

PROHIBITION OF CONVERSION PRACTICES

REPORT ON WHAT WE HEARD



AUGUST 2020

PROHIBITION OF CONVERSION PRACTICES

The ACT Government is introducing the *Sexuality and Gender Identity Conversion Practices Bill 2020* (the Bill) to ban conversion practices.

The Bill aims to prevent harm caused by sexuality and gender identity conversion practices.

The Bill proposes that it would be a criminal offence for conversion practices directed at minors or people who are otherwise unable to consent, and that affected people will be able to make a complaint to the Human Rights Commission.

The banning of conversion practices delivers on the commitment made under the ACT Government's [Capital of Equality First Action Plan 2019-2020](#).



THE CONVERSATION

During this round of engagement, we asked for information and advice from identified key stakeholders on details of the policy and feedback to ensure the legislation will work in practice.

The government first announced plans to legislate to prohibit conversion practices in May 2018. Since the announcement there has been multiple rounds of community engagement over more than two years.

This phase of engagement was a direct consultation with stakeholders working closely with those most likely to be affected by this change. The engagement was open from 4 to 29 June 2020.

WHO ENGAGED

We contacted 41 organisations across a range of sectors who may be affected by the legislation.

We sent direct emails and made follow up calls to peak bodies and organisations in the following sectors:

- education
- disability
- religious
- health
- LGBTIQ+
- legal

The feedback you gave helped to us to shape the Bill and understand how the legislation will impact on different organisations.

PROHIBITION OF CONVERSION PRACTICES

REPORT ON WHAT WE HEARD



AUGUST 2020

Key insights from stakeholders

Clarity is required about the definition of conversion practices and scope of prohibition

1. The proposed definition needs refinement to ensure the legislation doesn't inadvertently capture some legitimate support services and that the human rights framework is carefully considered.
2. Some stakeholders expressed a preference for the prohibition to cover all people and not be limited to health care providers and for the ban to include all adults.
3. Many stakeholders provided input about practices that should be excluded from the ban.

Generally, there is support for appropriate penalties for breaches under the ban

4. A number of stakeholders welcomed the jurisdiction of the ACT Human Rights Commission to handle complaints.
5. Supporters of the ban suggest a range of civil penalties for breaches under the ban.

Religious organisations are concerned about the ban impacting on their faith

6. Some organisations felt a ban was a discriminatory measure against parents who wanted a religious education for their children.
7. Some respondents argued that the prohibition took away the ability of individuals to make informed decision for themselves.
8. There was uncertainty about the scope of the prohibition and whether religious teachings would be allowed.

Stakeholders were encouraging of education to increase the understanding of, and impact of the ban

9. A need was identified for education and training materials relating to any new legislation.
10. Stakeholders expressed the requirement for a better understanding of what the prohibition included and excluded.

WHAT'S NEXT?

Your feedback has been used to shape the *Sexuality and Gender Identity Conversion Practices Bill 2020*.

Thank you for giving your feedback. Your experiences are an important contribution to preventing harm caused by sexuality and gender identity conversion practices.

The Bill is expected to be introduced in this term of government.

You can stay up to date at: <https://www.cmtedd.act.gov.au/policystrategic/the-office-for-lgbtqi-affairs>

NEED SUPPORT?

Conversations about conversion practices may bring up strong feelings and questions. Be assured you are not alone, and that there are many services and support groups available to assist. Some options for advice and support include Lifeline on 13 11 14 or Westlund Counselling on 02 6257 2855.

PROHIBITION OF CONVERSION PRACTICES

REPORT ON WHAT WE HEARD



AUGUST 2020

Key Timings

May 2018 – ACT Government announces intention to legislate to prohibit conversion practices.

February 2019 – Community consultation to inform the Capital of Equality Action Plan.

June 2019 – Capital of Equality First Action Plan 2019-2020 released which includes commitment to ban conversion practices.

June 2020 – Stakeholder engagement to shape the legislation.

August 2020 – Legislation expected to be introduced and debated in the Legislative Assembly.

THANK YOU FOR YOUR FEEDBACK

41

We sent emails to 41 organisations.

54

We received 54 written contributions.

23

23 organisations and directorates participated in the engagement.