

**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 carve-out for practices that encourage or promote gender transition raises concerns about the unequal treatment of different viewpoints on human sexuality and gender identity. By explicitly protecting affirmation, the Act leaves non-affirmation practices exposed to liability, creating an uneven playing field. This represents an unprecedented intrusion of the state into the content of religious doctrine, potentially stifling the free exercise of religion. A pastor or faith leader cannot be certain whether their teaching constitutes a prohibited practice, as the boundaries of the Act are unclear. This ambiguity defaults to outlawing doctrinal religious preaching on questions of sexuality and gender, effectively privileging one clinical approach over another and undermining the principles of neutrality.

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

The Victorian Law Reform Commission should reconsider the Act's constraints on reasonable professional judgment, as the current provisions risk stifling legitimate clinical approaches that diverge from dominant views, particularly given the contested evidence base on change or suppression practices.

**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 proposed Change or Suppression (Conversion) Practices Prohibition Act 2021 represents an extraordinary intrusion into both religious freedom and individual autonomy, eroding the fundamental rights of individuals to seek support from their faith leaders. A pastor or faith-based counsellor who responds to a congregant's request for guidance on living in accordance with their faith would risk liability under the Act, despite the individual having sought out that support freely and voluntarily. The Act's failure to provide clear examples of faith-based practices that will not constitute a change or suppression practice leaves pastors and faith leaders uncertain about what constitutes permissible support, and an LGB person of faith who seeks support to live and practise their religion consistent with their same-sex attraction is not catered for by the Act.

**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 underlying the review of the Change or Suppression (Conversion) Practices Prohibition Act 2021 are fundamentally flawed, proceeding from the assumption that affirmation of gender identity is the only medically appropriate option, thereby excluding other legitimate perspectives and approaches.

**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, which provides valuable insights from the most comprehensive independent review of gender medicine for children and young people ever conducted. The Commission's materials that uncritically adopt affirmation of gender identity as the only medically appropriate option are concerning, as they risk causing serious harm to vulnerable young people and 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 provision for a private right of action through civil tribunals is a deeply concerning aspect of the Act, as it represents the most chilling form of speech regulation available. This creates a pervasive chilling effect on speech that goes far beyond any legitimate regulatory purpose, casting a wide net of potential liability over innocent individuals and organizations. By capturing even private conversations and expressions of sincerely held views within its broad definition, the Act puts pastors, priests, imams, and rabbis at risk of civil liability simply for offering prayer, counsel, or scripture-based guidance in accordance with their faith tradition's teachings.