

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.

No, the Act has not reduced or stopped change or suppression practices. These practices are not supported by medical research and can lead to long term mental health issues, now prohibited under the Change or Suppression Practices Prohibition Act 2021.

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 and c. the harm caused by change or suppression practices

I believe the community is not fully aware of the Act or even understand it or how it works, what they are or the long-term harm which can be caused by change or suppression practices.

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

By abolishing these cruel and harmful conversion practices, and educating the public with an aim to inform them more about the harm they do to children and adults. They must be done away with completely.

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?

I believe many people do not have any idea of what the change or suppression practices are all about. What would be helpful is whether the legislation is clear and easy to understand, and for a lot of people it wouldn't be, including myself.

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

Under the home care packages program, it is generally clear. However, there are instances where grey area exists, which can lead potentially to confusion and compliance issues.

Clarity can be achieved by -
Regular updates to the HCP guidelines continuously.

Community of Practice -
Engage with the C.O.P. which can provide additional support and resource for providers to clarify their understanding of exclusions.

Inclusion/Exclusion Framework -
Using the framework and decision tool can assist providers to make informed decisions about what is and is not allowed to be funded under the HCP program.

Case Studies -
Including case studies in the HCP provider manual can provide practical examples and support for

providers in applying the decision-making framework.

Webinars and Resources -

The participation in webinars and the access to resources for example, aged care newsletters and alerts. This can provide further guidance and clarification on exclusions.

Networking -

Networking with other providers and taking advantage of peak bodies and state territory office colleagues can offer additional support and networking opportunities.

If these strategies are implemented, health service providers will be better able to navigate the HCP program exclusions which will ensure compliance with the requirements of the program.

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?

Yes, greater clarity is needed for those of faith who can hold and express their beliefs to support clear understanding and compliance with the Act.

People of faith can hold and express their beliefs to support clear understanding and compliance with the change or suppression Act by adhering to the following principles:

Respect for Human Rights: Upholding human rights standards holistically, including freedom of religion or belief and freedom of opinion and expression.

Intercultural Dialogue: Fostering intercultural dialogue and understanding and protecting religious minorities.

Compliance with Laws: Addressing acts of religious intolerance in a human rights-compliant manner and prohibiting any advocacy of religious hatred that constitutes incitement to discrimination, hostility, or violence.

Support for Religious Minorities: Providing support for religious minorities and combating hate speech while upholding freedom of opinion and expression.

Education and Awareness: Increasing awareness and education about the indivisible and interdependent nature of international human rights norms.

These principles are essential for ensuring that people of faith can hold and express their beliefs while also supporting compliance with the change or suppression Act.

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 effectiveness of VEOHRC's civil response scheme is a critical aspect of the Act's implementation. The scheme is designed to be trauma-informed and survivor-led, focusing on education and facilitation. VEOHRC has conducted investigations on its own motion and can refer reports to other bodies if they do not meet the level of a criminal offence. The Act provides VEOHRC with powers to compel information or documents and to conduct investigations in cases of serious or systemic change or suppression practices.

The Act aims to prevent practices that try to change or suppress a person's sexual orientation or gender identity, and it is important to note that the Act only applies to conduct occurring since 17 February 2022. This means that it may take time for victim-survivors to recognize they have been subjected to a change or suppression practice and to seek justice.

The Act's effectiveness can be improved by strengthening community understanding and compliance through better awareness and education materials. VEOHRC is encouraged to review and enhance these materials to better meet the needs of victim-survivors and to support the Act's objectives.

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.

The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) has identified several barriers to reporting change or suppression practices to them. These barriers include a low level of understanding or awareness about the Act, reporting hesitancy, and the Act only applying to conduct occurring since 17 February 2022, which may take time for victim-survivors to recognize they have been subjected to a change or suppression practice and to seek justice.

Questions - Victorian Law Reform Commission

The Victorian Law Reform Commission has raised questions regarding the barriers to VEOHRC facilitating outcomes of reports. These include potential barriers to the effectiveness of the objectives of the Act, such as the secrecy provision that restricts communication of protected information. Additionally, there may be barriers to reporting change or suppression practices, investigating these, and prosecuting criminal change or suppression offences. The Commission is seeking to understand these barriers and the potential changes that could support VEOHRC to carry out its functions or improve the effectiveness of the civil response scheme.

The VEOHRC may conduct an investigation as it sees fit but is bound by the principles of natural justice (s 129). The VEOHRC may request that a party to an investigation provide relevant information (including documents) to VEOHRC (EO Act s 130).

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 effectiveness of the civil response scheme by the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) can be enhanced by several changes. These include:

Clarification of Definitions: Ensuring that the Act's definitions of change or suppression practices are clear and unambiguous to avoid confusion and ensure compliance.

Enhanced Awareness and Education: Strengthening the effectiveness of VEOHRC's awareness and education materials to better inform the public and support compliance with the Act.

Addressing Barriers to Reporting: Identifying and removing barriers to reporting change or suppression practices, facilitating outcomes, and conducting investigations to ensure the scheme's effectiveness.

Investigation and Remedies: Providing VEOHRC with broader powers to conduct investigations and impose remedies, such as enforceable undertakings and compliance notices, to address serious or systemic change or suppression practices.

These changes aim to improve the overall effectiveness of the civil response scheme and support VEOHRC in its mission to protect human rights and promote fair treatment for all Victorians.

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

The Australian Government is currently conducts public consultations to strengthen the Modern Slavery Act 2018, inviting feedback from stakeholders to enhance reporting frameworks and address non-compliance.

Consultation Details

Purpose: The consultation aims to gather public input on options to improve the Modern Slavery Act, requiring large entities operating in Australia to report on their actions to assess and address modern slavery risks in their operations and supply chains.

Key Focus Areas: The consultation will explore ways to simplify and enhance the reporting framework, improve compliance measures, and ensure that businesses are held accountable for their actions regarding modern slavery.

Public Participation: All interested stakeholders, including businesses, unions, and general public, are encouraged to participate. Feedback can be submitted through an online survey or by uploading written submissions addressing the consultation questions.

Timeline: The consultation process is open until September 1, 2025, allowing ample time for stakeholders to provide their insights and suggestions.

Importance of the Consultation: This initiative is part of a broader effort by the Australian Government to combat modern slavery, which includes criminal offenses and support programs for victims. The feedback received will inform potential reforms to strengthen the Act and enhance its effectiveness in addressing modern slavery practices.

Sources

Submit Feedback: Interested parties can follow the link provided by the Attorney-General's Department to access the consultation paper and submit their responses.

Workshops: The government will also conduct targeted consultation workshops, both in-person and online, to discuss feedback and gather further insights from stakeholders.

This consultation represents a significant opportunity for stakeholders to influence the future of the Modern Slavery Act and contribute to the fight against modern slavery in Australia

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 Act contains criminal offences relating to change or suppression practices. This includes offences which prohibit:

intentionally engaging in a change or suppression practice where that conduct causes serious injury, [61] or injury to another person

taking another person from Victoria with the intention that person would be subject to a change or suppression practice where that practice causes injury

advertising a change or suppression practice

refusing to produce documents relating to advertising to VEOHRC.

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?

The existing avenues for redress, such as financial compensation through the National Redress Scheme for Institutional Child Sexual Abuse, have been criticized for being overly complicated and causing distress for victims. The scheme has been criticized for being a bureaucratic nightmare and for the lack of consistency in judging claims for redress and providing payments. There are calls for improvements to the scheme to make it more survivor-focused and trauma-informed. The Albanese Government has committed to improving the National Redress Scheme with legislative changes that reflect a survivor-focus and trauma-informed approach. The changes include enabling reassessment of finalized applications if a relevant institution later joins the Scheme, and contacting applicants affected by the changes once they come into effect. The government has also promised an easier and less traumatic route to getting compensation for survivors of institutional child sexual abuse.

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

The introduction of a civil cause of action under the Act would serve to provide a clear and specific legal framework for claims, ensuring that only those cases with a valid cause of action are heard in court. This would prevent the courts from being overwhelmed with cases that do not meet the necessary legal criteria. The distinct purpose of introducing a civil cause of action would be to enhance the clarity and efficiency of the legal process, thereby promoting justice and reducing the potential for frivolous claims.

