

**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 prioritizes intersectional politics over identifying genuine instances of serious harm in the community, thereby diluting its effectiveness in addressing the very issue it seeks to resolve. The overly broad definition of "change or suppression practice" ensnares harmless conduct, such as ordinary conversations and pastoral care, while neglecting to provide clear guidance on what constitutes coercive or abusive conduct that genuinely harms individuals.

**2. To what extent do you think the community is aware of and understands: a. the Act and how it works b. what change or suppression practices are and c. the harm caused by change or suppression practices**

Xxx

**3. Could the Act's operation and effectiveness be improved? If so, how?**

Xxx

**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 raises significant concerns regarding its impact on religious practice, as the prohibition extends to prayer-based practices without providing clear examples of what would not contravene the law, leaving religious leaders uncertain about the permissibility of their teachings and creating a chilling effect on the free exercise of religion.

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

The Act's necessity exemption is problematic in that it imposes a higher threshold for non-affirming interventions than for affirming ones, a discrepancy that is not present in the equivalent NSW legislation and which may have unintended consequences for the provision of care.

**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 Victorian Law Reform Commission's consultation on the Change or Suppression (Conversion) Practices Prohibition Act 2021 highlights a notable omission in the Act's provisions. Unlike the NSW Bill, the Act fails to provide examples of faith-based practices that will not constitute a change or

suppression practice, instead offering only a caution that faith practice may contravene the Act. This absence of safe harbour guidance has a serious chilling effect on religious communities, who are left uncertain about the boundaries of permissible practice. A pastor or faith-based counsellor who responds to a request for support from an individual seeking to live in accordance with their faith may risk liability under the Act, despite the individual having freely sought out that support. This oversight also neglects the needs of LGB individuals of faith who consensually seek support to live and practise their religion consistent with their same-sex attraction, leaving them without recourse or protection under 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 framing of ordinary conversations, pastoral care, and clinical practice as potential conversion practices in the consultation materials has a detrimental effect, deterring Victorians from engaging in lawful speech and activity due to the overly broad and ambiguous characterisation of prohibited conduct, which produces a chilling effect that undermines the very principles of free expression and open communication.

**If so, please describe what those barriers are.**

Xxx

**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 (VEOHRC) materials that promote affirmation of gender identity as the sole medically appropriate option for vulnerable young people may inadvertently cause serious harm by neglecting the complexity of individual circumstances. This risk can be mitigated by VEOHRC engaging with the findings of the Cass Review, the most comprehensive independent review of gender medicine for children and young people to date. To ensure accuracy and safety, VEOHRC should be required to consider current best-evidence guidance when developing materials under this Act, and such materials should not be permitted to stand as authoritative guidance without rigorous scrutiny.

**10. Are there barriers to reporting, investigating and prosecuting criminal change or suppression offences? If so, what are they?**

Cxx

**11. Are there other aspects of the criminal offences in the Act that limit their effective operation? If so, what changes or supports could improve their operation?**

Xxx

**12. Do existing avenues for redress adequately meet the needs of victim-survivors of change or suppression practices? Are there gaps, harms or barriers that require an additional or separate redress mechanism?**

Cxx

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

The imposition of a private right of action through civil tribunals in the Change or Suppression (Conversion) Practices Prohibition Act 2021 is a draconian measure that constitutes the most chilling form of speech regulation available, as it would enable individuals to bring lawsuits against faith leaders and pastoral care activities, thereby imposing a substantial costs burden on respondents, even those who ultimately succeed, which would create a powerful deterrent against any pastoral engagement with these questions, ultimately rendering a civil cause of action catastrophic for religious communities.

