

RESPONSE TO PETITION

Petition No. 20 of 2022

House of Assembly

SPONSOR: Kristie Johnston MP

ANSWERED BY: Hon Jeremy Rockliff MP and Hon Elise Archer MP

The petition of the undersigned residents of Tasmania draws to the attention of the House:

- (1) LGBTIQ+ people are a valued part of the Tasmanian community.
- (2) They are not “broken”, cannot be “healed” by conversion practices, and suffer great pain and trauma when conversion practices are inflicted on them.
- (3) Research surveys from the University of Tasmania and from La Trobe University show that 1 in 20 LGBTIQ+ Tasmanians are survivors of conversion practices and that these survivors are three to four times more likely to have PTSD and attempt suicide than other LGBTIQ+ Tasmanians.
- (4) There is ample evidence that conversion practices continue to be inflicted on LGBTIQ+ Tasmanians.
- (5) Major health bodies including the Australian Medical Association and the Australian Psychological Society have condemned conversion practices because they are based on false and misleading claims about sexual orientation and gender identity, involve discredited pseudo-science, do not work and inflict great harm.
- (6) After an inquiry in which it heard from all sides, the Tasmanian Law Reform Institute (TLRI) recommend a prohibition on conversion practices.
- (7) In particular, it recommended amendments to the Mental Health Act, the Health Complaints Act, the Anti-Discrimination Act, the Civil Liability Act and the Criminal Code.
- (8) Survivors of conversion practices have welcomed and endorsed the recommendations of the TLRI report following years of courageous advocacy to ban these harmful practices.
- (9) Legislation prohibiting conversion practices will neither impinge religious freedom, nor strain health professionals if they work within existing professional guidelines.
- (10) But it will ensure LGBTIQ+ Tasmanians are treated as full, equal and valuable members of the Tasmanian community.

Your petitioners, therefore, ask the House to support legislation that will prohibit conversion practices.

GOVERNMENT POSITION:

Our Government wants Tasmania to be a place where everyone feels valued, included, encouraged and supported to be the best they can be.

The Attorney-General and I have each considered the Tasmania Law Reform Institute's Report and have met personally with people who have been subjected to conversion practices in the past. We have always acknowledged the harm and distress that these practices have caused.

We are aware that other jurisdictions have introduced various laws in relation to this matter. The Tasmanian Law Reform Institute has looked into this matter to consider options and areas that might need review in terms of our laws.

It is a complex matter, and it is important we get this right.

The Departments of Health and Justice have been undertaking policy analysis to properly evaluate the TLRI's recommendations and provide further advice to the Government around reform.

Our Government will always make decisions on the basis of expert advice and best practice.

While I have indicated we will be legislating to ban conversion practices, it is important the Tasmanian community have adequate opportunity to participate in consultation.



Hon Jeremy Rockliff MP
Premier
Minister for Health



Hon Elise Archer MP
Attorney-General
Minister for Justice

Date: 23/7/23

Date: 25/7/23