

**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 Act's vagueness creates uncertainty for pastors and faith leaders, who cannot know with certainty whether their teaching constitutes a prohibited practice, as the line between permissible and impermissible conduct is not clearly defined. This lack of clarity is particularly concerning given the unprecedented intrusion of the state into the content of religious doctrine, where the Act defaults to an affirmation-only approach and potentially outlaws doctrinal preaching on questions of sexuality and gender, while explicitly protecting practices that encourage or promote gender transition.

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

The Act's broad definitions and vague exemptions create uncertainty for practitioners with non-affirming clinical views, who cannot be confident that their ordinary professional practice is protected even where it is evidence-based and conducted with informed consent. This lack of clarity is particularly concerning as the Act appears to treat a clinician's faith perspective as presumptively incompatible with or compromising their professional judgment, rather than acknowledging that a practitioner's personal beliefs can coexist with their professional obligations.

**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 safe harbour provisions in the Change or Suppression (Conversion) Practices Prohibition Act 2021 has a serious chilling effect on religious communities, creating uncertainty and fear among pastors and faith leaders who are unsure whether their ordinary pastoral care, prayer, or scripture-based counsel could expose them to liability, thereby constituting an extraordinary intrusion into both religious freedom and individual autonomy.

**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 provided by the Victorian Law Reform Commission demonstrate a clear bias, proceeding from the assumption that affirmation of gender identity is the only medically appropriate option, rather than presenting a neutral description of the law. This advocacy-oriented approach undermines the legitimacy of the consultation process, which cannot produce balanced or evidence-based recommendations when it begins with a predetermined conclusion. The materials' broad and ambiguous language has a chilling effect, deterring Victorians from engaging in lawful speech and activity, including ordinary conversations, pastoral care, and clinical practice, by characterising them as potential conversion practices, despite the lack of evidence supporting this contested clinical position, including the findings of the Cass Review.

**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 should engage with the findings of the Cass Review, the most comprehensive independent review of gender medicine for children and young people ever conducted, when developing materials under the Change or Suppression (Conversion) Practices Prohibition Act 2021, and be required to consider current best-evidence guidance to ensure that its materials do not uncritically adopt affirmation of gender identity as the only medically appropriate option, which risks causing serious harm to vulnerable young people, and instead reflect a nuanced understanding of the evidence, including other up-to-date systematic reviews of gender-affirming care.

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

The inclusion of a private right of action through civil tribunals in the Change or Suppression (Conversion) Practices Prohibition Act 2021 is a draconian measure that constitutes the most chilling form of speech regulation available, with far-reaching consequences for faith leaders and pastoral care activities. The potential for civil claims to be brought by any individual, with a lower standard of proof and costs falling on the respondent regardless of outcome, creates a pervasive chilling effect on speech and imposes a crippling burden on respondents, deterring legitimate pastoral engagement with sensitive questions.