

# Labor, Conversion Therapy and Draco.

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We can't say we were not warned: since 2017 Labor representatives have been announcing their intention to ban, if not criminalise, so-called 'conversion therapy'. Back in 2017, the Victorian Health Minister, now Attorney General, Ms Jill Hennessy declared their new Health Complaints Act would 'provide the means to deal with those who profit from the abhorrent practice of gay conversion therapy...which inflicts significant emotional trauma and damages the mental health of young members of our community'. According to Ms Hennessy, the crime of conversion therapy is so grave it demands 'reverse onus' of proof in which the 'accused is required to prove matters to establish, or raise evidence to suggest, that he or she is not guilty of an offence'<sup>1</sup>.

In October 2018, the Labor government's LGBTI task force, its Commissioners for Gender and Sexuality, Health Complaints and Mental Health, the Victorian Human Rights Law Centre and the Australian Research Centre in Sex Health and Society at La Trobe University (whence had arisen the so-called 'Safe Schools Programmes'), released a so-called research paper entitled 'Preventing Harm, Promoting Justice, Responding to LGBT Conversion Therapy in Australia'.

Despite the fact the La Trobe report was based on only 15 anonymous complaints received from widespread solicitation in LGBT precincts, it was to prove a powerful instrument of propaganda. Promoting the illusion of erudition, it called for the Health Complaints Act to be strengthened and to consider 'legislative and regulatory options to restrict the promotion and provision of conversion therapies and similar practices, including by faith communities and organisations and both registered and unregistered health practitioners.

The La Trobe report includes an account of kidnapping, torture and sexual abuse of a 17-year old girl which, though it beggars belief, warrants police investigation rather than tacit acceptance by some Labor politicians and use as a political tool. But, in February 2019, the Victorian Andrews government backed the report, declaring it will 'bring in laws to denounce and prohibit LGBT conversion practices', with no apparent conviction of the need to check

the facts, let alone involve the police. Such dilatoriness in the pursuit of alleged sexual abuse of children has not been recent form in Victoria.

In October, 2019, the Victorian government invited discussion on 'Legislative options to implement a ban of conversion practices', not as to whether they should occur, but 'on the best way/s to implement a ban of conversion practices': essentially, should criminal or civil actions be employed.

On the last day of parliament in November 2019, the Labor government of Queensland, tabled a 'Health Amendments Bill' in the very midst of whose bureaucratic tedium was the provocative intention to ban 'conversion therapy', and inflict up to 18 months gaol on miscreants. The government cited the La Trobe study as evidence for the need for its actions.

In January 2020, in the public hearings in the Queensland Parliament, despite repeated questionings, none of the proponents for the ban could provide any evidence of coercive 'conversion therapy' being undertaken in the state. One politician wondered why legislation should be passed to criminalise something which did not exist?

Nevertheless, despite considerable opposition from the public, on 13 August 2020, a Bill was enacted. Some opponents to hormonal affirmation of childhood gender dysphoria drew hope from modified wording which seemed to suggest therapy could be offered if it was 'reasonable...appropriate...and safe'. But, to those committed to the ideology of gender fluidity, in which mind negates chromosomes, and body must be aligned with feelings, it is not 'reasonable...appropriate...or safe' to deny the mind, and hormones and surgery should be employed for re-alignment of body towards feelings.

Although gender fluidity ideologues grizzled the final law was not as stringent as they wanted, its effect will be to their advantage. Its ambiguity and the spectre of incarceration will reduce the number of therapists willing to involve themselves with gender confused children. Referral to an 'affirming' clinic will be an easy option.

On the same day, 13 August 2020, the Labor/Green government in the ACT released a 'shocker' of a Bill which was enacted with a rush on the 27<sup>th</sup>, another last day of parliament, this time even before the Second Reading speech had been published. Called the '*Sexuality and Gender Identity Conversion Practices Bill 2020*', it will criminalise, with up to 12 months in gaol,

any 'person' who performs a 'conversion practice' on a 'protected person' (for example, a child) whether or not 'the recipient, or a parent or guardian... consented to the practice'.

Furthermore, 'Removal of a protected person (eg a child) from the ACT' by 'a person' for the 'purpose...of conversion practice' will merit a large fine, 12 months in gaol, or both.

Any person who received 'conversion therapy' and suffered 'loss or damage' eg 'distress, humiliation, loss of self-esteem, loss of enjoyment of life' will be able to seek financial compensation through the ACT Civil and Administrative Tribunal which 'is not...limited in the amount of money that it may order to be paid'.

The ACT Labor government emphasises 'The Bill is a significant Bill', 'likely to have significant engagement of human rights' and, therefore, 'requires more detailed reasoning in relation to the Human Rights Act 2004.'<sup>2</sup>

It cites the harms of 'conversion therapy' reported by the La Trobe study, plus alleged lack of 'evidence to suggest any benefits' or that 'sexuality or gender identity can be changed by undertaking conversion therapies' as justification for restrictions on freedoms delineated in the Human Rights Act.

Regarding Freedoms of Thought, Conscience, Religion and Belief, the Act will 'not permit the manifestation or demonstration or religious belief, or the expression of information or ideas, that seek to change a person's sexuality or gender identity', let alone practicing 'conversion therapy'.

The Right of Freedom of Movement, will not apply to those seeking to take a protected person for 'conversion therapy' outside the ACT.

The Right to Education will exclude 'teachings that can be defined as 'conversion practices'.

The Right to Privacy does not include 'conversion therapy' practiced at home.

It should be emphasised that these limitations on traditional Human Rights are not merely applied to professional therapists such as paediatricians, psychologists, psychiatrists and counsellors. To the contrary, they apply to 'any person' involved in any influential way with any child confused over gender, or any adult seeking help for unwanted sexual pre-occupation. The limitations and

the threats will extend to parents, carers, teachers, counsellors, pastors and priests.

Though the public is not yet privy to the Victorian or South Australian Bills which are awaiting their turn to ban conversion therapy, some insight of what might be expected from ideologues emboldened by Canberran comrades is provided by other recommendations of the La Trobe report.

Freedom of Speech will be curtailed: 'Public broadcasts' promoting 'conversion therapy' will be banned.

Freedom of Association will be curtailed: parents of children with gender confused children will only be able to seek help from therapists with specific accreditation gained by special education that emphasises attempts to 'convert' a child back to a gender congruent with chromosomes are 'not consistent with their professional obligations' and will invite 'disciplinary actions'.

Freedom of Education will be restricted: schools must have similar accreditation.

### **What is conversion therapy?**

The ACT Act declares 'Sexuality and gender identity conversion practices' means 'a treatment or other practice the purpose, or purported purpose, of which is to change a person's sexuality or gender identity'.

To those unfamiliar with the Orwellian nightmare of dictatorship in which words can mean their opposite, or the Wonderland in which Alice worried they can mean anything you want, the 'conversion therapy' to be banned by Labor might be understood as the process of converting a natal boy into a hormonally and surgically constructed girl. But that meaning is not the one that applies in the Wonderland of gender fluidity. In that dictatorship where feelings rule o'er biology through the force of chemicals and scalpels, the term means the exact opposite: the 'converting' of a child *back* to an identity congruent with chromosomes, *back* to the sex in which it was born.

Despite the promise of 12 months in gaol for committing the crime, the Canberra Act makes no attempt to give any details of the practice it will proscribe. To the contrary, it details exclusions: any efforts to convert a child *towards* the opposite sex. Excluded will be social 'affirmation' to that sex with

the granting of new names, pronouns, dress, toilet and dressing facilities, the 'blocking' of puberty, the administration of cross-sex hormones, the removal of breasts and other appendages, and the associated encouragement, counselling, promotion, advertising and education.

Clearly, the Act will criminalise traditional counselling, psychotherapy and psychiatry which might seek to find and allay individual and family predispositions, abuses, and associated mental disorders such as autism, which are unsettling the child's identity. There will be no place for such 'watchful waiting' with statistical optimism the affected child will join the large majority of gender confused children in whom feelings align with chromosomes through puberty.

As proponents for hormonal intervention declare, 'neutrality' is not an option: there are sins of omission as well as commission. A crime will be committed if parents, teachers, doctors or *anyone* influential in the lives of the children do not refer them to a clinic which practices 'affirmation'. Offences will be committed if mandatory reporting of 'child abuse' is neglected: failure of a parent to support the transgendering of an offspring comprises abuse; failure of a teacher to report such abuse is an offence.

### **Does affirmation therapy work?**

There is no evidence 'affirming' a child to an opposite sex renders it better off. In the short term, being the focus of attention may improve mood. In the longer term, adults who have transgendered commit suicide at rate twenty to thirty times that of the ordinary population. The current experimentation with 'affirmation' therapy, is precisely that. The outcome in the lonelier years of adulthood is unknown, though the growing phenomenon of disillusioned 'de-transitioners' is indicative.

Worse, as well as the unknown, 'affirmation therapy' has known side effects unacknowledged by its proponents. Hormonal blockers have widespread effects, interfering with brain structure and function. Cross-sex hormones may shrink an adult male brain at a rate ten times faster than ageing, after only 4 months, and transgendering children will be on them for life.

Puberty blockers are administered with the false claim they provide more time for a confused child to consider its sexual identity. But this is biologically implausible: they block primary and secondary mechanisms for sexualisation,

while damaging the limbic system which integrates cognition, emotion, memory and reward into an 'inner world view'. Veterinary studies confirm blocked sheep are less adept in mazes, more emotionally labile, and fear change. How can a 'neutered' child maturely consider a sexual future?

### **Are there alternatives?**

It must be asked: do any members of Labor governments reducing Human Rights while amplifying Criminal Codes ever try to evaluate things for themselves? Or does the tribe simply fall-in behind the ideologues baying for incarceration of heretics? Regarding children, half-savvy staff could have found 'A developmental, biophysical model for the treatment of children with gender identity disorder' by Kenneth Zucker et al<sup>3</sup>, which explains the compassionate, non-coercive, non-aversive, supportive programme of 'watchful waiting' through which almost all children will recover, without any hormones or strokes of the knife. An inquisitive politician might have wondered why such a programme should be criminalised as 'conversion therapy', with incarceration of therapists and parents who seek it.

Regarding adults with unwanted sexual preoccupations, half savvy staff could have found Haldeman's 'When Sexual and Religious Orientation Collide: considerations in working with conflicted Same-Sex Attracted Male Clients'<sup>4</sup>. Rightly, Haldeman considers the arguments against 'conversion therapy' which are, presumably, familiar to the zealous, but he also reports that 'For some, religious identity is so important that it is more realistic to consider changing sexual orientation than abandoning one's religion of origin'. Haldeman quotes Miranti: 'the spiritual and/or religious dimensions inherent in each individual could possibly be the most salient cultural identity for a client'<sup>5</sup>. And he argues for a 'person centered approach' which is not necessarily the 'traditional gay-affirmative therapy' which should not 'deny individuals the right to therapeutic support in making the accommodations necessary to living lives that are consonant with the personal values'.

Haldeman is not advocating coercive psychotherapy, nor suggesting Medieval aversion therapies should be resurrected. Application of electric shocks, induction of vomiting or administration of pain of any sort to create an aversion to undesired sexual pre-occupations, and 'convert' to the desired, are

things of the past. So should be the administration of cross-sex hormones and castration but, ironically, such practices are now permitted, indeed justified, in the attempted conversion of the body of a child towards the feelings in its mind, as specified in Section 2, 2 (a), of the ACT Bill.

### **Is sexuality immutable?**

Given proclamations by ideologues that sexual identity and orientation is fixed, immutable, unchangeable etc and that attempted change is inevitably harmful and, therefore, should be criminalised, even if freely sought, a study emerging from Melbourne demands consideration. It is the first of its kind from Australia and its results will be provocative. They challenge dogma. They report change.

The study is being undertaken by the little known Coalition Against Unsafe Sexual Education and it seeks to record and report experiences of adults who have overcome unwanted sexual pre-occupations by themselves or with help from others by means of counselling or psychotherapy which was neither coercive nor aversive.

Recruitment for the survey is being sought via social media and as such, the study bears the same imperfections and limitations as the La Trobe report, but no more. It is dependent on self-selection and essentially unverified testimony but, in apparent distinction to the La Trobe study, it is not anonymous.

Respondents have identified themselves, though the researchers, of course, are bound to confidentiality.

The respondents were invited to answer a questionnaire: and though 60 have thus far completed it, some have gone further: 20 also provided written; 10 video; and 2, audio testimonies. Respondents were invited to grade outcomes, such as reduction of anxiety, on a 1-10 scale, with a score of 0 indicating no change.

Most respondents who submitted additional testimonies have permitted their publication on the CAUSE website<sup>6</sup>.

### **Who are the respondents and what therapy did they have?**

Of the 60, 35 are biological males. 12 are aged between 18-35, 13 between 36 and 50, 30 between 51 and 65. 23 are Australian, 26 American, with others from Europe and Asia. 46 are Caucasian, 5 Arabic, 2 Maori, 3 Asian, 3 Latino and 1 Jewish. 41 had reached tertiary, 17 secondary, and 3 primary levels of education.

9 had started counselling under 20 years of age, 36 between 21 and 35, 12 between 36 and 50, and 3 beyond 50. 10 had started counselling within the last 5 years, 8 within 6-10 years, 12 within 11-19 years, 15 within 20-29 years, and 15 more than that.

9 had professional non-religious counselling, 12 had only religious counselling, 26 had both professional and religious counselling, and 13 had received no counselling.

**What were the results?** 92% reported reduced anxiety, with an average score of 5. 95% reported improved self-image, with an average score of 5.1. 75% reported reduced suicidal ideation with an average score of 4.0. 85% reported reduced promiscuity with an average score of 5. 73% reported improved relationships with average score of 3. 67% reported improved health with an average score of 2.

Before psychotherapy, 44 declared they were lesbian or gay, 9 they were bisexual or other, and 7 transgender. With psychotherapy, of the 53 lesbian, gay, bisexual and other respondents, 14 declared themselves to be heterosexual and married or in a relationship. 6 declared themselves still same-sex attracted but in heterosexual marriage. 16 declared themselves heterosexual but celibate, and 11 still same-sex attracted but celibate. 2 declared themselves neither heterosexual or same-sex attracted but to be in a heterosexual relationship, and 4 declared themselves to be 'other'.

With therapy, of the 7 who had been transgender, 4 had entered heterosexual marriages or relationships, 2 were heterosexual but celibate and one whose identity had become congruent with chromosomes, the status of her relationship was not clear.

### **What have some respondents said?**

James Parker, relinquishing a homosexual lifestyle declares 'I chose to enter therapy in my 20's.... every segment of my life went into the therapist's room...l



engaged in many different types of therapies. They transformed my entire life... I believe that to deny someone that opportunity is plain evil.'

Leah Gray, relinquishing a lesbian lifestyle declares 'In no way has any help that I received been harmful. It has only ever been helpful in terms of the treatment that I sought after'

Jem Bate, relinquishing a transgendered past declares 'I feel that I am more myself now than I ever have been and am happier as well'. Asked 'Are you more at peace?', Jem answers 'Definitely.'

### **Summary.**

If the 60 respondents had been living in modern Canberra they would have been denied counselling for unwanted sexual pre-occupations: their Right to pursue their own destiny. Their stories will be treated with derision by ideologues for gender fluidity, as many religions excoriate heretics, and any future counselling in many Australian states will be banned. Nevertheless, their story has a right to be heard. They attest that, for some, change is possible. They would argue the government should stay away from counselling.

Draco was a 7<sup>th</sup> century BC Athenian legislator whose sanctioned violence favoured the elite and was said to have been 'written in blood'. The laws being passed by various Labor states are Draconian with regard to sexuality. They favour an ideological elite and, though not written in blood (or are they?), may be measured in time behind bars. In Athens, democracy evolved despite Draco. Here, Draco's descendants are traducing Human Rights: especially the Right of the Child to be protected from experimentation.

Professor John Whitehall

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<sup>1</sup>Ms J Hennessy. Health Complaints Bill, Second Reading. Parliament of Victoria. Hansard. Feb 10, 2016.

<sup>2</sup> Barr A and Rattenbury S. Explanatory statement and human rights compatibility statement. [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

<sup>3</sup> Zucker KJ, Wood, H, Singh D and Bradley MD. A developmental, biophysical model for the treatment of children with gender identity disorder'. J Homosexuality. 2012.59 (3): 369-397.

<sup>4</sup> Haldeman D. When Sexual and Religious Orientation Collide: considerations in working with conflicted Same-Sex Attracted Male Clients. The Counselling Psychologist. 2004. 32(5):691-715.

<sup>5</sup> Miranti J. The spiritual/religious dimension of counselling: a multicultural perspective. In P Pedersen and D Locke (Eds). Cultural diversity issues in counselling (pp 117-120) Greensboro. University of North Carolina Press.

<sup>6</sup> CAUSE. [www.freetochange.com](http://www.freetochange.com). CAUSE is an Australian registered advocacy group formed in 2018 in concern about the effects of gender ideologies promoted in schools. It can be contacted at [CAUSE.Victoria@gmail.com](mailto:CAUSE.Victoria@gmail.com).