

Submission to the Victorian Law Reform Commission

Focused Review of How the Change or Suppression Practices Ban Is Working

Please note that submissions must be relevant. We only review the matters detailed in the terms of reference. We recommend using the consultation paper and these questions to help guide your submission.

We will publish public submissions on our website, unless they are offensive, defamatory, or outside the scope of the review.

We will not publish the names of individuals who make a submission. We will also redact any information which may indirectly identify individuals.

The consultation paper relates to change or suppression practices, which can cause ongoing trauma and long-term health issues. If you need counselling or help you can get support by contacting the organisations on our [support page](#) or page 3 of the consultation paper.

Name	[REDACTED]
Organisation: (optional)	Australian Union Conference of Seventh-day Adventist
Email:	[REDACTED]

Do you want your submission to be kept confidential?

(Confidential submissions will not be published on our website or elsewhere)

Yes

No

Please provide your comments on the questions below. You may answer all or only some of the questions as relevant to you.

- 1. Has the Act reduced or stopped change or suppression practices? Describe any impact you think the Act has had on the occurrence or the nature of change or suppression practices.**

The Act was presented as a measure to deter harmful, invasive, and non-consensual practices. However, available evidence does not indicate that a substantial number of such practices have been identified or stopped. At the time of enactment, the only publicly cited empirical evidence was the 2018 La Trobe Uni HRLC report, which documented 15 negative personal accounts from an unspecified earlier period. While it was claimed that many more cases existed, this was not supported by evidence. After 4 years of operation, and despite active promotion, only 14 reports have been made, with no criminal prosecutions or civil proceedings. This suggests that such practices were already rare and remain so, limiting any measurable impact of the Act on curbing serious misconduct. Adverse effect on behaviour within religious and family contexts. It has generated caution and, in many cases, confusion among pastors, parents, churches, and faith-based organisations about what forms of support, prayer, teaching, or pastoral care are lawful. As a result, conduct may have shifted not from harmful practices to safer ones, but from open engagement to hesitation, withdrawal, and self-censorship. Overall, the most evident effect of the Act has been the chilling of lawful, consensual, and non-coercive support rather than the exposure of widespread serious misconduct. Review - Focus on harm; protect ordinary parents & religious activity.

- 2. To what extent do you think the community is aware of and understands:**
 - a. the Act and how it works**
 - b. what change or suppression practices are**
 - c. the harm caused by change or suppression practices.**

Public understanding of the Act is limited and inconsistent, ranging from the belief that it only prohibits extreme coercive practices to the view that it broadly restricts traditional religious or moral views about sex, sexuality and gender. This divergence indicates that the Act and its operation are not well understood. There is also limited clarity about what constitutes a “change or suppression practice.” While the law clearly captures non-consensual, coercive, or aversion-based interventions, its broad definition and existing guidance leave uncertainty around areas such as prayer, pastoral conversations, parental guidance, and voluntary, faith-based support. There is no clear community consensus on what constitutes harm under the Act. While coercive or non-consensual practices are widely recognised as harmful, many people do not view consensual conversations, prayer, or pastoral discussions about sexuality or gender identity as inherently harmful. This highlights the need for the review to more clearly distinguish between genuinely abusive conduct and ordinary, consensual interactions involving support, expression of views, or religious belief.

- 3. Could the Act's operation and effectiveness be improved? If so, how?**

Act improved by making it clearer, narrower, and more practical. The definition of a change or suppression practice should be refined to target only coercive, abusive, or demonstrably harmful conduct. Currently, the main challenges arise in the “middle ground” of prayer, pastoral care, parental guidance, religious teaching, and other voluntary conversations. The law should explicitly protect consensual, non-coercive religious and family interactions while continuing to prohibit threats, intimidation, degradation, sustained pressure, and organised practices aimed at forcing change. 2ndly, official guidance needs significant improvement. Current eg. focus on extreme cases or rely on distinctions that are unclear in faith contexts. VEOHRC should provide neutral, faith-specific guidance, developed in consultation with diverse religious communities, including those holding traditional beliefs on sex, marriage, and gender. Guidance should address practical scenarios such as requested prayer, support for chastity or celibacy, mixed-orientation marriage, parental discussions, and youth ministry. 3rdly, the Act should not be expanded until its scope is clarified, as broader redress, investigative powers, or new civil actions could increase uncertainty and deter lawful conduct. The scheme needs greater transparency on outcomes, de-identified examples of its application, and a stronger focus on clarity and education rather than ambiguity and deterrence.

4. How clear is the Act's definition of what is and what is not a change or suppression practice? If further clarity is needed, what forms of clarification would be most helpful?

The Act's definition lacks clarity. While it is generally understood to target coercive, abusive, or degrading conduct aimed at forcing a person to change or deny their sexuality or gender identity, the statutory language and public explanations leave uncertainty at the boundaries. VEOHRC's post-enactment guidance reflects this problem. It states that the Act does not prohibit prayer or religious practices unless they constitute a change or suppression practice, allowing private prayer to continue. However, it also gives examples where prayer or sermons may be unlawful if they suggest a person is "broken" or aim to change or suppress their orientation or identity. This guidance provides some direction but shows that determining compliance often depends on complex judgments about purpose and targeting, rather than a simple, clear rule. The Commission acknowledges the practical uncertainty of the Act, noting the lack of legal precedent, its inability to provide advice on specific cases, and the need for independent legal guidance for those seeking certainty. This highlights that its application in everyday pastoral and religious contexts remains unsettled. Greater clarity is needed through statutory amendments and more practical examples. Current guidance and parliamentary references focus on extreme cases, offering little direction for routine situations where individuals voluntarily seek to live according to their faith. The Act should explicitly protect consensual, non-coercive prayer, pastoral care, parental guidance, and religious teaching.

5. How clear is the exclusion for health service providers? If further clarity is needed, how could this best be achieved?

The current Act hampers good healthcare for people suffering gender incongruity or dysphoria.

The exclusions in section 5(2)(a) and (b) need to be amended along the lines of the South Australian Conversion Practices Prohibition Act 2024 and to be made neutral as between different healthcare approaches to possible and diagnosed gender dysphoria. Currently the Act puts a thumb on the scales of medical/psychiatric and psychological decision making and treatment, in the form of a legal liability threat.

Gender dysphoria is a complex and difficult issue which is very fact specific to the person involved. There are different clinical approaches and clinicians are divided. There may be temporary harms for those who delay transition and lifelong harms for those who are pushed into transition too early and then regret. It is extremely unwise for the government to use legislation to exclude one treatment approach to gender dysphoria for all people on gender ideology grounds. Gender transitioning and gender identity would be best left out of this legislation altogether. Clinically, it is a completely different topic to sexual orientation.

6. Is greater clarity needed about how people of faith can hold and express their beliefs to support clear understanding and compliance with the Act? What forms of clarification would be most helpful?

Examples provided by Parliament and VEOHRC illustrate only the extremes of the Act, leaving the broad middle ground—where most everyday religious life takes place—largely unexplained. VEOHRC’s “real stories” focus solely on extreme cases, such as a young person sent to an exorcist or a man told by church leaders and doctors that he had a mental illness. In contrast, examples of permitted activity either depict full affirmation or rely on distinctions that are impractical in a faith context. For instance, the Attorney General described a faith leader who merely informs someone that their feelings conflict with religious teachings, without aiming to change or suppress their orientation. This distinction misunderstands religious practice, as teaching a belief in faith inherently involves hope that the recipient will accept and live by it. The Act is inconsistent with international human rights standards, which require the State to respect—or at minimum not infringe on—a person’s religious beliefs unless strictly necessary. For example, this is reflected in Article 18(1)–(3) of the International Covenant on Civil and Political Rights (ICCPR). Individuals have the right to hold, adopt, and practice religious beliefs, including those that prescribe sexual restraint outside a marriage between one man and one woman. Official examples mostly address extreme cases, offering little practical guidance for faith communities. To create consistent, workable advice, the Commission should collaborate with leaders from diverse faiths, including those with traditional beliefs on gender and sexuality, using real-world ministry scenarios to clarify what constitutes a change or suppression practice.^A

7. How effective are VEOHRC’s awareness and education materials on change or suppression practices? What improvements, if any, could help strengthen community understanding and compliance?

VEOHRC’s guidance is largely insufficient for religious communities. While it clarifies that prayer and religious practice are generally allowed, it leaves key questions unresolved, indicating that prayer or sermons could be unlawful if they suggest a person is “broken” or aim to change or suppress their orientation or identity. Frequent use of terms like “may” and “likely” adds uncertainty instead of providing clear guidance. The Commission acknowledges the lack of legal precedent and its inability to advise on specific cases, recommending independent legal advice. This provides insufficient support for clergy, parents, and volunteers in often small, resource-limited faith organisations. The guidance risks government overreach into theology. Materials frame “allowed” conduct almost entirely as affirmation or transition support, which many religious users see as implying their beliefs are wrong. This approach is inappropriate and conflicts with international human rights standards, including the ICCPR. VEOHRC’s 2025 scoping report recommended more neutral guidance, improved FAQs, and distribution via trusted third parties. To reduce ambiguity, the Commission should consult broadly with faith communities holding traditional beliefs about gender, and sexuality and provide clear, practical examples without relying on vague terms like “may.”

8. Are there any barriers to:

- a. reporting change or suppression practices to VEOHRC
- b. VEOHRC facilitating outcomes of reports
- c. VEOHRC conducting investigations.

If so, please describe what those barriers are.

Not aware of any.

9. Are there changes that could help support VEOHRC to carry out its functions or improve the effectiveness of the civil response scheme? If so, please describe any changes.

The most effective improvements would clarify the law rather than expand VEOHRC's powers. Education and facilitation would work better with clear guidance, as current materials create confusion and low awareness. Granting more coercive authority would likely increase fear, uncertainty, and self-censorship instead of improving outcomes. Secondly, VEOHRC should be required to produce neutral, faith-specific guidance in collaboration with diverse religious communities, including those with traditional views on sex, marriage, and gender. This guidance should include practical examples covering requested prayer, support for celibacy or chastity, marriage, parental discussions, youth ministry, and routine pastoral care. Thirdly, if VEOHRC continues to combine facilitation and enforcement, but stronger safeguards are needed, including a clear separation between education staff and investigation staff. Additionally, a broad positive duty or expanded compulsory powers should be avoided, as the current legal ambiguity would make such obligations unworkable and unfair for faith communities.

10. Are there barriers to reporting, investigating and prosecuting criminal change or suppression offences? If so, what are they?

No comment.

11. Are there other aspects of the criminal offences in the Act that limit their effective operation? If so, what changes or supports could improve their operation?

The main barrier to enforcing the criminal offences is the unclear definition of “change or suppression practice,” especially regarding ordinary conversations, prayer, and pastoral care. Criminal laws work best when prohibited acts are clearly defined, but the current broad and uncertain definition makes it difficult to determine what conduct is actually criminal. Another challenge is proving causation. The offences require that a change or suppression practice causes injury or serious harm, but in many cases—especially involving words, prayer, or ongoing pastoral interactions—it is difficult to establish a direct link between the conduct and the alleged harm, making investigation and prosecution inherently challenging. In fact, despite the Act’s broad definitions, the absence of any criminal prosecutions suggests there is no clear evidence linking present-day conduct that could be seen as change or suppression to the level of harm needed for a criminal offence. This may indicate either that the serious practices the Act aimed to address were already rare, or that the criminal provisions are too uncertain to function effectively in practice. The key improvement would be to narrow and clarify the definition so that criminal law targets only clearly coercive, abusive, or degrading conduct. Offences should focus on acts involving force, threats, intimidation, detention, or organised and sustained pressure, rather than leaving ordinary religious or family interactions subject to after-the-fact judgment. Providing clear statutory examples and explicitly protecting consensual, non-coercive prayer, pastoral care, and parental guidance would further enhance certainty.

12. Do existing avenues for redress adequately meet the needs of victim-survivors of change or suppression practices? Are there gaps, harms or barriers that require an additional or separate redress mechanism?

Existing avenues should not be expanded. The VLRC notes that Victoria already provides multiple redress options, including VEOHRC facilitation, ordinary civil actions, the Financial Assistance Scheme, and compensation orders following conviction, while also considering a potential pathway through VCAT. The core issue is that the definition of a “change or suppression practice” remains overly ambiguous. As the VLRC observes, the Act can apply to teachings, counselling, and spiritual care. Without clearer guidance on what is prohibited, expanding redress risks triggering claims, investigations, and settlement pressures over conduct that may ultimately be lawful, particularly in religious, family, and pastoral contexts. This concern is reinforced by the limited evidence of the scheme’s operation. The VLRC notes only 14 reports to VEOHRC to date, with no criminal prosecutions under the Act, providing an insufficient basis for establishing a broader compensatory system or separate redress mechanism. A dedicated redress scheme or new civil cause of action would likely worsen the chilling effect already caused by the Act’s uncertainty and increase the risk of frivolous or vexatious claims. It would place clergy, parents, volunteers, churches, and schools under greater legal and reputational pressure before the law’s boundaries are clearly defined. The priority should be to clarify and narrow the definition to target only clearly coercive, abusive, and harmful conduct. Until that is achieved, any expansion of redress should be approached with extreme caution and, in our view, should not proceed.

13. Should a civil cause of action be introduced under the Act? What distinct purpose would it serve compared to existing pathways?

No. Introducing a civil cause of action under the Act is not appropriate at this stage. Its only clear purpose would be to provide a simpler pathway for compensation, possibly through VCAT or similar proceedings, without relying on existing causes of action like negligence or criminal prosecution. However, this benefit is outweighed by a more significant issue: the concept of a “change or suppression practice” remains too ambiguous. When liability depends on disputed questions of purpose, targeting, context, and alleged harm, a new civil cause of action would open the door to complex and highly subjective claims involving prayer, pastoral conversations, parental guidance, and other routine religious activities. This would heighten legal risk and settlement pressure in areas where the limits of unlawful conduct are unclear, likely intensifying the existing chilling effect on churches, faith-based organisations, parents, and volunteers. Existing avenues for redress already include VEOHRC facilitation, ordinary civil actions, the Financial Assistance Scheme, and compensation orders following criminal convictions. If gaps are perceived, the priority should be to clarify the definition and narrow the Act’s scope to target only clearly coercive, abusive, and harmful conduct. Until that is achieved, a civil cause of action would not have a clearly justified purpose. It would primarily reduce the threshold for adversarial litigation in an area of law that remains uncertain. The priority should be achieving clarity, not expanding legal avenues.

Consent

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Email your submission to csp@lawreform.vic.gov.au or send it by post to:

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Submissions close on 24 March 2026

For more information on how we treat submissions see our **Submissions Policy**.

Find further information on this review and the consultation paper on the **project page**.