

2 December 2020



The Hon. Jill Hennessy
Attorney-General
Victorian Department of Justice and Community Safety

Sent via email: Attorney-General@justice.vic.gov.au
CC: jill.hennessy@parliament.vic.gov.au

Dear Minister,

Letter of support – *Change or Suppression (Conversion) Practices Prohibition Bill 2020 (VIC)*

Pride in Law is Australia's first and only LGBTIQ+ Law Association. Since launching in Queensland in July 2017, Pride in Law has continued to provide visibility, education and advocacy around LGBTIQ+ issues in the legal profession. In March 2020, Pride in Law established a Western Australian committee. Pride in Law is currently engaging with Victorian colleagues to establish a Victorian committee.

Pride in Law welcomes and supports the introduction of the *Change or Suppression (Conversion) Practices Prohibition Bill 2020 (VIC)*. In particular, Pride in Law recognises the importance of the proposed section 3 Objects of this Act to include, '*to ensure that all people, regardless of sexual orientation or gender identity, feel welcome and valued in Victoria and are able to live authentically and with pride*'. Pride in Law hopes to see this object achieved across Australia and the world.

Pride in Law does raise concern with the current broad drafting of section 5(2)(b) that exempts a practice or conduct of a health service provider in particular giving the health service provider discretion noting that it must be in their reasonable professional judgment. Pride in Law recognises that in Australia there may be overlap in conversion therapy between faith-based institutions (or their constituents) and health service providers. Factors that may influence whether a practice is a health service provider include:

- a) The setting where the practice is performed (for example, office, clinic or church);
- b) Whether the person performing the practice does so in a professional capacity as an advocate of religious or spiritual teaching; and
- c) Whether the person performing the practice makes health related claims, such as that the individual has disease or disorder that can be cured by the practice, or that the individual's experience of stress, mental health issues or other health issues will be alleviated by the practice.

Pride in Law recognises the banning of conversion therapy with an exemption for health service providers is a good step forward, however, there is still a long road ahead to outlaw all abhorrent practices that target our rainbow communities. Conversion therapy has long been discredited by the medical community and is not evidence-based. There is overwhelming and growing research that demonstrates that conversion therapy is harmful. Further, that conversion therapy correlates with higher rates of self-harm, including suicide. It is a fallacy to therefore argue that there should be a broad exemption for health service providers in their discretion rather there should be prescribed extreme circumstances if such exemption is to exist.

To truly outlaw conversion practices and protect all Victorians, we must ban the practice absolutely.

Pride in Law requests further research and legislative reform to protect all Victorians and Australians from all forms of conversion therapy, including forms not provided by a health service provider. Our Association has members who have directly or indirectly experienced conversion therapy, and they all acknowledge that those experiences caused them trauma. Victoria and Australia should not allow any further trauma to occur lawfully to the LGBTIQ+ community.

We are stronger together, we are united in our commitment to end conversion therapy in all forms. Conversion therapy does not have a place in modern society. We have a part to stand up, stand out and protect the LGBTIQ+ community.

Yours sincerely,



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