

Are Litigation Strategies Working in the Issues of Sexuality and Gender? Let's consider the global scene – 34 nations

Examining the Landscape:
Past, Present and Future

Andrea Williams

Chief Executive

Christian Concern and
Christian Legal Centre

Who am I?

Andrea Williams

Chief Executive

Christian Concern and Christian
Legal Centre









My family



Our recent history – September 19 2022

70 years of Queen Elizabeth



A nation under God?

Coronation Oath

6 May 2023

Archbishop: **Will you to the utmost of your power maintain the Laws of God and the true profession of the Gospel?** Will you to the utmost of your power maintain in the United Kingdom the Protestant Reformed Religion established by law? Will you maintain and preserve inviolably the settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established in England? And will you preserve unto the Bishops and Clergy of England, and to the Churches there committed to their charge, all such rights and privileges, as by law do or shall appertain to them or any of them?

King: All this I promise to do.

The Cultural revolution in 70 years in UK

1952	2023
Abortion illegal / homosexual acts illegal	Legal / 10.2 million abortions
4.8% babies born outside marriage	51%
349,308 marriages with population of 50 million.	219,850 marriages* with over 17 million more people.
33,922 divorces	113,505 divorces

The presenting of the Holy Bible

*Our gracious King:
to keep your Majesty ever mindful of the law
and the Gospel of God as the Rule for the whole
life and government of Christian Princes,
we present you with this Book, the most
valuable thing that this world affords.*

*And the Moderator shall continue:
Here is Wisdom;
This is the royal Law;
These are the lively Oracles of God.*



Legislating on sexual morality in UK- A country example

1857 **Matrimonial Causes Act** – Decriminalised adultery

1967 **Sexual Offences Act** - Decriminalised homosexual acts (age 21+)

1970 Gay Liberation Front established


1988 **Local Government Act** – s.28: No local authority shall promote the teaching of homosexuality as a pretended family relationship

1992 First Gay Pride Festival

1998 **Human Rights Act**

2000 **Sexual Offences (Amendment) Act** – Equalised age of consent (16)
Policy barring homosexuals from military scrapped

2002 **Adoption Act** – Redefinition of ‘family’



Family Redefined – ideology and reproductive technology

2003

Sexual Offences Act - s.28 Repealed; Gross Indecency laws abolished

2003

Sexual Orientation Regulations – Discrimination against homosexuals in the provision of goods and services made illegal.

2004

Gender Recognition Act – Legal recognition of transsexual's 'acquired gender

2004

Civil Partnership Act – Allows same-sex couples to register as civil partners

2006

Stonewall issue first report on 'homophobic' bullying

2008

Human Fertilisation and Embryology Act (Also in 1990)

2010

Equality Act: prohibits discrimination on grounds of sexual orientation

2013

The Marriage (Same Sex Couples) Act

Same-sex "marriage" legalised by 366 to 161 Votes

Redefining of family



We legislate morality

All laws enforce some morality

To legislate, is to legislate morality

In every culture, the source of law is the god of that society

If it is not God's law – then whose law is it?



Woe to those who make unjust laws,
to those who issue oppressive decrees **Isaiah 10:1**



Hate evil, love good; maintain justice in the courts **Amos 5:15**



Archbishop of Canterbury

- It is clearly essential that stable and faithful same-sex relationships should, where those involved want it, be recognised and supported with as much dignity and the same legal effect as marriage.”
- Archbishop of Canterbury
- *2nd Reading – Marriage (Same Sex Couples) Bill House of Lords*
- *May 2013*

24 January 2023

- **First, we have made a huge step, which is to say that if someone is married in a civil marriage, equal marriage, someone of their own gender, same sex marriage, that they can come to church and have that marriage recognised and thanked for and dedicate themselves to God and seek God's blessing in their lives,'**
- **Archbishop of Canterbury**



“So I don’t support gay marriage despite being a conservative. I support gay marriage because I’m a conservative.”

Conservative Prime Minister David Cameron

October 2011



The new 'world mission'



Rt Hon. David Cameron
Former Prime Minister

“I’ve told the bill team I’m now going to reassign them because, of course, all over the world people would have been watching this piece of legislation ...

Many other countries are going to want to copy this. ... so I’m going to export the bill team. I think they can be **part of this global race and take it around the world.**”

July 2013

The new 'world mission'

HM Government:

... We will work with international partners and structures to progress LGB&T equality internationally raise human rights standards overseas and protect the rights of British citizens living, working or travelling abroad.

... Use our political dialogue with other countries to push for the recognition of LGB&T rights and advocate for changes to discriminatory practices and laws that criminalise homosexuality and same sex behaviour. We will also work with EU and international partners to oppose the introduction of new anti-homosexual legislation.

The new 'world mission'

... Use the UN-led Universal Periodic review to robustly examine and question the human rights records of every UN Member state towards LGB&T people, as appropriate.

... UK Embassies and Posts overseas will continue to support efforts of civil society organisations and human rights defenders internationally to change laws and social attitudes, including by supporting Pride events and the International Day against Homophobia and Transphobia.

Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward
HM Government, March 2011

The new 'world mission'

“DFID recognises that the realisation of human rights underpins sustainable development.

“... DFID is already gaining considerable experience of working on a number of sensitive issues that cut across national and international politics, social, political and religious values.

“This includes DFID’s work on female genital mutilation (FGM) and safe abortion where, through sensitive work with local stakeholders, identifying local champions and building coalitions we have been able to support changes in attitudes and locally led policy change.

The new 'world mission'

“In addition, a number of other areas were identified and will be taken forward. These include:

- Including homophobia in DFID's ongoing work on **social norms (behaviour change group)** within DFID.
- Including sexual orientation and gender identity as part of the social impact analysis in DFID's Smart Rules - this has been completed and was launched in July 2014.

**PARLIAMENTARY STRATEGY
FOUNDED IN 2019**



**global
equality
caucus**

“The Global Equality Caucus is an international network of parliamentarians and elected representatives dedicated to tackling discrimination against LGBT+ people.”

“We are the only international network of elected representatives focused exclusively on achieving LGBT+ equality. We work together with NGOs, businesses and governments to promote and drive through measures on anti-discrimination and legal equality.”

“The need for co-ordinated political and legislative action and a global response to LGBT+ discrimination is necessary more than ever in an increasingly interconnected world. The Global Equality Caucus provides a forum and vehicle for this action.”



**Lord
Nick
Herbert**

Global Equality Caucas Founder members

As taken from the website:

FOUNDER MEMBERS

We were founded in the belief that change can be won anywhere in the world so long as equality advocates have the passion and resources to do so. Our founder members, representing legislatures across both the Global North and South, have been instrumental in advancing our mission.

[Nick Herbert \(Lord Herbert of South Downs\)](#)

[Louisa Wall MP](#)

[Randy Boissonnault MP](#)

[Senator Aziza Lake](#)

[Tamara Adrián](#)

[Alberto de Belaúnde](#)

[Hon. Esther Passaris](#)

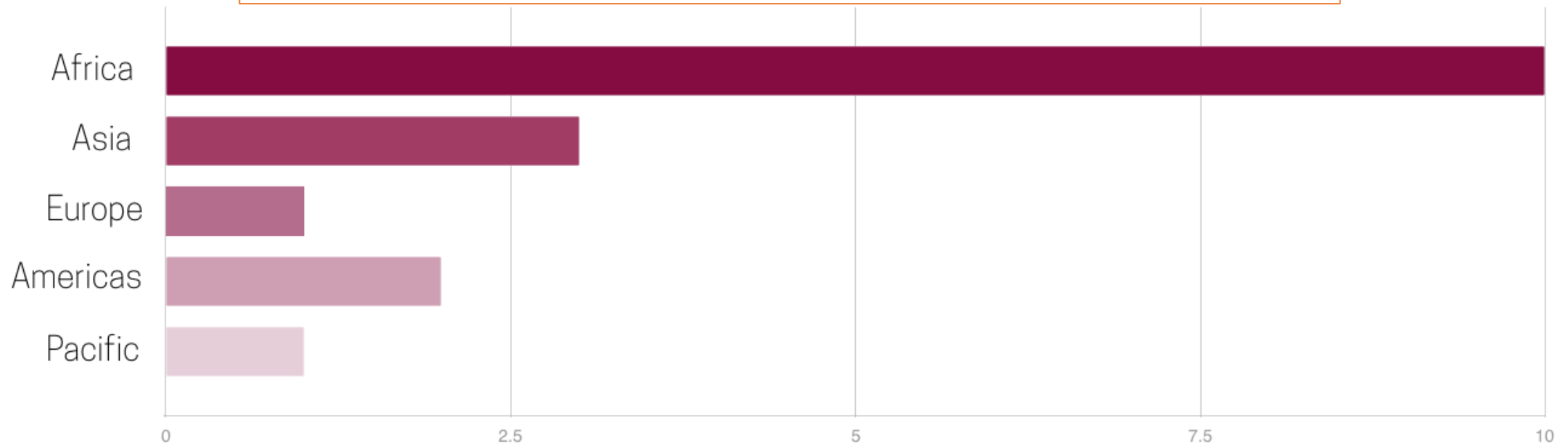




FOUNDED IN 2011

“The Human Dignity Trust has worked with **LGBT activists and lawyers** in 18 different jurisdictions to challenge laws that discriminate on the basis of sexual orientation and/or gender identity. We provide expert assistance to ongoing, prospective and concluded legal cases. You can find us working in these key regions”

WHERE HUMAN DIGNITY TRUST WORKS



NOTABLE CONTRIBUTIONS

BELIZE

A Constitutional Challenge to the Laws Criminalising Homosexuality

EASTERN CARIBBEAN

Constitutional Challenges to Laws Criminalising Same-sex Activity

EUROPEAN UNION

Asylum Case before the Court of Justice

JAMAICA

Petition before the Inter-American Commission on Human Rights

MAURITIUS

Case before Supreme Court

NAMIBIA

Case before the High Court

NORTHERN CYPRUS

Petition before the European Court of Human Rights

SINGAPORE

Two separate cases before the Court of Appeal

SRI LANKA

Case before UN Committee on the Elimination of Discrimination against Women



STRATEGY



Global Equality Caucus – Five Priorities

1. Support decriminalisation and the end of violence against LGBT+ people.
2. Support equal rights and non-discrimination for LGBT+ people.
3. Ensure that LGBT+ people have equal access to healthcare, including HIV treatment and support for trans people.
4. Ensure that data is collected so that governments can be held accountable for how LGBT+ are treated.
5. Support and urge funding for NGOs which are working for LGBT+ people.”

Human Dignity Trust supports cases that:

1. Decriminalise consensual same-sex sexual activity;
2. Uphold freedom of association rights for LGBT people;
3. Ensure that constitutional protections against discrimination include discrimination on grounds of sexual orientation and/or gender identity;
4. Challenge degrading treatment of LGBT people such as the use of forced medical examinations.

“We work with local activists to design local media and public information campaigns to dispel myths around LGBT people and manage the sensitive public debates around litigation”

THE LANGUAGE OF DECRIMINALISATION



global
equality
caucus



THEY SAY:

- We want decriminalisation and the end of violence against LGBT+ people.



Christian
Concern

WE SAY:

- The **criminal law** in every nation should protect every person against violence.
- We can choose to regulate sexual behaviours. It is a Western, globalist mindset to say we cannot. We legislate morality
- They conflate criminalisation and violence.

The language of DISCRIMINATION & EQUAL RIGHTS



global
equality
caucus



THEY SAY:

We want equal rights and non-discrimination for LGBT+ people



Christian
Concern

WE SAY:

We don't make laws in a moral vacuum

- Every citizen should be treated with human dignity
- Fundamental questions over what are 'equal rights'
- What happens when 'rights' conflict?
- What happens when the fundamental foundations of a society are undermined?

Jamaica – Family Coalition

Resisting decriminalisation of
buggery laws

Resisting liberalisation of marriage
laws



DECRIMINALISATION



**REDEFINING OF WORDS AND INSTIUTIONS
ANTI-DISCRIMINATION/“EQUAL RIGHTS”**



**COMPLY OR BE SILENCED/
MARGINALISED/DISCIPLINED/STATUS
REMOVED/CRIMINALISED**

2013 – PETER AND HAZELMARY BULL

- Christian owners of a B&B
- Policy to only allow married couples to share a room
- Did not allow a civilly partnered gay couple to share

In the Supreme Court:

52. “Sexual orientation is a core component of a person's identity which requires fulfilment through relationships with others of the same orientation.”

Lady Hale

Bull and Bull v Hall and Preddy [2013] UKSC 73

LADY HALE



2012 - Gary McFarlane

Dismissed as a Relate counsellor after having indicated on a training course that he might have a conscientious objection to providing sex therapy to same-sex couples



CASE IN EUROPEAN COURT OF HUMAN RIGHTS

European Convention on Human Rights

Article 9: Freedom of thought, conscience and religion

The UK Government boldly submitted:

“Where the individual in question is free to resign and seek employment elsewhere or practise their religion unfettered outside their employment, that is sufficient to guarantee their Article 9 rights in domestic law.”

“As in the other cases, the applicants were also free to resign if they considered that the requirements of their employment were incompatible with their religious beliefs.”

JUDGMENT

- The UK Government was in breach of Article 9 ECHR
- Wearing the cross and views on sexual ethics *are* manifestations of Christian faith

2014 - Richard Page Family Judge

The Lord Chancellor and Lord Chief Justice have issued Mr Richard Page JP, a Magistrate assigned to the Central Kent Bench with a reprimand. Mr Page, whilst sitting in the Family Court, was found to have been influenced by his religious beliefs and not by the evidence. The Lord Chancellor and Lord Chief Justice considered that this amounted to serious misconduct and that Mr Page should have recused himself from the matter.

**Statement from the Judicial Conduct Investigations Office, 30
December 2014**



2016 Felix Ngole

Academic and Social Work Qualifications

- Felix was removed from a university social work course after he made comments on his personal Facebook page in support of biblical teaching on marriage and sexual ethics.
- He posted comments on his personal page in support of Kim Davis, the Kentucky clerk who objected to signing marriage certificates for same-sex couples.
- The university told Felix he "may have caused offence to some individuals" and had "transgressed boundaries which are not deemed appropriate for someone entering the Social Work profession."
- Case won. Felix returned to University and completed his course
- Now targeted when applying for social work jobs



2019 – Kristie Higgs School Pastoral Worker

- October 2018: Kristie dismissed from job at local school, after 7 years, for sharing concerns about transgenderism and sex education on her personal Facebook page.
- Employment Tribunal upheld her dismissal, saying her posts had the potential to cause someone offence.
- Hearing at Employment Appeal Tribunal was due to be heard by lay member **Edward Lord OBE, an LGBT activist** and campaigner who has publicly spoken on issues relating to Kristie's case.
- Judgment overturned but now being returned to same panel at Employment Tribunal



2023 – Joshua Sutcliffe

Sacked from classroom in 2017
Licence to teach removed in 2023



I called a trans boy a girl by mistake... and it may cost me my job as a teacher: Maths tutor suspended after praising pupil using the wrong gender

- Joshua Sutcliffe said 'well done girls' to the teenager after seeing them working
- He apologised when corrected by the pupil but their parents then complained
- He has been summoned to a formal hearing to face charges for 'misgendering'

By JONATHAN PETRE EDUCATION CORRESPONDENT FOR THE MAIL ON SUNDAY

PUBLISHED: 22:10, 11 November 2017 | UPDATED: 22:10, 11 November 2017



125
View comments



Dr David
Mackereth – 2018 -
lost job for refusing
to put on medical
form ‘preferred
pronoun’ of
patient



[But] my own sense is once the bill is actually on the Statue Book and once you start seeing same-sex marriages up and down the country – as I hope we see as quickly as possible – then I think actually people will look back on it and think ‘what was all the fuss about’, ***very quickly it will seem entirely normal.***

Deputy Prime Minister, Nick Clegg

Department for Education

- signature line of email

Minister for Education, Skills and Apprenticeships
The Cabinet Office
1, Whitehall, London SW1A 2BD
Tel: 020 7035 7000

Web: www.gov.uk/dfe
Twitter: [@educationgovuk](https://twitter.com/educationgovuk)
Facebook: www.facebook.com/educationgovuk



Pronouns* – she/her

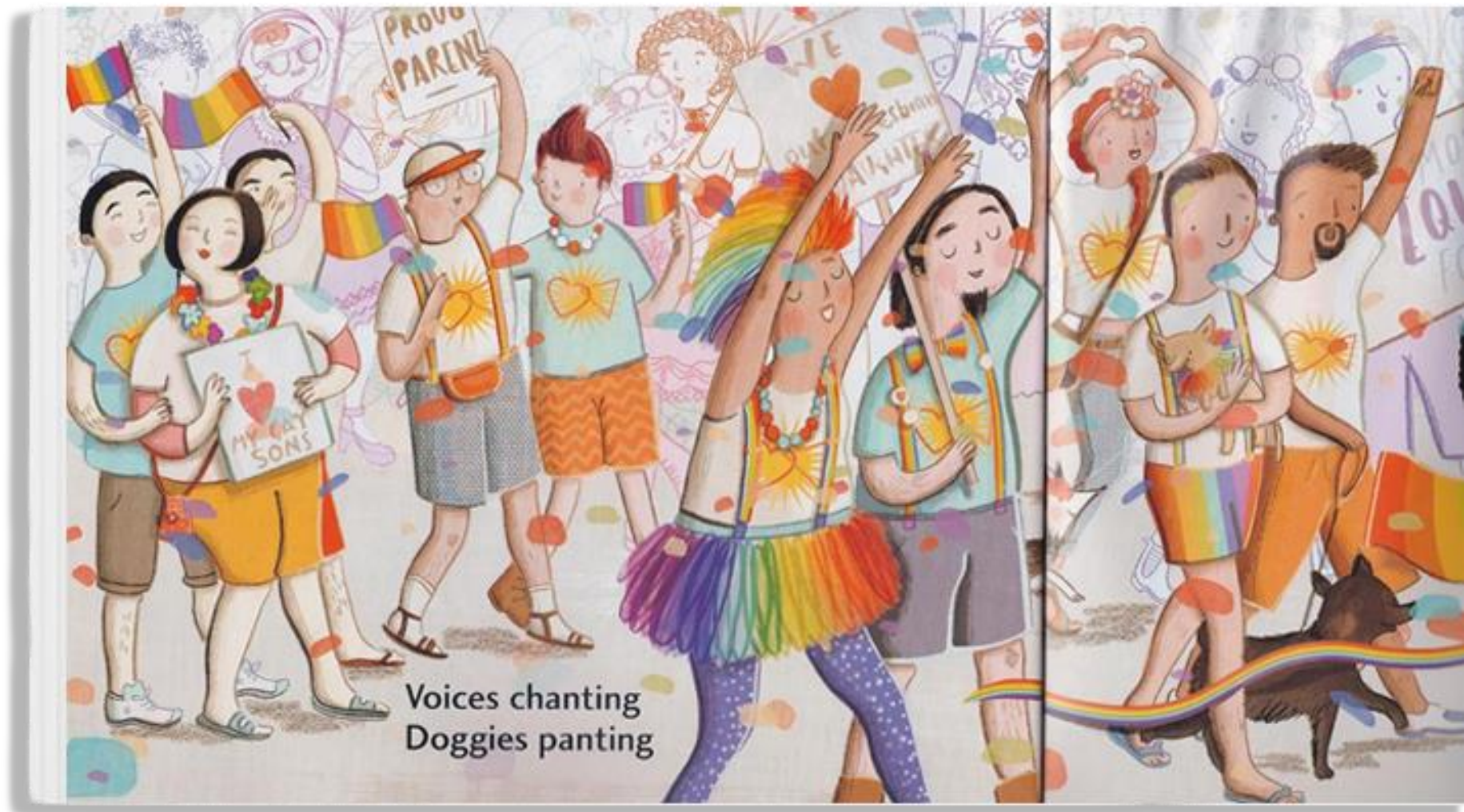
*We cannot tell by looking at someone or by their name how they self-define their gender

Department for Education

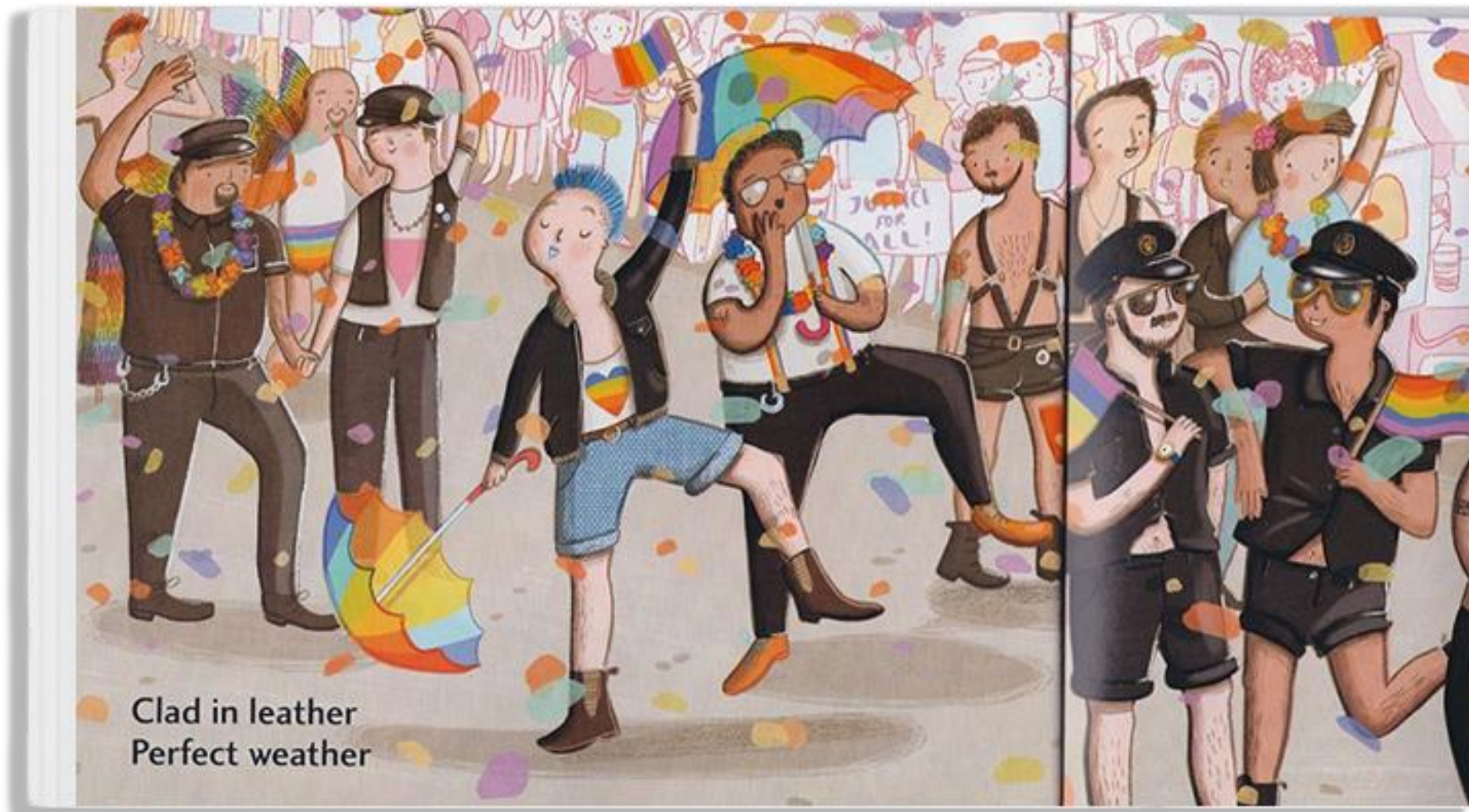


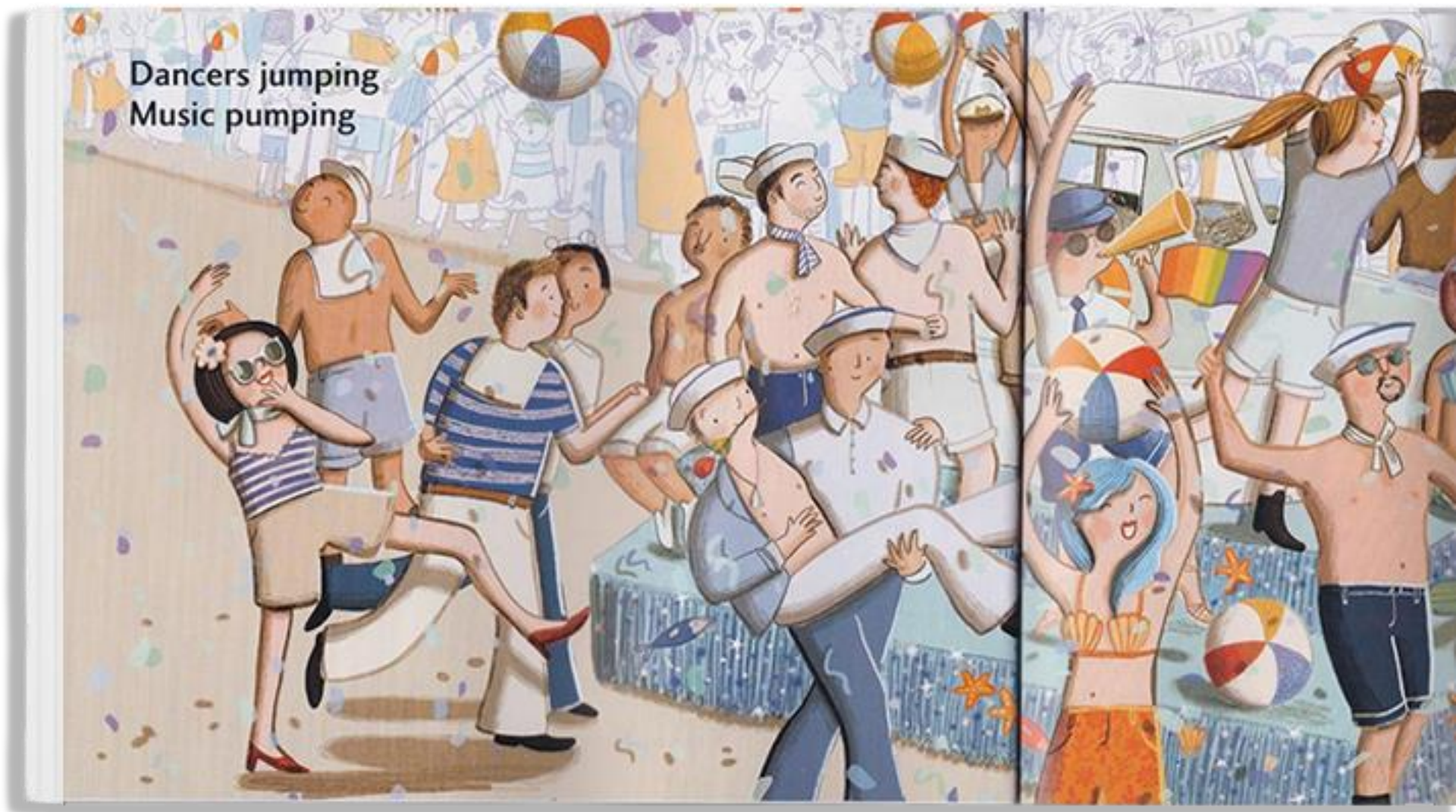
Scores of organisations providing free resources

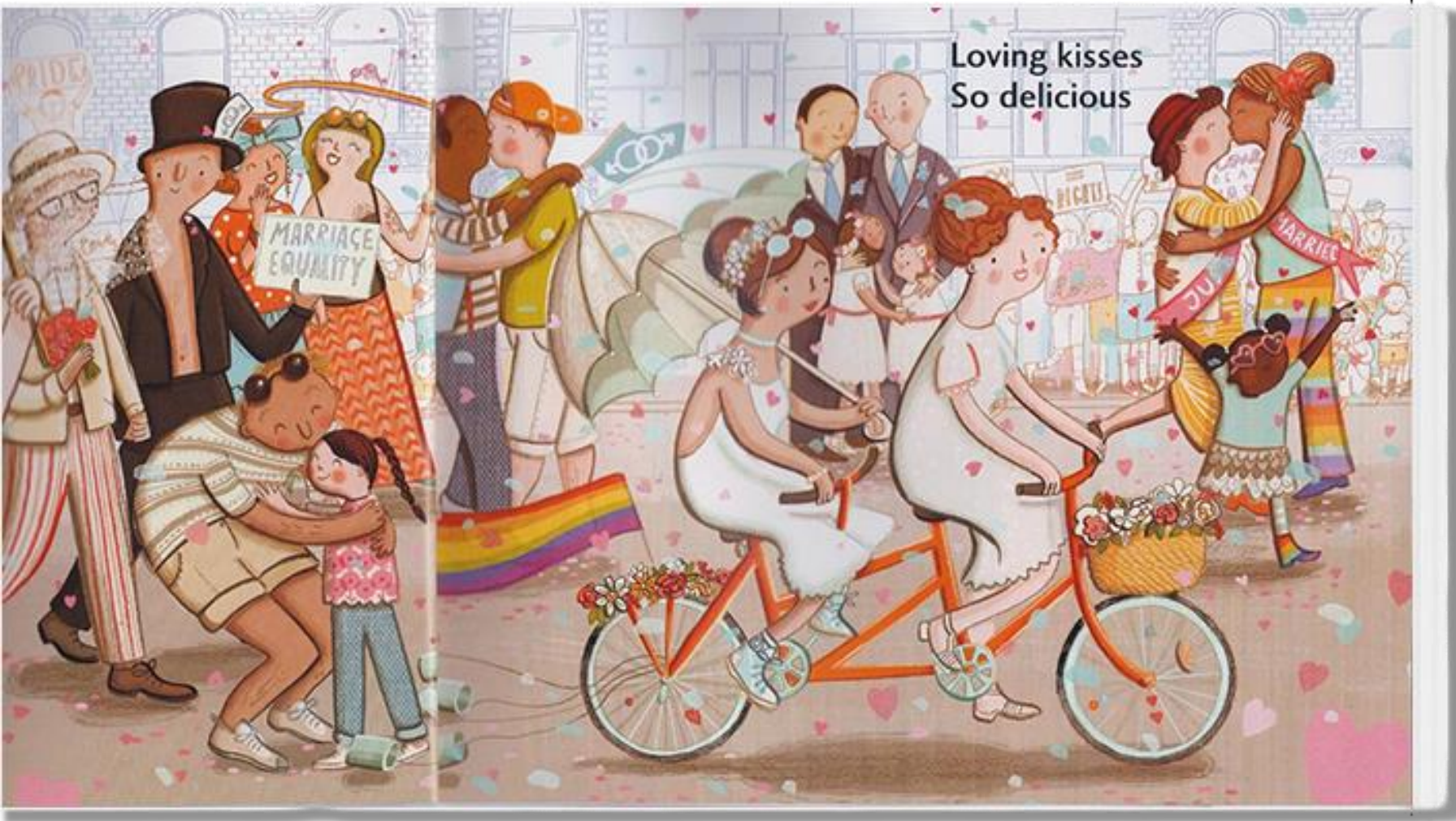


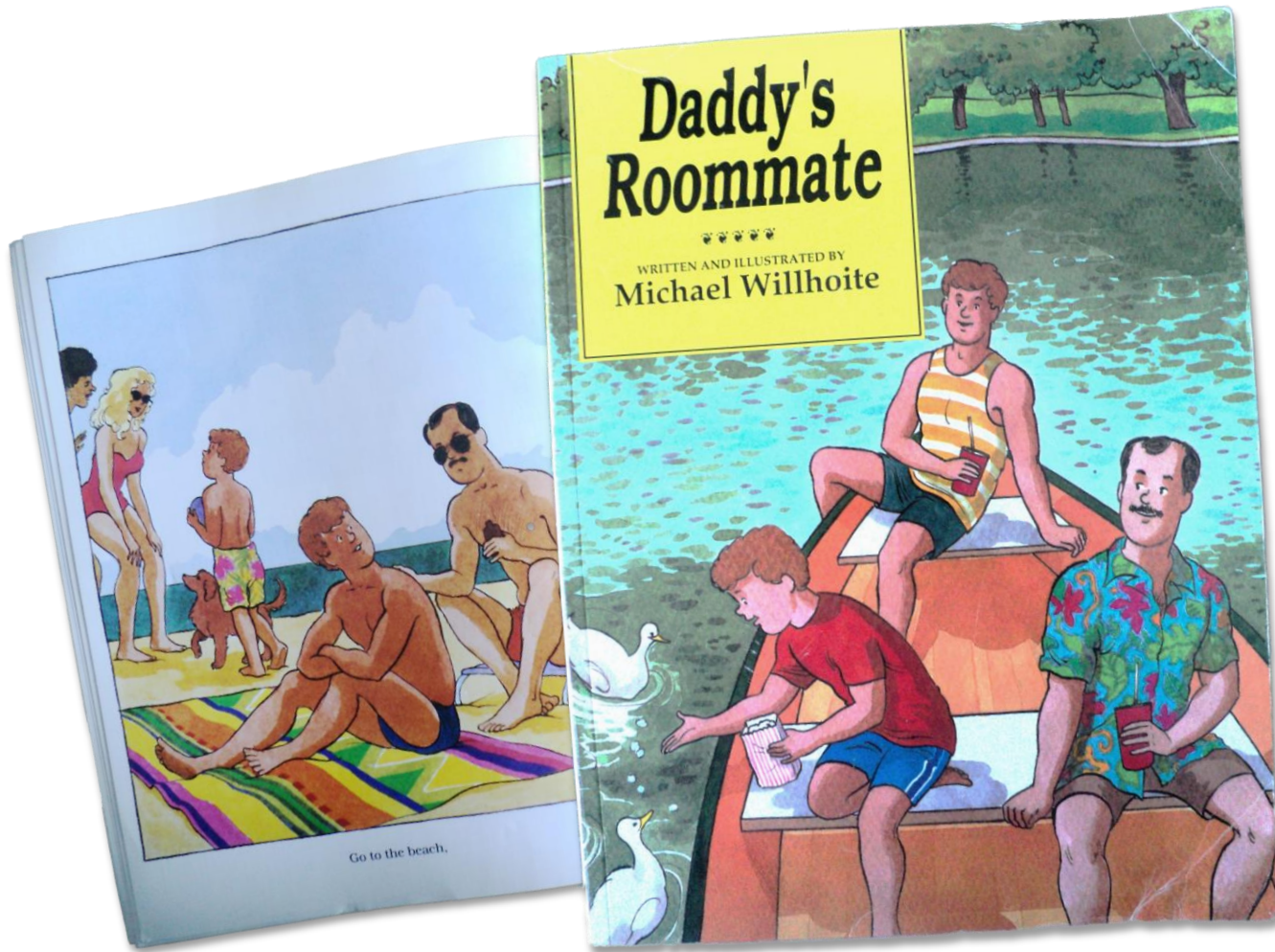


Voices chanting
Doggies panting









KASEY



Barbados Child Protection Bill

- S. 3(1)(e): ensure that the best interest of the child is given paramount consideration in all matters.
-
- S. 5(1) A child is in need of care and protection where the child:
 - (h) suffers from a mental, emotional, physical or developmental condition that requires treatment to cure, prevent or ameliorate the effects of the condition or harm suffered and the parent (i) does not, or refuses to, obtain treatment;
-
- S. 6(1) In promoting or ensuring the safety or welfare of a child, the Director may request a service to a child or the family of a child from the following:
 - (b) an agency in receipt of government funding;
 - (c) a non-governmental organization; or
 - (d) any other person that promotes the care and protection of children.

BERNARD RANDALL



SOUTH KOREA



Visits in 2015 and 2017

Gospel Coalition of Lawyers

Successfully resisted civil partnerships,
same-sex “marriage” and the redefining of
family.

Battles have re-emerged.

INTERNATIONAL RESISTANCE

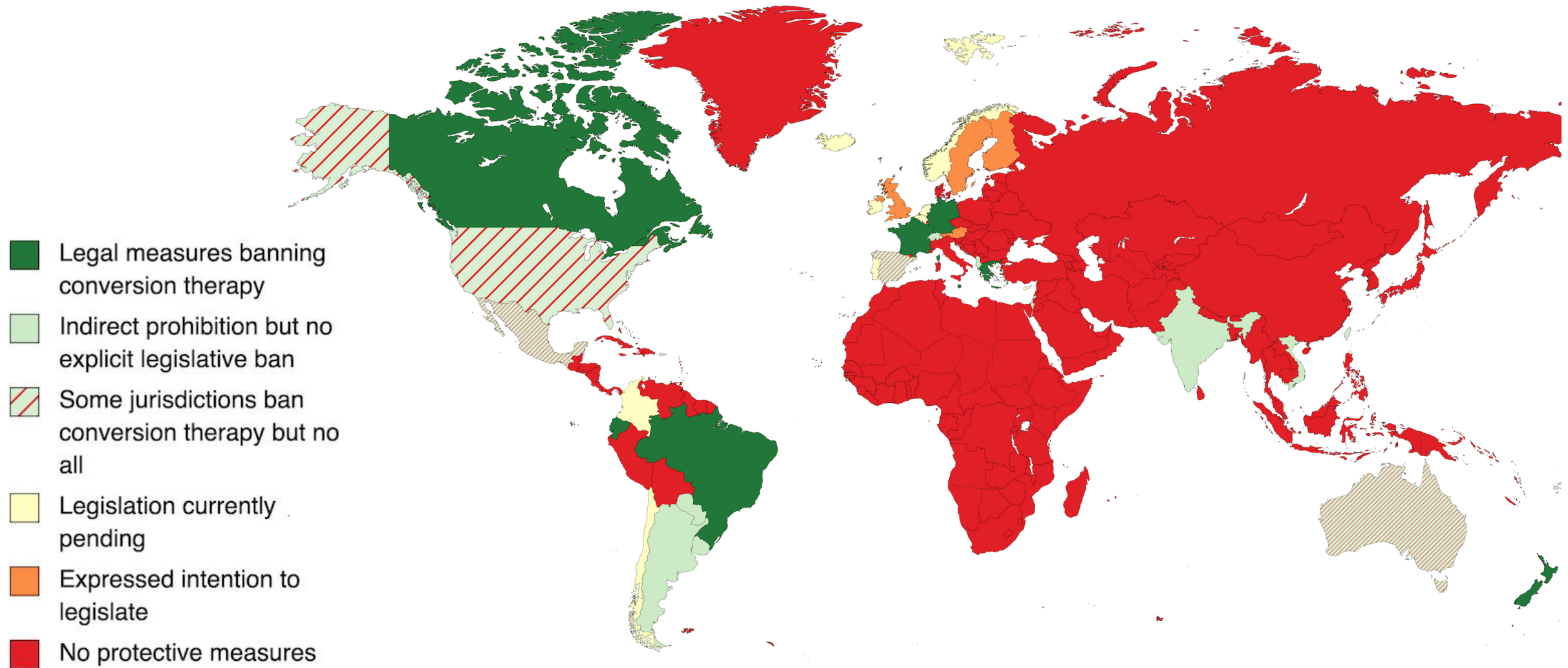
BRITISH VIRGIN ISLANDS



June 2023

Resisting constitutional change to marriage

Conversion Therapy Bans – Tracking Globally



DEFINING CONVERSION THERAPY

Cambridge Dictionary

Conversion therapy is a treatment that is intended to change someone's sexual orientation, especially from being gay to being heterosexual.

The World Health Organization (WHO) has declassified homosexuality and transsexuality as a disease and has given protection against violence and discrimination based on sexual orientation and gender identity and has given recommendations for states on banning conversion therapy carried out in health care, religious, education, community, commercial or any other private or public setting.

Yogyakarta Principles 2006

PRINCIPLE 10

Prohibition on any practice and repeal any laws and policies allowing intrusive and irreversible treatments based on sexual orientation, gender identity, gender expression or sex characteristics including forced gender normalising surgery reparative or conversion therapies

European Commission LGBTIQ Equality Strategy 2020-2025

The Commission considered that conversion practices targeting LGBTIQ people may have serious bodily and mental health repercussions and that the Commission would foster member states' exchange of good practice on ending these practices.

EXPLICIT LEGAL BANS

DEC 2016

MALTA – First country in Europe

JAN 2022

CANADA & FRANCE – Comprehensive ban

- Minors and adults regardless of perceived ‘consent’
- For sexual orientation and gender identity
- Clinical and religious settings
- Liable to fine or imprisonment if breached.

FEB 2022

STATE OF VICTORIA, AUSTRALIA – Legislation came into force
Blueprint for New Zealand and others – “GOLD STANDARD”

NEW ZEALAND - the Conversion Practices Prohibition Act.
- Same breadth as Canada & France.

EXPLICIT LEGAL BANS

2022

MEXICAN STATES: following Mexico City (2020)
Jalisco, Baja California, Puebla, Hidalgo And Sonora

AUG 2022

PENNSYLVANIA, UNITED STATES – Executive Order

- Preventing LGBT+ youths from receiving ‘conversion therapy’
- Stopping funding to organisations that provide ‘conversion therapy’

MAY 2023

CYPRUS – banned and criminalised

JUNE 2023

ICELAND & BELGIUM – banned and criminalised

Malta

**Criminal offence to
advertise 'conversion
practices'**

IFTCC implicated



Silvan Agius **Member (Expert) at** **European Commission**

Experienced equality and anti-discrimination practitioner with a demonstrated ability of working in the governmental, equality body and civil society spectrum.

Skilled in strategic development, planning and implementation, organisational development, LGBTIQ equality (with a focus on trans and intersex rights), gender equality, equality mainstreaming and intersectionality.



EXPLICIT LEGAL BANS

FEB 2022

ISRAEL

The Ministry of Health in Israel issued a departmental circular announcing that medical professionals are prohibited from offering, advertising or conducting ‘conversion therapies’, with those found to be in breach of these terms liable for punitive measures. At present the directive has not been codified by legislators, although a bill proposing a ban was given initial approval by the Knesset in 2020.

FEB 2022

INDIA

the National Medical Commission of India made a submission to the Madras High Court clarifying that any licensed medical professional in the country found to be offering ‘conversion therapies’ is liable to be prosecuted for professional misconduct. As in Israel there is no national legislation outlining an explicit ban, but the submission reaffirmed a 2021 court order banning any attempts to “cure or change” the sexual orientation or gender identity of LGBT+ people.

INDIRECT LEGAL BANS

AUG 2022

VIETNAM

The Ministry of Health in Vietnam published guidance to clarify that homosexuality and trans identities are not considered diseases to be cured, and that medical practitioners should not engage in ‘coercive treatments’ that attempt to change somebody’s sexual orientation or gender identity.

NOV 2022

PARAGUAY

Paraguay joined Argentina and Uruguay to become the third South American country to include an amendment to its mental health law, which prohibits a mental health diagnosis on the basis of “sexual choice or identity”. While this in practice means medical professionals cannot offer ‘conversion therapy’, the law does not explicitly ban it in all settings.

BILLS INTRODUCED

In the **Netherlands**, GEC Steering Committee member Senator Boris Dittrich has helped to champion a bill introduced to the Dutch Parliament in February, which has been referred to committee.

GEC member Mauricio Toro introduced a bill to the Congress of **Colombia** in May but it failed to pass before the new Congress began its term in July. A bill has since been reintroduced by a cross-party group of legislators.

In **Norway**, GEC member and Norwegian equality minister Anette Trettebergstuen introduced a bill proposing a comprehensive ban on ‘conversion therapy’, going further than plans first announced by the previous government in 2021. The legislation is currently undergoing parliamentary scrutiny. Under delay.

And in **Mexico**, after nearly four years of stalemate, the Senate passed a federal bill following consultation with campaign group Yaaj Mexico and dialogues at GEC’s summit in Mexico City. The ban will come into effect once it is approved by the Chamber of Deputies, likely in 2023.

2012 BACP Letter

“...(BACP) is dedicated to social diversity, equality and inclusivity of treatment without discrimination of any kind. BACP opposes any psychological treatment without discrimination of any kind.

BACP opposes any psychological treatment such as reparative or conversion therapy”



2012 Mike Davidson

Professional status under challenge

Access to Qualification and
Regulatory Bodies

No ‘Conversion Therapy’ Ban bill
introduced



dead. I hope you and your family are raped and killed. Do it. Kill yourself. Just do it.

Tue 30 Jun, 12:55 pm

Have you killed yourself yet
[REDACTED]?



HEALTHCARE



global
equality
caucus



THEY SAY:

- We want equal access to healthcare for LGBT+ people.



iftcc

Christian
Concern

WE SAY:

- Healthcare for all
- What does healthcare support mean?
- Studies/Mental health
- What approach should we take to the serious issues of gender confusion?

DATA & RESEARCH



global
equality
caucus



THEY SAY:

- We want to keep governments accountable by providing the data



Christian
Concern

WE SAY:

- We need to collect our own high-quality data and produce excellent research so we can hold governments accountable.

FUNDING



global
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THEY SAY:

- We want to fund NGOs that support LGBT+ people and issues.



WE SAY:

- We need to build wealth and fund groups that are working for the truth and for freedom.



global
equality
caucus

WHY WE ARE NEEDED



GEC SAYS:

“Over the past decade alone we have seen many countries approve new anti-discrimination laws, LGBT+ employment protections, marriage equality, and measures making it easier for trans people to change their legal gender.”

GEC SAYS:

“However, homosexuality is still criminalised in nearly 70 countries, with the death penalty an option in 11 of them. And LGBT+ people still face violence and discrimination in every region of the globe, regardless of how far legal equality has progressed.”

IFTCC SHOULD:

- **PROMOTE MARRIAGE AND FAMILY LAWS**
- **NOT BE INTIMIDATED BY RHETORIC**

IFTCC SHOULD:

- **FIND FACTS**
- **BE AT FOREFRONT OF JUSTICE MISSIONS AND HUMANITARIAN AID**



global
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global
equality
caucus

WHY WE ARE NEEDED



GEC SAYS: “We believe that LGBT+ rights are human rights which should be universal, that all human beings are born free and equal, and that acts of violence and discrimination based on a person's sexual orientation or gender identity are wrong”.

GEC SAYS: “The need for co-ordinated political and legislative action and a global response to LGBT+ discrimination is necessary more than ever in an increasingly interconnected world. The Global Equality Caucus provides a forum and vehicle for this action.”

**IFTCC SHOULD:
RESPOND WITH FACTS
TELL OUR STORIES**

**IFTCC SHOULD BUILD:
A GLOBAL RESPONSE
GLOBAL TRAINING
A GLOBAL PRESENCE
GLOBAL FUNDING**

A 'joined up' future?



A longer horizon

Continuing to be responsive and reactive... but investing significant resources for the future – proactive, planned, strategic for the next 25, 50, 100 years? Cultural levers, values and trends; institutions, the next generation.

A wider scope

Continuing to work nationally, regionally and locally... but also continentally and internationally.

A deeper critique

Continuing to deal with specific issues ... but engaging and critiquing foundational worldviews and philosophies – ‘attack’ as well as defence.

A better network

Continuing to work with individual Christians... but developing partnerships with churches, networks, denominations, training institutions – working together to spread the message fast and wide.

At the interface with Society



Vision & policy

Articulate an attractive, robust biblical framework as the answer for our society and as an alternative to current political philosophies.

Voice & platforms

Create and capitalise on opportunities to speak in political and public discourse – e.g. political platforms.

Visibility & practice

Creating and renewing ‘Christian’ institutions – e.g. education, healthcare, welfare, enterprise – loving and serving society but with bold, clear Christian identity, ethos and values – parallel provision.