

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 Act's focus on intersectional politics detracts from its primary objective of identifying and addressing genuine instances of serious harm in the community. The overly broad definition of "change or suppression practice" ensnares innocuous conduct, such as ordinary conversations and pastoral care, while failing to provide clear guidance on the coercive or abusive conduct that truly harms victims of conversion practices.

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 fails to achieve genuine neutrality, as its provisions effectively privilege one clinical approach over others, which undermines the principles of informed consent and patient autonomy.

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

The express inclusion of psychotherapy as a prohibited suppression activity, unless it falls within the exemption, creates a chilling effect on clinical practice, as practitioners may feel compelled to self-censor their approaches to avoid potential liability. This provision undermines the exercise of reasonable professional judgment, which must be allowed to encompass minority or dissenting clinical approaches, particularly given the contested evidence base in this area and the importance of informed consent.

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 identify as lesbian, gay or bisexual and also hold strong religious convictions, particularly those who seek support to reconcile their faith with their same-sex attraction. A person of faith who consensually requests guidance from a pastor or faith-based counsellor to live in accordance with their religious beliefs may find that such support is not permissible under the Act. This oversight represents an extraordinary intrusion into both religious freedom and individual autonomy, as it disregards the rights of individuals to seek and receive support that aligns with their deeply held convictions.

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 purported aim to prohibit change or suppression practices is based on a contested clinical position that is not supported by the best available evidence, including the Cass Review, which highlights the complexity and nuance of this issue. The consultation materials, by proceeding from

the assumption that affirmation of gender identity is the only medically appropriate option, demonstrate a clear bias that undermines the integrity of the consultation process and will inevitably produce unbalanced and evidence-based recommendations.

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 materials on the Change or Suppression (Conversion) Practices Prohibition Act 2021 may inadvertently perpetuate harm to vulnerable young people by uncritically adopting affirmation of gender identity as the sole medically appropriate option, thereby neglecting the complexity and nuance of individual experiences. To ensure a comprehensive understanding of the issues at hand, the VEOHRC should engage with a broader range of up-to-date systematic reviews of the evidence on 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 broadly drafted provisions of the Change or Suppression (Conversion) Practices Prohibition Act 2021 create a pervasive chilling effect on speech that goes far beyond any legitimate regulatory purpose, stifling open and honest discussion on matters of conscience and belief. By allowing a private right of action through civil tribunals, the Act imposes the most chilling form of speech regulation available, where individuals risk being hauled before a tribunal and penalised for expressing their sincerely held views.