

**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 provide a genuinely neutral framework, instead privileging one clinical approach over another. A pastor or faith leader cannot be expected to know with certainty whether their teaching constitutes a prohibited practice, as the Act's definition of "change or suppression practice" is overly broad and ambiguous. This ambiguity defaults to an affirmation-only approach, which is an unprecedented intrusion of the state into the content of religious doctrine. The Act effectively outlaws doctrinal religious preaching on questions of sexuality and gender, undermining the freedom of religious leaders to teach and counsel in accordance with their faith. Furthermore, the carve-out for practices that encourage or promote gender transition explicitly protects affirmation, while leaving non-affirmation exposed to liability, creating a chilling effect on religious freedom.

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

The Act's health services exclusion is rendered ineffective for clinicians whose faith-based perspectives on gender inform their clinical approach, as this provision is premised on a separation of religious belief from professional judgment that is not always possible. This limitation undermines the principle of reasonable professional judgment, which should accommodate minority or dissenting clinical approaches, particularly in an area like gender dysphoria where the evidence base is contested and evolving.

**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 poses a significant risk to faith-based counsellors and pastors who respond to requests for support from individuals seeking to live in accordance with their religious beliefs, despite such support being freely sought. The Act's failure to provide clear examples of protected faith-based practices creates uncertainty and has a chilling effect on religious communities, leaving pastors and faith leaders uncertain about the legality of ordinary pastoral care, prayer, or scripture-based counsel, and neglecting the needs of LGB individuals of faith who seek consensual support to live in accordance with their 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 process is fundamentally flawed by its embedded assumption that the Change or Suppression (Conversion) Practices Prohibition Act 2021 is a settled and uncontroversial piece of legislation. By framing the consultation in this manner, the Commission's document effectively becomes an advocacy piece seeking to expand the Act's scope, rather than a neutral and impartial examination of its provisions.

**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.**

To ensure the development of accurate and effective materials under the Change or Suppression (Conversion) Practices Prohibition Act 2021, the Victorian Equal Opportunity and Human Rights Commission should be required to consider current best-evidence guidance, engage with up-to-date systematic reviews of the evidence on gender-affirming care, and take into account the findings of the Cass Review, a comprehensive independent review of gender medicine for children and young people, in order to prevent materials that uncritically adopt affirmation of gender identity as the only medically appropriate option from causing serious harm to vulnerable young people and to preclude such materials

**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 civil cause of action against faith leaders and pastoral care activities in the Change or Suppression (Conversion) Practices Prohibition Act 2021 would have catastrophic consequences for religious communities, as it would create a pervasive chilling effect on speech that goes far beyond any legitimate regulatory purpose, potentially rendering pastors, priests, imams, and rabbis liable for simply expressing their faith tradition's teachings in conversations, sermons, therapy sessions, or public forums.