

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 appears to prioritize intersectional politics over identifying and addressing genuine instances of serious harm in the community, resulting in a definition of "change or suppression practice" that is overly broad and captures innocuous conduct. This lack of precision means the Act fails to provide clear guidance on what constitutes coercive or abusive conduct, while inadvertently capturing ordinary conversations, pastoral care, and clinical practice that cause no harm, rather than being targeted at protecting genuine victims of conversion practice.

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 falls short of being a genuinely neutral law, as its definition of prohibited conduct defaults to an affirmation-only approach, thereby privileging one clinical approach over another, and fails to clearly protect exploratory or Socratic questioning, including exploring alternative possibilities, while also unfairly singling out non-affirmation practices for liability through its carve-out for practices that encourage or promote gender transition.

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

The Act's blanket prohibition on change or suppression practices, without adequate provision for reasonable professional judgment, risks stifling legitimate clinical debate and restricting the availability of diverse therapeutic approaches, given the contested evidence base surrounding the effectiveness and harm of various interventions.

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 represents an extraordinary intrusion into both religious freedom and individual autonomy, undermining the fundamental rights of Victorians to seek spiritual guidance and live according to their deeply held convictions. This overreach is particularly concerning for individuals who identify as lesbian, gay, or bisexual and hold strong religious beliefs, as the Act fails to provide any accommodation for those who consensually seek support to reconcile their faith with their same-sex attraction. By neglecting to account for such individuals, the Act effectively denies them the freedom to live and practise their religion in a way that is authentic to them.

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 for the Change or Suppression (Conversion) Practices Prohibition Act 2021 have a profound impact on the free expression and conduct of Victorians, producing a chilling effect by characterising a broad range of conduct as potentially prohibited, thereby casting a wide net of uncertainty over everyday conversations, interactions, and professional practices. This approach is underpinned by a clear bias, as the materials proceed from the assumption that affirmation of gender identity is the only medically appropriate option, disregarding the complexity of the issue and the diversity of professional opinions. By framing ordinary conversations, pastoral care, and clinical practice as potential conversion practices, the materials deter Victorians from engaging in lawful speech and activity, stifling the very discussions and debates that are essential to the well-being of individuals and the community.

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 consider current best-evidence guidance when developing materials under the Change or Suppression (Conversion) Practices Prohibition Act 2021, ensuring that its resources are informed by the most up-to-date and rigorous research. Furthermore, VEOHRC should also engage with other relevant systematic reviews, including the findings of the Cass Review, to ensure that its materials do not uncritically adopt affirmation of gender identity as the only medically appropriate option, thereby risking serious harm to vulnerable 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 provision for a private right of action through civil tribunals under the Change or Suppression (Conversion) Practices Prohibition Act 2021 is a deeply concerning measure that constitutes the most chilling form of speech regulation available, as it enables any individual to bring a claim against another for expressing a sincerely held view in a conversation, sermon, therapy session, or public forum, with a lower standard of proof and significant costs implications for the respondent, regardless of the outcome, thereby creating a pervasive chilling effect on speech that far exceeds any legitimate regulatory purpose.