

The Ban on Conversion Therapy

Why in news?

The National Medical Commission (NMC), the apex regulatory body of medical professionals in India, has banned the conversion therapy calling it a “professional misconduct”.

What is the National Medical Commission directive about?

- As per the Madras High Court directive, the NMC issued an official notification listing conversion therapy as a wrong, under Indian Medical Council (Professional Conduct, Etiquettes and Ethics) Regulations, 2002.
- It also empowered the State bodies to take disciplinary action against medical professionals who breach the guideline.

To know about LGBTQIA+ community, click [here](#)

What is conversion therapy?

- Conversion or reparative therapy is an intervention aimed at changing the sexual orientation or gender identity of an individual.
- It employs the use of either psychiatric treatment, drugs, exorcism or even violence to make the individual a heterosexual.
- It also includes efforts to change the core identity of youth whose gender identity is incongruent with their sex anatomy.

Homosexuality in India was criminalised under colonial-era legislation in 1861. However, this law was repealed in 2018.

What are the risks involved?

- The conversion therapy poses the risk of
 - Psychological distress
 - Higher rates of depression
 - Substance use problems
 - Suicide attempts
- The researchers found that over a lifetime, the estimated cost of this therapy amounts to nearly 1 lakh dollars per person.

Compared to LGBTQ+ youth whose families accepted them, those who underwent conversion therapy are:

8x

as likely to have attempted suicide

6x

as likely to report high levels of depression

3x

as likely to use illegal drugs

stats from the Human Rights Campaign

What is the role of the Madras High Court in the ban?

- The High Court ruling prohibited any attempt to medically cure or change the sexual orientation of LGBTQIA+ people.
- It urged the authorities to take action against professionals involving themselves in any form or method of conversion therapy which could include the withdrawal of licence to practice medicine.
- The court ordered the National Medical Commission to issue official notification by enlisting conversion therapy as a professional misconduct.
- The Madras High Court issued a slew of interim guidelines for the police, activists, Union and State Social Welfare Ministries and the NMC to ensure the safety and security of same sex couples.
- **Directive to police-** To close complaints of missing persons' cases, without subjecting them to harassment, if it found that the parties were consenting adults of the LGBTQIA+ community.
- **Directive to Social Justice Ministry-** To draw up a list of NGOs and other groups which could handle the issues faced by the community.
- To provide legal assistance by the District Legal Services Authority in coordination with law enforcement agencies.
- **Directive to law enforcement agencies-** To follow the Transgender Persons (Protection of Rights) Rules, 2020 and the 2019 Act, in letter and spirit.
- To hold sensitisation programmes for understanding the community needs.

What is the way forward?

- Parents need to be sensitised, because the first point of misunderstanding and abuse often begins at home, with teenagers being forced to opt for conversion therapies.
- The need of the hour is to enact a stringent piece of legislation that will outlaw the practice of conversion therapy.
- As a society, we have to acknowledge that every individual is unique and gender expression, sexual identity or sexual orientation cannot be forced upon any individual or controlled by any external force.
- Dignity is a grand promise that our Constitution gives to every citizen irrespective of his caste, creed, gender or sexual orientation and hence it cannot be compromised.
- Efforts must be taken to prevent the cases of bullying, discrimination, stigma and exclusion.
- Schools and colleges must effect changes in curricula for a better understanding of the community.
- Gender-neutral restrooms should be compulsory in educational institutes and other places.

References

1. <https://www.thehindu.com/news/national/explained-the-ban-on-conversion-therapy-for-the-lgbtqia-community/article65853083.ece>
2. <https://www.thehindu.com/opinion/op-ed/a-blow-for-dignity/article65915647.ece>
3. <https://www.nmc.org.in/about-nmc/>

Quick facts

National Medical Commission (NMC)

- The NMC has been constituted by an act of Parliament known as National Medical Commission Act, 2019.
- The Aim of the National Medical Commission are to
 - Improve access to quality and affordable medical education
 - Ensure availability of adequate and high quality medical professionals
 - Promote equitable and universal healthcare
 - Encourages medical professionals to adopt latest medical research
 - Assess medical institutions periodically in a transparent manner
 - Enforce high ethical standards in all aspects of medical services