiatric injury or an inability to carry out daily activities.
- **A single offence for all victims.** New Zealand has separate offences for children and people lacking decision-making capacity that do not require proof of serious harm, alongside a serious-harm offence. A differentiated approach could give stronger preventive protection while keeping penalties proportionate.

Unite recommends that the Government reconsiders the cumulative requirements; includes coercive suppression; clarifies the mental element and the evidence needed to show harm; considers differentiated offences or thresholds for children and people lacking capacity; and ensures the law can intervene before serious and irreversible harm occurs.

8. Is the threshold for serious harm, alarm or distress set at the right level?

No. The threshold should recognise that people can keep functioning while experiencing significant psychological harm. We recommend a lower threshold based on demonstrable harm or a reasonable likelihood of harm, with the seriousness of the consequences reflected in sentencing rather than in whether an offence exists.

a. How easily could courts, police and prosecutors determine whether conduct was intended?

Intention can be difficult to establish where practices are private or presented as religious guidance, counselling or parental concern. But it can be inferred from communications, the stated purpose of an intervention, patterns of behaviour, witness evidence and the surrounding circumstances. Decision-makers should look at the purpose and circumstances of the conduct, and should not treat a claim of benevolent motive as proof that the required intention was absent.

This requires statutory guidance and specialist training for police, prosecutors and the judiciary, and for frontline professionals such as social workers, teachers, safeguarding leads and healthcare staff, so that victims are identified early and referred to support. Referral routes must be properly resourced so that people can get protection without having to start criminal proceedings. Guidance and training should be developed with LGBT+ organisations, survivor-led groups, trade unions and professional bodies, and should be trauma-informed and alert to people facing several forms of discrimination.

9. How adequate is the offence of encouraging or assisting an abusive conversion practice abroad?

Unite welcomes Clause 3, and particularly that an offence can be committed even if the practice never takes place (Clause 3(3)), so that intervention can come before harm. It reflects the TUC's and Unite's earlier calls for protection from being taken abroad, drawing on forced marriage and FGM law. Three things need attention.

1. **Who is protected.** The victim must be a UK national or habitually resident in the UK. Migrants, asylum seekers and people with insecure status may struggle to show habitual residence, which is a particular worry given the Government's proposed changes to settlement rules. Protection should extend to everyone living in the UK.
2. **Proof of intention.** The offence requires intent to encourage or assist, and Clause 3(2) says foreseeability is not enough. That may be hard to prove where arrangements are made informally through families, faith organisations or online networks.
3. **Online and cross-border activity.** Conversion practices may be advertised or delivered online by overseas providers. The Government should explain how the law will deal with this and stop people evading the ban.

Implementation requires international co-operation in evidence-gathering, safeguarding people at risk of removal from the UK, and joint working between the police, border authorities and specialist support organisations. Unite recommends clear enforcement guidance, effective use of CPPOs, properly resourced safeguarding and referral arrangements, and particular care for people facing family coercion or immigration vulnerability, so that nobody fears adverse immigration consequences for seeking help. The success of Clause 3 will depend on preventing harm abroad, not only on prosecuting afterwards.

10. How adequate are conversion practice protection orders?

Unite welcomes CPPOs, and particularly their preventive purpose, the ability to make orders without notice in urgent cases, and the power to make them in family and criminal proceedings. They reflect the forced marriage and FGM protection order models that the TUC and Unite supported. To work well, they need four changes.

- **A lower preventive threshold.** Paragraph 1 of the Schedule requires a risk of abuse likely to cause serious harm, or serious distress with a substantial adverse effect on daily life, unless an offence has already occurred. That limits early intervention where there is clear evidence of coercion or escalating abuse. A more proportionate, risk-based test would allow protection before serious harm occurs.
- **Easier access.** The victim, police and local authorities can apply, but specialist LGBT+ organisations and other third parties need the court's leave. The Government should simplify this and ensure access to legal aid, independent advocacy and specialist advice, particularly for children, migrants and people dependent on family.
- **Referral and safeguarding.** Police, social services, schools and health professionals need specialist training to spot people at risk and support applications, with guidance developed alongside LGBT+ organisations, survivor groups, trade unions and safeguarding bodies.
- **Enforcement.** Breaches need a prompt response, authorities need to co-ordinate, and victims need protection from retaliation. Nobody should fear that seeking protection will affect their immigration status.

Unite supports CPPOs in principle, but recommend a lower preventive threshold, better access to legal and specialist support, and properly resourced enforcement.

11. Does the draft Bill risk adverse effects on public, private or charity organisations, including education settings?

Unite does not believe prohibiting conversion practices creates unjustified burdens on organisations that act lawfully. Rather, this is an opportunity to strengthen safeguarding, equality and accountability in workplaces, schools, health services and the voluntary sector. As one LGBT+ member said: ***"Organisations have a responsibility to ensure that they do not facilitate, encourage or turn a blind eye to abusive conversion practices."*** Our position, and the TUC's, remains that there should be no organisational exemptions, including for faith bodies. The main risk of unintended consequences comes from unclear law and over-broad exclusions, not from the prohibition itself.

<u>Healthcare</u>

The Clause 1(3) exclusion concerns us most. Conduct in a healthcare setting is not a conversion practice unless it falls far below expected standards. That is a high bar for challenging harmful interventions, particularly where patients are vulnerable and dependent on professional judgement. As one LGBT+ member said: ***"The fact that something takes place within a healthcare setting does not automatically make it safe, appropriate or legitimate."*** Trans and non-binary people already face barriers to appropriate care, and therapy must not become a way of discouraging or undermining their identity. We strongly support legitimate, evidence-based, non-directive counselling and the right to explore sexual orientation and gender identity without pressure towards any outcome.

Workplaces

Power imbalances at work can push LGBT+ employees to hide their relationships, or subject trans and non-binary colleagues to repeated challenges to their identity and expression. Following the Supreme Court ruling in *For Women Scotland*, which held that "sex", "man" and "woman" in the Equality Act 2010 refer to biological sex while confirming that trans people remain protected from discrimination, trans and non-binary workers have raised concerns about access to toilets, changing rooms and women-only spaces, and about exclusion, humiliation and unwanted disclosure.

Lawful provision of single-sex or separate facilities is not in itself a conversion practice. But workplace policies must not become a vehicle for harassment or sustained pressure on trans workers to conceal, deny or suppress who they are. As one LGBT+ member put it: ***"There is a difference between an isolated equality-related dispute and a sustained attempt to make someone deny or suppress who they are."*** The Bill should draw that distinction without implying that every instance of workplace discrimination is a conversion practice.

Education and faith institutions

Schools and colleges must protect young LGBT+ people from psychological and emotional abuse, and faith organisations must be free to practise their religion without using belief to justify coercion or intimidation.

Unite therefore believes that the principal risk of unintended consequences arises from insufficient legal clarity and potentially overbroad exclusions, rather than from the prohibition itself.

a. How well have these considerations been accounted for? Are changes needed?

Unite acknowledges the Government's Equality and Economic Impact Assessments, but more is needed on the scope of the healthcare exclusion, organisational safeguarding duties and the resources for implementation. Deliberate attempts to change or coercively suppress identity must not escape scrutiny simply because they happen in a healthcare setting. Revised provisions should apply to regulated and unregulated providers alike, and protect legitimate, exploratory care.

Children and young people need particular safeguarding attention, and patients need independent complaints procedures and specialist support. Employers should consult recognised unions and equality reps when reviewing policies affecting trans workers, and balance legal compliance with the dignity, privacy and safety of all employees.

Unite recommends that the Government:

1. narrows and clarifies the healthcare exclusion so it cannot shield deliberate attempts to change or suppress LGBT+ identity, while protecting evidence-based, non-coercive, non-directive care;
2. issues sector-specific statutory guidance distinguishing abusive conversion practices from legitimate counselling, pastoral care, education, safeguarding and ordinary workplace equality matters;
3. strengthens organisational safeguarding and accountability, including confidential reporting, independent complaints routes and protection against victimisation;

4. provides workplace guidance on recognising coercive suppression, responding to harassment and protecting trans and non-binary workers, including their access to appropriate facilities;
5. funds specialist training for managers, health professionals, educators, social workers and frontline staff, with accessible referral pathways;
6. recognises the role of trade unions and workplace equality reps in identifying problems, supporting members and holding employers to account, and ensures they are trained and consulted; and
7. consults LGBT+ organisations, survivor-led groups, unions and professional bodies so implementation reflects lived experience and does not restrict genuine LGBT+ support services.

As one LGBT+ member said: ***"Trade unions have an important role in challenging these practices, supporting members, training representatives and holding employers accountable."***

12. Does the draft Bill strike the right balance between protection from abuse and rights to privacy, family life and freedom of expression?

Unite understands that the Government must balance protection from abuse with privacy, family life, religion and expression. We are concerned that the current approach gives too little weight to the rights of people subjected to coercion. In the words of one LGBT+ member: ***"I respect the right of individuals to hold religious beliefs and the right of religious organisations to practise their faith. However, freedom of religion cannot mean freedom to abuse, intimidate or coerce another person."***

There is a fundamental difference between holding or expressing a belief and using it to control someone else. The Bill should protect legitimate religious expression, private family conversations and personal belief, but not conduct that amounts to abuse.

a. If there are tensions, how should they be resolved?

Tensions can be resolved through a human rights framework that gives proper weight to the dignity and autonomy of LGBT+ people. Articles 8, 9 and 10 of the European Convention on Human Rights protect private and family life, religion and expression. The freedom to hold a belief is absolute, but its manifestation, like the rights in Articles 8 and 10, can be subject to lawful, necessary and proportionate limits to protect the rights of others. Religion must not become a justification for coercion, and family life must not be used to shield abuse from scrutiny.

The Government should make clear that religious conviction, parental concern or a professed intention to act in someone's best interests does not, on its own, justify coercive or abusive conduct. The test should be the nature and impact of the conduct, not the beliefs or good intentions of the person responsible.

Unite recommends that the Bill must expressly recognises this, supported by guidance developed with human rights experts, LGBT+ organisations, faith representatives and survivors. As an LGBT+ member told us: ***"The right to be yourself should not depend on whether other people agree with your identity."***

13. Are there further considerations around existing family law?

Protecting children and young people must be at the heart of this legislation. Families are where many young people first learn whether it is safe to be themselves. As one LGBT+ member said:

"Children and young people deserve to grow up knowing that they are accepted, valued and loved for who they are."

The Children Act 1989 makes the child's welfare the paramount consideration in specified family court decisions, and that principle should guide how the Bill interacts with family law. Parents rightly guide and support their children, but parental responsibility must be exercised consistently with children's welfare, dignity and developing autonomy. Another LGBT+ member put it this way: ***"The distinction is between supporting a child and attempting to force them to become somebody they are not."***

Unite calls on the Government to clarify how CPPOs will interact with child arrangements orders, parental responsibility and Family Law Act 1996 protections. Where conversion practices are alleged in family proceedings, courts should assess risk independently, give weight to the child's wishes and feelings, and ensure that decisions about contact and residence do not expose the child to further harm. Children should be able to get independent advocacy and legal representation where their interests conflict with their parents' or guardians'. Existing family law and the new Bill should work together, so children are not left to navigate separate and complex processes.

Family law should protect children's relationships with their families, but never at the expense of their safety, dignity or wellbeing.

This response was submitted by Unite Equalities Department on behalf of Unite the Union.