

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 Change or Suppression (Conversion) Practices Prohibition Act 2021 defaults to outlawing doctrinal religious preaching on questions of sexuality and gender, creating an uncertain environment for pastors and faith leaders who cannot know with certainty whether their teaching constitutes a prohibited practice, and this lack of clarity is exacerbated by the extension of the prohibition to religious practice, including prayer-based practice, without providing examples of what will not contravene the prohibition.

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

The Change or Suppression (Conversion) Practices Prohibition Act 2021's necessity exemption sets a concerning precedent by establishing a higher threshold for non-affirming interventions than for affirming ones, a disparity not present in the New South Wales equivalent. This disparity undermines the confidence of practitioners with non-affirming clinical views, who cannot be assured that their ordinary professional practice is protected, even when it is evidence-based and conducted with informed consent. The Act's express categorization of psychotherapy as a prohibited suppression activity, unless exempt, creates a chilling effect on clinical practice, and its treatment of a clinician's faith perspective as presumptively incompatible with professional judgment, disregards the importance of allowing reasonable professional judgment to encompass minority or dissenting clinical approaches in a contested evidence base.

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 lack of clear guidance on safe harbour provisions in the Change or Suppression (Conversion) Practices Prohibition Act 2021 has a profoundly detrimental impact on religious communities. This absence of clarity has a serious chilling effect, causing individuals and organisations to self-censor their legitimate and lawful activities for fear of unintentionally breaching the Act. The Act's vague provisions have created an environment of uncertainty and apprehension, stifling open discussion and the free exercise of religion. This is an extraordinary intrusion into both religious freedom and individual autonomy, undermining the fundamental human rights of Victorians. Ultimately, the Act's failure to provide safe harbour guidance imperils the very fabric of religious freedom in Victoria.

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?

The consultation materials have a profound impact on the public's understanding of the Change or

Suppression (Conversion) Practices Prohibition Act 2021, and unfortunately, they produce a chilling effect by characterising the broadest possible range of conduct as potentially prohibited, leaving many individuals uncertain about what is permissible. This approach is concerning as it may deter people from engaging in legitimate discussions and activities, fearing unintended consequences. The consultation materials also demonstrate a clear bias, proceeding from the assumption that affirmation of gender identity is the only medically appropriate option, without acknowledging the complexity of the issue and the diversity of medical opinions on the matter.

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 Victorian Equal Opportunity and Human Rights Commission's (VEOHRC) development of materials under the Change or Suppression (Conversion) Practices Prohibition Act 2021 should be informed by the most up-to-date and comprehensive research available. The Cass Review, the most extensive independent review of gender medicine for children and young people ever conducted, provides critical insights that VEOHRC should engage with in its work. VEOHRC materials that uncritically promote affirmation of gender identity as the sole medically appropriate option risk causing harm to vulnerable young people and should not be permitted to stand as authoritative guidance under the Act.

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

The broadly defined provisions of the Change or Suppression (Conversion) Practices Prohibition Act 2021 pose a significant threat to freedom of speech and expression, as they risk capturing not only coercive practices, but also everyday conversations, sermons, therapy sessions, and public forums where individuals express sincerely held views, thereby exposing them to liability and the accompanying costs burden, which can be so prohibitive as to deter any pastoral engagement with these questions, and further, by providing a private right of action through civil tribunals, the Act effectively establishes the most chilling form of speech regulation available, one that