

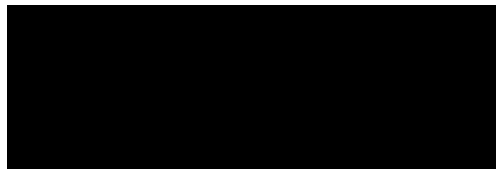
AUSTRALIAN RESEARCH CENTRE IN SEX, HEALTH, AND SOCIETY: SUBMISSION TO FOCUSED REVIEW OF HOW THE CHANGE OR SUPPRESSION PRACTICES BAN IS WORKING

Submitted by:

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Submitted to:

Victorian Law Reform Commission



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The *Change or Suppression (Conversion) Practices Prohibition Act 2021* ('the Act') commenced on 17 February 2022. This submission addresses several of the questions raised in the Commission's *Focused Review of How the Change or Suppression Practices Ban Is Working Consultation Paper*. This submission has been informed by discussions with the Brave Network, SOGICE Survivors, Equality Australia, and the Victorian Pride Lobby, as well as the report *Improving Spiritual Health Care for LGBTQA+ Australians: Beyond Conversion Practices*, but the views in here are the authors' own.

Question 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 Consultation Paper states: 'We are interested in hearing whether section 5 of the Victorian Act operates effectively by making it sufficiently clear what is and what is not a change or suppression practice, or if more detail in the Act, guidance, education, or other mechanisms are needed to improve clarity.'¹

Section 5(1) of the Act defines a change or suppression practice as a practice or conduct directed towards a person for the purpose of changing or suppression the sexual orientation or gender identity of the person.² Sexual orientation has the meaning as it has in the *Equal Opportunity Act 2010*.³ Section 4(1) of the *Equal Opportunity Act 2010* defines sexual orientation as 'a person's emotional, affectional and sexual attraction to, or intimate or sexual relations with, persons of a different gender or the same gender or more than one gender.'⁴

Equality Australia's report *Dismissed, Denied and Demeaned: A National Report on LGBTQ+ Discrimination in Faith-Based Schools and Organisations* states that the definition is 'intended to include asexuality based on comments made by the Attorney-General during the legislative debate when the definition was introduced'⁵ and the VEOHRC have thusly interpreted the definition to include asexuality. There is, however, the possibility that the definition could be interpreted to not include asexuality, and the Equality Australia report therefore recommends amendments to the *Equal Opportunity Act 2010* to clarify that asexual people are protected.⁶ This is particularly important considering the high rates of asexual change practices.⁷

An appropriate amendment to accommodate asexual and aromantic people could be made by inserting the words 'capacity, or lack of capacity, for' before 'emotional, affectional and sexual attraction' in the definition of sexual orientation, in line with section 52(2) of the *Respect at Work and Other Matters Amendment Act 2024* (Qld).⁸ Such an amendment need not await the completion of this review. It would ensure that asexual people are protected from discrimination as well as change or suppression practices, which may include 'pressure to be more open to sexual attraction, express their sexuality or explain why they are not feeling sexual attraction.'⁹

Recommendation 1: The definition of 'sexual orientation' under the *Equal Opportunity Act 2010* should be clarified so that it clearly applies to asexual people, in line with section 52(2) of the *Respect at Work and Other Matters Amendment Act 2024* (Qld).

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

The Consultation Paper states: 'We are interested to hear your views on whether the exclusion for health service providers is clear and effective or if there is a need for legislative amendment, guidance or other mechanisms to increase clarity.'¹⁰

¹ Victorian Law Reform Commission, *Focused Review of How the Change or Suppression Practices Ban Is Working Consultation Paper ('Consultation Paper')* (2026) 2.12.

² *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 5(1).

³ *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 4.

⁴ *Equal Opportunity Act 2010* (Vic) s 4(1).

⁵ Equality Australia, *Dismissed, Denied and Demeaned: A National Report on LGBTQ+ Discrimination in Faith-Based Schools and Organisations* (2024) 11 n 42 referencing Victoria, *Parliamentary Debates*, Legislative Council, 4 February 2021, 303 (Jaclyn Symes, Attorney-General).

⁶ Equality Australia, *Dismissed, Denied and Demeaned: A National Report on LGBTQ+ Discrimination in Faith-Based Schools and Organisations* (2024) 12.

⁷ Ace Community Survey Team, *2022 Ace Community Survey Summary Report* (2024) 70-74.

⁸ *Respect at Work and Other Matters Amendment Act 2024* (Qld) s 52(2).

⁹ Timothy Jones et al, *Improving Spiritual Health Care for LGBTQA+ Australians: Beyond Conversion Practices* (2024) 18.

¹⁰ Victorian Law Reform Commission, *Consultation Paper* (2026) 2.19.



Section 5(2) of the Act provides exclusions for practices or conduct that are not change or suppression practices. Section 5(2)(b) of the Act provides an exclusion for 'a practice or conduct of a health service provider that is, in the health service provider's reasonable judgement, necessary to provide a health service or to comply with the legal or professional obligations of the health service provider.'¹¹

The exclusion or exemption for health service providers or professionals could be tightened by replacing 'or' with 'and'. This would mean that the practice or conduct would need to be *both* necessary and compliant with legal or professional obligations. This is consistent with the approach in the *Conversion Practices Ban Act 2024* (NSW), which requires that the service or treatment be *both* clinically appropriate *and* compliant with all relevant legal, professional, and ethical requirements.¹² This would prevent misuse of the exemption under the guise of clinical care. In addition, the language under section 5(2) could be tightened to stipulate that the exclusions only apply if the intention or purpose of change or suppression is not present.

Recommendation 2: In the exemptions for health professionals under section 5(2)(b) of the Act, 'or' should be replaced with 'and' (as in the *Conversion Practices Ban Act 2024* (NSW) section 3(3)(a)) and the language in the exemptions under section 5(2) of the Act should also be tightened to stipulate that they only apply if the intention or purpose of change or suppression is not present.

Question 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?

The Consultation Paper states: 'We are interested to hear whether greater clarity, through more detail in the Act, guidance, education, or other mechanisms, is needed to enable people of faith to understand how they can hold and express their beliefs within the context of the Act.'¹³ The Consultation Paper notes that 'other jurisdictions have provided explicit examples in the legislation of what religious practices do and do not constitute a change or suppression practice.'¹⁴ There is, however, no indication that the existing provisions in the Act have been applied inappropriately or excessively.

Experts have argued that educational 'resources should outline common examples of scenarios that constitute breaches of conversion bans and alternative messaging and practices that do not.'¹⁵ The VEOHRC has produced some educational materials on this.¹⁶ This is a much more practical alternative than attempting to codify common examples of what does and does not constitute a change or suppression practice in primary law. Legislation is a blunt instrument that can only be amended by Parliament, whereas nuance can be achieved within educational resources.

Question 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.

Question 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 Consultation Paper states: 'We are interested in your views on the *effectiveness of the civil response scheme*. Particularly, we are interested in whether there are any barriers to effectiveness, how these could be overcome, and whether VEOHRC needs broader powers than are currently available to meet its functions under the Act.'¹⁷ The Consultation Report notes that the 'VEOHRC has received a total of 14 reports of change or suppression practices to date' and that that number has grown over time.¹⁸ Whilst the Consultation Paper notes that 'after considering a report made to VEOHRC about a change or suppression practice, VEOHRC

¹¹ *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 5(2)(b) (emphasis added).

¹² *Conversion Practices Ban Act 2024* (NSW) s 3(3)(a).

¹³ Victorian Law Reform Commission, *Consultation Paper* (2026) 2.25.

¹⁴ Victorian Law Reform Commission, *Consultation Paper* (2026) 2.23 referencing *Conversion Practices Ban Act 2024* (NSW) s 3(4) and *Conversion Practices Prohibition Act 2024* (SA) s 4(4).

¹⁵ Timothy Jones et al, *Improving Spiritual Health Care for LGBTQA+ Australians: Beyond Conversion Practices* (2024) 22.

¹⁶ Victorian Law Reform Commission, *Consultation Paper* (2026) 2.24.

¹⁷ Victorian Law Reform Commission, *Consultation Paper* (2026) 3.2 (emphasis added).

¹⁸ Victorian Law Reform Commission, *Consultation Paper* (2026) 3.4(b).

can offer targeted education to people or organisations reported to have engaged in change or suppression practices’,¹⁹ and ‘VEOHRC has produced several educational resources’,²⁰ there is no indication that, despite these reports, the VEOHRC has pursued any investigations of change or suppression practices. This information should be publicly reported.

Recommendation 3: The VEOHRC should be appropriately resourced to respond to reports and to conduct investigations and trained to recognise conversion ideology, and information on the number of investigations per annum should be included in its annual reports.

When a report is received, this does not always lead to an investigation by the VEOHRC. Under section 29(2)(a) of the Act, the VEOHRC can refer a report to the Health Complaints Commissioner.²¹ However, there is no clarity in the *Health Complaints Act 2016* about what the Health Complaints Commissioner can do with such a report, which may provide a barrier to it conducting investigations.

Recommendation 4: The Health Complaints Commissioner’s powers under the *Health Complaints Act 2016* should be clarified to extend to change or suppression practices and, if the Commissioner’s powers extend to a particular subset of change or suppression practices, to articulate what the parameters of this subset of practices are.

Section 32 of the Act enables the VEOHRC to hold a facilitation conference and reach an agreement to resolve the matter through that process.²² Alternatively, section 34 of the Act enables the VEOHRC may conduct an investigation if the matter raises an issue that is serious in nature, indicates a possible contravention, relates to a class or group of persons, and would advance the objectives of the Act.²³ This is similar to section 127 of the *Equal Opportunity Act 2010*, which stipulates that the VEOHRC may conduct an investigation into discrimination, sexual harassment, and – upon the commencement of the *Justice Legislation Amendment (Anti-vilification and Social Cohesion) Act 2025* – vilification if the above criteria are met and, additionally, the matter cannot reasonably be expected to be resolved by dispute resolution or an application to the Victorian Civil and Administrative Tribunal (‘the Tribunal’).²⁴ Section 36 of the Act empowers the VEOHRC to compel the production of documents,²⁵ and section 37 empowers the VEOHRC to compel the attendance of witnesses during an investigation.²⁶ Conversely, under the *Equal Opportunity Act 2010*, the VEOHRC must apply to the Tribunal to exercise these powers.²⁷ In addition, section 43 of the Act empowers the VEOHRC to make enforceable undertakings,²⁸ and section 45 empowers the VEOHRC to impose compliance notices at the conclusion of an investigation.²⁹ These powers do not currently exist under the *Equal Opportunity Act 2010*.

However, one area in which the *Equal Opportunity Act 2010* has stronger protections is regarding victimisation.³⁰ Section 104 of the *Equal Opportunity Act 2010* provides protection against threats or other detrimental treatment of people who make an allegation (unless the allegation was false and not made in good faith), make a complaint, bring a dispute, or bring other proceedings, as well as people who give evidence or information in any proceedings or investigation.³¹ These provisions do not exist in the Act, which may form a barrier to reporting or providing information on change or suppression practices who may fear reprisals for doing so. This is particularly so where individuals may be speaking out about practice occurring within closed religious or cultural communities, where there may be significant social or personal consequences for doing so.

Recommendation 5: Protections against victimisation should be introduced for those who report change or suppression practices, akin to the protections against victimisation for those who report discrimination, sexual harassment, and vilification under the *Equal Opportunity Act 2010*.

¹⁹ Victorian Law Reform Commission, *Consultation Paper (2026)* 3.8, referencing *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 28(1)(a).

²⁰ Victorian Law Reform Commission, *Consultation Paper (2026)* 3.11.

²¹ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 29(2)(a).

²² *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 32.

²³ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 34.

²⁴ *Equal Opportunity Act 2010 (Vic)* s 127 as inserted by *Equal Opportunity Amendment Act 2011 (Vic)* s 21.

²⁵ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 36.

²⁶ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 37.

²⁷ *Equal Opportunity Act 2010 (Vic)* ss 31, 34.

²⁸ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 43.

²⁹ *Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)* s 45.

³⁰ *Equal Opportunity Act 2010 (Vic)* s 103.

³¹ *Equal Opportunity Act 2010 (Vic)* s 104.



The Consultation Paper raises the impact of the secrecy provisions in the Act on communicating investigation outcomes.³² Section 51 of the Act prevents the communication of protected information to any person unless 'it is necessary to do so for the purposes of, or in connection with, the performance of a function or duty or the exercise of a power under this Act' or other certain criteria.³³

Whilst it could be argued that communicating investigation outcomes is necessary for the performance of investigation functions under the Act, especially given that section 51 of the Act must be interpreted in a way that is compatible with human rights,³⁴ including the freedom to receive information,³⁵ the Consultation Paper notes that 'other statutory bodies with complaint investigation functions allow or require the complainant to be informed about the result of an investigation.'³⁶ For example, 'VEOHRC is able to report on the outcome of investigations under [sections 142(4) and 144 of] the *Equal Opportunity Act*.'³⁷ The lack of such provisions in the Act may form a barrier to the VEOHRC facilitating outcomes of reports.

Communicating investigation outcomes to complainants is essential, but so is providing progress updates. In this regard, the VEOHRC has recently amended the [page on reporting practices](#) on their website to explicitly state that the VEOHRC may request further information from reporters before a decision is made to – or not to – commence an investigation. However, the [report form](#) has not been updated. In this regard, the VEOHRC website should be updated to consistently reference asexual people and utilised the acronym "LGBTQA", as there are some locations where "LGBTQ" or "LGBTIQ" are used.

Recommendation 6: Amendments should be made to the secrecy provisions in section 51 of the Act to explicitly enable people making reports to be notified of progress on consideration by the VEOHRC, including by way of progress updates and notification of outcomes.

Recommendation 7: The VEOHRC should update its report form to state that the VEOHRC will provide progress updates at regular intervals and may request further information to assist in determining their response to a report. The VEOHRC should also update its website information to consistently reference asexual people.

The Act also empowers victim-survivors to obtain Family Violence Intervention Orders and Personal Safety Intervention Orders. Section 64 of the Act included a provision to make it clear that change or suppression practices can also constitute a form of family violence and a person affected by a change or suppression practice engaged in by a family member may be able to access a Family Violence Intervention Order,³⁸ and section 65 of the Act included a provision to make it clear that some forms of change or suppression practice can also constitute harassment and entitling the person affected by that practice to access a Personal Safety Intervention Order.³⁹ The Commission should consider whether these provisions have been operating effectively.

However, it remains unclear if a change or suppression practice is reportable conduct under the *Child Wellbeing and Safety Act 2005*.⁴⁰ This lack of clarity may form a barrier to reporting change or suppression practices against children, as a reporter would have to form a reasonable belief that the conduct was causing emotional or psychological harm to a child and that that harm was significant, though some school policies do reference the Act.

Recommendation 8: The definition of reportable conduct under the *Child Wellbeing and Safety Act 2005* should clarify that it includes change or suppression practices.

³² Victorian Law Reform Commission, *Consultation Paper (2026)* 3.13.

³³ *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 51(2).

³⁴ *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 32(1).

³⁵ *Charter of Human Rights and Responsibilities Act 2006* (Vic) s 15(2).

³⁶ Victorian Law Reform Commission, *Consultation Paper (2026)* 3.17.

³⁷ Victorian Law Reform Commission, *Consultation Paper (2026)* 3.18.

³⁸ *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 64 amending *Family Violence Protection Act 2008* (Vic) s 7.

³⁹ *Change or Suppression (Conversion) Practices Prohibition Act 2021* (Vic) s 65 amending *Personal Safety Intervention Orders Act 2010* (Vic) s 7.

⁴⁰ *Child Wellbeing and Safety Act 2005* (Vic) s 3(1).

In addition, experts have identified ‘the potential risk of conversion practices being administered by school chaplains or the risk of a school chaplain referring a student to [a] conversion therapy provider, as has been reported publicly.’⁴¹ However, the Department of Education’s School Policy on Chaplaincy includes no explicit prohibition on change or suppression practices, which may pose a barrier to reporting and investigating change or suppression practices by school chaplains.

Recommendation 9: The Department of Education should update the School Policy on Chaplaincy to prohibit change or suppression practices or ideology by school chaplains, including communication of messages designed to induce participation in or referral to providers engaging in such practices or ideology.

The Consultation Paper canvasses the possibility of ‘introducing a positive duty for organisations to take positive action to prevent the occurrence of change or suppression practices’⁴² and a concomitant ‘power to issue practice guidelines to support organisations to apply with the duty.’⁴³ The argument for this is that ‘VEOHRC’s investigatory functions react to situations where a possible change or suppression practice has already occurred’ and this would prevent change or suppression practices from occurring.⁴⁴ Noting recommendation 3 above, that the VEOHRC be appropriately resourced to conduct investigations, it would be necessary to consider whether introducing further functions – such as positive duty and concomitant power to issue practice guidelines – would support or detract from the need to conduct investigations. It would also be necessary to clarify what organisations such as a positive duty would apply to.

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

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

The Consultation Paper states: ‘We are interested in any barriers to the *effectiveness of the criminal offences* and how those barriers could be overcome. If proving injury is a barrier, we want to hear whether legislative change is necessary.’⁴⁵ In this regard, the Consultation Paper notes that ‘to date, there have been no criminal prosecutions under the Act. Data from the Crime Statistics Agency indicates a small number of possible offences have been reported.’⁴⁶

One of the major – and intractable – barriers to the effectiveness of the criminal offences is that, as the Consultation Paper notes, ‘the history of poor relations between LGBTQA people and police may discourage people from reporting.’⁴⁷

The Consultation Paper canvasses changes to improve the operation of the criminal offences, ‘for instance by introducing an offence that does not require proof of injury’, based on the *Sexuality and Gender Identity Conversion Practices Act 2020 (ACT)*.⁴⁸ The Commission may consider introducing an offence that does not require proof of injury. However, experts have argued that ‘legislation that centres criminal penalties is unhelpful and it is more productive to target risk factors, build the capacity of a broad range of regulatory bodies, and enhance communities’ ability to guard against conversion ideology and practices.’⁴⁹

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?

⁴¹ Timothy Jones et al, *Preventing Harm, Promoting Justice: Responding to LGBT Conversion Therapy in Australia* (2018) 69.

⁴² Victorian Law Reform Commission, *Consultation Paper* (2026) 3.22, referencing *Equal Opportunity Act 2010 (Vic)* s 15(2).

⁴³ Victorian Law Reform Commission, *Consultation Paper* (2026) 3.21, referencing *Equal Opportunity Act 2010 (Vic)* s 148.

⁴⁴ Victorian Law Reform Commission, *Consultation Paper* (2026) 3.20.

⁴⁵ Victorian Law Reform Commission, *Consultation Paper* (2026) 4.5 (emphasis added).

⁴⁶ Victorian Law Reform Commission, *Consultation Paper* (2026) 4.2.

⁴⁷ Victorian Law Reform Commission, *Consultation Paper* (2026) 4.4(a). See, further, Victorian Pride Lobby, *Upholding our Rights: LGBTIQ+ Attitudes Towards and Experiences of Policing in Victoria* (2020).

⁴⁸ Victorian Law Reform Commission, *Consultation Paper* (2026) 4.5.

⁴⁹ Timothy Jones et al, *Improving Spiritual Health Care for LGBTQA+ Australians: Beyond Conversion Practices* (2024) 22.



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

The Consultation Paper states: 'We are interested in whether there are any *gaps or issues with the existing options for redress* which may require reform including the option of a standalone unique redress scheme for victim-survivors of change or suppression practices.'⁵⁰

Redress is explicitly called for by victim-survivors, and can occur via:

- (a) a facilitated outcome by the VEOHRC;
- (b) civil action under negligence;
- (c) the Victims of Crime Financial Assistance Scheme ('FAS'); and
- (d) a compensation order as part of sentencing.

However, there are limitations with each of these approaches:

- (a) 'facilitation only occurs by agreement of both parties' and is therefore voluntary;⁵¹
- (b) there is a lack of clarity about whether a change or suppression practice is negligence within the ambit of part X of the *Wrongs Act 1958*;⁵²
- (c) the 'FAS must be satisfied that an applicant was a victim of an act of violence, and the crime must have been reported to Victoria Police';⁵³ and
- (d) sentencing compensation orders are reliant on criminal prosecutions.⁵⁴

To address these limitations, the Commission canvasses two possibilities: (i) establishing a redress scheme;⁵⁵ and/or (ii) introducing a civil cause of action whereby the Tribunal could make an order for compensation, akin to existing provisions under the *Equal Opportunity Act 2010* in relation to discrimination, sexual harassment, and vilification,⁵⁶ and provisions under section 42(2)(a) of the *Conversion Practices Ban Act 2024* (NSW).⁵⁷ Such an approach would not only provide easier access to redress, but could encourage compliance with the Act through the financial penalty.

Recommendation 10: The Act should include a survivor support and redress scheme and/or the ability for the Tribunal to order damages upon referral from the VEOHRC (as in the *Conversion Practices Ban Act 2024* (NSW) section 42(2)).

In addition, amendments should be made to part X of the *Wrongs Act 1958* to clarify that a change or suppression practice may be negligence, thereby opening the possibility of other civil claims for breaches of duty of care.

Recommendation 11: The ability for survivors to take civil action for breaches of duty of care under the *Wrongs Act 1958* should be clarified.

Finally, as the Consultation Paper notes, 'an independent statutory review of the *Victims of Crime (Financial Assistance Scheme) Act 2022* (Vic) is currently underway and will consider if the FAS is delivering against its guiding principles for LGBTIQ+ victims of crime.'⁵⁸ This review is being led by Nous Group. The review should address two major issues with the FAS, as flagged above: (i) that the incident must be an 'act of violence'; and (ii) that the incident be reported to Victoria Police.

⁵⁰ Victorian Law Reform Commission, *Consultation Paper* (2026) 5.7.

⁵¹ Victorian Law Reform Commission, *Consultation Paper* (2026) 5.4.

⁵² *Wrongs Act 1958* (Vic) pt X.

⁵³ Victorian Law Reform Commission, *Consultation Paper* (2026) 5.4 referencing *Victims of Crime (Financial Assistance Scheme) Act 2022* (Vic) ss 3(1), 9, 13, 15, 31(2)(a).

⁵⁴ *Sentencing Act 1991* (Vic) s 85B.

⁵⁵ Victorian Law Reform Commission, *Consultation Paper* (2026) 5.6.

⁵⁶ *Equal Opportunity Act 2010* (Vic) s 125(a)(iii) discussed in Victorian Law Reform Commission, *Consultation Paper* (2026) 5.9.

⁵⁷ *Conversion Practices Ban Act 2024* (NSW) s 42(2)(a) discussed in Victorian Law Reform Commission, *Consultation Paper* (2026) 5.8.

⁵⁸ Victorian Law Reform Commission, *Consultation Paper* (2026) 5.4.

First, section 3(1) of the *Victims of Crime (Financial Assistance Scheme) Act 2022* defines an ‘act of violence’ as ‘an offence punishable by imprisonment that involves assault on, or injury or threat of injury to, a person.’⁵⁹ It therefore requires a victim to show injury, which may be a barrier, as discussed above.

Second, recent reporting shows the difficulties with the requirement that an incident be reported to police. In one case reported in the *Star Observer*, a victim-survivor of a gay bashing approached Victoria Police, needing to get the statement or the police report number to access the FAS, but discovered that they’d ‘never done anything with my statement, so there was no record of it that they could find.’ As the victim-survivor told the *Star Observer*, ‘I think that experience really illustrates the problem – shame stops people reporting at the time, and then when they finally do work up the courage to come forward, the system is slow and the burden falls entirely on the victim to keep chasing it up.’⁶⁰ In light of this, consideration should be given to allowing reports to medical professionals or support services instead of requiring reports to police.

Recommendation 12: The Independent Review of the *Victims of Crime (Financial Assistance Scheme) Act 2022* should investigate barriers to accessing financial assistance for victim-survivors of change or suppression practices, including:

- (i) ensuring change and suppression practices are recognised acts of violence covered by the scheme;
- (ii) allowing reports to medical professionals or support services instead of requiring reports to police; and
- (iii) resourcing appropriate organisations, such as Victoria Legal Aid or Q+Law, to support victim-survivors through the application process.

⁵⁹ *Victims of Crime (Financial Assistance Scheme) Act 2022* (Vic) s 3(1).

⁶⁰ Patrick Lenton. “The worst part was the shame”: What happened after Jack was lured into a gay hate crime ambush off Grindr, *Star Observer* (2 March 2026).