



ANGLICAN DIOCESE
OF TASMANIA

THE RIGHT REVEREND
DR RICHARD CONDIE
BISHOP OF TASMANIA

Dr Rosalie Woodruff
Leader of the Greens

by email

12 August 2026

Dear Dr Woodruff,

The Anglican Diocese of Tasmania is pleased to make the following submission on the DRAFT *Conversion Practices Prohibition Bill 2026* (the Bill).

We support legislation that addresses harmful coercive practices aimed at changing or eradicating a person's sexual orientation or gender identity. There is no place in our society for practices that harm, deceive or manipulate others.

We note that none of the literature relied on in the TLRI report was about practices related to gender identity. It is also noted that gender affirming care, particularly among minors, is the subject of intense debate in the medical community. It would seem premature for the Tasmanian Parliament to making any laws with respect to these matters.

We do also note that the TLRI report states that there is no evidence that sexual orientation or gender identity "conversion practices" are currently occurring in Tasmania (2.3.1).

Definitions

We have concerns with the Bill's lack of clarity in defining various terms. It is a serious Bill that makes certain practices subject to criminal and civil action. It is incumbent on the movers of the Bill to define matters precisely, especially if they are to lead to criminal proceedings, and its associated penalties. The following matters are particularly unclear.

1. The definition of a "conversion practice" includes the purpose clause of "changing, suppressing, or eradicating the sexual orientation or gender identity" of a person. None of these three terms (changing, suppressing or eradicating) are defined anywhere in the legislation. Of particular concern to us, is the lack of definition of "suppression".

Every church worker in the Diocese of Tasmania is required to abide by a Code of Conduct. That code stipulates that a church worker is “to be chaste and not engage in sex outside of marriage and not engage in disgraceful conduct of a sexual nature”. It is therefore required of all our workers, regardless of sexual orientation, gender identity or relationship status to exercise “self-control” of their sexuality and desires. It is not unreasonable for a person to seek out support and help in that self-control.

It was made clear in my meeting with you, that such support and help **would** constitute a “conversion practice”, as it falls under the definition of “suppression”, and may potentially attract the associated criminal charges under this Bill. This is particularly problematic given that the law will apply even if a person gives their consent to such support. (s.5 (1)) This means that it would be unlawful for Anglican ministers to exercise a normal function of their roles under this legislation.

2. The definition of “harm to mental health” (s4) is vague and circular. “Harm to mental health” is defined as “psychological harm” which is tautological. There are no objective measures about what this entails. It is important, as “causing injury” (which includes “harm to mental health”) is one of the thresholds for a “conversion practice” to be considered an offence under the Criminal Code (s.9(1)(b)(i)). This definition must be rectified.
3. We appreciate the attempt in the Bill to provide clarity on what practices do not constitute “conversion practices”, however the definition of these exemptions require some more clarity. We particularly appreciate the attempt to express which religious practices do not fall into the definition of a “conversion practice”, but the circularity of the definition does not provide sufficient clarity. Subsection 3 says, “A conversion practice does not include...conduct... provided that the conduct is not engaged in as part of a conversion practice”. We do not know what this definition means. It appears to negate the protection. We note there are no protections in the Bill for teachers.

Matters of Principle

There are a number of matters of principle in the Bill that are a cause of concern to us:

4. We note that the TLRI Report Recommendations concentrated on “conversion practices” that were viewed as “a purported health service” and recommended changes to the Mental Health Act. The dropping of these recommendations in the draft Bill increases the scope dramatically to matters not considered by the TLRI to be central to their concerns.
5. We agree that any harmful coercive practices performed against another person should not be allowed in a civilised society. However, we are concerned at the erosion of freedoms in the Bill, that applies to situations even when people give

their consent (see s. 5 (1) and s.17(2)). We do not believe that it is the place of government to legislate how people respond to their own consciences. People ought to have the freedom to choose how they respond to their sexual orientation and gender identity, without interference. This is the very freedom the Bill is trying to protect, while at the same time, it removes people's freedom to give their own consent. This is especially concerning given the poor definition of "suppression". We wholeheartedly reject coercion in any form but believe our laws should protect freedom of choice.

6. We have concerns about reports being made to the Commissioner by a person "whether or not affected by a conversion practice" (s.24(1)). We believe this could lead to vexatious claims and people with ideological agendas raising complaints against people and institutions. While we recognise that the processes outlined in the Bill would mean those complaints would be unlikely to be entertained, it makes no sense to us to allow uninvolved people to make reports. If we genuinely want to protect the vulnerable, then let it be a genuine complaint process.
7. We have significant concerns about the "self-incrimination" clause (s. 40). This is an extraordinary erosion of common law which robs people of their basic civil liberties. S. 40(2) seems to provide protection from use of that statement in civil or criminal proceedings generally. However, it is drafted too loosely to protect a person from self-incrimination in criminal proceedings under this Act. We can see no justification in the Bill for such an extreme measure.
8. The "vicarious liability" clauses in s. 16 and s. 49 are unjust. With respect to s.16 it must be noted that vicarious liability is a civil doctrine, which holds employers liable to compensate for harm caused in the conduct of the employer's business by an employee. It is never used in criminal law. The criminal standard would either be that an employer is criminally negligent (a gross falling short of the standard expected); or that an employer aided, abetted, counselled or procured an offence.

The civil application of vicarious liability in s. 49 is difficult for dispersed community organisations such as ours. The nature of the Anglican Church in Tasmania is that it is a network of communities across the entire state, with most of the members acting as volunteers. Under the Bill, they are treated as employees. To hold leaders of a denomination accountable for the practices and actions of almost every participant in the state who volunteers at some time or another, is unworkable and exposes the leader to an unreasonable risk of prosecution.

9. Our organisation is committed to child safety and has worked for many years to ensure the highest possible standards of care for children and vulnerable people. We are extremely concerned that the consequential amendments in the draft Bill treat all "conversion practices" directed towards a child as "child abuse". This classification applies to the problematic definition in s 5, so that a single conversation, prayer or parental guidance may be placed in the same statutory category as sexual and physical abuse, even where it causes no injury. This is

alarming as even the suspicion of child abuse is a cause for significant disciplinary action within our denomination.

We thank you for the opportunity to both meet with you, and to offer this response to the draft Bill. Please be assured of our prayers for you as you respond to the feedback on the Bill. We hope that you will see our intention to engage with you in good faith, and hope that the Tasmanian Greens might be relied upon to bring a Bill that protects the vulnerable and also ensures the protections of religious freedom which is a right enshrined in the Tasmanian Constitution (s.46(1)).

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Condie', followed by a comma.

The Rt Revd Dr Richard Condie
Bishop of Tasmania