

# **Submission to the Justice Committee of the New Zealand Parliament**

**on**

## **Conversion Practices Prohibition Legislation Bill**

by Michael Reddell

### **Introduction and summary**

Thank you for the opportunity to submit on the government's Conversion Practices Prohibition Legislation Bill.

The bill before the Committee - rushed, and without (as even the Ministry of Justice acknowledges) any sort of proper consultative process - is poorly drafted and riddled with inconsistencies.

But more importantly, it reveals the government to be at best ignorant of orthodox Christianity and (more probably) both ignorant of it and extremely hostile to it, to the extent of outlawing important elements of orthodox Christian practice and conduct, at least on any sexual matter (hardly a small element of any family, society, civilisation, or faith). When a party has an absolute majority in New Zealand's Parliament it can, of course, outlaw anything it wants, but it is as well to be clear about the (objective) open hostility of an atheistic government to the faith that shaped our civilisation over 1500 or more years, and about the totalitarian tendencies implicit in the proposed law, that seeks to close down any private spaces (be it family, church or whatever) for alternative approaches to sexual issues to the "anything (consensual) goes" decadent approach apparently now favoured by the government and many of its supporters.

Orthodox Christianity has consistently taught that sexual desire is to be given expression only within a marriage between one man and one woman, that chastity is an obligation on all, and that celibacy and continence are obligations on those not in a marriage between one man and one woman. That teaching – truth as we understand it - does not change with the whims of the world around us. It is not necessarily an easy path to follow, but we seek to do it by grace, by the Holy Spirit, and with the support, counsel, and (at times) discipline of church and family.

These may not be your views. You may struggle to even understand them. But they are hardly views and practices that have come down in the last shower.

### **Specific concerns**

Much about the specifics of the bill seems (at best) inadequate. The fact that neither the Minister of Justice nor the Prime Minister has been able to answer specific questions about what additional things they specifically want outlawed is telling, and should be damning. Among other things, it suggests that the proposed law is more about political posturing and

illiberal virtue signalling than about legislating well. If the Prime Minister and the Minister of Justice themselves can't (or won't) tell interviewers what they want to make illegal, and liable to years of imprisonment, what hope have citizens got of knowing what the law means?

That should be unacceptable to any MP - let alone those serving on a "Justice Committee". Instead of specifics from Parliament, people face years of uncertainty until the final court of appeal determines what the law actually is (and even then only on the specific facts in front of it). Meanwhile, people face those same years of potential harassment by Police, heavy legal expenses, and the spectre of prosecution, without knowing where the specific boundaries are. There is a place for civil disobedience - and if this bill passes as currently written I hope many Christians and church leaders will choose that path - but everyone is entitled to know where the legal line is, not find themselves across it based on the whim of an individual Police officer, perhaps under social media pressure. Or perhaps that is the point? There was an absurd and frankly offensive claim in the Ministry of Justice RIA that the bill would - with high confidence - benefit those (now) undertaking conversion practices because they would now know what was outlawed. But the bill is so loosely written that they won't even have that.

Then there are those undefined catch-all terms in the bill: sexual orientation, gender identity, and gender expression. Much in the bill seems to rest on how widely or broadly those phrases are read, but in drafting the bill the government has provided no guidance at all. Unless some more specific definitions are provided a reasonable citizen can only assume that the point is in the uncertainty, and the threat of imprisonment (or heavy civil financial penalties), for a law no one can be sure what it covers. But a prudent submitter reads those words widely, since that is how they might be applied by the forces of the state.

Or the incoherence implicit in clause 8 of the bill that groups people under the age of 18 with those deemed unable to (wholly or partly) understand the consequences of their decisions, and yet which forbids anyone from doing anything to discourage, dissuade or penalise any young person or child from any sort of sexual or gender expression. It is illegal for those under 16 in New Zealand to have sex (they are, rightly, deemed unable to consent to such activity) and yet under this bill it would appear that a parent, teacher, friend, youth worker, counsellor, priest, pastor or whatever who sought to dissuade them ("change" their choices) from thus expressing themselves would potentially face years in prison.

For those of a particularly warped cast of mind who might claim bestiality or incest as their particular "gender expression" or "gender identity" (and doesn't the prevailing mentality tell people they can identify as anything they want?), it appears to be against the law to call anyone back from such an "identity" or the vile practices that might go with it. And that even though those practices themselves are illegal.

Less extreme perhaps, under current New Zealand law those aged 16 and 17 can get married only with the consent of parents. For an orthodox Christian, sexual desire is to be expressed only inside a marriage of one man and one woman, and so a refusal of Christian parents to consent would appear to be an attempt to stop a "gender expression". Is the

intent of the law to criminalise parents who withhold such consent, and thus render those consent provisions a dead letter? Perhaps not, but if not then the bill should be more explicitly drafted.

Or there is the mindset embedded in clause 5(2)(d) in which things can be done to provide “acceptance, support, or understanding” of an individual, but never to challenge, confront, or discipline an individual - not even a minor child. It is simply an extraordinary mentality and never one a serious society would countenance in any other area of life. But the New Zealand government wants to criminalise any sexual ethic other than its own degraded, anything legal goes, one. Perhaps Ms Ardern and her ministers think we should simply “understand” and “support” children and young people swimming deep in the vile bog of (even legal) pornography, as their “gender expression”. Few decent parents and no serious Christian will.

So entrenched is the government’s antagonism to any sort of restraint that under section 10 consent is no defence, even in an adult, even if the person calmly and rationally seeks the support and assistance of anyone to seek to live better than their impulses, to resist what they themselves see - and their faith teaches - as sinful. As an example, a young Catholic man sensing a call to the priesthood and requesting support and assistance to live celibately. It is quite extraordinary. Seeking prayer or counselling, to resist sexual urges or desires - be they heterosexual or otherwise - is to be made illegal in New Zealand. And while the bill provides a “serious harm” test for adults (at least those deemed able to foresee the consequences of their choices – are any of us fully able to do that?), “serious harm” is itself loosely defined, and it would be open to some person who calmly sought out such assistance at one point only to later recant and claim “serious harm” or that the pastor, parent, friend providing the requested assistance had been “reckless” about the possibility of “serious harm”.

### **Bill seeks to outlaw practice in support of orthodox Christian sexual teaching**

The bill, as it stands, represents a serious abridgement of religious liberty. The government and its bureaucratic enablers in the Ministry of Justice and Crown Law try to minimise this point, but at best they show little understanding of serious religion - never primarily about precepts, and much more about practices - and more probably are deliberately playing fast and loose with the clear implications of the bill.

Thus, we are told that the bill has as one of its purpose to “promote respectful and open discussions regarding sexuality and gender” when not only is there nothing in the bill that does anything of the sort, but the Minister has been quite explicit that in his view there is no legitimate alternative view on matters sexual than his preferred “anything legal and consensual goes”. His bureaucrats talk of a government goal of changing the mindset of those who don’t share this debauched view.

Or we are told that clause 5(2)(f) – added at the last minute it seems – provides significant space. That clause states that a “conversion practice” does not include “the expression only of a religious principle or belief made to an individual that is not intended to change or suppress the individual’s sexual orientation, gender identity, or gender expression”. But all

serious religions - all serious truth claims, religious or not - seek to change individuals and draw them and their conduct to the truth proclaimed. That is especially so for those already within those communities of faith and belief. Thus sermons - which officials claim are protected – are often aimed to inducing a change in behaviour and (so standard Christian teaching would say) can be used by God to convict an individual of sin, calling him or her to repentance, even if that is not the specific intent of the preacher on that particular day. You as MPs, mostly probably of no theistic religious faith, don't need to share these approaches, but you need to understand that many others do.

The bill - and this clause – is also somewhat dishonest since we know the government is cooking up “hate speech” laws, and it isn't clear whether 5(2)(f) - whatever limited protections it might now seem to provide - might simply be rendered moot by the new piece of repressive legislation.

Finally, officials in Crown Law tried to suggest that the fact that the Attorney-General's consent was required for a criminal prosecution was itself a religious liberty safeguard. It is a laughably absurd argument both because the Attorney-General is a member of the Cabinet rushing forward this legislation, and because in any case such consent is not needed for the civil procedures provided for in the bill. Requiring Attorney-General consent may, or may not, limit any tendency of Police to prosecute every complaint and leave it to the courts to sort things out - and thus it is better to have the provision than not - but it is no protection for orthodox Christianity (or, I imagine, some other faiths) in New Zealand.

The mindset behind this bill knows nothing of concepts of sin, guilt, judgement, temptation, grace, transformation and so on. And if it has heard of such a mindset, it wants it extirpated in New Zealand. It also seems to know nothing of civil society or the family, at least if these entities - both prior to the State – ever hold views and seek to live in ways not in accord with the views of those currently holding the commanding political heights.

Discipline within the family of God, including on sexual matters, is something with a long and deep history. As just one example, take this passage from the gospel of Matthew (from the New International Version translation of the Bible)

### ***Dealing With Sin in the Church***

*<sup>15</sup> "If your brother or sister sins, go and point out their fault, just between the two of you. If they listen to you, you have won them over. <sup>16</sup> But if they will not listen, take one or two others along, so that 'every matter may be established by the testimony of two or three witnesses.' <sup>17</sup> If they still refuse to listen, tell it to the church; and if they refuse to listen even to the church, treat them as you would a pagan or a tax collector.*

Sin takes many forms, and isn't just around sexual matters. But it is the government itself that has singled out sexual matters, so those are the ones I will address here.

Orthodox Christian teaching teaches that homosexual practices are sinful, that adultery is sinful, that lust is sinful, that sex outside marriage between one man and one woman is

sinful. Most would probably put use of, and participation in, pornography in the same category. And yet all of these would presumably be regarded by some - with no concept of sin, or wishing to push back against it in their personal case - as forms of "gender expression". A church that exercised the sort of discipline envisaged in the gospel of Matthew would seem to put itself quite clearly in breach of this bill - most especially in respect of clause 8 offences, and most probably in respect of clause 9.

You as MPs may believe there is no such thing as sexual sin. You may believe that anything (the state allows) goes. But no serious civilisation has ever believed such a thing. And many many New Zealanders neither believe that, nor live that way. You may outlaw the practice of our faith, but courageous men and women will not bend the knee to this Moloch, no matter how much it is cloaked in language of "kindness", "support" and "understanding".

Conversion is our mission, by God's grace helping conform one another - often slowly and painfully as we struggle each day with sin - to God's plans, way and purposes, as (in the words of St Paul) living sacrifices, holy and pleasing to God.

I hope that I, and all Christians who seek to live faithfully, would not hesitate to pray with and for, to counsel, to encourage, to fast with and for, to discipline those who struggle with sexual (or other) temptations, or who seek to wilfully and repeatedly live in ways in defiance of orthodox Christian teaching, especially those who do so while still seeking to associate themselves with the church. Parliament has the power to outlaw all this, but it is as well to know the character of the Parliament and government that would establish such totalitarianizing laws. And for churches and Christians to be willing, if necessary, to defy the law, knowing where our true citizenship rests.

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