

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

The Change or Suppression (Conversion) Practices Prohibition Act 2021 prioritizes intersectional politics over identifying and addressing genuine instances of serious harm in the community, resulting in a definition of "change or suppression practice" that is overly broad and fails to provide clear guidance on coercive or abusive conduct. This lack of precision means the Act risks capturing ordinary conversations, pastoral care, and clinical practice, rather than being precisely targeted at serious harm, which undermines its stated purpose of protecting victims of conversion practice.

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's definition of change or suppression practices is overly broad and defaults to an affirmation-only approach, which raises concerns about the potential restriction of legitimate clinical practices. This provision may inadvertently limit the ability of healthcare professionals to provide a range of therapeutic options to individuals seeking their help. A genuinely neutral law would not privilege one clinical approach over another, instead allowing for a diversity of perspectives and treatments. By prioritizing affirmation, the Act may be seen as promoting a particular ideology rather than protecting the well-being of all individuals. The Act's approach may ultimately undermine the very principles of inclusivity and diversity it seeks to uphold.

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

The express example of psychotherapy as a prohibited suppression activity in the Act, unless it falls within the narrow exemption, creates a chilling effect on clinical practice, deterring practitioners from using their professional judgment to provide the most effective treatment for their clients.

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 Change or Suppression (Conversion) Practices Prohibition Act 2021 fails to account for individuals who, despite identifying as lesbian, gay or bisexual, wish to live in accordance with their faith and seek support to do so, thereby neglecting the needs of a specific group of Victorians. This oversight constitutes an extraordinary intrusion into both religious freedom and individual autonomy, as it may render liable those faith leaders who provide consensual support to individuals seeking to reconcile their faith with their same-sex attraction.

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 Act's broad definitions and the consultation materials' expansive interpretations deter Victorians from engaging in ordinary conversations, pastoral care, and clinical practice that are entirely lawful, thereby infringing upon their freedom of speech and association. By characterising a wide range of conduct as potentially prohibited, the consultation materials produce a chilling effect, and their biased assumption that affirmation of gender identity is the only medically appropriate option undermines the integrity of the consultation process.

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.

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

The civil claims provision in the Act is concerning as it allows any individual who feels aggrieved to bring a claim, with a lower standard of proof required and costs falling on the respondent regardless of the outcome, creating a potentially disproportionate burden on respondents. This private right of action through civil tribunals has a pervasive chilling effect on speech, as the breadth of the definition means that expressing a sincerely held view in a conversation, sermon, therapy session, or public forum could trigger liability.

