

## 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.

<b>Name</b>	[REDACTED]
<b>Organisation:</b> (optional)	[REDACTED]
<b>Email:</b>	[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(Confidential submissions will not be published on our website or elsewhere)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 AACS supports the elimination of harmful, coercive or abusive practices directed at individuals on the basis of sexual orientation or gender identity. However, the broad and ambiguous definition of 'change or suppression practices'; has created significant uncertainty for faith communities and schools.

The definition risks capturing ordinary, good-faith interactions, including teaching, counselling, pastoral conversations and parental guidance. As a result, it has led to reluctance among educators, chaplains and parents to engage with students experiencing questions or distress related to gender or sexuality, reducing access to trusted support and potentially undermining student wellbeing.

- 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.**

Awareness of the Act is high among Christian schools; however, it is accompanied by uncertainty regarding its scope and application. The definition of “ change or suppression practices is regarded as overly broad and unclear, contributing to confusion about what constitutes lawful conduct in school and family contexts. While there is agreement that coercive practices are harmful, there is ongoing debate about broader claims of harm and appropriate responses to gender dysphoria, particularly in light of evolving international evidence. The Act is perceived as reflecting a narrow focus on an 'affirmative' model of care and does not adequately recognise alternative approaches, including exploratory or 'watchful waiting' models for student wellbeing.

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

Yes. The Act would be improved by narrowing the definition of prohibited practices to clearly target coercive, harmful or non-consensual conduct, while explicitly protecting ordinary interactions within schools, families and faith communities. This includes teaching, pastoral care, chaplaincy and parental guidance. The Act should also protect the ability of students and families to access a diversity of support options. Importantly, legislative clarification would improve legal certainty and enable schools to fulfil their duty of care without fear of unintended legal exposure.

**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 definition lacks sufficient clarity and is the central issue affecting the operation of the Act. Its breadth risks capturing ordinary, good-faith interactions within schools, including classroom discussions, student wellbeing conversations, chaplaincy support and parental guidance. The definition also appears to privilege one model of care while placing others at risk, limiting student access to a range of support options.

A key reform would be the inclusion of explicit statutory examples, as adopted in the Conversion Practices Ban Act 2024 (NSW), which clarify that religious teaching, school rules, and parent-child discussions do not constitute prohibited practices. This would provide essential legal certainty and ensure the Act is directed at genuinely harmful conduct.

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

Greater clarity is required to ensure that professionals supporting students can exercise appropriate judgment without legal uncertainty. The current framework risks limiting the range of responses available to students experiencing distress, including exploratory or cautious approaches that may be appropriate in faith based educational settings. Clearer provisions are needed to ensure that a range of lawful, evidence-informed support approaches can operate without fear of breaching the Act.

**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?**

Greater clarity is required, but this cannot be addressed through guidance alone without improvements to the Act. Current VEOHRC materials do not adequately reflect the role of religious belief and practice in schools and communities. They present a single framework of support and give limited recognition to faith-based perspectives. The guidance suggests that prayer, pastoral advice or discussions about sexual ethics may fall within the Act if interpreted as encouraging change or suppression. This creates uncertainty for schools and families. The guidance does not clearly distinguish between coercive conduct and voluntary, good-faith pastoral support, nor does it adequately recognise the right of individuals to seek support consistent with their beliefs. This contributes to a chilling effect on ordinary religious expression, pastoral care and parental engagement.

**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?**

There are concerns that current education materials present a single framework of response and do not adequately reflect a diversity of perspectives, particularly in relation to biological sex and gender identity. This limits their usefulness for schools operating in a pluralist environment. Greater neutrality, accuracy and transparency would improve understanding and support compliance. The materials do not clearly distinguish between coercive conduct and voluntary pastoral support, nor do they adequately recognise the rights of students and families to seek support consistent with their beliefs.

**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.**

There appear to be few barriers to reporting, as complaints can be made easily, including anonymously. While accessibility is important, this creates a risk of misuse or weaponisation, particularly in school environments where interpersonal disputes may arise. The breadth of investigative powers and limited transparency raise concerns about fairness and accountability. This contributes to caution and self-censorship among educators and school leaders. Stronger safeguards, clearer thresholds and greater transparency would improve confidence in the system.

**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 civil response scheme would be improved through greater transparency, clearer procedural safeguards and stronger accountability. There is currently limited visibility over how complaints are assessed and resolved. This is particularly concerning for schools, which face reputational and regulatory risk. Measures such as clearer thresholds for investigation, reduced reliance on anonymous complaints and regular public reporting would improve confidence.

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

There do not appear to be significant barriers to reporting, investigating or prosecuting criminal offences. The absence of prosecutions suggests that unlawful practices are rare and that thresholds are appropriately high. However, the combination of serious penalties and an uncertain definition has a deterrent effect on lawful conduct. In school contexts, this discourages ordinary pastoral care and student support. Any expansion of the Act, including offences that do not require proof of injury, should be opposed, as this would be highly subjective and risk further restricting lawful interactions.

**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?**

There are no clear gaps requiring expansion of the criminal provisions.

**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 for redress are sufficient to address genuine harm, and additional mechanisms are not necessary. It is important that redress mechanisms retain appropriate evidentiary thresholds, including proof of injury. AACS does not support retrospective redress, as this would undermine legal certainty and expose schools and individuals to liability for actions that were lawful at the time.

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

No, existing mechanisms already provide pathways for addressing harm. Introducing an additional cause of action would increase litigation risk, uncertainty and compliance burden for schools, without clear additional benefit.