

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.

The Change or Suppression (Conversion) Practices Prohibition Act 2021, as currently drafted, prioritizes intersectional politics over identifying and addressing genuine instances of serious harm in the community, with its overly broad definition of "change or suppression practice" capturing harmless conduct while failing to provide clear guidance on what constitutes coercive or abusive conduct, thereby undermining its intended purpose of protecting victims.

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 definition of prohibited conduct is overly broad and fails to provide clear protections for exploratory or Socratic questioning, thereby risking the suppression of nuanced and necessary discussions between individuals and healthcare professionals. This provision defaults to an affirmation-only approach, which may prevent individuals from fully exploring their thoughts, feelings, and experiences, and from ruling out alternative possibilities or diagnoses.

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 definition of change or suppression practices and its strict liability offence provisions may inadvertently capture ordinary professional practice by practitioners with non-affirming clinical views, even where their conduct is evidence-based and undertaken with informed consent. This is because the legislation does not provide sufficient assurance that reasonable professional judgment, including minority or dissenting clinical approaches, will be protected, despite the contested evidence base underlying the Act.

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 Act's broad definition of change or suppression practices would render a pastor or faith-based counsellor liable for simply responding to a person's voluntary request for support in living out their faith consistent with their same-sex attraction. This represents an extraordinary intrusion into both religious freedom and individual autonomy, as it disregards the autonomy of a person to seek support that aligns with their deeply held religious beliefs.

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. By framing ordinary conversations, pastoral care, and clinical practice as potential conversion practices, the

materials deter Victorians from engaging in lawful speech and activity that is essential to their personal, religious, and professional lives.

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 (VEOHRC) should be required to consider current best-evidence guidance when developing materials under the Change or Suppression (Conversion) Practices Prohibition Act 2021. The Commission's materials should reflect engagement with the findings of the Cass Review and other up-to-date systematic reviews of the evidence on gender-affirming care, but these materials 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 overbroad definition of change or suppression practices in the Act creates a pervasive chilling effect on speech that goes far beyond any legitimate regulatory purpose, as individuals will be reluctant to express their sincerely held views for fear of liability, even in everyday conversations, sermons, therapy sessions, or public forums.