

**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 lack of clarity and specificity in the Act's provisions is concerning, as it fails to provide adequate guidance on what constitutes a prohibited practice, leaving pastors and faith leaders uncertain as to whether their prayer-based teachings or exploratory discussions with individuals on matters of sexuality and gender may inadvertently contravene the law, thereby undermining their ability to provide spiritual guidance and support to their congregations.

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

The Act's provisions unfairly target clinicians of faith, subjecting them to adverse treatment not applied to clinicians whose approach is informed by other ideological commitments, thereby creating a discriminatory environment. Clinicians with non-affirming clinical views are left uncertain about the protection of their ordinary professional practice, even when it is evidence-based and conducted with informed consent, as the Act's exemptions are narrowly defined. The Act's treatment of a clinician's faith perspective as presumptively incompatible with professional judgment is particularly concerning, as it disregards the complexity of clinical decision-making and the importance of allowing reasonable professional judgment to include minority or dissenting clinical approaches.

**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 creates uncertainty for pastors and faith leaders, who cannot discern whether ordinary pastoral care, prayer, or scripture-based counsel may expose them to liability, thereby having a serious chilling effect on religious communities as they refrain from providing support to avoid potential prosecution.

**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 assumption that sexual orientation and gender identity are fixed and unchangeable is a contested clinical position not supported by the best available evidence, including the Cass Review, and its inclusion in the consultation process undermines the potential for balanced or 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 (VEOHRC) should be required to engage with the findings of the Cass Review, a comprehensive and independent review of gender medicine for children and young people, to ensure that its work under the Change or Suppression (Conversion) Practices Prohibition Act 2021 is informed by the most up-to-date evidence. This

provision would help ensure that VEOHRC develops materials that reflect current best-evidence guidance, supporting the best possible outcomes for children and young people.

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

The introduction of a civil cause of action against faith leaders and pastoral care activities under the Change or Suppression (Conversion) Practices Prohibition Act 2021 would have catastrophic consequences for religious communities. Pastors, priests, imams, and rabbis who offer prayer, counsel, or scripture-based guidance could face civil liability simply for expressing their faith tradition's teaching, even if they do not intend to change or suppress a person's sexual orientation or gender identity. The Act's provision for a private right of action through civil tribunals is the most chilling form of speech regulation available, as it creates a pervasive chilling effect on speech that goes far beyond any legitimate regulatory purpose.

