

Tasmanian Greens
298 Argyle Street
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<https://cppbilltas.org/>

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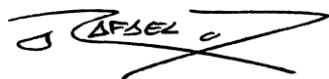
Dear Sir/Madam

Re: Draft Conversion Practices Prohibition Bill 2026

The Australian Christian Lobby (ACL) is grateful for the opportunity to make a submission to the Tasmanian Greens on the draft Conversion Practices Prohibition Bill 2026.

I would welcome the opportunity to elaborate on ACL's position in person.

Yours faithfully,



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SUBMISSION:

Draft Conversion Practices Prohibition Bill 2026

AUSTRALIAN CHRISTIAN LOBBY

About Australian Christian Lobby

The vision of the Australian Christian Lobby (ACL) is to see Christian principles and ethics influencing the way we are governed, do business, and relate to each other as a community. ACL seeks to see a compassionate, just and moral society through having the public contributions of the Christian faith reflected in the political life of the nation.

With around 250,000 supporters, ACL facilitates professional engagement and dialogue between the Christian constituency and government, allowing the Voice of Christians to be heard in the public square. ACL is neither party-partisan nor denominationally aligned. ACL representatives bring a Christian perspective to policy makers in Federal, State and Territory Parliaments.

acl.org.au

Executive summary

The Australian Christian Lobby (ACL) opposes the Draft *Conversion Practices Prohibition Bill 2026 (Tas)*¹ and recommends that Parliament reject it. The Bill is unnecessary, disproportionate and founded on inadequate evidence that harmful conversion practices are currently occurring in contemporary Tasmania. Existing criminal, civil, child protection and professional disciplinary laws already prohibit assault, coercion, abuse, intimidation, unlawful detention and professional misconduct.

The Bill adopts an outdated affirmation-only approach to sexual orientation and gender identity at a time when international developments, including the Cass Review² and changes in several European countries, support holistic, individualised and evidence-based care for children experiencing gender dysphoria. By discouraging open-ended exploratory therapy and restricting assistance for people reconsidering a transgender identity, the Bill may expose vulnerable children and detransitioners to greater harm.

The Bill's definitions are broad, circular and uncertain. It may criminalise consensual counselling, parental guidance, ordinary conversations, prayer and pastoral care directed towards helping a person live consistently with their beliefs. Of particular concern, clause 10 creates a criminal offence concerning practices directed towards a child without requiring proof that the child suffered any injury. The Bill may therefore deter parents, health practitioners, pastors and other trusted advisers from providing legitimate support. The bill fails to respect the rights of the parents.

The proposed Civil Response Scheme also grants extensive investigatory and enforcement powers to the Anti-Discrimination Commissioner. These include own-motion investigations, compelled production of documents, compulsory examinations and the abrogation of the privilege against self-incrimination. Complaints may be

¹ Draft Conversion Practices Bill 2026 (Tas)

² [Hillary Cass, "Gender medicine for children and young people is built on shaky foundations. Here is how we strengthen services", *British Medical Journal*, vol. 385, 9 April 2024, q814.](#)

initiated by persons who were not affected by the alleged conduct. These provisions lack appropriate safeguards and are more onerous than corresponding legislation in several other Australian jurisdictions. Furthermore, the Commissioner is treated as an exempt authority for the purposes of the *Right to Information Act 2009* (Tas). The Commissioner should remain subject to the ordinary operation of the *Right to Information Act*, with any genuinely sensitive information protected through the existing exemptions already available under that Act, rather than by granting the office a blanket exemption. Transparency and public accountability are essential.

ACL condemns coercive and abusive practices. However, legislation should distinguish such conduct from voluntary conversations, evidence-based therapeutic care, parental guidance and religious ministry. Consent-based support sought by individuals concerning unwanted sexual attractions, sexual behaviour or gender identity should not attract criminal or civil penalties.

ACL recommends that the Bill be rejected. If Parliament considers further legislation necessary, it should adopt the narrower and more balanced approach contained in the *Justice Miscellaneous (Conversion Practices) Bill 2024* (Tas) or legislation comparable to the South Australian model. Any legislation must expressly protect freedom of religion, freedom of expression, parental responsibility, clinical independence, informed consent and access to exploratory and detransition-related care by medical practitioners who are able to give sound, evidence-based medical advice.

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Introduction

The Australian Christian Lobby (ACL) has serious concerns with the Draft Conversion Practices Prohibition Bill 2026 and how it will affect vulnerable Tasmanians and their families. Not only is it unnecessary, but it doubles down on an the outdated ‘affirmation-only’ approach to sexuality and gender dysphoria.

Historically “aversion therapy” was provided in the Australian public hospital system. It used electric shock or induced nausea in the belief that this would reduce or eliminate same-sex attraction. Such methods have not been in use in Australia since the early 1980s.

Additionally, movements in the United Kingdom, Finland, France, Sweden and other parts of Europe have moved away from the affirmation model of care to a holistic approach. Most recently, on 17 July 2026, Children’s Health Queensland published a statement which said, among other things:

In 2025, in accordance with the Health Service Directive titled ‘Treatment of Gender Dysphoria in Children and Adolescents with Hormone Therapy’ dated 28 January 2025 and Ministerial Directions titled ‘Treatment of Gender Dysphoria in Children and Adolescents with Hormone Therapy’ dated 28 October 2025 and 15 January 2026, the State Government effected a temporary pause on the use of puberty blockers and cross-sex hormones in the treatment of new patients in Hospital and Health Services across Queensland.

CHQ HHS acknowledges that health practitioners must take a clinical approach to the treatment of gender dysphoria that focuses on the best available research and the child’s best interests rather than directing a child down a pre-determined treatment pathway. Health practitioners must employ a holistic clinical approach that comprehensively assesses all relevant factors – including any comorbidities or other mental health conditions – and use information gathered from that process to determine the best available mode of treatment and care for the patient.

This legislation has the potential to cause unintended harm by making it more difficult for vulnerable Tasmanian children who are on a pathway towards medical transition to reconsider that path, and for parents and others to support them. This concern is

heightened by the Bill's offence relating to children, which does not require proof that harm has occurred before criminal liability may arise.

Some of the vices of this Bill are:

- It will encourage sterilisation of vulnerable youth with other mental health comorbidities by pushing outdated and unscientific gender affirmation therapy;
- It will restrict parents and families talking openly to sex/gender confused children. The current exemption does not uphold parental rights. It is a redundant exemption because it only applies to conversations between parents and children if the conversation is not considered a conversion practice. ;
- It is contrary to overseas developments, especially in Finland, Sweden, Norway, France and the UK;
- It will criminalise discussions in homes that promote that human beings are either male or female;
- It may put pastors and lay people in jail for counselling according to the Bible or other religious text.
- It creates an offence where no harm occurs (clause 10).
- The Bill abrogates the right of self-incrimination (clause 40).

This Bill is worse than its Victorian counterpart and far worse than the equivalent Queensland, New South Wales and South Australian legislation. Most importantly the Bill is significantly more onerous than the Liberal Government's proposed bill, the *Justice Miscellaneous (Conversion Practices) Bill 2024*.

Specific, consent-based courses based on a biblical view of human sexuality ought to be protected. Conversations regarding an individual's sexual orientation or gender identity should not be under the threat of penalty. A conversation should clearly be excluded as a conversion practice, given the way that international standards of freedom of expression and freedom of speech will be compromised.

This Bill is part of a broader effort to silence Australians with views that differ from the unrestrained sexual expression and gender change narrative. It is especially inappropriate to introduce a conversion bill at a time when evidence is clear about the

harms to children of medical gender transition (e.g. via the Cass Review and the Children's Health Queensland statement).

This Bill should be rejected however, if the Government is intent on its passage, the Government should adopt the *Justice Miscellaneous (Conversion Practices) Bill 2024* or a bill similar to the South Australian Act.³

Comment on the key provisions

The following are key provisions with ACL's comments.

- **Clause 4 - Definitions:**
 - Injury means physical injury or harm to mental health, which includes psychological harm but not an emotional reaction unless it results in psychological harm. However, psychological harm is not defined, hence this is a circular and, so, meaningless definition.
 - Sexual orientation and gender identity have the same meanings as in the *Anti-Discrimination Act 1998*. However, the definitions are inclusionary only and, therefore, are open ended, which is inappropriate for a statute which purports to impose criminal liability.
- **Clause 5 - Meaning of Conversion Practice:**
 - This means a practice or conduct directed towards a person, whether with **or without the person's consent** – (a) on the basis of the person's sexual orientation or gender identity; and (b) for the purpose of – (i) changing, suppressing or eradicating the sexual orientation or gender identity of the person; or (ii) inducing the person to change, suppress or eradicate their sexual orientation or gender identity. However, considering that detransitioners are now well documented, this Bill effectively prevents a detransitioner in Tasmania from getting help.⁴

³ *Conversion Practices Prohibition Act 2024*.

⁴ See Mel Jeffries Story <https://www.facebook.com/watch/?v=1150656549364174>

- This draft bill interferes with the provision of health services by registered health practitioners. It would discourage a registered health practitioner from carrying out their services using their reasonable professional judgement that complies with their legal, professional and ethical requirements.
- Defining ‘conversion practices’ as a form of ‘child abuse’, under clause 5, raises extremely serious consequences for those who are accused of the offence. It would lead to great personal, reputational, employment and financial cost.
- Defining ‘conversion practices’ as a form of ‘child abuse’ also exposes religious workers and parents to vexatious litigants. A recent example of this occurring in Tasmania was in relation to Julian Porteous, the Catholic Archbishop of Hobart.⁵ The complainant kept Porteous involved in litigation for nine months before withdrawing with no costs awarded and leaving no ruling so that other mere statements of doctrine like that of Porteous could face similar complaints in the future.
- Vexatious litigation would be made even easier through this legislation because the accuser does not even need to show that harm has occurred to the child. All that an accuser would need to show is that there was ‘conduct directed towards a person... for the purpose of changing... the person’s sexual orientation or gender identity’ (clause 5).
- In addition, under this legislation an act would be deemed a ‘conversion practice’ even if it was done with the consent of the adult person. This places a disproportionate amount of power in the hands of the Commissioner and the accuser, to argue and find that an act was for the purpose of changing a person’s sexual orientation or gender identity. It would depend solely on how that term is construed by the Commissioner. This legislation would stifle the

⁵ “Anti-Discrimination Proceedings Dropped but Archbishop Porteous Disappointed,” The Catholic Weekly, 7 May 2016, <https://catholicweekly.com.au/antidiscrimination-proceedings-dropped-butarchbishop-porteous-disappointed/>.

freedom of Tasmanians to practice their religion. It would also limit their ability to defend themselves before the Commissioner.

- Further examples of there being a lack of certainty in clause 5 is that there is no test or definition for important terms such as ‘practice or conduct’, ‘suppress’, ‘identity exploration’ or ‘a person’s needs’.
- There should be stand-alone protections for ordinary parenting, pastoral care, prayer and religious teaching so that it is clear how the legislation applies to these people and how these people can comply with the Act.
- Clause 3 (c) provides no protection for people expressing their beliefs or parents speaking to their children about these issues, because it says that ‘any action is only allowed if it is ‘not engaged in as part of a conversion practice’.’ This is circular. The Bill’s definition of what constitutes ‘conversion practices’ is sparse, leaving enormous discretion to the Commissioner and a chilling effect on religion, parents, educators and many other Tasmanians.
- **Clause 8 – Principles -**
 - Section 8(a) This principle lacks proportion and balance. It states that ‘conversion practices’ should be ‘denounced and eliminated as far as possible’ without acknowledging that there are different degrees of fault and certain freedoms in society that also need to be protected. The remaining principles of Section 8 reveal that the Bill is ideologically driven. It sets out an opinion in relation to sexual orientation and gender identity and openly provides no allowance for alternative views. It is an opinion that no Australian government is entitled to enforce upon its people. These Principles reveal that the purpose of the Bill is to combat and silence alternative views that exist in society in relation to sexual and gender ideology. This is undemocratic. It openly reveals an unwillingness to accommodate other beliefs or ideas. It not only demonstrates a lack of tolerance for alternative views but a lack of genuine commitment to addressing any other conversion practices that might exist.
- **Clause 9 - Offence of engaging in one or more conversion practices that cause injury;** A person can be found guilty of a criminal offence if they

intentionally or recklessly engage in a conversion practice. No fault needs to be found. This is in effect silencing ministry leaders by spreading fear rather than providing clear and balanced laws that can be understood and complied with.

- **Clause 10 - Conversion practices directed towards a child:** The Bill seeks to find a person guilty of conversion practices even when there is no identifiable harm to a child. This is an extraordinary overreach of governmental power.
- **Clauses 11 and 12 - Offences of taking a person and a child out of Tasmania for conversion practices;** This bill seeks to extend its reach to actions that take place beyond its jurisdiction. This extends ordinary territorial limits of the legislature's authority. It creates uncertainty about which jurisdiction's laws apply. This undermines legal certainty and fairness.
- **Clause 13 - Offence of advertising conversion practices** - This clause will prevent health practitioners advertising that they provide holistic care for sex confused people as they will not want to take a risk on being prosecuted. This may result in Tasmanian children being harmed by being unable to access proper health care.
- **Part 3 - Functions of the Anti-Discrimination Commissioner** - The Commissioner has broad powers to commence investigations on their own initiative and issue practice guidelines. In this way the Commissioner can be the rule maker, the accuser and the judge. This does not comply with the rule of law or provide appropriate checks and balances that are appropriate in a democratic society. The Commissioner will be able to set the professional standards and so override the protections given to health practitioners by clause 5.
- **Part 4 - Civil Response Scheme** - The Commissioner may on receiving a report from a person who **may or may not** be affected by a conversion practice (thus allowing busy bodies to make unsubstantiated complaints) is given wide investigatory powers including the compulsion of the production of documents, compelled examinations and the abrogation of the right not to self-incriminate. This is preserved in Victoria. So, Tasmania may become a Star Chamber jurisdiction.

- **Part 5 Remedies** - The Commissioner may obtain enforceable undertakings and issue compliance notices. This is another example of the Commissioner being given too much power.

The evidentiary foundation is manifestly inadequate

The creation of new criminal offences should be supported by clear, reliable and contemporary evidence demonstrating both the existence of a significant social problem and the inadequacy of existing legal protections. In this respect, the consultation draft is fundamentally flawed.

The Australian research cited in support of legislative reform often relies upon recruitment through advocacy organisations, social media and community networks. Participants volunteer to participate and their accounts are generally not independently verified. Consequently, the methodology does not permit reliable conclusions concerning how frequently particular practices occur within the Australian community.

Accordingly, the Government should approach claims about the prevalence of conversion practices with caution. It should distinguish between anonymous allegations and verified evidence. It should differentiate between individual experiences and evidence of a widespread social problem requiring legislative intervention.

The materials and public debate surrounding conversion practice legislation frequently refer to historical aversion therapies involving electric shock, induced nausea and other degrading techniques. There is no evidence they were ever practised by Tasmanian parents, health practitioners or faith leaders. Those practices (if they were practised) were wrong, unscientific and unChristian.

There is no evidence that such historical aversion techniques form part of contemporary mainstream Australian religious ministry. Existing criminal laws already prohibit assault, unlawful detention, intimidation, child abuse and related conduct. Consequently, historical examples of abusive psychiatric or institutional practices (if they exist in Tasmania) should not be treated as establishing the necessity for legislation extending into ordinary familial, therapeutic or pastoral interactions today.

Existing laws already protect against abuse

Tasmania already possesses a comprehensive body of criminal and civil law prohibiting assault, threats, coercion, stalking, child abuse, unlawful imprisonment, intimidation and professional misconduct. Where conduct involves violence or coercion, those laws are capable of responding.

The critical policy question is, therefore, not whether abusive conduct should be prohibited, but whether it is necessary to create additional offences extending into voluntary conversations, parental guidance, exploratory psychotherapy and religious ministry. ACL believes that most Tasmanians would not agree with extending offences.

Conclusion and recommendations

This Bill is a thinly disguised attack on Tasmanian parents, health practitioners and faith leaders, all in the pursuit of an ideological objective of coercive control of Tasmanian's rights to determine their future.

The Bill should be rejected. If necessary, the Liberal Government's 2024 draft bill, *Justice Miscellaneous (Conversion Practices) Bill 2024* (Tas), or the *Conversion Practices Prohibition Act 2024* (SA) are much better alternatives and more suited to the community of Tasmania.