

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 However, this law was repealed in 2018.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.



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/expained-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

