PARLIAMENT OF TASMANIA

DEBATES OF THE HOUSE OF ASSEMBLY

DAILY HANSARD

DRAFT

Wednesday 28 October 2026

Preliminary Transcript

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Wednesday 28 October 2026

The Speaker, **Mrs Petrusma**, took the Chair at 10 a.m., acknowledged the Traditional People, and read Prayers.

QUESTIONS

Government Business Enterprises - Performance and Financial Concerns

Mr WILLIE question to PREMIER, Mr ROCKLIFF

Tasmanians already knew TT-Line was on taxpayer life support. Now, the Auditor-General has revealed that you've almost sent Homes Tasmania and Metro broke too. Homes Tasmania hasn't delivered the homes Tasmanians need and more people than ever are waiting for one. Metro still can't give Tasmanians a bus service they can rely on. After 13 years of Liberal waste, these businesses are failing Tasmanians, going broke, and Tasmanians are paying the price through cuts to hospitals, schools and TAFE. Premier, how did you let it get this bad?

ANSWER

I thank the honourable member for his question, and I thank the Auditor-General for the work and will be diligently working through the report and thank him for the work. What is important when it comes to our government businesses is that they are enablers for our economy. When you speak of TT-Line, that is an enabler for our visitor economy.

Members interjecting.

The SPEAKER - Order.

Mr ROCKLIFF - We have brand new ships, brand new wharves- albeit Geelong is three or four years old now and significant new infrastructure to carry us through the many decades and intergenerational infrastructure that will bring people to Tasmania and provide greater capacity for export for our hard-working producers - they're enablers.

TasPorts: an enabler. Upgrading the Burnie port, for example, is a great example of why you would invest in making our economy more efficient and enable to expand when it comes to freight.

No one can deny that our government business enterprise, that being Tasmanian Irrigation, has not delivered for Tasmania. When you consider -

Mr Mitchell - It's a Labor program.

Mr ROCKLIFF - the many hundreds of millions of dollars that have been invested by governments of all colours - thank you, Brian - state and federal, but importantly, farmers as well, which has created opportunity in agriculture, created opportunity in rural and regional Tasmania, generated jobs in those areas, but also generated innovation as well. That driving of

innovation through the opportunity of government and private investment in water has transformed Tasmanian agriculture and our landscapes.

You mentioned Metro. That is also an enabler to boost social capital in our community and right now we have free bus travel. Free bus travel, -

Members interjecting.

The SPEAKER - Order.

Mr Abetz - You're against it, are you?

The SPEAKER - Order.

Mr ROCKLIFF - which has increased the -

Members interjecting.

The SPEAKER - Sorry, Premier, I ask all honourable members to settle. A question has been asked and the Premier is responding. I'll ask the Premier to be heard because the opposition still have a lot more questions to go.

Mr ROCKLIFF - Which has created that modal shift from cars to buses and ferries, which has been very positive.

The SPEAKER - The honourable Premier's time has expired.

Supplementary Question

Mr WILLIE - Premier, the question was about TT-Line, Homes Tasmania and Metro. Can you guarantee that no other businesses will need a bailout? The Auditor-General's report is serious.

Mr ROCKLIFF - I thank the honourable member for the supplementary. For the very reasons that I've expressed, and when it comes to the social capital enhancement of free bus travel, but also Metro as well, can I say, it is very important.

Members interjecting.

The SPEAKER - Order, honourable members to my left you still have more questions to go.

Mr ROCKLIFF - TasRail is also an enabler, but the significant reforms that we are undertaking - and thank you, Treasurer, for those reforms, but also minister Barnett as well - stronger or more consistent reporting obligations, enhanced continuous disclosure requirements, power for shareholding ministers to require independent assurance reviews, more power for shareholding ministers to request independent board performance reviews, enhanced oversight of subsidiaries and joint ventures, stronger governance arrangements to improve accountability and transparency, and additional mechanisms to address poor performance where they are required.

Government Business Enterprises - Cuts

Mr WILLIE question to PREMIER, Mr ROCKLIFF

[10.06 a.m.]

Government businesses were meant to make money for Tasmanians to help fund schools, hospitals and buses. Now, you've mismanaged them so badly you have to cut services to prop them up. At least three are going broke. They cost Tasmanian taxpayers $585 million last year, and that bill is set to rise. That's money that should be going into schools, hospitals and TAFE. Premier, why should Tasmanians have the services that they rely on cut to repay your mess?

ANSWER

I take issue with the first part of your question because our government business enterprises are social and economic enablers. They're not licences to print money. They are social and economic enablers.

Mr Willie - They're being run into the ground.

Members interjecting.

The SPEAKER - Honourable Leader of the Opposition and honourable member for Lyons, this is your first warning.

Mr ROCKLIFF - That is why we have government businesses. I'm not sure whether you're advocating selling government businesses?

Members interjecting.

Mr ROCKLIFF - You appear to be.

Members interjecting.

Mr ROCKLIFF - We've seen a lot of backflips from the Labor Party from time to time, and I'm just sensing another one now. We will continue to back our businesses. Of course, some are monopoly providers -

Ms Haddad - You run them into the ground. They're going broke.

The SPEAKER - Order, honourable member for Clark.

Mr ROCKLIFF - but I'll say that they are social and economic enablers. I have spoken about that in the previous answer to my question across a range of areas. There are significant reforms that we are undertaking to improve the performance of our government businesses.

Hydro is an enabler as well, and they are upgrading their capital as well, which is important. They are an enabler, as we well know, in terms of attracting major industrials to Tasmania and when the opportunity arises, the renewable energy dividend, which is what we set up in government.

Ms Finlay - Which year will Tasmanians expect the renewable energy dividend, Premier?

The SPEAKER - Honourable Deputy Leader of the Opposition.

Mr ROCKLIFF - Thank you. I know it took a while for you to get on board for Marinus, shadow minister for Energy.

Mr Mitchell - Oh, what?

Ms Finlay - We're talking about the renewable energy dividend, Premier. Don't distract.

Mr ROCKLIFF - Before your time, Brian. I'm not blaming you.

Members interjecting.

The SPEAKER - Order. Premier, it's the honourable member for Lyons, Mr Mitchell; no first names. Honourable Deputy Leader of the Opposition, I ask you to stop your interjections because I remind the House that 'hear, hear' and 'shame' are the two acceptable forms of interjections, and Premier, I ask you to not incite interjections.

Mr ROCKLIFF - The business case has been well-canvassed, Deputy Leader of the Opposition. When it comes to Marinus, for example, the $470 million on average return to Tasmanians, enhancing our bottom line to enable us to invest in the essential services that I know that we all care about. That is the answer to that question.

Supplementary Question

Mr WILLIE - Premier, do you think it's fair that Tasmanians lose their jobs and services because you've run government businesses into the ground? You're cutting jobs and services to pay for bailouts like TT-Line? Do you think it's fair that Tasmanians lose their jobs and services to pay for your mess?

Members interjecting.

Mr ROCKLIFF - Thank you, Leader of the Opposition. No, we're not doing that.

Mr Willie - You are.

Mr ROCKLIFF - I disagree with you.

Mr Willie - You're cutting jobs and services; you've bailed out TT line -

The SPEAKER - Leader of the Opposition, this is your second warning. You still have five more questions to ask.

Mr ROCKLIFF - Thank you. We're not doing that at all, so I reject the assertion in your question. We are reforming our government business enterprises and there have been some good examples of why we need to do that, which have been well canvassed in this place and elsewhere, of course. We will continue to work alongside our GBEs implementing our reforms

to ensure that they are as efficient as possible, delivering for Tasmanian taxpayers - just like the charter that we introduced for Hydro Tasmania as well - and to ensure that their true purpose -

The SPEAKER - The honourable Premier's time has expired.

Macquarie Point Stadium - Legislative Council Costs Motion

Mr BAYLEY question to MINISTER for MACQUARIE POINT URBAN RENEWAL, Mr ABETZ

[10.12 a.m.]

You recently said that you see it as your duty to be transparent about the stadium. Yesterday the other place made its expectations on transparency clear. A motion was put that requested the government to provide that place with the final cost details of the stadium so it can be subject to parliamentary scrutiny before the contract is signed. It passed with resounding success, and this wasn't just by those opposed to the stadium. Two independent MPs who voted for the stadium supported the motion. Tasmanian Labor, who obviously voted for the stadium, supported the motion. Minister, will you honour this request? Will you make sure parliament is provided with the final cost details of the stadium so they can be scrutinised before the contract is signed?

ANSWER

Thank you, Speaker, and I thank the Deputy Leader of the Greens for the question. As I stated yesterday - and yes, he is correct - we have a duty as a government to be transparent and we have been and will continue to be so. In relation to the actual cost for the stadium, I have been, I think, as clear as I possibly can that I cannot and should not disclose that figure until such time as I am able to, and that will be on the basis of advice from the Macquarie Point Development Corporation and the probity adviser. Should you wish me to go against the probity adviser, good luck to you, but I'm not going to do that. I'm not going to go against the advice of the MPDC if they tell me - and as a result, the government - that it could prejudice ongoing commercial negotiations.

My duty, first and foremost, is to be very careful in relation to the advice I might be proffered by the probity adviser and the MPDC and then, ultimately, ensure that we get the best possible deal for our fellow Tasmanians and get this iconic gateway to our city, something that you've always opposed other than some 'Eden Project' that arose and then disappeared into thin air. Ten years that industrial wasteland has been lying vacant. We have a plan, something that 70 per cent of this parliament supported, and we are now delivering on that.

I can understand there are members of parliament who would love to know all the internal workings of how we are getting to inking a contract towards the end of the year. The order of the parliament has been pretty clear. I'm not involved in that process. We have probity advisers, we have other people who are doing that work, keeping it, to a certain extent, at arm's length from myself and the government. Given that is what the parliament wanted and voted for, it is quite disingenuous now to seek to claim that I should be clothed with all this information and divulging it when I don't have it. When I am told by the probity adviser and the MPDC that now is an appropriate time to release, that is what I'll do. That is exactly what I did when we

had the cost upgrade to $1.13 billion. I was told on a Monday and released the new figure the very next day. We will be transparent. We are a transparent government, but I just encourage certain people to restrict their urges.

The SPEAKER - The honourable Treasurer's time has expired.

Supplementary Question

Mr BAYLEY - The Treasurer talked about 70 per cent of parliament supporting the stadium order. That's a matter of fact and record, but it was based on a written cost cap offered up by the Premier, and that got a number of votes over the line. You mentioned commercial negotiations. We're not asking you to release this ahead of commercial negotiations concluding; we're asking you to release this when they are concluded but before you sign the contract. Will you do that? Will you conclude the negotiations and then release the final cost before the MPDC signs the contract?

Mr ABETZ - I thought I made it exceptionally clear that I will release the figure once I am at liberty to do so, courtesy of clear advice from the probity adviser and the MPDC. Once I've got clearance from those two that there is nothing holding us back, we will be in a position to release the figure. That is what my duty is, that is what I will do -

Dr Woodruff - Will it be to parliament, which is what the motion last night was about?

The SPEAKER - Order, honourable Dr Woodruff.

Mr ABETZ - It all depends when I'm given that advice. I don't know when I'm going to be given that advice. Once it is received it will be made public, either from this lectern or at a press conference. Whenever I am at liberty to make that figure available of course I will make it available, but I won't be going against probity advice.

Food Security - Consumption of Donated Wallaby and Venison

Mr Di FALCO question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr PEARCE

[10.17 a.m.]

The latest Foodbank Hunger Report has highlighted the serious issue of food insecurity facing Tasmanian families. There are more than 200,000 Tasmanians estimated to be living in households experiencing food insecurity. We heard you say yesterday that we have an excess of deer - and, as I added, wallaby. I've spoken at length on the importance of finding a pathway for donated wallaby and venison to food charities. I credit your staff and department for working on this with me. However, we are at a crisis point. If we can do this while maintaining safe food practices, will you and your department prioritise this? If our priority isn't ensuring our communities have access to food, then I don't know why we're here.

ANSWER

I thank the member for his question and his genuine concern. As I've said previously in this place, this is something that the member for Lyons cares deeply about, and rightly so. In

my response to his question in question time yesterday, I talked about the numbers around wild fallow deer in Tasmania. As the member rightly points out, not only is it a hunting resource but also a food source, and I don't want that wasted. I don't think any Tasmanian would like to see good meat, good sources of food and protein, wasted.

To that end, we have worked with your office and the people you represent in maximising the effectiveness and the return back to that circular economy in relation to wild fallow deer for human consumption. In fact, we commenced a trial in 2023 to assess the feasibility of harvesting wild fallow deer for human consumption through our commercial and retail avenues. The commercialisation provides additional pathways for utilising deer as a resource, and that in turn not only supports the hunting fraternity, but also the agricultural fraternity. The latest results from that, and I've visited many times and - I believe the member for Lyons has also visited Lenah Game Meats in Launceston. They run a great operation there, and they've opened markets up the eastern seaboard into high-end restaurants; so that they've established a market with a vertically integrated business, where they produce and they process that wild fallow deer meat into a product that is very sought after in these restaurants. Allowing for the consistency of supply is one issue, and Lenah Game Meats have certainly done that. The other thing it does is it allows John at Lenah Game Meats the ability to pay a reasonable dollar for the carcasses from hunters just like the ones that you represent.

It incentivises getting that 71,000 number of wild fellow deer down. We do this commercially, and that's a good thing. It's a win-win thing; it's a circular economy thing. We need to keep that pressure on. We need to keep that impetus up, and I can't stress enough just how important it is, not just for wild fallow deer, but wallaby as well. These things shouldn't be wasted and I commend the member for his support in this area.

Recognition of Visitors

The SPEAKER - I'd like us all, please, to welcome in the Gallery the year 9 students from The Hutchins School. Welcome to parliament.

Members - Hear, hear.

Homes Tasmania - Operation Concerns

Ms BROWN question to MINISTER for HOUSING and PLANNING, Mr VINCENT

[10.21 a.m.]

The Auditor-General has issued Homes Tasmania a going concern warning. It has racked up $142 million in losses, maxed out its credit card, and can only keep operating if taxpayers keep propping it up. Despite all that money, it has failed to deliver the homes Tasmanians need and the housing waitlist is at a record high. Minister, when were you first told Homes Tasmania's ability to continue as a going concern was in doubt? Why didn't you or Homes Tasmania inform the parliament or the public before yesterday?

ANSWER

Thank you, Speaker, and thank you for the question. It’s obviously a very keen topic at the moment. I had not been informed of any of the Auditor-General's report until approximately

a week ago when I received a draft of the Auditor-General's report, which I have read through. It's quite interesting; the numbers are pretty simple if you look at it. We want to build houses or we don't want to build houses. Last fortnight ago, I was in Canberra with all the Housing ministers and was staggered by the level of debt being incurred by all governments around Australia to try and address some of these situations, and that is the situation we're in.

Homes Tasmania doesn't so much have an income source except for the rental that it works through, which is balanced out by the maintenance and the -

Ms Haddad - Why didn't the board tell the minister?

Mr VINCENT - The contracts that they have with CHPs are a long-term basis between what we supply as in the capital to build the houses in Tasmania, along with the maintenance money that comes federally which is over the next 25 years. It's a slow drip situation. We have accelerated our program enormously to build more houses to address some of those situations, and when you look at it, there are 284 homes under construction at the moment under Homes Tasmania or units - dwellings- and 130 of those would be out before Christmas at this stage, or very close to it.

We are leading the country in picking up an 11.2 per cent increase in social housing against most of the others, and we've got 965 new dwellings in the approvals and pre-construction stage and a further 754 in the feasibility stage. We've also been buying a lot of parcels of land so that we keep that supply coming through continually on social and affordable homes, and that does come with expense.

When you read into Homes Tasmania, you see that the payment on the debt is a long-term situation, but there is no other way of doing it. We're seeing - because of federal policy - a 40 per cent drop in the amount of approvals of homes. We're not seeing the rentals from the potential rentals and the potential in other parts of the housing industry being formed up.

It's coming back to governments right around Australia to fill that gap and that does come with debt. It's not a [inaudible 10.25.21] thing, there is a controlled amount - and so there should be - of lease and rent that you pay for a home through Homes Tasmania or a CHP, which is capped at 25 per cent of your income, which limits the return. Once again, it's a slow drip that we have to feed with debt and that will continue to happen. That's our responsibility.

If you look at the growing -

The SPEAKER - The minister's time has expired.

Supplementary Question

Ms BROWN - Minister, how many formal briefings have you had on Homes Tasmania's financial position since you have become minister?

Mr Abetz - Ugh.

Ms BROWN - That's a serious question, Treasurer.

The SPEAKER - Order.

Members interjecting.

The SPEAKER - Order. I thank all honourable members, and I ask the House to settle. The honourable Minister for Housing and Planning has the call, please.

Mr VINCENT - We have fortnightly and monthly catch ups on various subjects of all matters and -

Members interjecting.

The SPEAKER - Order.

Mr Willie - You just don't tell anyone else about it.

The SPEAKER - Order. Honourable members to my left can ask further questions. I ask that the minister be heard, please.

Mr VINCENT - There have been no formal briefings from the Auditor-General or anybody else about the situation other than wanting us to build more homes. Thank you.

Macquarie Point Stadium - EOI Reimbursement to Webuild

Ms JOHNSTON question to MINISTER for MACQUARIE POINT URBAN RENEWAL, Mr ABETZ

[10.26 a.m.]

BESIX Watpac and Webuild entered the AFL stadium EOI process accepting the tender compensation offer was $250,000. After the EOI process, BESIX Watpac was the only conforming bidder, the only genuine contender. The price, then, of keeping Webuild in the game, became $2 million so the project could provide the charade of competitive tension. Your government had once again successfully managed to negotiate for Tasmanians to pay more for something. Treasurer, how was the $2 million figure determined - eight times the initial amount? What was the formula used? or did Webuild just name their price, with the option of walking away and leaving you exposed for only having one bidder? What probity advice did you receive about changing key procurement terms after the EOI had closed?

ANSWER

Dear oh dear, the very foundation of the question is faulty. There were two confirming bids at all times. To falsely assert that there was only one bid that was conforming is something you have repeated in this place time and time again, knowing it to be false. I don't know why you do it, but you continue to do it, and I'm going to be calling it out each and every time you do it. There were two conforming bids, and the probity advisers have confirmed that to the Macquarie Point Development Corporation.

You then ask at the very end of your question as to the probity advice I received in relation to the conforming bids and the $2 million amount. I'm not involved in that process, as you know, so why do you assert so falsely, yet again, putting out misinformation to the public,

asserting that, somehow, I am the recipient of probity advice. The probity advice is received by the Macquarie Point Development Corporation, and they then made the determination.

In relation to the enhanced offer for the unsuccessful bidder, that was part and parcel of - as I understand it and advised to me - part of the commercial negotiations, because to put a bid together for a $1.13 billion project takes some six months. They have about 50-60 staff working on this. It is a huge cost to the bidder.

Now, wind back to the Bridgewater Bridge. Guess what? There were two tenderers. Guess what? They were each given $2.8 million to put their bids together. Where were your allegations then, Ms Johnston, member for Clark? She was in support of the bridge, so there was no problem. She's against the stadium, now all of a sudden for a project that costs $1.13 billion, only paying out $2 million subject to being able to claim the appropriate amount. You're complaining about $2 million for a $1.13 billion project where - and somebody might remind me Bridgewater Bridge was about 700, $2.8 million for that, but for both of them? Where was your complaint then? The hollowness of your questions is exposed. We know you are against the stadium and that's a fairly reasonable proposition for you to continue to peddle but what is not reasonable, what is not provided is to pedal false information.

The SPEAKER - The honourable Treasurer's time has expired.

Supplementary Question

Ms JOHNSTON - Treasurer, the buck stops with you and you're accountable to this parliament. Quite clearly BESIX Watpac and Webuild entered the AFL stadium EOI process accepting the tender compensation offer was $250,000. That's what the market considered and accepted. However, the MPDC have changed it to $2 million. How was that figure arrived at? Was that Webuild's request that they increase it to $2 million to stay in the process?

Mr ABETZ - Speaker, I will get the details in relation to that if it is available, but I would suspect that that figure was arrived at after market testing, and of course it was a figure that potentially was going to benefit either one of the two conforming bids as they moved forward. When we went to the expressions of interest with $250,000 it was pretty clear that more would be required because, as I said, to put together a bid of this nature, 50-60 people are involved over a period of six months. It is hugely expensive. Then when you do the compare and contrast to the Bridgewater Bridge where both tenderers got $2.8 million for a project substantially less - no complaint from yourself. That is what exposes the double standard here, member for Clark and I know you'll never get behind the project that we support.

The SPEAKER - The honourable Treasurer's time has expired.

Family Violence Act 2004 Reform Road Map

Ms BURNET question to ATTORNEY-GENERAL, Mr BARNETT

[10.32 a.m.]

Having invited stakeholders to identify reforms to the *Family Violence Act 2004*, the response to your draft bill has been one of disappointment and frustration that you've failed to address the issues identified as being most urgently in need of reform. The Tasmanian Family

and Sexual Violence Alliance have asked for a clear road map setting out how the proposed reforms relate to one another, the rationale for their sequencing and how they connect to the priorities identified by the sector. Minister, will you commit to delivering this road map so the sector knows what you will and won't be delivering through this reform process and what funding they will need to deliver those services?

ANSWER

I thank the honourable member for her question on a very important topic, something that we've put a lot of time and effort into in terms of addressing, in fact, released the family violence discussion paper earlier this year, which you would be aware of, been on the public record. I thank the many stakeholders who have made submissions and responded to that: more than 70, in fact.

You've made reference to one of the reform measures. We have three tranches of reforms in terms of family violence. I made reference yesterday to one of those, in terms of online abuse and responding to that in a legislative way. Yes, we need to have cultural change, but there's a legislative option there as well. I've made reference to the two other reforms, which are in fact nation-leading. I appreciate you've made reference to one of the stakeholders and their interest in knowing next steps going forward through to 2027. I'm aware of those concerns and I want to make it clear here and now, as I have done with others, that I'll be providing an update before Christmas this year, before the end of this parliamentary session, with respect to the process going forward. We have three tranches. We have bills out for consultation. We'll have another bill out in terms of consultation in December and then that'll go through to next year. There will be plenty of time. We'll make sure there's time and adequate opportunity for stakeholders to give feedback. Then I will be making a statement before the end of this parliamentary session in terms of the process going forward.

I appreciate your comments. I appreciate the interest of stakeholders. It's absolutely clear to me there's a lot of work being done in this space and there's more work to do. This is a top priority for our government and I go back to 2015, I go back to the Family Violence Action Plan, the first one under our government, under Will Hodgman - I compliment the premier, Will Hodgman, at the time. Rosie Batty came down and launched that - she was the Australian of the Year - she came down to Tasmania for that very important announcement and backed in our government's Family Violence Action Plan. I want to say thank you to Jo Palmer, the Minister for the Prevention of Family Violence, working together. I want to say thank you to the federal Attorney-General. I joined her in a round table just last week in Hobart to hear feedback from the relevant family violence stakeholders in Tasmania, in Hobart. We've gleaned a great deal of important information. This is right at the forefront of my mind as an Attorney-General and minister responsible for the legislation and the reforms that are taking place. I will have more to say in the not-too-distant future.

Supplementary Question

Ms BURNET - Minister, you've talked about all of those reforms and I appreciate that. It has been a long, long time that the sector has been waiting, and they've expressed their frustration. Your piecemeal announcements on family violence seem more about the media cycle than actually listening and acting on concerns from those who are dealing with the scourge. Will you commit to preparing this road map for these reforms or not?

Mr BARNETT - Firstly, I reject the accusation in your supplementary question. I reject it; 100 per cent reject it. I have made it very clear that I'll be providing an update to this parliament before the end of the parliamentary session this year. I've made it very clear, and I'll make it clear again now: I will provide that road map at that time. There's more work to do. We have three tranches. They're very important reforms coming out of that discussion paper based on stakeholder feedback, based on the priority of prevention of family violence, which is a scourge on our community. It's wrong, it's awful and, of course, a big impact on our prison population as well. It's not lost on me. Let's be very clear, that road map will be made available, it will be released and I look forward to doing so.

Homes Tasmania - Finances

Ms BROWN question to MINISTER for HOUSING and PLANNING, Mr VINCENT

[10.38 a.m.]

Does it concern the minister that the Homes Tasmania board either didn't know there was uncertainty about whether it was a going concern, or it didn't think they needed to tell him?

ANSWER

Thank you, honourable Speaker, and thank you for the question. Homes Tasmania's model is building homes and it's based on debt; it's not based on an immediate income. The board, Treasury, the Treasurer and all of us in Cabinet are well aware of those pressures on borrowings and debt. Nobody's come up with a better way of doing it to make up for the awkwardness of the housing market at the moment -

Members interjecting.

The SPEAKER - Order. Honourable members, to my left, you've asked a question. The minister hasn't even been answering the question for 30 seconds. I ask that you'd please allow the minister to respond, because none of us here knows what the minister is about to say. Thank you, minister.

Mr VINCENT - Thank you. We are working closely, the board and us as a government with your federal government counterparts, who are very sensible in the housing market and sharing the cost and working through a lot of different programs - too many programs to remember and work through. There are a lot of futures there with infrastructure, with various homes for different parts of the needs -

Ms HADDAD - Point of order, Standing Order 45, relevance. The question was why the board didn't keep the minister informed, and is he worried about the board not keeping him informed of the financial circumstances of Homes Tasmania?

Mr VINCENT - Thank you. We work through the debt situation as a government and there is a budget in place. We talk to the board and the CEO on a regular basis all through the chair -

Members interjecting.

The SPEAKER - Order. Members to my left, you still have more questions. I remind you all that I can issue warnings very thick and fast. The minister is being relevant to the policy area and Homes Tasmania. I do ask the minister to focus on the points that were raised in the question, please.

Mr VINCENT - We will continue to work with Treasury, the Treasurer and the budget process to make sure that Homes Tasmania will continue to deliver homes for Tasmanians.

Mr Mitchell - That's not the question - evasive.

The SPEAKER - Order. Member for Lyons, Mr Mitchell, this is your second warning.

Supplementary Question

Ms BROWN - Minister, it's very simple. Either you knew and you didn't call anybody or the board didn't call you. Which is it?

Mr VINCENT - Thank you, Speaker, and thanks for the supplementary. As I have said, I was informed of the Auditor-General's report when he sent me a draft report, which I have been working my way through. The board is obviously always aware of their financial situation and we, like all other things with -

Members interjecting.

The SPEAKER - Order.

Mr VINCENT - GBEs and SOCs that the government will continue to work through.

Salmon Industry - Florfenicol Permit Applications this Summer

Ms BADGER question to MINISTER for PRIMARY INDUSTRIES and WATER, Mr PEARCE

[10.41 a.m.]

Tasmania's east coast community is bracing for the extreme marine heatwave conditions forecast this summer. Native species may be pushed to their tolerable limit and introduced farmed Atlantic salmon will be pushed beyond the temperatures that they're bred to withstand. Last year, hundreds of tonnes of florfenicol was dumped in south-eastern waterways, and Salmon Tasmania's CEO has stated that the permit application with the federal regulator would expand florfenicol use to Okehampton and Storm Bay. In Estimates, the Department of Natural Resources and Environment Tasmania (NRE) secretary said the department would provide the industry with anything they needed for the permit. Tasmanians are deeply concerned about the proposed expanded use of florfenicol in east coast waterways this summer. Minister, exactly what support has the government given the industry to back in their application for the full use of florfenicol?

ANSWER

I thank the member for her question. It's an important issue for all Tasmanians, as it is for me. You mentioned the Australian Pesticides and Veterinary Medicines Authority, or APVMA, which is the approving authority for florfenicol, the therapeutant that you mentioned. The application to that federal independent arbitrary body is made by Abbey Farms, the proponent of the application, and it is a clear and segregated process that we should not and must not interfere with.

Our government respects the APVMA's role as Australia's independent regulator and we support its robust, scientifically based assessment process to safeguard environmental standards and to maintain confidence in Australia's seafood industries. We've always said that we must trust the science. We must continue to do just that. Any decision on a permit application is ultimately a matter, as I said, for the Australian Pesticides and Veterinary Medicines Authority, and it would be inappropriate for me or the government to seek or to pre-empt its decision.

I understand a minor use permit application has been lodged and that the salmon industry is working collaboratively with other seafood sectors on arrangements aimed at protecting market access. Our government welcomes the collaborative approach and expects all sectors to work together. Protecting our animal welfare, our environment and its values and managing trade risk across Tasmania's seafood sector remain our top priorities.

The APVMA exists to undertake exactly this type of assessment; that's what they're for. They have scientific experts and will ask of our government certain questions to which we will respond. We will not steer, coerce or try to manipulate in any way their decision. We will simply answer scientific questions as a result or a request for information by that independent federal arbitrary body.

Our position is that future use of florfenicol must be supported by strong science, appropriate safeguards and effective measures in terms of managing trade and market access. In regard to the managing of trade access and trade risk, those measures are clearly outlined in our government's Aquaculture Therapeutant - Wild Fisheries Market Access Management Plan.

Supplementary Question

Ms BADGER - You've said that you won't interfere with the process or get involved in any way, but we're asking about any kind of other support that you might have given. Are you then confirming that no letter of support has been sent to the body on behalf of the industry or any other assistance at all outside of the requested information that's coming for NRE?

Mr PEARCE - In relation to clarifying exactly what I said in my previous answer, I said we will not coerce or try to manipulate, we'll simply answer questions asked of us from a request for information by the independent federal body, the Australian Pesticides and Veterinary Medicines Authority.

Tamar Estuary River Health Action Plan

Prof RAZAY question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

[10.46 a.m.]

We recently celebrated the completion of the $129.2 million Tamar Estuary River Health Action Plan infrastructure works. It represents a significant investment in improving the health of the Kanamaluka/Tamar Estuary. As a medical practitioner, I understand that successful treatment is only part of the process. Ongoing monitoring, prevention and follow-up are essential to achieving lasting health outcomes. With these major works now completed, can the minister advise what commitment the government has made to continue its funding for water quality monitoring, catchment management and further environmental improvement to ensure this substantial investment delivers lasting benefit for the Tamar and its surrounding waterways?

ANSWER

Thank you for the question. It was really good to be at TasWater's new Ti Tree Bend plant and I can assure everybody that Tony Wilmot, when he got up to make his address, stated there will be ongoing monitoring to measure all parts of what is going in and the health of the river. The various other bodies that are all part of the Tamar Estuary management team are working at the moment on other projects which will help return the river to the people of Launceston in northern Tasmania. Some are old enough to remember when the settling areas were done on both sides of the river. That's one thing with wetlands there that are helping to improve and take impurities out of the water. They're also looking at the various plants on the south Esk that will also take a lot of the heavy metals or different metals that are in the water. Different plants absorb different things at different rates, so they're working on that as well and seeing what else they need to do in the basin to keep that going.

With TasWater, the TCCI (Tasmanian Chamber of Commerce and Industry) supported an application or an approach to the federal government for an extra $700 million, so Prospect and Legana will be the next two areas of Launceston that can come in to the extra ports that have been put on Ti Tree, which will then eliminate more solids and nutrients going into the river as well, so there is an ongoing program there. The EPA, I'm sure, through the appropriate minister's department, would be more than involved in that, but TasWater at this stage has committed for the next two years at least, to making sure that that is monitored, and they are part of the Tamar Estuary Committee that will keep making sure the improvements happen.

Tasmania Prison Service - Employee Standdowns

Mr O'BYRNE question to MINISTER for JUSTICE, CORRECTIONS and REHABILITATION, Mr BARNETT

[10.50 a.m.]

Information I recently obtained through RTI has laid bare the cost of extended employee standdowns in the Tasmania Prison Service. Over the last two years, 10 correctional officers were subjected to ED5 investigations. Each standdown costs the government around $300,000 per year per officer in wages and overtime to cover their shifts. The average time to

investigate the ED5 complaints in the prison is between 18 months and two years. External investigators are being highly paid to conduct these investigations. Minister, none of the workers involved have been dismissed, with most receiving minor sanctions. In some instances, investigations found no evidence of wrongdoing; however, prison management have sanctioned the officer anyway. Feedback from the United Workers Union is at ED5s are being used in minor infractions when an internal process would have been more appropriate. Minister, whilst all accusations need to be taken seriously, how do you justify the millions of dollars wasted on these wasteful investigations at a time of budget crisis?

ANSWER

I thank the honourable member for his question. He's making reference to Employment Directions No. 5. You would understand the importance of that in terms of that investigation being conducted in accordance with the law with respect to alleged breaches of the Code of Conduct in accordance with the Employment Direction No. 5, so procedures for the investigation and determination of whether an employee has breached the Code of Conduct.

All ED5 investigations within the Department of Justice - you've made reference to the Corrections Department - so within the Department of Justice are conducted with procedural fairness and as a key consideration, and I know you would support the importance of that. In my capacity as Attorney-General, Minister for Justice, Corrections and Rehabilitation, it would be inappropriate for me to provide any details on any specific investigations.

With respect to the TPS and the procedures of the Tasmania Prison Service, to which you refer in your question: again, I can't comment on any specific cases. I will say that I expect my department to comply with all relevant requirements and ensure that employees are treated fairly and reasonably in accordance with proper protocol. If there are specific concerns that members need to bring to my attention, or indeed other ministers' attention, I'm happy to have those discussions and follow up to the extent that I can while respecting the protocol.

The government has taken practical steps to improve the timeliness and the consistency of those investigations. You've made reference to the timeframes with respect to one of your allegations, and since November 2023 a whole-of-service panel of externally procured investigators has been in place, I am advised, supported by specialised trauma-informed training and ongoing professional development. Clear expectations have been established for investigations to be completed within, I am advised, a 12-week period wherever practicable, while recognising that more complex matters may require additional time. The investigator panel, I understand, continues to work collaboratively to strengthen consistency and drive continuous improvement across the system.

Having said that, I do appreciate your question. I do appreciate your special interest in this matter. As I've indicated, I'm more than happy to have a private conversation with you and to make further enquiries, noting that of course, these matters are incredibly confidential and sensitive, and I can draw these matters to my department's attention.

Supplementary Question

Mr O'BYRNE - Minister, in relation to my RTI, I submitted it on 28 July. It was not acknowledged until 19 August and then a 20-day extension was then requested. On 21 September, they said they needed another 10 working days. The response was not received

until 7 October and I'm informed that three investigations have surprisingly been concluded heading into this parliamentary week. Does it take an RTI from an independent member to actually get the department to do their job?

The SPEAKER - That is really touching on going into a new area of inquiry.

Mr O'Byrne - I mentioned the RTI in my question.

The SPEAKER - There's a little bit of your question at the end, so I'll allow the Attorney-General to respond.

Mr BARNETT - I'm happy to take the question and respond to the observations that have been made by the honourable member. Can I just indicate I'll take that on board. You've made some remarks. I'll check the *Hansard*. I'll take that on board. I will respond to the honourable member separately post my further inquiries. I appreciate you raising this matter and I indicate to other members in this place, please feel free to come direct to the Attorney-General or the deputy at any stage in respect to matters like this and we can make further enquiries, but I appreciate that opportunity to respond.

MyState Bank Arena - Lease to LK Group

Mr WILLIE question to PREMIER, Mr ROCKLIFF

[10.56 a.m.]

You effectively let a billionaire lease MyState Bank Arena for about $30,000 a year, which is less than what a family pays to rent a home in Glenorchy. Meanwhile, the housing list is at record highs, the agency you set up to fix it is going broke, and you're cutting Tasmanian jobs and services to pay for it. Premier, why does a billionaire get mates rates while Tasmanian families can't get a home when they need one? Will you review the hiring fee that effectively lets a billionaire lease MyState Bank Arena for 600 bucks a week?

ANSWER

I thank the honourable member for his question. I utterly reject your assertions and they are, frankly, ridiculous. Can I also say MyState Bank Arena - prior to the LK Group - was not making any money at all and largely sitting idle.

Mr Willie - Then you upgraded it and I'm sure it's making heaps of money.

Mr ROCKLIFF - Can I say this? I reject the characterisation wholeheartedly of individuals. The agreement was struck in very different and difficult times as well - in and around COVID, of course. You make the comparison; well, it is not a true comparison and you know it.

What MyState Bank Arena does - as opposed to a normal house - is that it houses over 4000 people. We're about to, I think, reach 100 times a sell-out crowd when it comes to the JackJumpers, and indeed a sellout crowd with the Jewels as well, bringing economic activity and indeed pride. I reject your characterisation absolutely.

We'll continue to work with the LK Group and are committed to partnering with private enterprise to unlock investment, create jobs and drive economic growth in this state. It is important to stay the course in this area. Without the intervention at the time, and without the vision of my predecessors, and engagement - firstly, with Will Hodgman and Peter Gutwein - we would not have the success of the JackJumpers which, again, sell-out crowds 100 times in a row. That is something to be proud of.

Mr Mitchell - Good on them, they're making money.

Members interjecting.

The SPEAKER - Order.

Mr ROCKLIFF - The upgrades to MyState Bank Arena, the economic activity and the pride generated from the JackJumpers, and indeed the Jewels, is something that I believe we can be very proud of.

Supplementary Question

Mr WILLIE - Will the Premier review the hiring fee that effectively allows a billionaire to rent a premier sports and entertainment venue for 600 bucks a week?

Mr ROCKLIFF - As I was saying, the suggestion that the government is simply renting out a major sporting venue for the price of a suburban home does not reflect the full arrangement order.

Mr Mitchell - Tell us how.

Mr Willie - Tell us how, then?

The SPEAKER - Order.

Mr ROCKLIFF - The agreement provides for an annual base rent of $200,000, subject to CPI adjustments, as well as a separate government contribution of up to $175,000 to support community access. Those arrangements were designed to support more than a commercial tenancy. They form part of delivering a major sporting community facility in Tasmania. Of course, we recognise the importance of ensuring that public assets continue to deliver value for Tasmanians, which is more than the headline figure.

Mr Willie - Are you going to review the fee?

The SPEAKER - Order.

Mr ROCKLIFF - I am proud of what has been achieved and created around basketball in Tasmania, the enthusiasm that has engendered right throughout Tasmania and, frankly, the investment -

The SPEAKER - The honourable Premier's time has expired.

Trevallyn Primary School - Correspondence with Premier

Ms ROSOL question to PREMIER, Mr ROCKLIFF

[11.01 a.m.]

Recently you wrote to the secretary of the Education department about Trevallyn Primary School's end-of-year plans. Yesterday, in the other place, the Minister for Education confirmed the secretary replied to you. The minister said she couldn't provide the secretary's correspondence. She said we should ask you about it so, Premier, will you today table the reply correspondence you received from the secretary?

ANSWER

I thank the honourable member for the question. Yes, I'll seek advice on that matter and get back to you.

Supplementary Question

Ms ROSOL - Thank you, Premier. This has been a deeply distressing situation for Trevallyn Primary School, the staff and the students there. I know that many of them would appreciate an apology as well as publishing the letter and making that public. Obviously, it's a matter of public importance. Will you also apologise to Trevallyn Primary School?

Mr ROCKLIFF - I thank the honourable member for the question. These matters have been well canvassed. I've expressed an opinion -

Mr Willie - You should be ashamed of yourself.

The SPEAKER - Order.

Mr ROCKLIFF - I've set some very clear expectations to the department around that matter -

Mr Willie - You wouldn't have done it five years ago.

The SPEAKER - Order. The Premier is on his feet answering the question. Interjections will cease.

Mr ROCKLIFF - and I stand by that.

Opposition members - Shame.

Ms Finlay - You've given up, haven't you?

The SPEAKER - Deputy Leader of the Opposition, that's your first warning.

MyState Bank Arena - Lease to LK Group

Mr WINTER question to PREMIER, Mr ROCKLIFF

[11.02 a.m.]

Taxpayers hand Larry Kestelman's company $175,000 a year so that the community can use MyState Bank Arena and yet Glenorchy City Council was charged more than $18,000 by the LK Group to hire it for a single day for a jobs fair. Then once you take into account that LK stadiums also receives cash from a special children's party, a primary school band expo, a disability expo and religious organisations, by the time you add it all up, that's the entire year's rent. Premier, Tasmanians are paying twice and the only winner here is a billionaire. Why are you letting Tasmanians get ripped off by your government's horrible deal?

ANSWER

I thank the honourable member for your question. You are utterly ignoring the flow-on benefits of the arrangement that was struck in different times and very different circumstances. You are characterising the way that you do and ignoring the enormous benefits that the upgrade of MyState Arena, the new capital that we've got in Kingborough for the high-performance centre is outstanding and indeed nation-leading. The enthusiasm that has been generated as a result of the national team in the NBL, along now with the Jewels, is extraordinary. I find your demeaning of this frankly breathtaking.

Supplementary Question

Mr WINTER - Honourable Speaker, can the Premier outline to the House how much councils and local community organisations in total have paid, despite his $175,000-handout to LK stadiums every year?

Mr ROCKLIFF - I thank the honourable member for supplementary. I understand on advice that that information was provided to the Public Accounts Committee, and I'll seek advice on if I can provide you that information.

Caretaker Conventions

Mr GEORGE question to PREMIER, Mr ROCKLIFF

[11.04 a.m.]

Yesterday, Premier, the House Select Committee on Caretaker Conventions tabled its final report, and the findings are alarming. They suggest your government hired a person, using public money, ostensibly to undertake parliamentary duties, but instead tasked them with campaigning for an unelected candidate for your party. Connected to that issue is a finding that either a workers compensation claim was made and was false, or a candidate election expenditure return was false. The report makes clear it's either one or the other. Now, you've tasked the head of the State Service to conduct yet another investigation in the wake of a forensic investigation of a House Select Committee with the power of subpoena. Premier, that's not how a government committed to greater transparency and integrity should act. It is common practice for departments and, in fact, your own Cabinet to engage an independent investigator to look into matters of misconduct like this. Why not in this case?

ANSWER

I thank the honourable member for the question. I will go back and read the answer and provide some information for you as soon as possible. My understanding of the last part of your question is that there has been an independent investigator appointed for these matters.

Supplementary Question

Mr GEORGE - Premier, as I understand it, you have appointed the head of your own government's department -

Mr Rockliff – Correct.

Mr GEORGE - to look into this matter. My question to you is: why are you doing that as an internal investigation when in common practice - and let's face it, justice needs to be seen to be done as well as to be done - it would be normal for you to appoint an outside and independent investigator?

Mr ROCKLIFF - Thank you, Mr George, for the question. I have requested the head of the State Service to look into this matter and, as such, the head of the State Service has outsourced to an independent investigator for this matter.

Wilkinsons Point - Sale to LK Group

Mr WINTER question to PREMIER, Mr ROCKLIFF

[11.07 a.m.]

I am tempted to follow up on that question, but I won't. Premier, given your track record, Tasmanians don't trust you to negotiate a good deal with LK Group behind closed doors. Tasmanians could be exposed to, according to Building Tasmania, up to $100 million worth of risk if you bypass the open market and continue exclusive negotiations for the sale of Wilkinson's Point to the LK Group. Premier, will you stop these exclusive negotiations with LK Group and take the land to the open market so that Tasmanians don't get ripped off again?

ANSWER

Of course, our government remains committed to partnering with private enterprises, I've said before, to unlock investment, create jobs, and drive economic growth in the state. The proposal for a multi-use precinct at Wilkinson's Point provides an opportunity to unlock economic potential of Hobart's northern suburbs and increase economic activity in the region. Importantly, the redevelopment of Wilkinson's Point is a key opportunity to unlock the potential of joining land at Dowsing Point, which we've worked with the federal government on. Dowsing Point represents one of the most significant opportunities to address Tasmania's growing housing needs for the potential to support up to 1000 new homes alongside open space, community infrastructure, and a mix of housing options. Clearly, for decades the area has been tied up in the Commonwealth defence holdings, limiting the opportunity to use well located land to support Tasmanian families. Unlocking its potential could deliver new housing, community spaces and opportunities for growth. Any further discussions we have with the LK Group, of course, concerning Wilkinson's Point -

Mr Willie - It's about the open market. Test the market.

The SPEAKER - Order.

Mr ROCKLIFF - We will ensure the very best delivery for Tasmanian taxpayers.

Supplementary Question

Mr WILLIE - The list of those organisations or individuals saying this is the wrong approach includes the Public Accounts Committee, the Property Council, and your own department, Building Tasmania. Premier, will you commit to scrapping this exclusive deal with LK Group and put it on the open market?

Mr ROCKLIFF - I thank the honourable member for the question. That wasn't part of the original agreement, so we are staying the course and working with the LK Group to maximise value for Tasmanian taxpayers. You mentioned six years; that's right, sometime these developments take some time, such as Kangaroo Point, for example, for which we used to have bipartisan support from the Labor Party -

Mr Willie - How long's it going to be in court for?

Mr ROCKLIFF - until it got a bit hot for you and you decided to withdraw your support for that. We've stayed the course because we can see the benefit and the economic value of such a development in a place that has, again, been underdeveloped and underutilised for many years indeed. If you're on the side of economic development, you'll look to this side of the Chamber.

The SPEAKER - The honourable Premier's time has expired.

Mental Health Services - North-West Coast

Mr GARLAND question to MINISTER for HEALTH, MENTAL HEALTH and WELLBEING, Mrs ARCHER

[11.11 a.m.]

Since the Spencer Clinic fire in Burnie, mental health professionals have raised serious concerns with my office about the management of high-risk patients on the north-west coast. As recently as yesterday, I was advised of a highly agitated patient being referred to a community mental health service. This community mental health service is not equipped to safely manage that level of risk. Where are high-risk mental health patients on the north-west coast currently supposed to receive inpatient care and what is being done to ensure they are not referred to services unable to safely manage them?

ANSWER

First, in relation to the Spencer Clinic, I'd like to acknowledge all of the amazing health professionals who acted very quickly the night of the fire and have worked very diligently since

to keep patients safe and cared for, not only the patients admitted to the Spencer clinic at that time but ones who have presented to the service subsequently.

In the wake of the fire, the focus has been on ensuring that Tasmanians continue to receive safe and high-quality mental health services through alternative arrangements across the health system. A new $40 million contract has been awarded to Vos Construction to build the 22-bed mental health precinct in the North West Regional Hospital to replace the Spencer Clinic and further measures will be soon in place to reinstate our mental health capacity at the North West Regional Hospital.

Engineering inspections at the Spencer Clinic have confirmed that 10 rooms are able to be reoccupied subject to remediation work, and a contractor has been appointed to undertake immediate repairs which are underway to deliver a four-bed high care unit and a six-bed acute inpatient unit within the existing Spencer Clinic and high-dependency unit footprint. In addition to that, work to establish five subacute mental health beds on the broader hospital campus is also underway and we're expecting all 15 of those beds to be available next month, in November.

Since the fire, we've also maintained a close working partnership with the North West Private Hospital, including continued provision of care for some public mental health patients through a three-bed public-private partnership, and we're continuing to work with them to identify additional opportunities to increase mental health care capacity.

In relation to individual patient matters, obviously I can't respond to those in this place, but as per the normal processes - with the consent of patients, of course - I'm more than happy to examine individual circumstances.

Time expired.

ANSWER TO QUESTION

Macquarie Point Stadium - Reimbursement to Unsuccessful Bidder Webuild

[11.14 a.m.]

Mr ABETZ (Franklin - Treasurer) - Thank you very much, Speaker. In providing further information to the member for Clark in relation to her question, I can advise as follows. The $250 000 sum to which she referred was part of the expression of interest. During the expression of interest that was discussed by interested parties, as a result of which the $2 million figure came into being at the beginning of the request for tender. How did we achieve the $2 million figure? As indicated, it is substantially less than the Bridgewater Bridge and payable only to one party, but the request was initially for $3 million and the MPDC negotiated it down to $2 million, for which I congratulate them.

CONSTITUENCY QUESTIONS

Community Solar Banks Program

Ms BURNET question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[11.16 a.m.]

My question is from Tiffany. The federal government's Community Solar Banks Program provides millions of dollars of federal money to the states to help households who can't install their own solar systems, which allows more households to benefit from renewable energy. We're in a cost-of-living crisis and electricity prices play a large part in that. The Joint Standing Committee on Energy highlighted that people on lower incomes are being left behind in the energy transition and recommended that the federal government address this. Minister, why is Tasmania the only state that hasn't signed up to the Australian Government's Community Solar Banks Program, which would help households, including rental households?

Residential Parks Act - Sale of Dwellings to New Residents

Ms FINLAY question to ATTORNEY-GENERAL, Mr BARNETT

My question this morning is on behalf of residents at Beauty Point Residential Park and other residents of Tasmania. The *Residential Parks Act* has been implemented, but a problem remains for long-term residents, who are still prevented from selling their homes to prospective buyers who want to become residents - that is, not use the dwelling as a holiday place. West Tamar Council, I understand, has said it will lift the ban if government creates an instrument suspending the planning and building controls for the five-year implementation period as set out in Schedule 1 of the *Residential Parks Act*. Minister, I understand that you've committed to doing this, but no timeframe has been given. Some of the residents are desperately waiting to sell their homes to raise money for a nursing home deposit. The suspension would only apply to long-term residents in tourist parks for the duration of the implementation phase-out of the act. Can you and the Planning minister please remove the worry and set a date for the suspension of the *Building Act 2016*, the *Land Use and Approvals Act 1993* and the Tasmanian Planning Scheme as outlined in Schedule 1 of the *Residential Parks Act*?

Exeter Main Street - Safety

Ms ROSOL question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

My question is on behalf of Exeter residents. The Exeter community has significant concerns about the safety of pedestrians and vehicles on the main street of Exeter. These concerns have been unresolved for many years, with discussions extending back to at least 2009. On 13 October, West Tamar Council held a public meeting in response to a petition regarding road safety in Exeter. There is a strong feeling in the community that Building Tasmania, formally State Growth, is not listening to them. This was compounded at the public meeting. Building Tasmania was invited to attend the meeting but advised no-one was able to attend. This left a community feeling even more angry and unheard. Minister, why did no-one

from Building Tasmania attend the public meeting on 13 October, and will you commit to genuine engagement with the community and listening to their concerns and suggestions?

Evans Street Car Park Closure - Alternatives

Ms JOHNSTON question to MNISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

My constituent question is from Don, who asks: if the stadium goes ahead, the Evans Street car park will be closed, but for years it has served staff of the Royal Hobart Hospital and Hobart Private Hospital, waterfront restaurants and accommodation venues, musicians and crew of the TSO and the public. The Argyle Street car park closes at 10 p.m. which rules it out for shift workers and evening staff and is often closed before TSO performances are finished. The government has known this loss was coming, yet nurses and other hospital staff are already struggling to find safe, accessible parking near work. Minister, the government is building additional staff parking for Launceston General Hospital while Royal Hobart staff go without. What will you do, including working with the council to replace the parking lost at Evans Street?

North West Transmission Developments - Construction During Legal Appeal

Mr GARLAND question to MINISTER for ENERGY and RENEWABLES, Mr DUIGAN

[11.19 a.m.]

Kim from Ulverstone has this question. North-west landholders are now facing physical construction of the North West Transmission Developments line on their properties, while the project permit remains subject to an unresolved Supreme Court appeal. This includes four private landholders who did not enter voluntary easement agreements and whose easements were subsequently acquired through compulsory acquisition. What will the government do to prevent irreversible works on all affected properties before that appeal is determined, and if construction proceeds and the appeal succeeds, what protection will be available to those landholders?

Housing Waitlist

Ms BUTLER question to MINISTER for HOUSING and PLANNING, Mr VINCENT

My question is on behalf of Robin of Railton. Following brain tumour surgery and a subsequent long recovery, Robin lost her housing and has spent the past two and a half years sleeping in her car, a tent or wherever she can find somewhere safe for herself and her dog for the night. Robin lives with epilepsy and if she suffers another seizure and loses her licence, she will not only lose her transport, but effectively the roof over her head. When I raised Robyn's case with the minister, the response was that she should continue to engage with homelessness and housing services. Minister, Robyn wants to know, if two and a half years of waiting isn't long enough, what message does that send to vulnerable Tasmanians who are doing everything they are asked to do and still have nowhere to call home? Is your system broken?

Roads - East Coast

Mr MITCHELL question to MINISTER for INFRASTRUCTURE and TRANSPORT, Mr VINCENT

My question is from Freycinet Vineyard on the east coast. The lane to the vineyard is part of the original east coast highway and is a public road, and the council for years would maintain that road. They are in constant argument with the council about repairing the potholes. What is the government doing to ensure that these public roads are properly maintained so that these businesses can continue to do the important work they do in terms of providing tourism services and the very important wine services on the east coast?

Brushy Rivulet - Conservation Zone

Ms BADGER question to MINISTER for PARKS and HERITAGE, Mr DUIGAN

On behalf of constituents in the Meander Valley, they have long been waiting for you, minister, to properly protect Brushy Rivulet, which is an incredibly special reserve in their area, and was the site of the original northern prison that you proposed. They have waited so long, they have come to the Greens and asked us to table legislation. In the past, you promised them that you were going to protect this area as a conservation zone. Minister, when are you going to do it, or are these community members going to have to come to the Greens again and we're going to have to do your job for you?

Time expired.

PETITIONS

Support for Conversion Practices Ban

[11.22 a.m.]

Ms JOHNSTON (Clark) - Honourable Speaker, I have the great honour to be the bearer of two petitions which are similarly worded; a written petition signed by approximately 675 petitioners, and an e-petition signed by approximately 5121 petitioners. The petitions conform with the relevant Standing Orders and rules of the House. The petition requests that the House support legislation that will prohibit conversion practices.

Petition received.

Opposition to Conversion Practices Ban

[11.24 a.m.]

Mr FERGUSON (Bass) - Honourable Speaker, I also have the honour to be the bearer of an e-petition signed by approximately 4296 petitioners in just three weeks. The petition conforms with the relevant Standing Orders and rules of the House. The petition requests that the House reject the Greens' Conversion Practices Prohibition Bill 2026.

Petition received.

MODULAR HOUSING FINANCE GUARANTEE BILL 2026 (No. 47)

First Reading

Bill presented by Mr Abetz and read the first time.

STATEMENT BY SPEAKER

Standing Order 76 - Matter of Public Importance

[11.29 a.m.]

I advise the House that as no matter of public importance was submitted, in accordance with Standing Order 76 there will be no matter of public importance today. I therefore call on the Leader of the Greens to bring on the order of the day in accordance with the resolution agreed to by the House yesterday.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

Second Reading

[11.30 a.m.]

Dr WOODRUFF (Franklin - Leader of the Greens) - Honourable Speaker, I move -

That the bill be now read the second time.

Before I commence, I want to acknowledge the victim/survivors and people with lived experience who are in the Chamber today and who are watching us online. They're the reason that we are here today and we carry them in our hearts as we go through this debate.

The Conversion Practices Prohibition Bill 2026 prohibits practices and conduct aimed at changing, suppressing or eradicating the sexual orientation or gender identity of a person: conversion practices. The bill provides a tiered approach with an education, prevention and response scheme for a lower-level conduct, and new criminal offences for serious conduct. The scheme allows for a person to make a report about a conversion practice that's happened and allows for a voluntary process facilitated by the conversion commissioner. Where an agreement can be reached, the report can be referred to the tribunal for assessment. The scheme also provides for the commissioner to proactively investigate serious or systemic conversion practices and to publish findings as well as accept an undertaking or issue compliance notices to prevent conversion practices.

For serious conduct, the bill establishes criminal offences for engaging in conversion practices that cause injury for taking a person outside Tasmania for conversion practices.

Conversion practices that aim to change the press or eradicate the sexual orientation or gender identity of another person often present as pseudoscientific or pseudomedical practices.

These practices are based on the twin beliefs that change is possible and desirable. Both conversion practices and the beliefs behind them are firmly rejected by medical and scientific evidence and the experience of survivors.

The Australian Psychological Society position statement on conversion practices reads:

> Approaches to mental health practice variously referred to as 'reparative' 'conversion' or 'ex-gay' 'therapy' are based on the assumption that being lesbian, gay, bisexual, transgender or queer (LGBTQ+) is indicative of psychological dysfunction and that this can be cured. No professional health organisation in Australia supports these approaches for the following reasons:
>
> (1) There is no clinical evidence demonstrating that approaches that claim to change or suppress a person's sexual orientation or gender are effective.
>
> (2) There is, however, a considerable body of evidence documenting the negative effects of stigma associated with being a member of LGBTQ+ communities, including higher rates of depression.
>
> (3) There is also clinical evidence that change or suppression practices are harmful and can compound the challenges already faced by LGBTQ+ communities.

The Tasmanian Law Reform Institute's report on conversion practices from April 2022 found the harms caused by conversion practices include -

> … isolation from, and loss of trust in, religious leaders or medical professionals, low self-esteem, self-hatred, anxiety, depression, trauma, substance abuse, a reluctance to seek medical treatment, and suicidal ideation, suicide attempts, and suicides.

They also found that:

> These harms often last for many years, and trauma can persist for life for survivors.

The TLRI also found that conversion practices still happen In Tasmania: 46 submissions to the institute recorded people being offered or undergoing conversion practices. Other submissions implied or directly stated that they conduct conversion practices in Tasmania. Prevalent studies have estimated between 5 and 14 per cent of Australian LGBTQA+ people have been exposed to conversion practices.

The TLRI report contained testimonials from people who'd undergone conversion practices. I'd like to read some accounts into the *Hansard* and they show that these harmful practices are not confined to the past and highlight the risks of allowing even so-called consensual conversion practices. This account is from a then 25-year-old trans person:

> My faith is a huge part of who I am. It's the foundation of me. Back when I was at [redacted education provider], I wanted to join a social group for my

faith, and since service to others and the community is a core value of my faith, I wanted to be an active part of that group. For a while it was great - I was part of the group's music crew and volunteered at events and it seemed to be a really warm, loving community dynamic.

And then they found out I was trans.

Suddenly I got booted out of the music crew and got banned from volunteering. I was told by the group's leadership that I could still be a member, but only if I 'abstained' from being who I am and didn't ever mention it again. They prayed for me to be 'healed'.

The sense of whiplash was incredible. Being cut off from my faith community so suddenly, it was like I couldn't breathe. They said I could rejoin the music crew on the condition that I denounced my identity publicly and went into regular 'healing' prayer sessions. For a while, I tried to continue attending the group's events, pretending I was a good little cis-het girl just to be there, but I couldn't keep it up. Everyone had suddenly become so cold and knowing that my acceptance in that community was contingent on me lying about who I am - that damage was done. I couldn't be at home there anymore and I couldn't trust any of these people. It hurt so bad, like my family had died but somehow still standing around making small talk with each other.

It totally destroyed my self-worth, I hated myself. I started drinking myself into oblivion every night, sleeping with strangers compulsively and putting myself in unsafe situations. I thought I deserved to suffer and I was going to hell anyway so I might as well get there a bit quicker.

I guess I'm one of the lucky ones, in that it didn't end up actually stopping me transitioning and I made it to a better place eventually. But I lost so much.

Honestly, I still don't trust any faith groups. I haven't been able to be part of any since. I don't know how to find a church community where I'll be able to feel safe and not like they might suddenly turn on me. My faith is still the core of my identity, but trying to find other people to share that with is too much for me most of the time.

The next account is from a 28-year-old trans person.

When I - utterly terrified - finally told my pastor I was trans and asked him if there was any hope for me, his tone didn't really change. He'd always been worried for me, and he stayed as gentle and kind as he'd always been. But gently, kindly, he told me that queerness was a kind of spiritual brokenness, and I needed to be healed, and it was part of his calling to help me find my way back to what God intended for me.

To have the main authority and parental figure in my life tell me that who I was fundamentally wrong, and corrupted by the Devil? Saying out loud all the things my anxiety and depression had been saying inside my head? I can't

> explain what that felt like. Multiple times a week, we would have one-on-one 'Bible studies' that were all about convincing me to change my sinful heart and let God heal me. The other emotional and material help my pastor had been giving me all stopped.
>
> My girlfriend got taken in for compulsory 'faith counselling', too. They told her she had to break up with me, that she wasn't the right person to guide me back to righteousness, and that if she wanted to stay at that church she wasn't allowed to talk to me or sit with me during services anymore. She needed the church community, so she stopped talking to me. I don't blame her.
>
> A month into my rehabilitation, I tried to kill myself. I left the church after that. I actually tried to kill myself a few times over the next few years. I guess I was pretty bad at it.
>
> I'd like to say I'm all better these days, but I'm not. I'm still totally fucked up. I can't hold down a relationship. My faith is a source of constant pain. I'm scared of Christians, but I'm a Christian still so I can't practice my own faith. I feel safest around other queer people who hate Christianity because of how it's treated them, but then, I end up feeling like they hate that part of me, and I have to keep that secret. I can't be my whole self anywhere. Deep down I think I still believe I deserve to suffer.
>
> I don't know if things will ever get better for me. But any laws that could stop that happening to someone else are a good thing, as far as I'm concerned.

What these and many similar stories show us are the actual experience of people subjected to conversion practices. Some people have been pushing for this bill to allow consensual conversion practices, and for removing suppression from the bill. These stories highlight the reality of what can actually occur in sessions that are airbrushed over with the relatively benign language of 'consensual pastoral care' and 'client-identified goals.'

In psychology and health practices, the requirement for agreeing to an intervention is not consent, but 'informed consent'. Informed consent must be free from coercion, manipulation or undue influence and must involve clear communication for the reasons and the risks of a treatment or practice.

All major health and psychology representative bodies in Australia and worldwide have consistently denounced conversion practices, describing them as harmful and not effective in their stated purpose. These include the Australian Medical Association, the Australian Psychology Association, the Royal Australian and New Zealand College of Psychiatrists, the Royal Australian College of General Practitioners and the Royal Australasian College of Physicians.

It is not possible for conversion practices to practically occur with informed consent, because the underlying principles require agreeing that a person can and should change. These are both soundly discredited claims. They are also contrary to professional standards for relevant health professionals. It is not plausible that a person would willingly and freely agree to undergo a conversion practice if they understood it would fail to meet its stated purpose and was likely to cause them significant harm.

The reality is that the coercion people often experience is systemic, with multiple institutions convincing people that their self is broken and unless they participate in conversion practices they will not fit in or be accepted. In these situations, conversion practitioners do not need to coerce people; surrounding systems and institutions are set up to do it for them.

Clause 5 of the bill provides a definition of conversion practice as well as clearly setting out circumstances that are not a conversion practice. To meet the definition of a conversion practice, a practice or conduct needs to meet all the following requirements: it must be directed towards a person; it must be a practice or conduct motivated by that person's sexual orientation or gender identity, or perceived sexual orientation or gender identity; and it must be for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity, or to induce the same.

While any conduct that does not meet the above criteria is not a conversion practice, clause 5 also explicitly clarifies a range of conduct that does not constitute a conversion practice. The provision of a health service is exempt if conducted by a registered health practitioner, if they, in good faith, consider it appropriate for the person and if it complies with all relevant legal, professional and ethical requirements. Conduct is also exempt if it is genuinely facilitating a person's coping skills development or identity expiration to meet the person's needs.

The bill also makes it clear that a range of conduct is not of itself a conversion practice. This includes participating in public debate, expressing belief, expression that a belief ought to be followed, providing religious teachings, general requirements in relation to religious orders, and parental discussions. A number of specific health practitioner conducts are also covered, including providing information about treatment and non-treatment options, identity exploration, and detransitioning.

Part 2 of the bill establishes a general prohibition on conversion practices, as well as a positive duty for a person to take reasonable and proportionate measures to eliminate conversion practices engaged in by themselves or by a person acting on their behalf. The positive duty does not give grounds to make a report to the conversion commissioner, but a serious breach of the positive duty may give grounds for an investigation.

Clause 9 stipulates that no criminal or civil liability is created except as expressly provided by the bill and that compliance with this act doesn't itself mean that requirements of other legislation have been met.

Part 3 sets out the offences related to conversion practices. These are offences for engaging in conversion practices, taking a person outside of Tasmania for conversion practices and advertising conversion practices.

Division 1 sets out offences for conducting a conversion practice that causes injury. These offences are punishable under the *Criminal Code*. The bill establishes an offence of engaging in one or more conversion practices that cause injury. To prove this offence, a person must be shown to have intentionally engaged in a conversion practice which caused injury and were negligent as to whether they would cause injury.

Division 2 sets out offences for taking a person outside of Tasmania for a conversion practice on similar terms to the Division 1 offences. It is an aggravating factor for both these offences if the conversion practice is conducted on a child or a vulnerable person.

Division 3 establishes an offence of advertising a conversion practice for which proceedings may be brought by the commissioner, a person authorised by the commissioner or a police officer. The bill provides that employers or principals - the person in charge - are responsible for a conversion practice of employees, contractors or volunteers unless they could not have known of or prevented the conversion practice.

A proceeding against a Division 1 or 2 offence punishable under the *Criminal Code* cannot occur without the written consent of the Director of Public Prosecutions.

The bill captures conduct that occurs outside of Tasmania if a significant part of the conduct occurs in Tasmania or the effects of the conduct occurred in full or in part in Tasmania. This is to make sure that after conversion practices are banned, our laws can't be skirted by involving practitioners who are based outside of Tasmania.

Parts 4 through to 8 of the bill establish the office of the conversion practices commissioner, as well as the elements of the education, prevention and response scheme. The Anti-Discrimination Commissioner is, by virtue of that office, also the conversion practices commissioner. The response scheme consists of a report process and an investigation process. Any person can make a report that a conversion practice has occurred or is occurring, and the commissioner can respond to a report with targeted education, a facilitation process, by referring it to a more appropriate body, or not responding in certain circumstances.

A party's participation in the facilitation process is entirely voluntary, and any party may withdraw at any point. It is also entirely confidential unless both parties agree otherwise. The matters cannot be used in civil or criminal proceedings except for administrative proceedings related to obstruction or false or misleading information during the facilitation process. If an agreement is reached and the commissioner is satisfied both parties have freely entered into the agreement, it becomes an enforceable order as if it were made by the tribunal.

Either the commissioner, the respondent or the person affected by an alleged conversion practice can apply to have the commissioner's report assessed by the tribunal. This provides a de facto appeal avenue, as well as an avenue for compensation for losses or damages.

The second element of the education, prevention and response scheme is an investigation. This may be launched on the commissioner's own initiative if they consider that a matter is of a serious or systemic nature, that it relates to a class or group of persons, that the act may have been contravened, and if it would advance the objects of the act.

Unlike the report process, in an investigation the commissioner has the power to require documents and people's attendance to answer questions. For either of these, the commissioner must provide a reasonable period or deadline to comply.

A person is not excused from providing information on the grounds that it could incriminate them. However, as is the case in other acts, any information provided is exempt from evidence in civil or criminal proceedings, except for proceedings relating to the information being false or misleading. The commissioner may also order that a person's

identifying information is protected, if necessary, to prevent victimisation or to protect their employment, privacy or other lawful interests, or that any information obtained in the investigation is not published or is restricted.

In responding to an investigation, the commissioner may take no further action, may enter into an agreement with a person, establish an enforceable undertaking, issue a compliance notice and publish a report on the investigation. The subject of an investigation may enter into an enforceable undertaking as a result of the investigation, and such an undertaking may stipulate particular actions the person will do or will refrain from doing for the purposes of complying. These undertakings may be published in the public register and any information may be omitted if necessary for safety or privacy purposes, to avoid prejudicing an investigation or an enforcement action, or to comply with a requirement of the act or any other act. If the enforceable undertaking is not complied with, the commissioner may take the matter to the tribunal. The tribunal may issue a compliance order, discharge, or vary the undertaking, or make any other order the tribunal considers appropriate.

The commissioner also has the power to issue compliance notices. A person to whom a compliance notice is issued may appeal the notice as a whole, or particular terms of the notice to the tribunal. The tribunal may confirm, vary, or quash the notice, and may direct the commissioner to take such action as the tribunal considers appropriate. If the compliance notice is not complied with, the commissioner may take the matter to the tribunal. The tribunal may issue a compliance order, vary the notice, order the commissioner to withdraw the notice, or make any other order it considers appropriate.

In the case of employees, contractors and volunteers, the employer or principal - the person in charge - is taken to be responsible for conversion practices unless they can establish - on the balance of probabilities - that reasonable precautions were taken to prevent the practice from occurring.

Amendments to the *Criminal Code Act 1924*, *Limitation Act 1974* and the *Civil Liability Act 2002* are made to include conversion practices as a form of child abuse. The amendments to the *Civil Liability Act 2002* include conversion practices under the provisions that deal with organisational liability for child abuse. This sets out that organisations that have a responsibility for children have a duty of care to prevent people associated with the organisation from using that position or association to conduct a conversion practice, and establishes liability for the organisation if that duty of care is not met.

The *Limitation Act 1974* amendments include a conversion practice as a form of child abuse that is not subject to a limitation period. As is generally the case for amendments to limitation periods, the changes to these periods apply to past conduct. However, any course of action would be assessed under the rules as they were prior to the commencement of this bill. The *Criminal Code Act 1924* amendments include conversion practices as an offence for the purposes of failing to report the abuse of a child offence. The bill also amends the definition of sexual orientation in the *Anti-Discrimination Act 1998* to ensure 'asexual' and 'aromantic' are included in the definition. The bill also provides for the act to be independently reviewed after five years of operation.

Honourable Speaker, there have been numerous amendments circulated, including some amendments I will be moving based on feedback from members and others. I can indicate that there are a number of amendments we are aware of that we intend to support, and I'll have more

to say on these matters during the committee stage of this debate. I want to sincerely thank members who have worked with us in good faith to discuss and progress potential amendments. It has been a very collaborative process.

This bill has been many years in the making. It brings Tasmania into line with the majority of other states that have already legislated to protect LGBTIQA+ plus people from the harms, often lifelong harms, of conversion practices. It's based on legislation tried and tested elsewhere. It fulfils the state's obligation to protect people, especially children and young people, from harm.

At the same time, it protects free speech, faith teaching, pastoral care, conversations with children and between doctor and patient, where a person's intent is not to deny someone the ability to be themselves. These would not be a conversion practice under this bill.

At the heart of this bill are those people who suffered the despair, the loneliness and shame, and the years of life lost from such conversion practices. We recognise their trauma and the enormous courage of those who have publicly shared their stories. Their truth has been the catalyst for this bill, which is carefully designed to make sure never again should others suffer as they have.

I want to thank everyone at Equality Tasmania and in particular pay great respect to Rodney Croome, Tasmania's relentless advocate for inclusion and LGBTIQA+ justice. Their years-long campaign to end the torment of conversion practices has borne fruit in this bill and in closing, I want to echo the voice of one survivor, who said:

> We are okay and lovable just as we are.

Honourable Speaker, I commend the bill to the house.

[11.55 a.m.]

Mr ROCKLIFF (Braddon - Premier) - Thank you, Honourable Speaker, I rise to speak on the Conversion Practices Prohibition Bill. I acknowledge and thank all those in our community who have, for so long, campaigned and advocated for such a day and have provided input into this legislation, especially those who have shared their lived experience with me and others, and for those I've sat with to listen to their views about this legislation and their views on where to point to areas of improvement.

This is important legislation and it is our responsibility to get it right. It is also our responsibility to ensure the debate is thorough, respectful and inclusive. We are here to talk about conversion practice laws, not individuals in relation to their sexual orientation or identity. There will be those with lived experience who will be watching today and tomorrow and we should all be conscious of them, their families and their loved ones.

This legislation has been grounded with the Tasmanian Law Reform Institute report some years ago now. Other states, as has been stated, have since legislated, and the bill takes into account those laws with a very clear focus on education and prevention - the 'stop it before it starts' principle. Importantly, the bill has been shaped by victim/survivors of conversion practices.

Just about each sitting day, this parliament legislates for the benefit and or protection of Tasmanians. We legislate to prohibit child sexual assault because it's horrifically wrong, but we also recognise the deep and often lifetime harm and trauma it causes. We legislate to protect women against family and sexual violence because we understand the harm and trauma to victim/survivors. We legislate to prevent serious crime in our communities to prevent harm and protect Tasmanians from that harm. This legislation is no different. We're being asked to legislate to protect Tasmanians from harmful conversion practices and prevent those practices occurring in our state.

The base question we must ask ourselves today is this: if we accept that the harm from coercive and degrading conversion practices is real, how do we best prevent that happening in our community? How do we ensure that our laws to prohibit conversion practices are clear and proportionate for everyone?

I've spoken to victim/survivors of conversion practices that have occurred here in Tasmania and indeed elsewhere. I've read the stories of victim/survivors of conversion practices that have occurred again in Tasmania and across Australia. There are significant commonalities to those stories and to those lived experiences: deception, secrecy, shame, damage, intimidation, abandonment, deep harm and trauma, a lifelong road of therapy as a result of so-called conversion therapy. Those harms should never, ever be minimised.

There is no evidence base for what is termed a conversion practice. Trying to convert someone's sexual orientation is not only wrong, but it is misguided in every way. Major psychological and health professional organisations state that conversion practices are unscientific, ineffective, dangerous, and harmful. There is abundant scientific and medical evidence about the severe psychological and emotional harm caused by conversion practice, including mental health crisis, depression, PTSD, suicidality, social isolation, a deep sense of personal shame, worthlessness and guilt, and locally, the University of Tasmania report shows that one in 20 LGBTIQA+ Tasmanians have been through conversion practice in the past few years: Invisible harm happening behind closed doors around the country.

With the weight of evidence clearly showing conversion practices cause harm, the parliament cannot ignore that. We do need to prohibit this practice. The overriding question for me is not whether the legislation is necessary, but how we legislate to prevent conversion practices and protect Tasmanians.

The Archbishop of Hobart, the most Reverend Anthony Ireland, wrote to me in a very considered way, and I thank him for that. We sat down some months ago before the initial draft legislation to chat this through. He said the archdiocese opposes coercive, abusive or degrading practices that seek to force a person to change, suppress or deny their sexual orientation or gender identity against their will. He went on to say every person is owed respect, compassion and freedom from unjust discrimination. This position is not a concession made for the purposes of this submission. It flows directly from the Catholic Church's teaching on the inherent dignity of the human person.

Accordingly, our concern is not in any way to protect harmful practices. It is to ensure that any new law is necessary, clear, proportionate and carefully targeted at conduct that causes harm, supports, protects legitimate counselling, social work, healthcare, pastoral support, religious practice, education, safeguarding and family life. I share those views because it

underscores that it's not a matter of whether we should protect Tasmanians from harmful and coercive practices, but how we best do that.

Many of the concerns raised with me about this legislation relate to whether innocent and supportive conversations with a parent, with a teacher or counsellor or a pastor could be construed as conversion and captured under this bill. It's impossible for every conversation to be captured in legislation. However, the guidelines and regulations that sit alongside this legislation, like all other legislation, will be developed and include education before this bill is enacted, and I support that approach.

So, what is a conversion practice? In the very simple terms, I believe the answer lies with intent. If the intention is to try to deny or change their sexual orientation, the intention is to fix someone's sexual orientation or gender through pseudo-, unscientific and unproven practices, if the intention is to degrade, abuse or tell someone they are broken or less or abnormal; if the intention is to coerce or harm someone in an effort to change or suppress their sexual orientation or gender identity, that is a conversion practice.

If the intention is to provide support, guidance or prayer with no intent to convert or cause harm, that is not a conversion practice, and because that intention is complex to capture in legislation, it remains that the guidelines and education associated with the enactment of the legislation must be very clear. We must be able to protect those who act without intention, to provide support, guidance, prayer, counselling.

The other issue raised with me is consent. If someone asked for help, for guidance, for prayer or support, if they're confused about their sexual orientation or gender identity, why is that wrong? Here we come back to the bare bones of what is a conversion practice and whether it causes harm. The brutal fact is that you cannot consent to harm. If a practice is harmful, degrading or abusive, as the evidence clearly shows, even with consent you can cause harm and no one can consent to that. The teacher, the parent, pastor can listen, pray, support, counsel, but they cannot intentionally degrade, abuse or harm someone in an effort to deny or change someone's sexual orientation or gender identity.

I also want to stress to the House that the protection of freedom of thought, conscience, religion and expression is a serious issue for many and indeed me. We must always strive to protect those freedoms. Fundamental principles of the Liberal Party are freedom of thought, worship, speech, and association. That will be very clear throughout the course of this debate over the next 48 or so hours, where one of the great strengths of our party is the fact that we can have a free vote on such matters to represent our community, our views and our constituency.

However, it's important to note that the Liberal Party also believes that freedom is not absolute. Freedom must be balanced by responsibility, the rule of law and social order. We have laws and rules for a reason. No one is free to cause others harm. No one can hide behind the freedoms we enjoy in order to inflict harm on others.

As has been alluded to by the mover of this bill - and I can indicate that I have spoken to the authors of the legislation and provided them with several areas for amendment that I believe will strengthen this legislation - they include a rewording of the protections for religious organisations and parents in section 5(4) of the bill. While I appreciate the protections have

been included, I believe they can be strengthened through rewording and amendments that are brought forward in the committee stage that will reflect that.

Raising the threshold for investigations from possible contraventions of the act to material contraventions in section 40, which means that frivolous and vexatious complaints don't proceed to the investigation stage. In the Victorian experience, I'm advised that no complaints have moved to the formal investigation stage, is my understanding. I also believe that ensuring that investigations are only conducted on the most serious contraventions is important.

The education program is important in this bill to ensure that it is the main avenue for the initial remedy of contraventions of this legislation, ensuring in section 75 that the five-year review of this bill, should it pass, looks at any adverse effects that have been seen in terms of civil liberties, free speech, freedom of association, and parental rights from the introduction of this legislation. I believe that including this in the bill is important. I've spoken about the need to balance prohibiting these acts with other freedoms that people rightly value; judging the effectiveness of the legislation in five years needs to balance those priorities as well.

I also want to be very clear that I will be following the debate on other amendments proposed in the committee stage to judge the merits of further changes, in addition to the areas that I have identified.

I will conclude with the way I began, by quoting how another victim/survivor of conversion practice felt. I haven't met this person. I've met a number of victim/survivors, and their lived experience that has been reflected would be very similar to the words that I'm about to express. I'll read the excerpt from that story that resonated with me because it clearly shows the ultimately misguided nature of conversion practice and why we need to change the law. As I say, I haven't met this person, but he's forwarded me his story to share.

> The proponents of conversion practice are sincere in their beliefs and can even be respectful in their approaches to the individual. But there is a core power difference being exercised, where the person who struggles with their sexual identity in this environment feels their sin is ever before them. Change is elusive, but they are powerless, helpless, hopeless, despairing as time goes on, and an abomination, a failure, wicked, and all the labels that are associated with pursuing what I now believe is a futile exercise. In my mind, this is the very definition of hurt and sadness.

I have long supported the principle of what this bill sets out to achieve. Of course, I reserve my right to vote on amendments to make this bill, should it be legislated, the best law possible, and I hope it is legislated. My hope is it can also be strengthened while staying true to preventing and protecting Tasmanians from the harm caused by conversion practices.

It has been a long time coming for Tasmania. I appreciate very much the advocacy of many over so many years. Thank you for reaching out to me with the various hats that I've worn and courageously speaking of your lived experience around conversion practices, either in Tasmania or elsewhere. I've listened to every word, and some words that enter your mind go a lot deeper than others. Some words you will always recall, because behind those words is deep and raw emotion and the voice of someone who has been deeply hurt and traumatised. We need to stop that happening in the future and that's why I support the legislation.

I believe it can be strengthened in the areas that I mentioned, but I also believe that we are doing Tasmania an enormous benefit or justice if, as I say, the debate that we're about to have is very thorough, the legislation is very well scrutinised, but most importantly, done so in a kind and respectful way. Thank you.

[12.12 p.m.]

Mr WILLIE (Clark - Leader of the Opposition) - Honourable Speaker, I rise to speak in support of the Conversion Practices Prohibition Bill and thank the Greens for bringing this forward. Labor will vote for this bill as one. We did not need a conscience vote because we share the view that conversion practices cause real and lasting harm and have no place in Tasmania.

I want to start with who this bill is for. As you know, before I came to politics I was a teacher. I stood in front of classrooms full of kids and some of those kids were quietly working out who they were. I never once looked at any of them and saw a problem to be solved. I saw kids with a future, kids who deserved to walk into school knowing the adults around them had their back. That's what good teachers do, it's what good communities do, and it's what good parliaments should do. I came into politics because I believe every child should get the same shot at a good life, no matter where they live, what their parents earn, or who they could turn out to be. This bill is part of keeping that promise.

Conversion practices are attempts to change, suppress or eradicate a person's sexual orientation or gender identity. They are built on one idea: that being gay, lesbian, bisexual or transgender means that you are broken and need to be fixed. That idea is wrong and does terrible damage. In 2022 the Tasmanian Law Reform Institute found no clinical evidence that conversion practices work, but it did find clear evidence that they cause depression, PTSD and suicide attempts. It found severe harm was being done in this state and it recommended a ban.

Every health peak body and every health officer who made a submission to that inquiry supports a ban. More than 50 Tasmanian doctors and health workers have written to every member of this place asking us to pass the bill. They tell us they are the ones who pick up the pieces. Some ask that their names not be published because they fear for their safety. Think about that: doctors in Tasmania are afraid to put their names to a statement asking parliament to protect young people from harm. We should all reflect on that and the climate that has created.

Labor's values are simple and have not changed. We believe in a fair go for everyone. Not a fair go for most, not a fair go for those who fit in - everyone. Our movement was built by people who stood up for those with the least power and the most to lose. We have always believed the measure of society is in how it treats the people most at risk of being left behind. Today, that includes Tasmanians who have worked out they are different from most of us and are terrified of what it will mean for them.

Labor supports this bill because every Tasmanian deserves to live without fear or shame. We support it because the evidence is overwhelming and because survivors have been brave enough to tell us what it has done to them. We support it because the doctors, the psychologists and the people who deal with the consequences of conversion practices are asking us to. We also support it because protecting people from harm is the most basic duty this parliament has.

I have met a number of people harmed by conversion practices over my time in politics, but there are two stories that will stay with me forever. A few years ago my colleague Sarah Lovell and I met Erenie Hiras and Glen Worrell when they visited the Legislative Council. I acknowledge Rodney Croome in the Gallery, who facilitated that meeting and acknowledge that he's a great Tasmanian who has made Tasmania a more inclusive place. We thank you for your advocacy.

We spent some time chatting about their lives and the trauma they carried and what it meant for each of them. I remember leaving that conversation devastated and shocked that these practices could still be legal in Tasmania. Recently both of them spoke to the ABC, and I'll share what they have said publicly.

> Erenie Hiras, by the age of 21, had gone through five exorcisms, some lasting days.
>
> 'I had Satan in me, so the exorcisms were to cast these demons out,' she says. 'I was told that I had demons inside of me, the spirit of lesbianism, but I didn't want to be gay, so of course I went along with it.'
>
> …
>
> But after years of failed conversion 'therapy', it was suggested that Erenie went to a place called Mercy Ministries. The people around Erenie who she loved and trusted told her to go because this place could 'fix' her. She left Tasmania to join Mercy Ministries without her parents' knowledge. It was a decision that would change Erenie's life forever.
>
> 'For nine months, I was isolated in a place where same-sex attraction was treated as though it was a mental illness. My treatment was to get God in and gay out,' she says.
>
> 'It was a kind of cross between the army, a psych ward and a convent.'
>
> 'There's a big group of women out there that are still healing from their stay.'
>
> She says she still has repetitive nightmares about it to this day, years later.
>
> 'They made us march around the perimeter of the block every morning, confessing out loud our sins and all the evil that we'd let into our lives. They made us believe that we'd actually chosen to be gay, and it was a direct result of our fathers not hugging us enough when we were little and from listening to K.D Lang in the 90s, along with equally absurd theories.'

Being one of the few people to graduate, Erenie went on in the story, she said that she was 'healed' of her lesbianism supposedly.

> At last all of her work had paid off. 'I'm not queer anymore, I'm normal, I'm not disgusting.'

> But it did not take long for her to realise nothing had changed, and she was still same-sex attracted. For Erenie, this felt like the ultimate failure.
>
> Erenie went through around five years of conversion 'therapy'.
>
> 'I think we've lost enough of our people to this, and those of us that do survive have a hell of a time', she said, 'a hell of a journey to try and heal.'. Your sexuality or gender identity should be as unimportant as your eye colour - it doesn't matter.

I also met Glenn that day, and Glenn shared his story with the ABC recently. By the time he was in his twenties, Glenn was desperate for change and made attempts to be in a heterosexual relationship. When this failed, he turned to the church for help.

> I saw the assistant pastor of the church I was attending and shared what was going on with me. I remember his words were, 'It's okay Glenn, things can be done'. I was given the number of a leader who led this ministry in Sydney for people who were same-sex attracted.

Glenn travelled to the capital to start his journey with conversion practices. He was taught that the underlying reason for being same sex attracted was because of a dysfunctional family upbringing, and that change is possible, that you can be healed, that you can become heterosexual.

> I believed change was possible; therefore, I completely dedicated myself to the program. You make relationships amongst the community, you're all in the same boat.

Packing his bags, Glenn then moved to Launceston in northern Tasmania, where he joined a Christian community. Confessing he was same sex attracted, the group put him in touch with a ministry in the south of the state. After hearing the ministry could heal homosexuality, Glenn jumped in the car and drove to meet them.

> I experienced a nine-hour day of prayer that involved exorcism. I felt very vulnerable, very helpless. I felt terrified.

Upon arriving back in Launceston that evening, he realised that nothing had changed. Glenn was still gay.

> There is that carrot that is held out that you will be healed and when you're not, you feel such a failure. You feel a loser, you feel guilt, shame and it's that never-ending cycle of 'It's my fault'.

Desperate for change, he went back for another prayer session, this time in Launceston. When the prayers didn't work, Glenn went back for more. He was stuck in the cycle.

> It profoundly affected by mental health and I was so lonely. A member of my family actually suggested that I become a priest because that would resolve a lot of issues as far as being single and being spiritual. There's a great fear

> of internal damnation and burning in hell for ever and ever hanging over your head.

After 21 years of conversion practices, Glenn realised he was still gay and nothing would change that. He decided to embrace his sexuality.

> What I have found is that so much of the conversion practices are based on lies… false assumptions and denial. Had it not happened, my life would have been very different, without doubt.

Glenn says conversion practices in Tasmania are covert and hidden, so most members of even church communities remain unaware of what is occurring behind closed doors. He wants the practice banned. He said:

> My hope is that nobody else has to go through what I went through. I don't want anyone else to waste their life.

Speaker, this bill is not radical. Queensland, Victoria, the Australian Capital Territory, South Australia, and New South Wales have all banned conversion practices. Without this bill, Tasmania will be one of the last places in the country where these practices remain legal.

The Premier promised to act after the Law Reform Institute reported in 2022. His government drafted a bill in 2023, so full of loopholes it went nowhere, and then he let it die. Now that the bill is finally here, courtesy of the Greens, his party has fallen apart. His Deputy Premier calls it fundamentally flawed. His police minister says he will vote no and has used it to spread harmful rhetoric and stoke culture wars on social media. His backbench is lining up against, and one of his own MPs has sponsored a petition to keep these harmful practices legal.

I believe in a Tasmania where faith, freedom and dignity all have a place. This bill protects all three. It protects faith. Expressing a belief - including a religious belief, including through prayer - is not a conversion practice. Priests can preach. Congregations can pray. People of faith can hold and share their views on sexuality and gender. It protects families. Parents can talk with their children about sexuality, gender and religion. They can guide their kids, disagree with them, and love them through hard conversations, as parents always have. It protects good healthcare - doctors, psychologists and counsellors who act in good faith within their professional and ethical obligations are expressly protected.

The only thing this bill takes away is a licence to tell a young person they are broken or to pressure them into a program to change who they are. That is what this bill says in black and white, and it's what has happened in every state that has done this. Not one person in Victoria or New South Wales has been convicted for a conversation or a prayer. Not one.

This brings me back to some of those opposite; they aren't new to this. Between them, they have spent decades in parliament writing laws, reading laws and arguing over every line of them. They know how to read a bill. They have read this one. They know about protections for faith, for families and for doctors - and still, some of them have chosen to tell Tasmanians something different. They have chosen to frighten parents into believing they will be prosecuted for loving their kids. They have chosen to frighten people of faith into believing their prayers will be criminalised. They have chosen to put children and religion out front as a shield, while the people they are really aiming at are among the most vulnerable young people

in this state. That is not a difference of an opinion, that is a choice. Using children and faith to cover to attack vulnerable Tasmanians is wrong. It's disgusting and shameful. It should be called out this place, and I will.

I want to finish by speaking directly to the young Tasmanians who might be listening to this debate, reading about it on their phones or seeing what's being said online: you are not broken. There is nothing wrong with you. You do not need to be fixed, and I want you to know you're not alone. There are plenty of people in this place and right across Tasmania who have your back. The bill is not about ideology, it is not about culture wars, it's about making sure every Tasmanian can grow up safe and be exactly who they are. Those opposite preaching division, Labor won't do that. We will stand up for every Tasmanian, whoever they are, whoever they love.

[12.28 p.m.]

Ms JOHNSTON (Clark) - Honourable Speaker, I rise today to support the Conversion Practices Prohibition Bill 2026 and I want to thank the Leader of the Greens for bringing this forward. Most importantly, I want to thank the survivors who spent years telling their stories to inquiries, to journalists and to members of this place, often at real cost to themselves. This bill exists because they kept going. I also want to recognise those who aren't here to tell their stories because of the impacts of the insidious practices this bill intends to end.

I want to say up front and as clearly as I can: people of diverse sexual orientation and genders are not broken and they don't need to fix it. I'm very grateful to the victim/survivors who've shared with me their lived experience. Their words stay with me. Their suffering and pain can't be ignored.

My support for this bill rests on the approach I take to every piece of legislation that comes before this House: is it based on evidence? Have the people it affects been hurt? What does it do for the Tasmanians most at risk, and what protects them from unintended harm? Is it fiscally responsible? Does it leave things better for generations coming after us? This bill meets all of those tests. I'll explain why. I'll also respond to some of the concerns I'm aware of in the community and have been raised with me and my office.

Let's start with the evidence, because that's the first question I ask of any bill. In 2022, the Tasmanian Law Reform Institute completed an independent inquiry into conversion practices. It found that these practices were happening in Tasmania, that they had caused severe harm and that they remained a continuing risk. It recommended they be prohibited. Research conducted this year asked LGBTQIA+ participants who had experienced attempts to suppress or change their sexuality and/or gender identity. The results are alarming. For adults, 44 per cent had experienced others trying to change or suppress their sexual orientation or gender identity over their lifetime, and 10 per cent in the past 12 months. For young people, 45 per cent had experienced this over their lifetime, and 28 per cent in the past 12 months. Those numbers describe real people.

In 2022, Glenn Worrell, Bronwyn Larkins and Erenie Hiras spoke publicly in Tasmanian media about what was done to them. Glenn spent 21 years trying to become someone he was not. Bronwyn was sent to hypnotherapy at 16. Erenie was sent to a camp in Queensland and cut off from the people she loved.

It is a mistake to think of this as a few extreme programs that closed down decades ago. Just last year, a parliamentary committee into bullying and discrimination at schools heard that a Catholic school knowingly referred a gender-diverse student to a psychologist who had advertised that they engaged in conversion for young people who are trans or gender-diverse. Survivors tell us that most conversion happens like this, through counselling as well as mentoring and prayer ministry.

Much of it no longer promises that a person will become straight or cis-gender. It tells them to be celibate, to wait, to hide, or to stop being who they are. That is suppression, and it does the same damage. Countless scientific studies show that conversion practices fail to alter a person's innate sexual orientation or gender. That's why every reputable health body in this country condemns these practices, including the AMA and more than 50 Tasmanian doctors and health practitioners who have supported a ban. There is no credible evidence that these practices work, and strong evidence instead that they cause significant harm.

On the evidence, the case for this bill is clear. The Law Reform Institute reported in May 2022 the Premier said he would act. In December 2023, the government released a draft bill. It was criticised by survivors, health and legal experts and advocates, including for allowing adults to consent to these practices, and it was never tabled.

Since then, we've had nothing. Four years after its own law reform body told it what needed to happen, the government has not brought a bill to this House. In that time, however, Victoria, NSW, Queensland, SA and the ACT have all legislated, and WA has committed to doing the same. Tasmania is now one of the last places in the country where these practices remain lawful. When practitioners are pushed out of other states, the place they go is a place that has not acted. I don't want Tasmanian to be that place.

I note the government has given its members a conscience vote and I welcome that, and I hope members opposite will use it to look closely at what this bill actually says rather than [inaudible 12.33.45] that have been saying about it.

This bill is mostly about prevention. That is a part that has the least attention, so I want to start there. The bill gives the existing Anti-Discrimination Commissioner the role of Conversion Practices Commissioner, so it's not a new agency. The commissioner's first job is education, helping the community understand what conversion practices are, the harm they do and what the law does and does not cover. Any practice guidelines must be developed in consultation with the people they affect, such as churches, counsellors, schools and health services. Most people and organisations will only ever deal with the commissioner as a source of advice.

The bill also places a duty on people and organisations to take reasonable and proportionate steps to make sure conversion practices are not happening on their watch. A small congregation is not expected to do what a large institution does. When something does go wrong, anyone can make a report. It does not have to be the person affected because we know many survivors are not ready or not safe to come forward themselves. Responses must be trauma-informed, guided by the wishes and the safety of the person affected, and suited to a child's age where a child is involved.

In most cases, the response will be practical and proportionate. The commissioner can arrange targeted education for the person or organisation involved or, where the person affected

wants it, bring the two sides together to resolve the matter. That process is voluntary and confidential, and any agreement breach can be enforced. Frivolous or vexatious reports can be dismissed. People can also tell the commissioner about things that happened to them years ago, that their experience is acknowledged and recorded. Only where conduct is serious, systemic or ongoing, can the commissioner investigate. Even then, the tools are civil: enforceable undertakings, compliance notices or referral to the Tasmanian Civil and Administrative Tribunal.

For the great majority of cases, this bill is about helping people stop, not punishing them. But prevention does not always work, and for the most serious harm, the bill does create criminal offences. The main offence is in clause 12. The prosecution must prove three things beyond reasonable doubt: the person intentionally engaged in the conversion practice; that it caused injury; and that that person was negligent about whether it would. Injury means physical injury or harm to mental health, and the bill is explicit that distress, grief or anger on their own are not enough unless they amount to psychological harm. Clause 14 applies the same test to taking someone out of Tasmania for a conversion practice, so the law cannot be avoided by crossing Bass Strait.

Where the person harmed was a child or an adult with impaired decision-making ability, the court must treat that as an aggravating factor in sentencing. It does not make it easier to convict anyone. No prosecution can start without the written consent of the Director of Public Prosecutions. The person subjected to the practice can never be prosecuted for taking part in it. Sentencing is a matter for the court, as it is for other serious crimes under the code. Advertising conversion practices is also an offence, with a fine rather than prison.

I've had a lot of correspondence on this bill, and I've followed the commentary online and in the media. There is deliberate misinformation and fearmongering, but there are also people with genuine concerns and they deserve clear answers. Some have asked whether they'll still be able to talk to their children about sexuality and gender. The answer is yes. Survivor and researcher Nathan Despott put it well in a letter to members:

> This bill is clear that parents discussing sexual orientation, gender identity, sexual activity, or religion with their children does not of itself constitute a conversion practice. The bill does not require a parent to use a particular form of words, reach a particular conclusion, or place a child on any social or medical pathway. It does not criminalise parental uncertainty or ordinary parental discussion.

Some have asked whether they still will be able to pray and, again, the answer is yes. Clause 5(4)(b) says expressing a belief, including a prayer, is not a conversion practice. People of faith can keep believing, teaching and praying as they do now. What the bill covers is prayer used as a method to make someone stop being gay or trans.

Some health professionals have asked whether they will still be able to treat their patients. Again, the answer is yes. Clause 5(3) protects a registered practitioner providing health service in good faith that meets their professional obligations. Clause 5(4) protects frank discussions of treatment options, open-ended exploration, and conversations about detransition. Treatment decisions stay with clinicians, patients, and families, within existing guidelines. Government should not meddle in that relationship, and this bill does not. What it rules out is a practitioner

deciding in advance that someone's identity must be changed, which professional standards already do not accept.

One of the questions I ask at every bill is: what protects people from unintended harm? In this bill, those protections are written into the definition itself.

Some opponents of the bill, and some who support parts of it, have called for further changes: removing prayer entirely, taking 'suppress' out of the definition, excluding 'gender identity' or accepting practices said to be voluntary. I will not support any of those, and if they are moved I will deal with each in Committee. However, in short, each would leave the bill appearing intact while removing much of what it does to prevent real harm. Prayer is already protected, a carve-out would only protect prayer used as a method of conversion, which Tasmanian survivor Glen Worrell has told members of this place was the most harrowing part of 21 years of these practices. Most practices today aim at suppression rather than change, so removing the word would let practitioners step outside the law simply by describing their work differently.

Excluding 'gender identity' would leave a trans young person unprotected from a practice that would be unlawful if they were gay, and giving supposed consent after years of being told you are broken and will lose your family and faith unless you change is not informed consent.

In the words of the longstanding respected advocate Rodney Croome - and I thank him for his continuous advocacy - allowing conversion practices for so-called consenting adults would allow all adult conversion to continue, because it's almost always entered into voluntarily, but informed consent cannot be given to conversion practices even when they are entered into voluntarily. This is because victims are never told conversion is based on discredited pseudo-psychology, that it won't work, inflicts deep harm and is undertaken by people without relevant qualifications. Conversion quackery is a form of mental health malpractice, which is inherently deceptive. Informed consent is impossible.

The second question I ask of the legislation is whether the people affected have been heard. This bill was released as a draft in July and went through six weeks of public consultation, as well as with survivors, legal bodies, faith-based organisations, health groups and members of this place, and it was changed as a result. Its framework was shaped over many years by survivors, who were clear that punishment was never the main aim. They wanted prevention, education and a safe way to seek help. That is what most of this bill does. Tasmanians have also spoken for themselves. I was proud to sponsor a petition to this House that I tabled this morning in support of this bill that has received 5796 signatures.

Clause 75 requires independent review after five years, so if parts of the law do not work as intended, this parliament will know and can fix it. On cost, this bill uses an existing office rather than creating a new agency, and that is sensible, but a function is only as good as its funding. If this bill passes, and I hope it does, I'll be looking to the government to resource the Anti-Discrimination Commissioner properly to do this very important work and I will be asking about it in Estimates.

On the people most at risk, the bill recognises that children are particularly vulnerable to these practices. Young people do not get to choose their church, their school or their counsellor. They cannot leave home. The protections in this bill matter most to them. I was fortunate enough to hear from a group of young people on Monday, and I thank the independent member

for Braddon, Mr Garland, for facilitating that meeting. They were clear and adamant that this bill should pass. They feared that if this bill doesn't pass, harms to children and young people would continue. As one young person said:

> This bill isn't about religion. It's about protecting children and young people from abuse and death.

This relates to the last question I ask, whether the bill leaves things better for the generations coming after us. I want a young person in Claremont, Moonah or Sandy Bay who's working out who they are to grow up in a state that has clearly said in law that there is nothing wrong with them that needs fixing. That is what clause 8 of this bill says, and I think it's worth this parliament saying it too.

This bill will not undo what has already been done to people. Survivors carry that, and some of the people who should be here to see this debate are sadly not. What it can do is stop it happening to the next person. It does that mostly through education and early intervention, with criminal penalties kept for the most serious provable harm. It protects belief, prayer, parenting and proper health care. It has been tested through consultation and it will be reviewed.

Honourable Speaker, Tasmanians have waited four years since its own law reform body told it what to do, but victim/survivors have waited much longer. I will be supporting this bill and I urge every member of this House to do the same.

[12.46 p.m.]

Mr BARNETT (Lyons - Attorney-General) - I thank you, honourable Speaker, for the opportunity to provide a contribution on the Greens Conversion Practices Prohibition Bill 2026. In my contribution today I will be outlining a number of concerns that I and others have with the bill and the reasons I believe it's fundamentally flawed and I cannot support it.

Speaker, at the outset, I want to make it clear that I stand strongly against abusive and coercive practices which cause serious harm or injury to Tasmanians, and I think that's evident from the wide range of law reform I have developed, introduced and passed through this parliament, including recent reforms, particularly with respect to family violence.

When we're creating laws as a parliament we must ensure we are clear exactly what the laws will do and in which situations those laws will apply. Whenever we are criminalising an action providing for civil action to be taken, or giving power to statutory bodies to enforce actions and receive complaints and undertake investigations, it is a fundamental principle that those laws must be able to be clearly understood in terms of what is lawful and what is unlawful. This bill is a clear example of legislation being introduced into this parliament under which it is very unclear what actions are to be considered unlawful and potentially subject to criminal, civil or other enforcement action.

I've been clear that the bill is fundamentally flawed because it contains such vague definitions that it will, or could, capture such a broad range of conduct, including conduct which is entirely appropriate and should not be inferred to be a conversion practice. It is not good enough to have an intent to ban certain practices and then be okay with sweeping up a whole range of other conduct which would adversely impact children, families, public debate and discussion.

It brings into question fundamental principles, including questions such as to what extent parts of the act will be applied retrospectively, retrospectivity, the ability of adults to consensually seek out guidance or counselling and, critically, the ability for everyone to understand what is lawful conduct and what is not lawful conduct.

It's quite clear that there are a number of valid concerns. That is evident from the number of amendments which have been drafted and circulated. Just last night we received amendments to 11 clauses from the Greens and, earlier this morning, further amendments. I know that the Greens have worked with other members across the Chamber on some of those amendments and I don't criticise the process, but it's a very lengthy and complex bill and to have a huge number of amendments delivered in the last 24 hours, including this morning, for us to then consider, carefully scrutinise and provide comment or feedback on is, in my view, a serious concern.

We are talking about a bill here that can send people to jail. We're talking about putting employers at risk of significant compensation or liability payouts, that can drag Tasmanians from all walks of life into investigation and disciplinary processes. I'm extremely concerned at the prospect of the parliament being asked to understand and consider the implications not only of the bill, but the original 88-page bill that now also has a significant list of amendments, some which interact with each other and some which will contradict each other. I'll return to those concerns again shortly, but there is a very strong argument that we should have a further scrutiny opportunity and/or an inquiry with respect to this bill and its many amendments.

The way the bill is drafted quite clearly and deliberately means that people like teachers, nurses, and police are exposed to being the subject of complaints, and those complaints can come from a third party. They could be on the basis of conversations. There could be complaints about a conversation or a discussion that happened not only with a person's consent but at their initiation. They could be complaints that are made years later.

If you are creating laws that say that conducting conversion practice is a criminal offence, then it is clear that it is a very serious thing for a teacher or a counsellor or a health professional or a parent or a grandparent to be accused of a conversion practice. Put yourself in the shoes, for example, of a teacher who's been approached by a student with questions about sex or gender identity, and gives what they believe is a factual and balanced answer, and then is subsequently accused of a conversion practice. There's nothing in the bill currently to make clear that this is not a conversion practice and that a teacher can't be dragged through an investigation process and a disciplinary process over an allegation like this - or a police officer, a correctional officer, a family member or nurse or a paramedic.

After the Greens released the draft of this bill, I had particular concerns, and I've raised those with the honourable Leader for the Greens and it was done with good faith. The bill, in my view, is inconsistent with the stated intent. I note that in its advocacy for the Greens' bill, which I thank them for providing to members, Equality Tasmania said this about the bill:

> It is about banning quack mental health treatments that are based on false and misleading claims. Those treatments are inflicted by unqualified people on vulnerable people who will suffer great harm.

I'm very sure that we all want to ban quack mental health treatments that are based on false and misleading claims but it is very clear that the definition chosen for this bill quite deliberately

goes far beyond practices which are promoted as mental health treatments or other so-called therapies. With respect, it is not accurate to say that this bill as presented to the parliament is about quack mental health treatments. If it were just about that, we'd be dealing with an entirely different bill.

This is the definition that the Greens have included in the bill:

> In this Act, *conversion practice* means a practice or conduct directed towards a person, whether with or without the person's consent -
>
> on the basis of the person's sexual orientation or gender identity; and
>
> … the purpose of -
>
> changing, suppressing or eradicating the sexual orientation or gender identity of the person; or
>
> inducing the person to change, suppress or eradicate their sexual orientation or gender identity.

Nothing in this definition goes anywhere near limiting the scope of this bill to quack mental health treatments - quite the opposite. So, as I've said, instead we have a very broad and ambiguous definition which is clearly intended to go well beyond that.

A practice or conduct can include a conversation, debate, discussion and argument, all things which are perfectly legitimate parts of our democracy, family life and a central part of all sorts of relationships. How is a person who seeks to abide by this law expected to understand what conversations or discussions could later be reported to authorities as an alleged conversion practice?

The definition in section 5 of the bill goes on to create further conditions which are equally vague. Section 5(4) of the bill says that:

> For the avoidance of doubt, the following conduct does not, of itself, constitute a conversion practice:

It then lists the number of actions which do not of themselves 'constitute a conversion practice'. That wording directly implies that each of these actions can and is intended by the bill to be potentially considered a conversion practice or part of a conversion practice. That is incredibly concerning because this list includes participating in a public debate, an expression including

(a) participating in a public debate;

(b) an expression, including in prayer, of a belief or principle, including a religious belief or principle;

(c) an expression that a belief or principle ought to be followed or applied;

(d) stating what relevant religious teachings are, or what a religion says, about a specific topic;

...

(f) parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children;

What comfort or clarity can it possibly provide for the bill to say that participating in a public debate does not, 'of itself, constitute a conversion practice', or that a parent discussing matters such as gender identity or religion with their child is not of itself a conversion practice?

That is not legislation which allows a Tasmanian acting in good faith as a parent, as a family member or in another legitimate capacity to be assured that they're not subsequently going to be accused of a conversion practice. Of course, a parent discussing matters around gender identity or religion should not have to subsequently defend that conversation on the basis of a complaint against them.

Nor should a Tasmanian who is engaging in public debate about a contested matter, such as the provision of puberty blockers or cross-sex hormones to children, run any risk of being accused of a conversion practice for making those arguments and raising those concerns. I can flag now that I'll be circulating an amendment to make clear that these actions are not conversion practices and to remove that qualification of itself.

One of the major concerns with this bill is that impact on freedom of speech and the chilling effect that a bill so broad and vaguely defined can have on our democracy and our public debate. I pay credit to Professor Patrick Parkinson, who provided an extensive analysis and submission on the bill for raising these concerns very clearly about the chilling effect on freedom of speech. Professor Parkinson has made the point very well that if people can't understand the law and exactly what the scope of it is, including when it comes to public debate or the conversations you have, then what other choice does a person have but to avoid conversations and avoid debate in case they are later accused, no matter how unfairly, of engaging in a conversion practice?

Further than that, I draw your attention to the provisions in the bill which provide for an employer, that an employer can be found criminally responsible for a conversion practice undertaken by an employee, and to place a prospective duty on employers and others to prevent conversion practices and to provide the prospect of vicarious liability of organisations and employers. This is very worrying because we have seen numerous examples around the world and in this country already of people being punished by employers or professional bodies for expressing a view on matters like gender identity. I draw your attention to one example in the case of Dr Jillian Spencer in Queensland, who was only a couple of months ago cleared by Queensland's leading Children's Hospital after being suspended in 2023 for raising concern about gender affirming care: three years of being suspended from a job for raising those concerns, only to be later exonerated. Under this bill, I fail to see what protection a health practitioner would have if they were accused of conversion therapy if their employers and professional bodies wrongly didn't back them, as occurred with Dr Spencer.

We've heard during briefings of the concerns that in Victoria, which I understand is the legislation the Greens based the bill on, health practitioners are steering away from offering guidance and support to young people with gender identity distress because they fear being

accused of conversion practices if they offer counselling or suggest that a person does not need to enter a medicalised pathway to be who they are.

Similarly, I'll draw members' attention to the significant concerns in the bill by churches and religious organisations. In this country and in Tasmania we have freedom of religion, freedom of association and freedom of speech. We encourage people to practice their religion and share those beliefs. I know that a number of churches and organisations have provided very thoughtful submissions and briefed MPs on their concerns to the bill.

Sitting suspended from 1.00 p.m. to 2.30 p.m.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

Second Reading

Resumed from above.

Mr BARNETT (Lyons - Minister for Justice, Corrections and Rehabilitation) - Speaker, before the lunch break, I was making reference to the churches in Tasmania and I want to acknowledge in the Chamber today representatives of the Australian Christian Churches and also the Tasmanian Muslim Association, as well as other representatives in the Public Gallery who are here for this debate. I want to acknowledge the submissions of the Archdiocese of Hobart, His Grace the Archbishop of Hobart, Freedom for Faith, Australian Christian Churches of Tasmania and many others. I'm also aware that those representing other religions have made submissions and offered and provided briefings to members and others across this Chamber.

Churches and religious leaders and communities of all faiths provide an incredible service, providing support, guidance and counselling to many thousands of Tasmanians at times when they need and have sought guidance. I find it disappointing that this bill presented to parliament does not address the concerns of people of those faith-based organisations - and I include in that the provision of education, those in educational institutions, and the provision of healthcare services. There are many Christian and religious-based organisations that provide healthcare services and, likewise, welfare services and social support. These are incredibly important institutions in our community that provide that support and, sadly, their concerns have not been addressed by the Greens.

I'm highlighting those concerns on the public record on their behalf to say it's not good enough to follow just an intent. When we have a law that criminalises certain behaviour and that establishes a civil framework and an enforcement regime it needs to be very clear. What this bill doesn't do is provide that clarity going forward.

I thank those representatives and organisations representing all of those services for the very thoughtful submissions and the feedback that's been provided and I'm sorry that their concerns have not been addressed in any way, shape or form. They are representing many parts of our community, in good faith. They offer support and guidance that has been requested of them and are at risk of being in breach of the law. Particular concerns have been made by them with respect to the mandatory reporting regime and the vicarious liability requirements and obligations under this, which actually flow through to all organisations in Tasmania, not just businesses, but volunteers and volunteer organisations.

There are numerous other concerns with the drafting of this bill which I will not have time to cover in full, but I'm sure will be referenced by other members during the second reading debate or in the committee stage. I think it's important for the public to understand that this bill is not just cracking down on quack health treatments. It is not just implementing criminal offences for serious offences. The proposed scheme in this bill of complaints to the Anti-Discrimination Commissioner, which can be made about conversations and/or discussions that occur with consent by another person who was not involved or affected, but which can result in individuals or organisations being accused of conversion practices and hit by enforceable orders or subjected to disciplinary procedures by their employers is, in my view, an extraordinary overreach, which stands to cause significant harm and trauma to anyone unfairly or falsely accused.

As I said when I started this contribution, of course we want to stamp out abusive and coercive practices. Of course we want to prevent quack medical treatments which cause harm, but this bill makes no attempt to confine itself only to those good aims. It goes much further and imposes severe restrictions on legitimate and good-faith conduct, on conversations and discussions.

I and other colleagues will be circulating amendments to at least provide clearer protections, and I will support amendments which improve the bill and address some of the major concerns with this version. I do not believe this bill, structured around such a vague and unclear definition and involving such fundamental flaws, can be amended to the point of being good law and, as such, I will not be supporting it.

[2.35 p.m.]

Mr GEORGE (Franklin) - Speaker, I rise to support the Conversion Practices Prohibition Bill with my whole heart. I thank the Greens for the hard work that has brought this bill to fruition. I thank the Premier for his thoughtful words and those of the Leader of the Opposition. They rang true and they rang heartfelt. I thank Mr Rodney Croome and all the members of his community who have taken the time to educate me. I also thank the very many constituents who have engaged with this bill and its implications. I've worked hard to understand those who espouse the benefits of this bill and those who fear its unintended consequences. My vote is driven by what I believe to be justice, and I respectfully reject the Premier's complaints about the amendments. Each one is intended to make this a better bill.

At the heart of this debate lies a simple question that we 35 here need to answer: where does personal freedom end and harm to another person begin? That question sits at the centre of almost every difficult debate we're asked to have, and I draw on two lodestones when determining where my vote should lie.

The first came as a callow reporter, which I adopted when a senior colleague suggested I memorise the Universal Declaration of Human Rights drafted in the shadow of the worst war this planet has ever experienced; 'Judge every story against this standard', he said, 'and you'll always be able to judge between right and wrong'. I've lived by that for many years, more than I care to remember.

More recently, the honourable member for Clark, Ms Johnston, suggested during my first days in parliament another lodestone. One measure against which to judge legislation, she suggested to me, is to consider how it might impact our community's most vulnerable people.

Honourable Speaker, those two lodestones have helped me through the challenging and thoughtful conversations I've had with constituents and others who've expressed views that range from dedicated support to adamant opposition. As a result, I support the Conversion Practices Prohibition Bill 2026 and I support it for a number of reasons.

First, because for far too long, those for whom this legislation spells a beacon of light on the horizon have been the target of coercion, shame and psychological harm for no other reason than simply because of who they are. That community - Tasmanians first and LGBTQIA+ second - are entitled to dignity, respect and protection under the law, just as any other Tasmanian.

I am satisfied that the Greens have heard and responded to any reservations I have raised about this bill and how it has been drafted. I'm satisfied the bill strikes an appropriate balance between protecting people from harmful conversion practices while preserving legitimate medical practice, evidence-based health care, freedom of speech and freedom of religion.

As I have intimated over the past several months, I've heard from constituents and others with wide-ranging views, some expressed with hope, some with fear. I've heard gruelling stories about the lasting harm caused by attempts to suppress or change a person's sexual orientation or gender identity. Some of them, suffering from exclusion and rejection, made what they took to be informed consent, the chimera born of what - and these are my words - what seems to have been a desperate attempt to be accepted as 'normal' by community or family, whatever normal may be, and if there is such a thing.

From others, I have heard that this bill is an overreach and could prevent parents discussing matters of gender and sexuality with their children, or religious leaders expressing sincerely held beliefs, or health professionals providing appropriate care. I've returned to this bill with these concerns in mind. I've taken on the impact of contentious clauses. I do not believe those fears are borne out by the bill as it stands before the House. It does not prohibit a person from expressing their beliefs. It does not impose on religious teachings. It does not prevent a person from living according to their faith. It does not prevent someone from expressing a moral view about sexuality or gender. Nor does it prevent a health professional engaging in legitimate evidence-based practice. What is more, this legislation is deliberately drafted to preference education over punitive action, which is as it should be. The idea that someone, a parent, a religious teacher, a community mentor might accidentally stray across the line into criminality is not one that is well founded with this bill.

What this bill does prohibit is conduct directed towards another person for the deliberate purpose of changing or suppressing that person's sexual orientation or gender identity. That's an important distinction. In a free society, people are entitled to hold opinions, they're entitled to express them, they're entitled to encourage others to follow them - but one person's freedom must never become another person's burden. Actively seeking to change a person's sexual orientation or gender identity is not simply the expression of a belief, it is conduct directed at another human being with the objective of altering a fundamental aspect of who they are. The line drawn by this bill is both reasonable and necessary.

I've also heard arguments that conversion practices should remain lawful where an individual consents to them. I understand why some people raise that proposition. Consent is a foundational principle in many areas of law and in medicine. However, consent is not the only

principle. In medicine, the relevant standard is informed consent. For consent to be informed, a person must have accurate information about the risks and the likely outcomes of treatment or practice. The overwhelming consensus of Australian and global medical and psychological organisations is that conversion practices are ineffective in achieving their stated purpose and carry significant risks of psychological harm.

If a practice is fundamentally based on the proposition that a person's sexual orientation or gender identity is broken and should be changed, then that practice is simply wrong. It is simply wrong. So, 'informed consent' is a misnomer. Victim/survivors of conversion practices tell me of the lifelong trauma they suffer from so-called conversion therapy that they recognise, in hindsight, was never truly consensual. Their choices, honourable members, were induced in the main by social and family expectations and unwarranted shame. There is no foolproof legal test to know whether a person is consenting to be subjected to something because it is truly right for them or because they feel they have no other choice. That's why I support this bill prohibiting conversion practices, whether conducted with or without consent.

Now, this is not some extraordinary departure from established legal principles. There are many forms of prohibited conduct which remain prohibited regardless of consent. People cannot consent to discrimination. Harmful medical practices are outlawed even in cases where an individual volunteers for them. For a range of criminal offences, consent, of course, is not a defence. The absence of a consent exemption in this bill is therefore neither novel nor unreasonable. It's entirely consistent with broader approaches to both health regulation and criminal law.

While I support the bill, I will be moving several amendments. They are not intended to weaken the impact or protections contained in the bill, nor are they intended to diminish the dignity of the LGBTIQA+ Tasmanians. I support the bill's objectives as compassionate, sensible, and reflective of a society that seeks to treat all people kindly and fairly. However, I have concerns about including some of these principles directly within legislation, particularly legislation that creates indictable offences.

In particular, I'm concerned by the principle contained in clause 8, paragraph (b). The question for me is not whether this principle is worthy of being followed, the question is whether it belongs in legislation. The law performs many functions. It establishes rights, it creates obligations and it prohibits conduct, and yes, it does help shape social expectations but in my view the law works best when it is primarily responding to social change rather than attempt to compel it through value statements that are embedded in a statute.

There's an important distinction between criminalising conduct and legislating philosophy. When parliament creates offences, we should do so with precision and restraint. Values-based statements may provide guidance, they may be educational, they may help shape future community attitudes but that doesn't necessarily mean they belong in black letter law. The principle contained in clause 8(b) is not universally shared, unfortunately, across the Tasmanian community, or at least it's not universally agreed upon what welcoming, valuing and respecting someone means. That reality does not determine whether people should be protected from harm - they absolutely should, of course - but it should give us pause before elevating contested social propositions into legislation that underpins criminal sanctions.

The bill already proposes a far better mechanism for advancing understanding and social change. It establishes a commissioner with educational and preventative functions. In my view,

that is precisely where these broader principles should find expression, because education changes minds, conversation changes hearts, and engagement builds understanding. A commissioner empowered to educate the community can advance these principles through guidance materials, public awareness campaigns, and constructive engagement with schools, faith communities and service providers. That strikes me as a more appropriate and an ultimately more effective way of fostering social change than embedding detailed value statements within legislation.

I recognise that this legislation addresses matters that many Tasmanians view through a profoundly different lens. For some, the debate concerns faith, for others family. For others, still painful lived experience. Parliament should approach all these perspectives with respect, but respect does not require us to ignore harm and freedom does not include a right to impose our beliefs upon another person in ways that cause harm.

Tasmanian law should protect both freedom of belief and freedom of coercion. This bill seeks to uphold those principles. It protects people from practices that seek to alter who they are, and at the same time it preserves the right of individuals to hold, express and live according to their own beliefs. That's not always an easy balance to strike. In my assessment, however, this bill largely succeeds in doing so and will, with amendments, achieve that aim.

Accordingly, Honourable Speaker, I support the Conversion Practices Prohibition Bill 2026, while moving an amendment to clause 8 to ensure that the legislation remains properly focused on regulating conduct, protecting people from harm and preserving the appropriate distinction between lawmaking and social education.

[2.48 p.m.]

Ms HADDAD (Clark) - Thank you, Speaker. I'll start my contribution today by recognising the many Tasmanians whose lives have been shaped and, in many cases, shattered by conversion practices. In doing so, I want to sincerely thank everyone of these remarkable people who generously shared their own stories and their own trauma, in the interests of preventing others suffering the same harm. These are not distant stories. They are not historical footnotes. They are lived experiences of Tasmanians who are our friends, our families, our neighbours and colleagues, people who live in our communities and who carry scars that were inflicted under the guise of care, faith or family.

Some carry them quietly, privately, because that's the safest way for them to survive. Others have relived their own pain to share it with all of us here for one reason: to prevent harm, to prevent anyone else going through what they did, for us to support this bill.

One such survivor is Ereni, whose story I will share with her consent, and I thank her. Thank you, Ereni, for letting me share your story. When she was growing up, Ereni always felt like the odd one out. She was scolded for being different and felt shame and guilt for something she could not change. Her teenage years were lonely. When she was 16, her friend's family took her in, cared for her, treated her like their own daughter but their stance on homosexuality was clear. She simply had to stop being gay. She tried. She tried desperately. She tried because she loved them. She tried because she trusted them. She tried because she believed she had finally found a place that she belonged.

Then she fell in love with a girl. She'd never experienced a love so intense, but she was told that her love was rooted in evil. She fought with everything that she had to make those feelings go away. They never did.

She was sent interstate to a residential camp. For nine months she was isolated from the world, her belongings locked away, her phone calls monitored, not allowed to touch anyone or speak about anything personal. She said that her treatment was to get the gay out and get God in.

What followed was almost unbearable to hear. She endured numerous exorcisms. She was told that they were to free her of the spirit of lesbianism. She was made to march around the perimeter of the property with others at the camp every morning confessing out loud all of their sins. She was told God was disgusted by her, told she had chosen to be gay, told her sexuality was the result of her father not hugging her enough or listening to K.D. Lang in the 90s and other equally absurd theories. She was told she was headed straight to hell. That's a serious thing for anyone of faith to grapple with, and the psychological toll was catastrophic. She said she went to sleep praying never to wake up. She survived, but that's not the same as recovery. I know that now that more than 15 years later, Ereni's still feels it every single day, including today.

I don't share Ereni's story lightly. I know how serious it is, but the terrible thing is that it's not isolated. It's a story shared by so many victim/survivors. Conversion practices are not historical events relegated to history. They are real and they are happening even today. Research from La Trobe University and UTAS shows that one in 20 Tasmanians have been through them in the last few years alone. The fact they are still happening, still inflicting harm, is why five other states have already implemented a ban: Queensland, NSW, Victoria, SA and the ACT and if this bill passes we will be the sixth.

If we fail to act, there is a serious risk that we will become a safe harbour. As other jurisdictions move to ban, the people who inflict them will be looking closely at our state, knowing that they will be freer to practice them here if we remain an outlier. In those five states the same misinformation was being spread when they legislated. People were told those bills would lead to a floodgate at the courts. Parents, priests and teachers would be sent to jail. Nobody would be able to live according to their values but of course, that hasn't happened. There have been no prosecutions or convictions.

Indeed, what has happened is that there has been an increase in understanding of what these practices look like and how dangerous and harmful they are. There has been a focus on education and prevention, which together have meant a reduction in harm, and that's what I like most about this bill. Yes, there are criminal sanctions, but it's clear that they would be a last resort. The main focus of the bill is education and prevention, as it is in other states.

If we fail to act, Tasmania would become the national refuge for conversion practices. We would be known nationally and internationally as a state where conversion practices are still allowed. We'd be known as the state where survivors are not protected and where harm is tolerated and accepted. We can't stand for that.

Tasmania has led the nation before on anti-discrimination law, on marriage equality, on laws to recognise trans and gender-diverse people, but we've also lagged behind. We were the

last state to decriminalise homosexuality, shamedly only a few short decades ago, and let's not be the last state holding out to ban conversion practices.

So, what are they? Well, like Ereni's story shows, they are targeted programs that attempt to change, eradicate or suppress sexuality and gender identity on the premise that LGBTIQA+ people are defective, disordered, broken, spiritually afflicted and that they therefore need to be changed, healed or fixed. The harm caused by conversion practices is not theoretical and it's not disputed. The United Nations recognises conversion practices are by their very nature degrading, inhumane, cruel and create a significant risk of torture.

In their 2022 report, the Tasmanian Law Reform Institute said they caused significant trauma and profound and lasting harm. They also found that Tasmanian survivors of conversion practices are three to four times more likely to have PTSD and to attempt suicide than LGBTIQA+ people who have not been subjected to these practices. They made 16 recommendations for law reform, recognising that conversion practices do still occur in Tasmania, that they cause severe harm, and that our existing laws are inadequate. They said we must act to prevent becoming a safe harbour for these practices. The TLRI's work was thorough, evidence-based, widely consulted in the community and, importantly, survivor-informed. It distinguished clearly between protected religious expression and harmful conduct directed at changing or suppressing a person's sexual orientation or gender identity.

I recognise the many Tasmanians who have contacted me about this bill. I've had hundreds of emails and letters from people who either support the bill and some who have very genuinely held concerns. I recognise the many senior religious leaders who took the time to meet with me. I met with many people, including representatives from the Anglican Church, the Baptist Church, Australian Christian Churches, and the Hobart Mosque. Some of those people are here in the Chamber and in the Gallery today. Thank you for giving me your time. There were others I tried to meet with but were unable to make diaries meet, but they sent me their submissions and I've read them all in detail.

These meetings were respectful and meaningful. I felt we genuinely listened to one another and I truly believe there was a shared desire to reduce and prevent harm. When they told me that they are confident that conversion practices don't happen in their organisations, I think they were being truthful. Indeed, the evidence from many Tasmanian victim/survivors who have spoken with me and with all of us, points to these practices being conducted at the fringes under a false shroud of theology or scripture. If any of them heard Ereni’s stories or the stories of other victim/survivors, I dare say they would agree. That type of treatment is harmful, not evidence-based and hopefully doesn't happen in their organisations.

However, I do sincerely recognise their concerns that the bill would prevent prayer, prevent them from providing pastoral care to assist people who want religious counsel and support about their sexuality or gender identity.

I have looked in detail at the bill. I'm used to reading legislation, and I am satisfied that the drafting will not criminalise prayer, worship, or sermon. To be considered a conversion practice, it must meet all three of the following requirements: it must be directed towards a person; it must be practice motivated by that person's sexual orientation or gender identity; and it must be for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity.

The bill will not prevent anyone living by their values or beliefs. Nor will it prevent people holding or expressing homophobic or transphobic views, including at the pulpit or in prayer groups or gatherings, in public, or indeed on the Facebook pages of elected MPs.

It all comes back to intent: if the intent of the practice is directed to an individual person and it's to change, suppress or eradicate their sexuality or gender identity. If the answer is no, then there's nothing to worry about. If the answer is yes, then I do invite people to reflect on the harm that might be being caused.

Similarly, there are clear exemptions in the act of parents to talk to their children. Parents won't be prevented from having conversations, including hard conversations, with their kids. Likewise, healthcare workers are protected when providing registered health services within clinical practice guidelines. Nobody will be prevented from having conversations exploring somebody's identity. Those types of conversations are perfectly normal in clinical and non-clinical settings. Conversations about sexuality and gender are not, by their nature, attempting to change, suppress or eradicate somebody's identity.

I received a particularly heartwarming letter earlier this week. It's from Reverend Dr Liena Hoffman. She has responsibility for several Uniting Churches across the north-west coast. Reverend Dr Hoffman wrote to me to tell me that in 2022 the National Assembly of the Uniting Church of Australia resolved that conversion practices are harmful to people's mental health and wellbeing. Together they recognised that every person is entitled to live with dignity, that all people are precious as they are in the eyes of God. Their resolution noted that prayer and pastoral care are long-held Christian practices that will continue to be offered to support and uphold people, including LGBTIQA+ people, and should not be used to harm or condemn LGBTIQA+ people.

Their letter was accompanied by dozens of letters signed by individual Uniting Church parishioners from right across the north-west coast, all telling us one thing: they were worried about the harm that conversion practices have caused; they support this bill to ban them because of their commitments to their church, and they believe that every person is precious and entitled to live with dignity.

When I read that letter, I wrote back to Dr Hoffman telling her that I was particularly proud that my dear Nana, Betty Ripper, was a Uniting Church elder in Victoria right up until her death earlier this year at 101.

I will finish by leaving us with a lasting thought that we can act with kindness and respect, treating others as we wish to be treated.

People are arguing at the edges of this bill, but let's be clear: if we share the view that gay, lesbian and transgender people are not broken, that they are not flawed or need fixing, then we must act. No matter your views on the intricate detail, stamping out these harmful practices will set a tone for our community that no matter who you are, who you love or what you believe, you are welcome.

Finally, thank you to the many people who have campaigned over years and decades on this important issue and others. First and foremost, to Rodney Croome, who I know others have recognised but who I count as a dear friend and I'm very proud to work with, thank you for your advocacy and leadership on this and so many other issues. I also thank Equality Tasmania,

Women's Legal Tasmania, Liv Hogarth, Nathan Despott, Bron Larkins, Glen Worrell, Don Pitcher on behalf of parents of trans and gender-diverse young people, and Dr Miranda Hann and the more than 50 Tasmanian health professionals who, along with her, are working in this field and who wrote to us.

Finally, I thank Amilie Courtney, who's also in the Chamber today, a remarkable young woman who's wise beyond her years - I sound like such an old person when I say that - but who I've been fortunate enough to hear at a number of public forums. Thank you, Amilie, not only for sharing your story as a trans Tassie kid, but also for the very thoughtful papers you've provided to the parliament in the lead-up to this bill. It's often people who have suffered harm who are left to do the heavy lifting in fighting for change, and I recognise that and I admire your strength.

I'll finish with some of the words that Amilie shared with me. She said:

> I know that legislation is discussed in terms of definitions and exemptions and clauses, criminal offences and regulatory powers. Those things matter enormously, but behind every clause in legislation about conversion practices is a person. Sometimes that person is a child who is frightened to tell somebody who they are. Sometimes it's a young person who has spent years believing there is something fundamentally wrong with them. Sometimes it's an adult who has lost relationships, communities, faith or trust because they were taught that acceptance was conditional upon being somebody else. [tbc]

Speaker, I know this debate has been hard for many people, both inside and outside this Chamber. I'm appalled by some of the rhetoric and misinformation that I've seen shared online, including by people in this very Chamber. I've chosen not to reflect on it in detail in this contribution, but not only has it been misinformed and wrong but it's been deeply harmful, deeply hurtful and outright cruel.

I want to remind all of us that making hard decisions is why people elect us to this place, and sometimes doing the right thing might feel hard to some. I urge anyone who is still undecided on this bill to think very strongly and hard about the chance that we have right now to protect Tasmanians, to serve our community and to ensure that no young person or adult ever again has to go to bed at night praying that they won't wake up because they've been told who they are was unacceptable.

[3.03 p.m.]

Ms BADGER (Lyons) - Honourable Speaker, it is an honour to have the opportunity to speak on this Greens bill today; a bill that will make our state a safer, more inclusive island. Hurtful conversion practices have absolutely no place in modern Tasmanian society. Indeed, this is a practice that belongs well in the Dark Ages and it is unthinkable that it has still been happening. That fact was confirmed in the 2022 Tasmanian Law Reform Institute report. That is why the Greens and many others have spent years advocating and advancing the need to ban conversion practices, not just in Tasmania but across Australia.

This is not the first attempt at a bill banning conversion practices in our state, but it can and it should be the successful one. Let us align with other states who have already successfully banned this practice to the great benefit of their communities. I hope at the end of this debate

Tasmania is on the way to joining them, protecting people from harm and being a more inclusive and safer place for all.

I want to thank all the victim/survivors who have bravely shared and reshared their stories to fundamentally help make change. To Equality Tasmania and Rodney Croome, for their unwavering advocacy, heart and support, and for all of those around him in sharing their experiences, particularly those who have experienced these hurtful practices, thank you.

Of course, I want to wholeheartedly acknowledge and thank those in the Greens for their work over time in trying to end this practice, from back in the days when we had Bob Brown leading the charge, Cassy O'Connor and, of course, Dr Woodruff; and the Greens staff, especially Tom, for their dedication, hard work and collaboration over many years to make this debate a reality today.

Tasmanian and national research has highlighted that one in twenty young LGBTQI+ people have gone through conversion practices. Consequently, these young people are three to four times more likely to have PTSD and to attempt suicide. The United Nations human rights experts have called conversion practices 'torture', and that it is. The trauma and mental anguish caused is enormously harmful, and that hurt is sustained for a long time, even a lifetime.

Others today have shared the experiences of Glenn, who I was really lucky to campaign alongside when he was a volunteer for the Greens in the 2022 federal election campaign. I was brand new to the Greens and a very timid first candidate. Glenn was welcoming, warm, inclusive and happy to help however it was needed. The kindness and generosity he showed me, and that I witnessed him sharing with others, was extraordinary. These are the very attributes that he should have been shown for being exactly the person that he is, but as the Leader of the Opposition has already shared in this place, Glenn spent two decades in conversion practices. In an open letter that was sent to all MPs, and in part has been shared with the media as well, Glenn said:

> 'Let the experience of survivors guide your vote on the Conversion Practices Prohibition Bill. Our experience has shaped this bill. Our experience of the lifelong harm inflicted by conversion practices is why we believe there should be a graded set of penalties, ranging from civil sanctions to criminal law for serious harm. Our experience of not being told that conversion is based on pseudoscience and that it can cause deep harm is why we say informed consent is not possible. Our experience of how little is known or understood about what conversion is, and the harm it does, is why we support an education and prevention scheme that is centralised in one agency, the Anti-discrimination Commission.
>
> Our experience of how deceptive and undercover conversion practices are why we say the Anti-Discrimination Commissioner should have investigative power.
>
> Our experience of conversion practices perpetrated on trans and gender-diverse folk, the deceit involved, the harm caused and the similarity of conversion practices on same-sex-attracted people is why we want trans conversion banned as well.

> Our experience of just how damaging prayer can be when it is perverted into a conversion practice is why 'prayer intended to convert' is included. The same goes for preaching, parental guidance and other conduct that is mostly innocent. If it is intended as a conversion practice, it will cause deep harm. [tbc]

The Greens bill, as Dr Woodruff has already outlined, is very clear on what defines conversion practice. First, it must be directed at a person, second, it must be based on their sexual orientation or gender identity, and third, be intended to change, suppress or eradicate the sexual identity, sexual orientation or gender identity of a person. The intent is that clear.

There are offences the bill establishes for intentional and negligent conduct, for engaging in conversion practices that cause injury, taking a person outside of Tasmania for conversion practices, and a lesser offence for advertising conversion practices. But the bill doesn't simply deal with conversion practices after the fact. It provides a preventative approach as well, which is a vitally important pathway to ending conversion practices.

This is done through the proposed education, prevention and response scheme administered by the conversion practices commissioner. Importantly, the conversion practices commissioner role is created by this bill and is to be similar in functions to the powers of that already established in Victoria.

Women's Health Tasmania has clearly outlined how this bill will help protect Tasmanians from harm. They said the Tasmanian Law Reform Institute's research of 2022 confirmed that existing state law is inadequate to deal with the issue of conversion practices. They say the proposed bill does not infringe on parental, professional or faith-based rights, and it has protections for freedom of speech, religious freedom and ethical medical practice which are strong.

There are people in the community who are concerned about their parental rights, or health services that may or may not be available, or their religious and preaching freedoms. In every conversation I've had with people in relation to the issues they have, understandably and admittedly, they had not read the bill and were relying on information from other resources that ultimately was false.

I want to acknowledge now just how difficult this debate has been for many advocates and those who have been subjected to this practice in the face of a cruel misinformation campaign. This same hurtful approach, sadly, is not new. It happened in the gay marriage campaign as well. As Glenn articulated in a letter to MPs:

> None of this is about taking away people's rights. It is about recognising that survivors like me know how conversion works, what severe impacts it has and how to bring about an end. I know you can't ignore the letters that you have been flooded with from people who believe that the sky will fall in but these are the same people who said that the sky would fall in if Tasmania decriminalised homosexuality and if Australia allowed same-sex couples to marry. They were wrong then and they are wrong now.

In speaking with the people who took issue with the bill and after pointing to the explicit clauses outlining what is and what is not captured, most were reassured that, indeed, the sky would not fall in. In fact, it may just be enlightened with a few more rainbows.

A person who sent in a submission to several MPs, who currently works part time as an LGBTIQA+ lived experience peer and an advocate for victim/survivors, says of the bill:

> These practices, conversion practices, have been universally condemned as unscientific and psychologically harmful by all responsible professional bodies that deal with human wellbeing. Gender and sexual orientation sit at the core of the identity of each person, respect for the dignity of which is a basic human right.
>
> The bill is not radical. It is based on similar legislation in other jurisdictions and simply protects the human rights of LGBTQIA+ people like everybody else. Doctors will be free to treat patients as long as their treatment is within existing clinical guidelines. People with faith will be free to preach and pray, and parents will be free to guide their children. Pass the Conversion Practices Prohibition Bill before more lives are lost and people are damaged by the thoroughly discredited practice of conversion therapy.

This constituent notes the key myths that we have seen spread over the past few weeks as opposition to the bill, but it is in fact misinformation and disinformation that have been perpetuated leading up to this debate. It is clear that many have not read the bill, and that's not a criticism because - let's be honest - most people outside of this place, everyday households, don't have the time or the will to read legislation.

I'd like to spell out some of the repeated pieces of misinformation and areas of confusion on healthcare, parenting, prayer and preaching. On health, the Greens bill clearly exempts the practice or conduct that is a health service provided by a registered health practitioner, provided, of course, that the practitioner in good faith considers the service appropriate for the person. The bill does include avoidance of doubt provisions to clarify a range of conduct that does not constitute conversion practice. In an open letter to Tasmanian MPs, a variety of healthcare providers who signed on said:

> It [the bill] will not entrench certain treatments, nor will it have a chilling effect on clinicians. The bill allows medical and health practitioners to treat patients in any way they feel is reasonable and ethical within existing clinical guidelines If the guidelines change, the bill will defer to that change. The bill rightfully leaves clinical standards to the health professionals themselves.

Women's Health Tasmania also said:

> The bill aligns with contemporary healthcare practices. The proposed bill adds to our state's ability to deliver these services and brings Tasmanian law into alignment with the five states and territories that have already passed similar legislation.

A positive consequential amendment to this bill that I note here is that a person should be entitled to healthcare and be provided with health services free of discrimination under the charter of health rights in the *Health Complaints Act 1995.*

In relation to parents, parents can rightfully raise their children according to their values or their religion. Parents can talk freely to their children about gender identity or their sexual orientation. They can, of course, ask questions to try and understand their children's sexual orientation, and they can share their own beliefs about sexual orientation and gender identity with their children, whatever those beliefs may be. Parents can exercise their best judgment regarding medical treatment options. If a conversion practice does occur, as I've outlined, there are education and prevention mechanisms in place which generally can be the first approach over penalty, and I'll note here another consequential amendment to the bill is that conversion practices would be reportable conduct under the *Child and Youth Safe Organisations Act 2023.*

On religious freedom, as Women's Health Tasmania has said, the protections for religious freedom are strong. This bill absolutely allows a person to express their beliefs and views, and it allows that person to express to other people if they think they ought to follow their beliefs too. The prohibition is in relation to a conduct towards another person on the basis of their gender identity or sexual orientation when it is for the purpose of changing that sexual orientation or gender identity. As was very clear in the definition, it is with the intent to do so. That is where the bill draws a clear line.

Glenn also made an incredible submission, and part of his quotes have been shared in the media as well in relation to the importance of having prayer included in the bill. Glenn said:

> I found prayer practices to be the most harrowing and damaging of all conversion practices. In and of itself, these practices were intimidating and frightening. I felt very vulnerable and there was a deep power imbalance. But there is an even deeper level of risk.

He goes on:

> A gay or trans person seeking to be 'healed' through conversion practices will try working through a manual or working with others in a small group. When this fails, they can try a different approach. But when prayer fails, they have nowhere left to go. When it failed for me, I felt like I would always be unworthy of God or that he had abandoned me. Of course, only prayer which is intended as a conversion practice should be prohibited by the Conversion Practices Prohibition Bill. This bill already makes this clear. But whatever you do, please do not exempt prayer from the bill entirely. Prayer based conversion practices are where the greatest damage is done and where the law must focus if it is to be effective. There needs to be a boundary in place that allows a person to be free to be who they are.

Glenn is right. Under this bill, people will remain free to express their religious views, free to conduct religious teachings and teachings in relation to sexual orientation and gender identity. The line is drawn when a person is taken aside because of their sexual orientation or gender identity, told that their identity is morally wrong or broken, and attempting to cure their sexual orientation or gender identity.

This is when one's belief - that is, actively trying to enforce an opinion on a specific person to change their sexual orientation or gender identity - is no longer an expression of personal freedoms, it is a violation of the freedoms of the other person. Indeed, I also want to thank Amilie for the amazing work that she did in her papers, and she's certainly someone who can read legislation very well. I want to note and point specifically to Section 5 of this bill that deals with an awful lot of concerns that have actually already been raised so early on in this debate, particularly from the Attorney-General. I hope when he circulates his amendments, which hadn't been done at the time that I stood up here, it is actually a bit more specific rather than just the vibe on exactly what parts of Section 5 his issues deal with. It's really important when we are having these debates that we can narrow down into exactly what that is. Notwithstanding, we only have 20 minutes for our contributions at this period of time, it would be good to hear a few more of what those specifics were in that first contribution.

This bill will save lives. I want to conclude by sharing the words from the Pride Circle of the Uniting Church in Australia who endorsed this bill. They say:

> All LGBTQIA+ Tasmanians deserve to be affirmed for who they are, not subject to further persecution and psychological torture. Being LGBTQIA+ is not a dysfunction to be treated or fault to be fixed. It is a gift from God to be celebrated. Our God is the God of love, not fear. Our Christ is the Christ of the outcast, not the already safe and comfortable. That is why we strongly support conversion practice legislation to end it, and we urge you to do the same.

[3.19 p.m.]

Mrs ARCHER (Bass - Minister for Health, Mental Health and Wellbeing) - Thank you, honourable speaker. I rise today to support both the principle and the purpose of the Conversion Practices Prohibition Bill 2026. At its heart, this debate asks whether Tasmanians should be protected from practices intended to change or suppress their sexual orientation or gender identity. I believe they should. I recognise that this issue engages deeply held religious beliefs, family relationships, and genuine concerns about the reach of the law. Those views deserve respectful consideration, but our responsibility as legislators is to consider the effect of our decisions on the people whose lives they will shape. Freedom of belief matters, and so does freedom from harm. We should be capable of protecting both.

Tasmania has a particular history in the struggle for LGBTIQA+ equality. We were the last Australian state to decriminalise homosexuality in 1997. The progress that followed was hard won by Tasmanians who challenged prejudice and demanded fair treatment. Rodney Croome and many others endured considerable hostility to secure protections that are now an important part of our state's identity.

In 2022, as the federal member for Bass, I opposed the Religious Discrimination Bill introduced by my own government. I did so after listening to people of faith, educators, parents, community organisations and LGBTIQA+ Tasmanians. I could not support a proposal that I believed risk diminishing protections our state had fought so hard to achieve, particularly for vulnerable young people. The principle guiding me then guides me now. Protecting one person's dignity should not require diminishing another's. Nor should we treat the merit of legislation as dependent on which party brings it forward. Although this bill has been introduced by the Greens, I'll judge it on its purpose, its provisions and its consequences.

The question before us is not whether people may hold different beliefs about sexuality or gender. They may. The question is whether someone should be subjected to targeted practices intended to change or suppress who they are, particularly when those practices can cause profound harm. For a young person who is still working out their identity and place in the world, the message that they are defective or must change to deserve acceptance can be devastating.

Research has identified associations between experiences of conversion practices and serious mental health harms, including post-traumatic stress and suicidal behaviour. We must treat that evidence with the seriousness it deserves, while recognising that behind every finding is a person with a family, relationships and a future. I'm especially concerned for young Tasmanians who need to know that the adults around them will offer care and safety even when they don't have all the answers. No child should feel that love or belonging depends on denying an essential part of themselves. Intentions may be sincere, but good intentions alone do not prevent harm.

I want people of faith to feel heard in this debate. Churches, religious schools and faith-based organisations contribute enormously to Tasmania, including in my electorate. Many people are motivated by their faith to serve others, support vulnerable neighbours and strengthen their communities. Respecting that contribution is entirely compatible with protecting people from harmful conduct. People must remain free to hold religious beliefs, pray, discuss faith and identity, and have difficult conversations within their families. People exploring their identity must also be able to seek appropriate professional support.

The distinction we must draw is between listening to and supporting a person as they explore who they are and targeting that person with practices intended to change or suppress their identity. That distinction must be clear in the law and in its application. Protecting people from harm should not mean prohibiting ordinary, respectful conversations or legitimate care. Equally, broad exceptions must not become loopholes that leave vulnerable people exposed to the very practices the bill seeks to address. There are legitimate questions about definitions, safeguards and how the bill will operate in practice. They warrant careful parliamentary scrutiny, and I am open to amendments that clarify the law, protect appropriate religious expression and family discussion, and ensure access to legitimate healthcare, provided that the amendments preserve the bill's essential protection against harmful conversion practices.

I acknowledge our Premier's decision to allow Liberal members a conscience vote, and I respect colleagues who have considered this matter in good faith and reached different conclusions. It is the greatest strength of our party and reflective of our values and our diversity, but a conscience vote should invite careful judgment, not diminish the seriousness of the outcome.

Our language in this Chamber also matters. Young people, parents, people of faith and survivors are listening, not only to what we decide, but to how we speak about them. We can disagree without vilifying others. We can ask difficult questions without spreading fear, and we can defend our values without questioning another person's worth.

I also acknowledge those with lived experience who have shared painful stories to help prevent others from suffering. Their courage deserves our attention, and their experiences should inform the way we test and improve this legislation. As the Premier said earlier, the stories that have been shared with me have stayed in my mind.

I entered public life believing that politics can make a meaningful difference, especially for people who do not enjoy the same platform or power as those of us in the House. Sometimes that means making decisions that will never affect us personally, but matter profoundly to someone else. This bill is not about dictating what Tasmanians must believe. It is about drawing a boundary around conduct that can cause serious harm, while respecting the freedoms and relationships that matter to our communities. No person should be made to feel that they are broken because of who they are. I believe we can protect freedom of belief while protecting people from harm, and that we, in fact, have a responsibility to do so. Subject to consideration of amendments, as I said, that preserve the bill's essential protections, I support the Conversion Practices Prohibition Bill 2026, and I commend the bill to the House.

[3.26 p.m.]

Ms ROSOL - Thank you, honourable Speaker.

I have come that they may have life and have it to the full.

These words are attributed to Jesus, and they sit behind my contribution to today's debate on the Conversion Practices Prohibition Bill 2026 because what we are talking about today is people who are LGBTQIA+ being able to live full lives as their full selves without anyone else being allowed to force them to change or give up who they really are.

I am someone who attempts to follow Jesus in the way I live. I don't usually use parliament to platform my faith. That's not my role in this place and it's not what I was elected for but my faith is a central part of who I am. Today, I am speaking about it because the voice of conservative Christianity is loud. At times it is loud in this Chamber, and in this debate and online it has been particularly loud. But that conservatism is not the only voice of Christianity. So, while Christian members of this House are misrepresenting the bill and stoking fear and division about it, it's important to hear a different Christian perspective that counters the false narrative of fear and judgment. There are many progressive Christians who recognise the importance of this bill and are entirely comfortable with it. That's because it is possible to hold a Christian faith and accept and value different and diverse people just as they are, without the need to change them or make them conform to one's own version of 'rightness'.

Jesus did it. Jesus embodied radical acceptance. I would argue that the whole biblical story is one of radical acceptance. Jesus hung out on the fringes of society with people who were marginalised at that time: lepers, the poor, children, women - women who bled even - people with disabilities and what we would probably consider today to be mental illnesses, people from other countries and ethnic groups. Jesus never shied away from people who were looked down on or shunned. Quite the opposite; he reached out to them, touched them, included them. Jesus was scandalous, particularly in the eyes of the religious leaders of the time. He saw his purpose as upsetting the order of things, turning that order upside down even, and people loved him for it. They flocked to him. The religious leaders, not so much. They plotted to kill him instead.

These stories of Jesus' radicalness have become so familiar they're no longer shocking and their significance has been lost. The scandal of what Jesus did has been sanitised over the years and even co-opted to maintain order. Many Christians have forgotten just how radical Jesus' actions were, and we're seeing the result of that in the debate here today.

I apologise to those who don't follow the Christian faith, It's not my intention to convert any of you but it's important to put on the record that many of the Christian views being espoused here today aren't shared by all Christians, and I would argue they aren't an accurate reflection of the real message of Christianity. That message has always been about love and inclusion, and a god who wants people to live their lives to the full.

Sadly, for too many LGBTQIA+ people, that is not their experience. Instead, they often suffer high levels of mental ill-health and suicidality. A 2024 La Trobe University report found that close to 80 per cent of LGBTQIA+ adults have had suicidal ideation during their lifetime, with the figure a terribly high 90 per cent for LGBTQIA+ young people. Almost 50 per cent of adults and 63 per cent of young people reported recent suicidal ideation. For comparison, only 3.3 per cent of general community members in Australia report recent suicidal ideation. A total 74 per cent of LGBTQIA+ young people have self-harmed at some point in their lives.

Trans and gender-diverse people have poorer mental health and social wellbeing. The risk factors for this include experiencing verbal, physical or sexual harassment, among other things. LGBTQIA+ people are suffering as a result of how other people treat them, and we know that suffering is made even worse when they go through formal conversion practices. Then they are three to four times more likely to have post-traumatic stress disorder, and three to four times more likely to attempt suicide than those who have not been through conversion practices.

Let's be clear, conversion practices are not some net positive or even neutral, innocuous intervention. They are actively harmful to LGBTQIA+ people, and of course they are. Conversion practices are rooted in conservative evangelicalism that sees its main purpose in the world as converting people. They come from a place of judging LGBTQIA+ people for who they are, viewing them as sinful and defective and in need of change or conversion.

There's no sugarcoating this. During the lead-up to this debate, I have had people tell me homosexuality is a sin. It's a common conservative Christian belief I am well familiar with from growing up in the church. Essentially, opposition to conversion practices is because some people believe it is a sin to be homosexual or lesbian, or trans or any one of the other variations in gender and sexuality.

It's based on a handful of Bible verses that conservatives interpret a particular way. But their interpretation doesn't take into account the cultural and religious practices of the time the Bible was written, and it isn't the only way to understand these passages. It certainly isn't something that is agreed upon within the church. It doesn't take much digging to find theology that deeply examines the key Bible passages used by conservative Christians to condemn homosexuality, and helps contextualise them and understand the meaning they had when written.

Words written thousands of years ago in a different language and in a different culture held a different meaning to the words they've been directly, and sometimes poorly, translated into in this time and culture. Many now recognise that the Bible passages repeatedly used to condemn homosexuality originally had more to do with condemning sexual exploitation, abuse and idolatry, and little to do with who slept with who in loving relationships.

Too many Christians are obsessed with what other people do with their genitals, and a lot of it stems from bad theology. Seriously, what does it matter what other people do? Are other

people harmed by it? No. Are they responsible for it? No. Will they catch it if they don't eradicate it? Definitely not. It's lazy, simplistic and, frankly, faulty by biblical interpretation to selectively pick out words from ancient texts, plonk them down in today's world and think they can be directly applied to our lives without any attempt to understand their original meaning or contextualise that meaning for the here and now.

It's not just lazy theology, it's downright destructive, and countless LGBTQIA+ people have been harmed in the conservative Christian crusade to convert them from who they really are. Being gay or lesbian, or trans, or anyone of the other sexual orientations and gender identities, is not a sin and it is not a choice. LGBTQIA+ people are not broken. They are not sick and they are not dysfunctional. They do not need to be fixed. They are who they are - beautifully, naturally, wonderfully made, and worthy of acceptance and inclusion, just as they are. Attempting to change, suppress or eradicate the sexual identity or gender of someone who is LGBTQIA+ is an attack on who they are. It's an assault on the core of their being and a threat to their identity. Conversion practices are toxic and harmful. They hack away at LGBTQIA+ people's sense of self and result in shame, and they have to stop.

You might think I'm exaggerating about Christianity or being excessively harsh and judgmental of it, but I grew up in the church, experienced the judgment and shame, and carry the scars today. I was repeatedly prayed over by my father, not because I was LGBTQI+ but because I didn't meet up to his version of perfection based on his interpretation of the Bible. I went to church and tried desperately to be good enough and please the pastors. I confessed every Sunday to whatever sin was being highlighted in the pulpit that week that was quite honestly just normal human behaviour. I went up the front for prayer, hoped to fall under the power of the Holy Spirit and constantly worried about whether I was really saved. I know the power of the church to shame people, control them and crush them.

My experiences took years to work through, but they are nowhere near as harmful as what LGBTQIA+ people suffer in conversion practices. I've received emails, some of which have already been mentioned here today, outlining what people endured in conversion therapy conducted by churches and parachurch organisations. The impact has been damaging and long-lasting.

Bronwyn described being forced to undergo hypnotherapy as a 17-year-old when her parents attempted to change her sexuality. She felt sick, drained and exhausted after every session and was left feeling what she called 'less than'. At 48, she is still undergoing therapy to help her recover from the damage conversion practices did to her. Ereni was sent to what she was described as a 'Jesus boot camp', and as we've heard already:

> For nine months I was completely isolated in a place where same-sex attraction was treated as though it were an illness and my treatment was to get God in and get gay out.
>
> They made us march around the perimeter of the property every morning - confessing out loud all of our sins, and made us believe that we had actually chosen to be gay.
>
> I can't remember exactly how many times they attempted exorcisms on me, but they prayed for my soul like I was headed straight to hell, all because I loved a woman.

The impact on Ereni was devastating:

> I became really unwell. I went to sleep praying that I would never wake up. I would wake up and sob because God hadn't taken me through the night. I lost my joy, my peace, my will to live. Everything became pointless. The hard truth is that conversion practices very nearly killed me, and I know it's the same for most of the other survivors out there. [tbc]

Glenn described going through decades of conversion practices in Christian organisations. He said:

> There is a core power difference being exercised where the person who struggles with their sexual identity in this environment feels their sin is ever before them, change is elusive, that they are powerless, helpless, hopeless, despairing as time goes on, and an abomination, a failure, wicked, and all the labels that are associated with pursuing what I now believe is a futile exercise. [tbc]

The common thread through these stories is that each grew up in a Christian family. Churches or Christian 'ministry' was the vehicle for conversion practices and each tried desperately hard to fit, conform, convert. Instead, they were still who they were, they still loved who they loved, and they were all crushed by the judgment, lack of acceptance and practices they went through.

I've spoken with Christian parents in Launceston who have made the hard decision to leave their church because of the stance taken on trans people. Their child was trans. They saw the damage being inflicted on them by the teachings and actions of the church and I won't forget what they said to me. 'It was either leave the church or lose our child', and by 'lose' they meant they feared their child would suicide. I know how damaging practices in the church can be and that is why, as a Christian, I'm compelled to speak in support of the banning of conversion practices. The church should be a place of love, care and healing. Too often it is not, and that needs to change.

Speaker, I want to comment on submissions made by the Archdiocese of Hobart over the last two to three years because they highlight the real reason conservative Christians want this bill to fail. Their submission this year said this:

> The Archdiocese of Hobart does not support coercive, abusive or degrading practices directed towards people because of their sexual orientation or gender identity. It is open to engage in constructively where there are genuine gaps in Tasmanian law which leave people vulnerable to harmful practices, and about how those gaps should be addressed. The broad concern is that this proposed bill goes considerably further by creating serious uncertainty about conduct which ought to remain lawful. Religious institutions and their agencies must be able to profess, teach and practice their beliefs. Parents should not feel the threat of prosecution if their conversations with their children are done in good faith and from a place of conscientious belief and conviction.

This is quite different from a media release issued by the archdiocese in response to the government's draft bill to ban conversion practices in early 2024. There, the Archdiocese of Hobart said:

> ... although the Government's draft bill includes exemptions for religious beliefs and the right of parents to guide their children, the basic view underpinning the legislation is opposed to biological reality and to Catholic teaching on human sexuality.
>
> "We cannot support this kind of legislation which is based on a lie about the human person and human sexuality,"

They go on to say:

> ... it is also unjust for the Government to seek to impose restrictions on public expression with regard to topics like the morality of human sexuality of which reasonable individuals acting in good faith can disagree.

and:

> same-sex attraction and gender dysphoria 'can only be regarded as involving a disordering or a discongruence between the reality of the body and one's experienced desire'.

Clearly, the Catholic Church consider LGBTIQA+ a sin, a moral failing against the created order. They helpfully named this up for us in their 2024 media release, and their position is reflective of conservative Christian beliefs about gender identity and sexual orientation more broadly.

When we hear members of this House speaking against banning conversion practices, this is the belief they are channelling - only they know they can't really say that because it's anathema in the times that we live in, so they zoom out from the nub of their opposition to the bill and mask it by making it all about their fear of unintended consequences. They can't say they support conversion practices and want them to continue, so they mislead and sow doubt to gather support from people who would not support them if they were honest about their true beliefs and intentions.

We know from the statistics in Victoria that in five years of operation there have been zero prosecutions, zero investigations and 16 reports - an average of just three per year under their conversion banning legislation. Targeted education has been provided twice. Fears of unintended consequences have proven to be unfounded. Every email I received claiming this bill would criminalise prayer, normal parenting, conversations discussing religious beliefs and values and doctrines, or pastoral care told me its author hadn't read the bill, because it clearly does none of these things.

This bill will not mandate gender affirming care. Healthcare is explicitly identified as a matter to be handled within existing frameworks. It will not prevent exploration. It only captures attempts to change or suppress a person's sexual orientation and gender identity, not help them explore it. When it comes to prayer, there is no way that it is prohibited by this bill -unless the prayer involves sitting someone down, telling them their sexual orientation or

agenda identity is morally flawed or a mental illness, and attempting to pray away the gay. Then it's a conversion practice and the difference is pretty clear.

Parents can still have a conversation with their child and tell them what they think about sexual orientation and gender identity. None of that changes with this bill, because the bill prohibits conversion practices, plain and simple. It defines a conversion practice as targeting a person based on their sexual orientation or gender identity for the purpose of changing, suppressing or eradicating their sexual orientation or gender identity. The Pride Circle of the Uniting Church in Australia say this:

> It's time we learnt there is no substance to these fear campaigns. Religious freedom is as strong as ever in Australia even though we have marriage equality. Parental rights are no different even though we have school inclusion programs. The sky has not fallen in. Our God is a God of love, not fear. Our Christ is a Christ of the outcast, not the already safe and comfortable. That is why we strongly support conversion practice legislation and urge you to do the same.

The bottom line is this: being LGBTQIA+ is not a sin. Sexual orientation and gender identity do not need converting. Conversion practices are harmful and LGBTQIA+ people are living with the terrible impacts of these practices on their health and mental health. This bill seeks to protect LGBTQIA+ people from harm by banning conversion practices. It does not stop people holding a belief, sharing their belief, suggesting other people should agree with their belief, praying, parenting or teaching a doctrine. It simply makes it illegal to engage in conversion practices.

It is time - time to respect, value and accept people in the LGBTQIA+ community for who they are; time to prevent harm; time to ban conversion practices. I urge my fellow colleagues in this place to vote for this bill and pave the way for LGBTQIA+ people to live their lives to the full.

[3.46 p.m.]

Mr ELLIS (Braddon - Minister for Police, Fire and Emergency Management) - Thank you, Speaker, I rise to speak on the Conversion Practices Prohibition Bill 2026. I want to begin with what unites this House, because I think it matters. No member here supports cruelty. No member wants a young person coerced or abused because of who they love or how they understand themselves. The aversion therapies of the last century - drugs to induce nausea, electric shocks and the like - were a stain on medicine. If this bill did nothing more than outline that, it would pass this House without a division. We know that because legal protections against such harms already exists. But that's not what this bill does. The hardest question this bill touches is not about the practices of the 1960s. It is a question that doctors, psychologists and parents are wrestling with right now. That's why it's here today. How do we care for a child or a teenager who is deeply distressed about their sex or their gender? This is one of the most contested questions in modern medicine, but this bill asks us to legislate as though that matter was settled.

Let me be precise about why I rise. I rise for the 13-year-old in Burnie or Devonport who tells their parents that they're born in the wrong body; for those parents sitting in the GP's waiting room, frightened and unsure; and for the psychologist who wants them to take time to understand what's going on. The potential for anxiety, anorexia, autism, trauma, bullying or an

emerging sexuality. Before anyone reaches for an answer, a child in distress deserves a question before they are given an answer. I'm not here to tell any trans Tasmanians who they are. Adults who have transitioned are, of course, like anyone, owed respect, dignity and the full protection of the law. The issue at stake in this bill is narrower and far more complex. This bill turns the most cautious care for a distressed child into some of the most legally dangerous care that a parent or clinician can offer. No parliament should do that to children and to the people who love them.

A decade ago, there was a confident view in some quarters that the right response to a gender distressed child was to affirm early and to move to a medical intervention when the child asks, even if they were not yet at the age of consent. That confidence has not survived contact with the evidence. In April 2024, Dr Hilary Cass, a paediatrician, not a politician, handed down the most comprehensive review of youth gender services ever undertaken. Her forward did not mince words. She warned that the evidence in this field is thin and that what it shows has been overstated. She wrote that there is, 'no good evidence on the long-term outcomes of interventions to manage gender related distress', as it's practiced then in the UK, that these pathways can cause infertility, physical and mental health harms including suicidal ideation, sexual dysfunction and the need for lifelong medical intervention beginning at that age as a child - consequences which she found many children cannot be reasonably assumed to have made informed consent. She called for every young person to instead receive a cautious and holistic assessment: their mental health, their neurodiversity, their family, their history.

This caution has now crossed the world. New Zealand has stopped new prescriptions of puberty blockers, Queensland has paused new hormone treatments for minors in its public hospitals until the release of a UK trial is known in 2031, the Northern Territory has followed and our own federal Health minister has asked the National Health and Medical Research Council to rewrite the national guidelines with draft interim advice on puberty blockers due in public consultation next month. We are being asked to legislate certainty in a field where the honest answer is we don't know yet. The debate is not settled, but the international evidence points to the Greens' preferred model of gender transitions for minors as doing more harm than good for children.

Here is the telling thing: when the British government published its own draft conversion practices bill in June, Dr Cass welcomed it because it specifically confined that crime to abusive conduct causing serious harm, capped the penalty at five years and puts an exemption for healthcare on the face of the bill. She said clinicians must be able to care for young people without fear of litigation. This is what careful law looks like; it draws a bright line around cruelty and leaves clinicians free to think. This bill does the reverse.

Let me turn to the text, because good intentions are not drafting technique. Clause 5 defines a 'conversion practice' as conduct directed at a person with or without their consent, for the purpose of changing, suppressing or eradicating their gender identity or inducing them to. 'Suppressing' is not defined, 'inducing' is not defined, and clause 5(2) says it's irrelevant whether the conduct rests on a mistaken assumption about who that person is.

Then there's the identity that this bill protects. Last week, one of the bill's leading advocates answered my question about what a woman is. A woman, he says, is anyone who knows themselves at their deepest level to be a woman. This is the bill's problem in miniature. No clinician can see what a 13-year-old knows at their deepest level. No court can test it and the bid for suppressing a gender identity without saying what suppressing means. This leading

advocate can only define a woman by pointing back to the word itself. When the definitions like this run in circles, the line gets drawn by whoever complains first.

Consider the psychologist. The bill protects her if she acts in good faith and complies with all relevant legal, professional and ethical requirements. But in this field, the professional requirements are precisely what is a dispute around the world. The national guidelines here in Australia are being rewritten as we speak. Which requirements is she supposed to meet, today's or the ones published next year? She cannot know and she will only find out when someone complains. How do you comply with all professional requirements when the standards are in dispute with each other? The guidance is shifting under her feet.

The journalist Bernard Lane, who has reported on Australia's gender clinics for years, revealed in April that the Australian Psychological Society's new position statement dropped the Cass commission evidence review that had appeared in the 2024 draft. The bill told psychologists that exploring gender with a client is not a conversion therapy unless they push for a particular outcome. The final version, instead, puts the onus on them to make sure their work does not amount to conversion therapy. This is exactly the kind of professional guidance a court could look to in deciding whether a Tasmanian psychologist meets this bill's test.

The bill also lets practitioners help a young person explore their identity, but without directing, predetermining or seeking to influence the person towards a particular outcome. Medicine is not neutral about irreversible outcomes. A clinician who hopes that a 14-year-old can find a way through their distress without a lifetime of medical intervention is not running a conversion program; she's practising medicine. Then there's the school counsellor, the youth worker, the social worker who is not a registered practitioner; they get no health exemptions at all. They must argue that what they did genuinely facilitated exploration and someone else decides what 'genuinely' means, potentially at the end of years of legal proceedings.

Then look at what hangs off that uncertain definition: anyone can make a report whether or not they were affected; adults who believe an offence has been committed against a child, who is exactly the focus of this bill, must report it to police. The commissioner can compel documents, override the privilege against self-incrimination, also known as the right to silence, and is not bound by the rules of evidence. Conduct towards a child becomes reportable conduct under child safety laws with no harm threshold at all.

The criminal offences require only injury, including temporary harm to mental health caused negligently. The bill sets no penalty. The Criminal Code default applies - that's up to 21 years. Victoria reserves 10 years for serious injury and New South Wales and South Australia requiring intent and serious harm for five.

With a clinician, of course though, the punishment is not just the verdict; it's the complaint, the investigation, the years of waiting. We've already seen it happen. In 2023, Dr Jillian Spencer, a senior child psychologist at the Queensland Children's Hospital, was stood down after raising concerns about its gender service. Years of disciplinary proceedings followed. This year, Queensland Health finally dropped every one of those against her, settled with her and accepted that clinicians must not direct a child down a predetermined treatment pathway. She was right, and it cost her years and her place at that hospital.

Clinicians will respond as any sensible person would to these conversion practices laws. A vague law does not stop bad practice; it stops cautious practice. The psychologist with a

six-month waiting list will simply decline the gender-distressed teenager, not because she's done anything wrong, but because she cannot afford the risk. Professor Patrick Parkinson says that even LGBT-focused clinicians in Victoria have grown reluctant to treat these minors, and this month Mr Lane reported a Victorian mother telling a conference in Adelaide that her state's laws had had an absolutely catastrophic effect on being able to find neutral, supportive therapy for children with gender distress.

Let me turn to the people that this bill seems least able to imagine: mums and dads. The bill protects parents discussing sexuality, gender, or religion with their children. Discussing. It says nothing about deciding. Consider a situation the Archdiocese of Hobart put to its members. A 14-year-old asks their school to use a new name and new pronoun. Their parents, who love them, ask the school to wait until they have clinical advice. The school agrees. Is that suppressing a gender identity? The bill doesn't say. The parents don't know, the school doesn't know, the commissioner will decide after the fact and remember, Dr Cass found that social transition is an active intervention. A parent who says, 'Let's slow down', is doing what the most comprehensive review in the world recommends. Ultimately, that is the heavy responsibility for parents of children below the age of consent, not just to discuss, but often it's to decide.

Caution is not conversion, and curiosity is not cruelty. The bill targets something different. A parent who chooses a therapist who will explore rather than simply affirm. A parent who takes their child to Melbourne for a second opinion, when clause 14 makes it an indictable offence to take a person out of Tasmania for a so-called conversion practice. Grandparents, foster carers and kinship carers raising a child get no express protection at all. The clause simply names only parents, and because the bill writes conversion practices into Tasmania's child abuse laws, a teacher or relative is legally required to report a family to police or face legal risks themselves.

Consider where this bill will land hardest in the case of a bitter separation. Last year in the case of Re Devin, the Family Court heard separated parents fight over whether their 12-year-old should start puberty blockers. The mother said yes, the father believed the child was gender expansive rather than dysphoric and said no. The court found the gender clinic had not done a proper assessment, as we are often hearing, gave the father sole parental responsibility and the treatment did not proceed. Under this bill, the father's stance, the one the Family Court upheld, is exactly the kind of thing an angry former partner could report to the commissioner as a conversion practice.

Anyone can make a report. No harm need be alleged. The allegation alone makes the child a person affected under the bill. Imagine how that reads in an affidavit. In a bitter separation the bill hands one parent a new weapon, the power to call the other parent’s caution abuse. No parent can read this bill and know where the line is. If a law cannot be explained to a parent at the kitchen table, it should not be enforced against them in the courtroom. Parents are not a risk to be managed. They are people who will still be there long after the appointments end.

Who are these young people presenting to gender services today? In 2020, the American journalist Abigail Shrier wrote *Irreversible Damage*. She documented a striking change: clinics that once saw a small number of mostly boys are now seeing huge numbers of mostly teenage girls, many with no childhood history of gender distress, many from friendship groups and online communities where coming out as trans was celebrated. She described therapists whose

job it is to ordinarily test the patient's assumptions simply deferring to them instead. She pointed out that, outside cosmetic surgery, this is the only field of medicine where the patient supplies both the diagnosis and the treatment plan. She was denounced for saying so, but four years later Dr Cass's review documented the same change in who was presenting. Ms Shrier was right about who was walking through the clinic door, and it demands careful assessment, not legal presumption.

A study of young people at Melbourne's Royal Children's Hospital found that close to half had autistic traits. An Australian study of 660 gender-diverse adolescents found one-quarter reported symptoms of anorexia or bulimia. Australian clinicians have documented high rates of trauma, family breakdown and adverse child experiences among the children they are seeing. These are children carrying a great deal. Even the international affirming standards - the World Professional Association for Transgender Health (WPATH) Standards of Care - call for a comprehensive assessment of exactly these things before medical steps are taken. Exploration is not a fringe idea; it is the standard of care.

Then there are the groups that this debate rarely mentions. Older studies of children seen in gender clinics found that most no longer express gender distress after puberty and many grew to become gay or lesbian adults, so when we make exploration legally risky, we should ask who pays? When exploration becomes legally risky, affirmation becomes the default, not because the evidence says so, but because the law does, and some of those young people carried along that path will be gay kids who simply needed time.

Then, of course, there are the detransitioners, young adults who took irreversible steps and now regret them. The bill, of course, lets clinicians discuss the wish to transition, but many detransitioners will tell you the moment that mattered came earlier, the moment when nobody asked why. A law that makes clinicians afraid to ask why will create more of them, not fewer, and more of the suffering that those young people are experiencing now.

I'll speak further about what amendments are required to improve this fatally flawed bill in the committee stage, but the focus must be on coercion and harm; the actual definition of what is banned, not just what is exempt; clinical safeguards; protection for parents' decisions, not just discussions; thresholds set at harm, intent and recklessness not far below; retrospectivity and vicarious liability; and of course the need for a proper inquiry into this issue.

There are many who believe that this bill needs to go to a parliamentary committee for proper scrutiny and that is a reasonable request. Getting this right will take months. Getting it wrong will cost children years.

Let me come back to that thirteen-year-old in Burnie or Devonport. What does the child need? Not a slogan from either side of this debate. They need time. They need adults who will listen without flinching. They need a psychologist who is free to ask the hard questions about anxiety, about autism, about what happened at school, about who they're attracted to, and free to say, 'Let's not rush'. They need parents treated as partners, not suspects.

If, after all that care, the young person grows into a trans adult, they deserve this parliament's protection and respect. If they grow into a gay man or a lesbian woman, then they deserve exactly the same, and if they simply grow up comfortable in their own body, that's not a failure of anyone's ideology. That's a child who was given room to find out.

This bill, however well meant, shrinks that room. It has the potential to turn careful and considered decisions with a young person dealing with some of life's biggest questions - who am I and who am I meant to be? - into a legal minefield, with parents, caregivers and clinical professionals carrying a risk of future prosecution by participating in those important decisions. For those reasons, I oppose the bill.

[4.04 p.m.]

Mr Di FALCO (Lyons) - I rise today to speak on the Conversion Practices Prohibition Bill 2026. I want to acknowledge all the people who have reached out to me and shared their stories, which at times were very confronting. I feel for everybody who has been subject to abuse and trauma. I took a lot of calls and meetings and read a lot of emails. The one thing that is very clear is this is a complex matter and people feel very strongly about it.

I want to begin by making something very clear. I do not support coercion, abuse, intimidation or the mistreatment of any individual because of their sexuality or gender identity. Nobody should be subjected to violence, humiliation or forced treatment. Nobody should be made to feel unsafe in their own home, their community, or their place of worship.

I believe these are principles that every member of this House should be able to agree upon, but recognising those principles does not mean that we must automatically support every piece of legislation brought before this parliament in their name. We have responsibility to examine not only the intentions behind the legislation but also its practical consequences. That is where I have serious concerns about this bill. My fundamental concern is that we are increasingly turning to government and legislation to regulate matters that have traditionally been the responsibilities of families, religious communities, individuals and qualified professionals. We are asking parliament to insert itself into some of the most personal and sensitive conversations that Tasmanians will ever have; conversations between parents and their children, religious leaders and health professionals. They are deeply personal, often complicated, and they deserve sensitivity, compassion and understanding. I question whether another layer of government regulation is necessarily the best way to achieve that.

Families are the foundations of our communities. Parents have an enormous responsibility when it comes to raising their children, helping them navigate difficult decisions, providing guidance and supporting them through the challenges of life. That responsibility does not disappear simply because the subject matter becomes sensitive or controversial. There will be families across Tasmania who have difficult conversations about sexuality, gender identity, relationships, and religious beliefs. Some parents will approach those conversations differently from others. Some families will have deeply held religious convictions. Others will have no religious beliefs whatsoever.

I do not believe the role of this parliament should be to dictate what every one of those conversations must look like. There is a very important distinction between protecting a child from genuine harm and attempting to regulate the advice, guidance and values that parents provide. We should be extremely cautious about crossing that line. A disagreement between a parent and a child is not automatically abuse. A difficult conversation is not automatically coercion, and expressing a sincerely held belief is not in itself evidence of harm. Parents do not have an unrestricted right to harm their children and where abuse or coercion occurs, there must be appropriate protections but that does not mean the state should become the referee in every sensitive family discussion. I would much rather see a government investing in resources that

help parents support their children rather than creating uncertainty about what they can and cannot say.

Another concern is the potential impact on religious freedom. Tasmania is home to people of many different faiths and people who choose not to practice any religion. That diversity is something that we should respect. For many people, faith is not simply something they practise for an hour on Sunday. It shapes their understanding of family, relationships, morality, and their place in the world. When someone seeks advice from a minister, pastor, priest or another religious leader, they often do so because they want guidance consistent with their own beliefs. That is a voluntary and deeply personal choice. I'm concerned about legislation that may create uncertainty for religious leaders about what advice they can provide, what prayers they can offer, or how they can respond when someone approaches them seeking spiritual guidance. Even where legislation contains protections for religious expression we must consider whether those protections are sufficiently clear and practical.

I want to address the role of the health professionals, counsellors and psychologists, these people who undertake extensive education and training to support individuals dealing with complex personal circumstances. Their work often requires careful consideration of a person's mental health, family circumstances, belief, and individual needs. We should expect those professionals to operate within appropriate clinical and ethical standards. We should also recognise that professional judgment is important.

My concern is that when parliament begins legislating in areas involving complex clinical discussions, we risk creating uncertainty about the boundaries of legitimate professional practice. Professionals should be able to ask appropriate questions, explore a person's circumstances, and provide evidence-based care without fear that legitimate clinical discussions will be misunderstood. There is an important distinction between coercive practices designed to force an individual towards a particular outcome and genuine therapeutic support that respects a person's autonomy. That distinction must be clear.

We already have professional registration systems, ethical obligations, complaints mechanisms and standards of care. Before creating additional legislative restrictions, we should be asking whether those existing mechanisms are sufficient, whether they need strengthening, and whether a new statutory regime will deliver better outcomes. We need to make it clear that the government does not have to control every aspect of a person's life.

I want to turn to what I consider one of the most extraordinary aspects of this legislation: At a time when Tasmania is facing enormous financial pressures, when government departments are being asked to find savings and when essential services are under increasing strain, we are being asked to support the creation of yet another statutory regulatory function. This bill establishes the office of conversion practices commission, with the existing Anti-Discrimination Commissioner taking on that role. It is important to acknowledge that this is not an entirely separate department, but it is an additional statutory responsibility with investigative, educational and enforcement functions. Those functions require resources.

This does not happen for free, and I would like to know exactly what financial implications this legislation will have. How much will this cost the Tasmanian taxpayer? How many additional staff will be required? Will the existing commission receive additional funding or will it be expected to absorb these responsibilities within its current budget? What resources will be required by the Tasmanian Civil and Administrative Tribunal, Tasmania Police and

other agencies involved in enforcing these provisions? Importantly, where is that money going to come from? This parliament cannot continue to pretend that every new government responsibility comes without a cost.

We are constantly hearing about the difficult financial position Tasmania finds itself in. We hear about the need for efficiencies. We hear about savings targets, we hear about the pressure on our hospitals, our schools and our essential services - and yet here we are debating legislation that creates another regulatory framework for government to administer. I find that difficult to reconcile. We have communities crying out for better access to healthcare. We have people struggling to access mental health services. We have families dealing with rising cost-of-living costs. We have regional communities that cannot access the services that they need. Instead of concentrating every available resource on delivering those services, we are being asked to expand the responsibilities of government yet again.

I will finish by returning to where I began. I believe that every Tasmanian deserves dignity, respect and protection from genuine harm. That includes people of every sexual orientation and gender identity. It also includes the right of individuals to practice their religion, the right of parents to provide guidance to their children, and the right of professionals to exercise appropriate clinical judgment. These are not principles that should be placed in unnecessary conflict with one another. Good legislation should seek to balance them. I do not question that members supporting this bill genuinely want to protect vulnerable people, but good intentions do not automatically make good legislation. We must consider whether government intervention is the most appropriate response. At a time when Tasmania is struggling to fund essential services, I am not convinced that expanding government regulatory responsibilities is a right priority. At a time when families need more support, I'm not convinced that creating further legal uncertainty around sensitive personal discussions is the right approach. At a time when qualified professionals are already operating under extensive professional and ethical obligations, I am not convinced that another layer of statutory oversight is the best way forward. For those reasons I cannot support the bill, and I will be voting against it.

[4.17 p.m.]

Mr PEARCE (Braddon - Minister for Primary Industries and Water) - Honourable Deputy Speaker, I rise today from a very considered and very respectful place. I rise today to speak on the Conversion Practices Prohibition Bill 2026, and at the outset I want to make one thing very clear, absolutely and abundantly clear, and that is that every Tasmanian deserves to be treated with dignity, with respect and with compassion. Nobody, absolutely nobody, should be subjected to coercion, abuse, intimidation or practices that cause harm. No one. That principle is not controversial, and that is a principle that I support deeply. But our responsibility as parliamentarians is not merely to agree with the intention behind legislation. Our responsibility is to carefully examine the detail, to understand the consequences, and to ensure that addressing one problem doesn't unintentionally create others. That is why, after considering this legislation, I cannot support the bill in its current form.

Families are the foundation upon which strong communities are built. Most parents love their children deeply. Parents want what is best for their kids. Parents navigate difficult and sensitive conversations each day: conversations about identity, about relationships, about values, about faith, and about personal development. Every day. When legislation enters these conversations at this special place, it must do so very carefully and very much in a considered

way. It must provide certainty and it must provide clarity, and it must not undermine the fundamental role of families and parents in raising their precious children.

The difficulty that I have with this bill is not simply its objective, it's the breadth of its operation. You see, under this bill, a conversion practice is defined as -

> Conduct directed at a person for the purposes of changing or suppressing or eradicating sexual orientation or gender identity.

Now, while several exclusions are provided, and I acknowledge this, including parental discussions and expressions of religious belief, the legislation also establishes a significant new regulatory framework, including a prohibition on conversion practices, investigative powers, compliance notices, enforcement undertakings, tribunal proceedings and their creation of a new commissioner function. Members should pause and consider that deeply.

This bill does not simply prohibit harmful conduct; it creates an entirely new architecture of investigation, reporting, compliance and enforcement - a completely new architecture. Reports can be made by any person, whether or not they are directly affected. The commissioner may initiate investigations on their own motion. Individuals and organisations may be compelled to provide information and to attend interviews, and compliance notices may be issued following subsequent investigations. Matters may ultimately proceed before the tribunal with compensation orders available to that tribunal. That is a substantial expansion of state oversight into an area deeply personal: family and community relationships. I am concerned that parliament is being asked to create these powers without sufficient certainty about how they will operate in practice.

I am also concerned by the positive duty imposed on organisations to eliminate conversion practices. Many faith-based organisations, many schools, many charities and community groups right across our beautiful state are already working in good faith to support vulnerable groups, and I commend that work today. Yet in this bill, it introduces obligations that may leave organisations uncertain about where the line is drawn between lawful support, between personal belief, between pastoral care, and between prohibited conduct.

The bill attempts to provide reassurance through exemptions and exclusions. It states, for example, that prayer, that religious teaching, that public debate and parents discussing matters with their children do not of themselves constitute conversion practices. However, many Tasmanians remain unconvinced that those protections are clear enough. When legislation regulates conversations, beliefs and interactions occurring within that family group, within churches and community organisations, ambiguity is not a small issue; ambiguity becomes the issue. Laws of this nature should absolutely leave no reasonable doubt whatsoever about where the law ends and where unlawful conduct begins.

I have concerns regarding the balance between individual liberty and state intervention. Tasmanians value the freedom of thought, the freedom of belief, the freedom of association, and I will fight to the death to maintain them. People hold different views about sexuality, about gender identity, about faith and culture. In a free society, disagreement is not discrimination; difference of opinion is not harm; and respectful expressed belief should not be placed unnecessarily under the shadow of a regulatory scrutiny in any form.

I acknowledge that the bill seeks to preserve freedoms of expression and religious discussion, I really do. However, Tasmanians have raised legitimate questions about whether those safeguards will provide sufficient protections once the legislation begins to operate. Those concerns deserve to be heard, they deserve to be listened to, they deserve more than slogans, they deserve more than assumptions about motive and they deserve more consideration than this bill currently provides.

The other concern I have relates to proportionality. Good legislation targets clear harm with clear remedies. This bill extends well beyond criminal conduct that causes injury. It establishes an ongoing education, reporting, facilitation and enforcement framework that will require significant resources and broad administrative powers. Before creating another layer of bureaucracy, parliament should seriously ask whether this existing legal framework that we already have addresses genuine harmful conduct. We already have criminal laws, we already have anti-discrimination laws, we already have child protection laws, we already have professional standards applying to health practitioners.

The question we should ask is not whether harm should be addressed. Of course it should. The question is whether this legislation is the best and most proportionate way of doing so. It's simple. At present, I'm not convinced of this. This debate has generated strong emotions across the Chamber, and I respect those views across the Chamber, I really do. I understand why. For most Tasmanians, this legislation represents protection from experience that has caused them real harm. I acknowledge those experiences today and I do so sincerely. I acknowledge those voices. I acknowledge their right to be heard.

But parliament must also listen to families, to faith communities, to parents, to schools and to regional Tasmanians who have expressed genuine concerns in a genuine way. Their voices matter, too. A mature parliament must be capable of hearing all sides of this discussion and we should not reduce a complex issue to a simple choice between compassion and discrimination. That is not the argument. Nor should we assume that anyone raising concerns about this legislation is acting out of malice, or anything else for that matter.

As legislators we must get the balance right. We really must. We must protect our vulnerable people. We must also protect our freedoms. We must address harm. We must also preserve family autonomy. We must safeguard individual dignity, but we must also ensure that government power remains proportionate and clearly defined.

Unfortunately, I do not believe that this bill strikes that balance, and for those reasons, and consistent with the position that I previously expressed publicly, I cannot support this bill in its current form. I do encourage members to carefully consider the breadth and the powers being created here in this place, at this time, the implications for families and for community organisations, and whether this legislation achieves a balance that Tasmanians expect from their parliament, expect from those that they've chosen to represent them in this place. Where I come from we put families first and it is with that view that I cannot support this bill as presently drafted.

[4.29 p.m.]

Prof RAZAY (Bass) - Honourable Deputy Speaker, I rise to add my contribution to the Conversion Practices Prohibition Bill 2026. I would like to acknowledge the Gallery present today. I thank the honourable Leader of the Greens for all the hard work she has done to bring this bill to parliament. It has been years in the making and it's time that the parliament should

show that it is against abusive and coercive convention practices and that no one can consent to abuse.

I have listened to the views of parents, grandparents, religious leaders, medical practitioners, advocates, opponents and those who have lived conversion therapy experience. To those people who have shared their experiences, I commend you for your bravery in being so open about such a deeply personal journey. To those of you who have been hurt, your feelings matter, you deserve respect, you deserve support. We should all enjoy the freedom to be who we are without fear or shame, to feel safe, to be accepted. I thank everyone for their time and insight. We all agree that there is no place for mistreatment, cruelty, physical or mental injury. We should love and respect and accept each other. This is also my starting point, honourable Deputy Speaker.

However, those not in favour also expressed major concerns about the lack of clear definitions throughout the bill. They believe there is a need for more clarity around what conduct or practice would and would not be considered a conversion therapy that the bill seeks to ban. Most people in their submission and discussion stated their opposition to abusive and coercive conversion practices. But they also raised their concerns that the bill's definition of conversion practices in Section 5 is vague and may allow different interpretations according to beliefs and opinion. Talking to the public, they all agree that practices such as inducing nausea, vomiting, or giving electric shocks attempting to change or suppress a personal sexual orientation or gender identity are not acceptable. Moreover, they did not believe that these unethical and harmful practices are still being practised in Tasmania.

The bill in sections 5, 3 and 4 tried to define what specific type of conducts are not considered conversion practices but the bill needs a clearer definition of what constitutes conversion practices. If parliament is going to pass a bill that will criminalise some people and send them to jail, there has to be a clear legal definition of what conversion practices are prohibited that are unethical and harmful. The legislation should have a specific example of practices that it intends to ban to allow medical practitioners, parents, grandparents, and people of faith to understand what the legislation is prohibiting. For example, the Queensland legislation gives a clear example of what is intended to be prohibited. It includes nausea, vomiting or paralysis while showing the person same sex images, using shame or coercion to give a person an aversion to same sex attractions or to encourage gender confirming behaviour, and using other techniques on the person to encourage the person to believe that being lesbian, gay, bisexual, transgender or intersex is a defect or disorder. If this is what the bill intends to ban, then I believe all Tasmanians are in agreement. Examples help; they give us guidance.

Parents, and grandparents have written to me and spoken with me expressing their concern. They fear they could be charged for having traditional parent-child discussions, or break the law if they express concern or counsel their children on their sexuality or tell them they will pray for them. A grandfather of seven grandchildren wrote to me sharing that very same concern. He said he wants to be free to talk with his grandchildren about any of their issues, but now he fears that any advice he may give could breach this law, with devastating consequences for all.

Religious leaders have also shared their deep concerns about how the bill could run counter to what they view as their responsibilities, while continuing to chip away at their right to freedom of religious expression. Tasmania is in a unique position in Australia. Section 41(1) of the Tasmanian Constitution has the safeguard of freedom of conscience and free profession

and practice of religion, subject to public order and morality guaranteed to every citizen. It's the only Australian state or territory to have this. People of faith are still concerned that if they advise, counsel or pray for someone regarding their sexuality, they believe they could be charged under this legislation in section 5, even if the person asked for help in the first place.

I will devote the remainder of my time to the impact of the bill on healthcare. I have heard from medical practitioners concerned about the bill's implication. They believe it could limit their ability to care for their patients. Doctors' duties are to deal with facts about medical interventions. They must explain to people what written evidence is available about what the benefits and risks might be, and the long-term outcomes. However, for children and young people with gender distress, there is a lot of uncertainty, and the evidence-base for medical intervention in adolescence remains an area of active review internationally and in Australia. There is ongoing debate about long-term outcomes, the quality of existing evidence and the balance of benefits and risks. All of these create an enormous amount of doubt about what the legal, professional and ethical requirements are in section 5(3)(a)(ii). This might create a chilling effect, with medical practitioners avoiding medical care of vulnerable young Tasmanians for fear of litigation.

The most contentious area of modern medicine is the medical transition of children experiencing gender distress. There are concerns about access to medical transition with puberty blockers and cross-sex hormone treatment in some children and adolescents who are gender-fluid and might move between different gender identities as they mature. Research reveals that the majority of childhood gender dysphoria will recede with puberty and only 12 to 39 per cent persisted with gender dysphoria. There were a significant proportion of children and young people with gender distress who may grow to be gay or lesbian adults. Section 5(3)(b) refers to genuinely facilitating coping skills, development or identity exploration. The bill, therefore, recognises that gender identity development in young people may be fluid and it might change in later years.

Moreover, a recent study last year found that only about 21 per cent of identical twins both identified as transgender, or gender-diverse, and for non-identical twins it was 8.7 per cent. This suggests that genes do not act alone or determine gender identity. This probably suggests that there are genetic as well as environmental factors that might contribute to their gender identity. There is also considerable evidence that many children and young people who identify as trans have adverse childhood experiences, high prevalence of mental health conditions and comorbid conditions such as autism and ADHD. A recent Australian study of 522 transgender and gender-diverse young people in Victoria found 46 per cent of participants had autistic traits, and that transgender youth with autistic traits experience poorer mental health overall, including high rates of depression and anxiety problems, and an elevated suicide risk.

All of this highlights the importance of a comprehensive multidisciplinary assessment and that treatment of underlying conditions should be considered before embarking on hormonal medications and surgery. Clinicians and policymakers need to rely on comprehensive evidence-based benefits, risks and long-term effects of gender-affirming treatment and ensure effective and compassionate care. In England, the Cass review, which is an independent review of gender identity services for children and young people experiencing gender-related stress, released its key findings in 2024. It shared that the evidence on the benefits and risks of puberty blockers and cross-sex hormones in children and young people is weak. The Cass review calls for a cautious, evidence-based, clinical model that prioritises holistic assessment of the whole

person and psychosocial support as the first-line approach, and treatment of comorbid conditions. Crucially, it urged restriction of medical interventions outside research. These recommendations led to restriction of puberty blockers outside research settings in the United Kingdom. Recently, New Zealand and Scandinavian countries have also adopted a more cautious approach in their treatment.

In Australia, gender-affirming care practices remain inconsistent. Last year, Queensland restricted new patients under 18 with gender dysphoria from commencing puberty blockers and gender-affirming hormones through its public hospital services, while treatment remains available elsewhere. Last year, federal Health minister Mark Butler declared that the science underpinning puberty blockers in children is contested and evolving, and he requested that the National and Medical Research Council developed national clinical practice guidelines for the care of trans and gender-diverse people under 18 with gender dysphoria.

The interim puberty blockers advice is to be released for consultation this year and the full guidelines are expected in 2027, with the final guidelines in 2028. All of these have created uncertainty for medical practitioners, which might affect their clinical assessment and treatment involving gender identity. Decisions should be unhurried, especially given that brain development continues into the mid-20s, and it's difficult to predict which young people will have persistent transgender identity. Medical practitioners need to be given reassurances that the advice they give regarding treatment is evidence-based, otherwise they will live in fear of potentially doing unintentional harm or being exposed to litigation in later years. I would like to quote the United Nations Convention on the Right of the Child:

> Children have the right to access information that supports their health, wellbeing and development. Any intervention and procedure provided to children should be age-appropriate and uphold the right to healthy development. Life-altering medical interventions need appropriate evidence of safety before we can offer them to children.

There is a great need for transgender and gender dysphoria health research, especially among children and young people. History is full of examples of how we should be more cautious until we have available evidence on risks, benefits and long-term outcomes that are clearly understood.

I am not against the bill, but I hope we can address many of the concerns that have been raised against the current bill. Tasmanians have stated their opposition to the conversion practices and hope that, by working together, we can address the concerns of many people and make this bill reflect the wishes of most Tasmanians. History is full of examples where decisions were made with the very best of intentions with adverse outcomes. When the stakes involve the health and future of our children, we must exercise caution, demand robust evidence and not rush into medical interventions without a strong evidence base. With this in mind, I recommend that it would be in the best interests of all to send the bill to committee, and I'm going to move an amendment accordingly.

DEPUTY SPEAKER - You need to read it out first, Professor Razay.

Prof RAZAY - I move -

Leave out all the words after 'that'

Insert instead:

(1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon the Conversion Practices Prohibition Bill 2026 (No.45).

(2) The Committee shall consist of six Members, being: two from the Government nominated by the Leader of the House; two from the Opposition nominated by the Leader of the Opposition; one from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens; and one nominated by the Independents/SFF Members.

(3) The Committee report by Friday, 5 March 2027.

I appreciate the effort of all members to scrutinise and improve this bill. Many members have drafted amendments which we now have to consider and understand. We have many amendments from the Greens circulated yesterday and today including amendments discussed and requested by other members. We also have amendments from the government. I feel that working through this many amendments on the floor is not conducive to making the best possible laws. How many members can genuinely say that we understand all the implications of all these amendments before we vote on them? I think the best way forward for all of these amendments to be fully considered is to refer this bill and the proposed amendment to a committee inquiry.

[4.47 p.m.]

Dr WOODRUFF (Franklin - Leader of the Greens) - Thank you, honourable Deputy Speaker. The Greens will be opposing this amendment, and I think we need to remember when we're considering this motion, the voices of victim/survivors and lived advocates about the harms from conversion practices that are happening today. In the Chamber today we've heard stories that have been read out, testimonies of people who have experienced decades of conversion practices, people whose lives have been put on hold, suffering loneliness and despair, shame and humiliation for many decades. We've also heard from the Tasmanian Law Reform Institute in their report of 2022, which is now four-and-a-half years old, the existence of conversion practices in Tasmania today. Nothing has changed. In fact, conversion practices have taken on new and more insidious, possibly underground, forms.

The time for action is well overdue, and many people have looked with lament at the situation in Tasmania, and I look at Rodney Croome and Amilie Courtney who are in the House today, looked at other states that have taken action on this; five other states and territories in Australia have acted on this insidious harmful practice that occurred in their states and have effectively banned them there.

This bill before us today is based on the work and recommendations of the Law Reform Institute and it also heavily rests on the Victorian legislation, which has been in place for five years now and there is a review and it's been very fulsome in talking about the legislation. We have listened to that and prepared a bill that has been now through a consultation phase for several months. It has been an extensive consultation phase that many people have provided submissions on, and I want to thank all the people who have done so. It's very clear, as well as people's views about the bill, there is a strong imperative for action.

I'm also mindful of the extremely hateful and loud online campaign that's been directed towards LGBTIQA+ people as this bill has been getting closer to being debated this week. They would like to continue that conversation. They would like this bill to be stuck in limbo for as long as possible. They are the same people and the same voices who we heard in the past speaking loudly against marriage equality, speaking loudly against same-sex people having the right to adopt, and even speaking loudly, as they did at the time, as Rodney Croome can attest, to decriminalising homosexuality.

We know there has been some good work, good-faith work done with MPs who have come to us over the last couple of months and proposed amendments to the draft consultation and, indeed, to the final bill as tabled. There are newer members in the House who haven't had the experience of working through a committee stage of the bill and doing the work, but that is what, as a parliament, we've committed to doing. This bill is listed today and, as far as the Greens are concerned, we can stay up all night talking about the bill and tomorrow as well. We are committed to doing the work and having the conversations that are needed in the committee stage of the bill to talk through some of the issues that Professor Razay has alluded to.

We are very clear that it is critical that we take action on this issue. Tasmania has delayed for too long and every single victim/survivor who is watching is - many of whom aren't watching because they are feeling a great deal of stress about this debate - more than anything, they want us to finally get on and do our job as legislators. This is what we're employed to do. This is why people vote for us to do the work of legislating. We really feel moving to a committee is not going to add any more information than is currently available before us - and information, mind you, that are - most of the things that have been raised so far I plan to address simply in the second reading speech because there is a lot of false information and, I think, it's a good point to clear that up. There are some things that have been reflected in members' speeches that are false, and that's fine, we can talk about that, but we don't need to have an inquiry into this. The Law Reform Institute did that work; they got 48 submissions, they heard from Tasmanians, they made recommendations about how a bill should be prepared. This legislation substantially is based on that.

We understand there are questions in the community, but we also understand, unfortunately, some of those people's concerns are being fed by false information about what this bill will actually do. We are looking forward, in the committee stage of the bill, to dispelling the myths that are circulating in the community that have been, unfortunately, perpetuated by some members in this Chamber. Whether they've done that maliciously or unconsciously, I don't know. But this is the opportunity to talk it through in the House and to make it very clear that the facts of this bill are heavily based on legislation that exists in other states.

The time for action is now, and we will be opposing any delay for that to happen.

[4.54 p.m.]

Mr GEORGE (Franklin) - Honourable Deputy Speaker, this amendment is frankly cruel and unusual, unexpected, not previously circulated and, what's more, is astonishing coming from a professor of medicine who cares for the mental health of his patients and of people generally. Surely, there has been enough cruelty imposed on this community about who this bill is all about, without having to drag them through it all again - make them all turn up again in front of parliament, make them all turn up into yet another inquiry. The truth of the matter

is that we all know some people will support this bill, some people won't. Let's get the bloody thing done.

DEPUTY SPEAKER - Order, parliamentary language, I'll just remind you.

A member - Just rush it through.

Mr George - Rush it through? It's been four years in the making.

Members interjecting.

DEPUTY SPEAKER - Order.

[4.55 p.m.]

Ms JOHNSTON (Clark) - I strongly oppose the amendment to send this bill to committee. As the honourable member who has resumed his seat said, it is cruel and heartless. I remind members while we're here debating this, we're debating this particular bill because Tasmanians are suffering. They are suffering right now. We've lost far too many Tasmanians to these cruel, harmful practices. We've heard from contributors already about some of those deeply troubling stories, lived experiences of people who've been subjected to conversion practices. You cannot listen to those stories and turn your back and say, 'We'll push this out to committee, we'll make those people come in and repeat the harm and the distress over and over again'.

As the honourable member, Mr George just said, it's very clear that there are people who support this bill. There are people who don't support this bill. Sending it to committee will only further cause distress. I ask members to have the courage to stand up now and say what they believe. They don't believe in the bill, fine. State that now, but for goodness sake do not cause Tasmanians who have already suffered enough more harm.

The amendments that have been circulated to this bill have been done so respectfully. There's enough time for members to ask questions, whether you support the amendments or not of the movers from those amendments. The bill has been widely consulted on. It's based on a very sound TLRI report from four years ago. We've had four years to get to this point - plenty of time to be asking questions, to be talking to your communities. This bill hasn't appeared out of nowhere. It's been widely consulted on. It's been thoroughly researched. It's time to debate it now.

I say to those who are listening to this debate, either in the Chamber or online, from our LGBTIQA+ communities, I'm sorry we have to put you through this to get to the point where we can protect you. I want to make this as quick and as painless as possible because you deserve our protection. You are who you are. You're not broken. You don't need to be fixed. We need to do this now for your sake. I call on members to completely oppose this cruel and harmful motive by the honourable member for Bass.

[4.58 p.m.]

Ms HADDAD (Clark) - Speaker, the opposition will be opposing sending this bill to a committee. As the last speaker just said, it hasn't been magicked up out of nowhere. As I said on the motion that we moved yesterday in this place in order to have today and tomorrow set aside to have the debate on this bill, it has been a long road to get to where we are now.

It didn't even start with the TLRI report in 2022. It started well before that. It started through years and decades of advocacy from people who have been deeply, deeply harmed. Then we saw the TLRI report. I have enormous respect for the lawyers who do the research in that institute. They are non-political. They are experts in their field, and they made 16 recommendations, which the Premier himself committed to act on. His words at the time were, 'I'm not going to have 16 recommendations given to me and do nothing'.

Unfortunately, that is what happened. He did worse than nothing. He put out a bill in 2023 - again, one of the steps along this long road to get to this point - that was drafted in such a way as it would in fact have sanctioned and legalised conversion practices. This is what some of the flagged amendments would also do, but I'll get to that when and if we reach the committee stage. Then came the Greens with their consultation draft of the bill. There was a long community consultation, and I know from submitting to that consultation that that bill was years in the making. There were many submissions put to that bill and there were substantial changes made before the final version was tabled in this place - another step in the long road to get to this point.

Today in the second reading contributions we've heard so far, we've heard a number of amendments flagged that this Chamber should have the chance to debate. I agree with what Mr George said. There are people in this place who will be fundamentally opposed to this bill no matter what reshaping it undergoes during committee stage. They are the same people who said the sky would fall in when marriage equality passed the federal parliament. They are the same people who said the sky would fall in when homosexuality was decriminalised in this state a shameful just a few decades ago. I was in high school. I don't even feel like I'm that old - well a bit old - but it was very recent that we decriminalised homosexuality. There are people in the community who would probably wind back those laws, repeal them. That's the point.

This is not a flippant piece of legislation that has not been well researched and well drafted. As I said, the people who have flagged amendments have the right to have those amendments heard and debated and their arguments heard and debated in this place.

We moved a motion in this place yesterday to reserve today and tomorrow for this bill, and there was no division. Everybody supported doing the work that we're doing today. Even if I was in opposition to this bill, which I'm not, I'm disappointed, Mr Razay - through you, Speaker - that this motion would be moved at this time. Not every member has had the chance to contribute to the second reading contribution. This is an attempt to shut down debate on this bill before everyone has even had their say, and that is not okay.

We heard from 50 health professionals led by Dr Miranda Hann, who is an expert in her field and an incredible practitioner. They talked about the harm that they see picking up the pieces from conversion practices. That voice should be compelling. The voices of victim/survivors who have shared their stories with all of us should be compelling.

I get really frustrated, Speaker, when it's the people who have experienced the most harm who are the ones who cop it every single time. Every time we go through even the tiniest change to support gay, lesbian and trans people in this parliament, there is a culture war. We could make the most minuscule change in this place and there would still be an avalanche of hate on social media of the anti-trans brigade coming out in force and putting trans people through the ringer. They don't deserve it. They copped it every time. It's so unfair, Speaker.

This bill deserves to be debated. It deserves to be debated on the second reading stage, which this motion would shut down before we've even heard from every member of this Chamber, which is not something I could possibly stand for. It's unfair and undemocratic. It would shut down debate on the very important amendments that many members have flagged. I've read some of the amendments, there'll be some that I'll be able to support and some that I'll recommend to my team that we don't support, but those amendments need to be debated. The movers of them deserve to have their voices heard on those amendments also. I'm deeply disappointed that this would be moved at this time and will be opposing sending the bill to a committee.

[5.04 p.m.]

Mr ABETZ (Franklin - Treasurer) - Speaker, I can understand that there are people opposed to sending this bill to a committee. What I cannot understand is the nature of the personal attack on Professor Razay who, in anybody's language, would have to be the most professionally qualified in this space to make a comment. And Mr George says -

Members interjecting.

Mr George - What attack are you talking about?

Mr Ferguson - You just described him as cruel.

Members interjecting.

Mr George - I was just astonished. That's not an attack. Get real.

Members interjecting.

The SPEAKER - Order, the honourable member for Franklin and the honourable member for Lyons can make their own contribution please.

Mr ABETZ - All I would invite honourable members to do is read the *Hansard* of their contributions.

Members interjecting.

Ms Butler - Johnny Drama over here.

Mr George - Read the *Hansard*.

Ms Butler - No personal attacks in this House. There wasn't. Shame on you.

Mr George - Talk about pot and kettle.

Mr ABETZ - People were accused of engaging in cruel behaviour, et cetera. I just hope that in all of this debate we can lower the temperature and not descend into those sort of personal attacks.

Ms Butler - There weren't any.

Mr ABETZ - Ms Haddad, the member for Clark, was correct, that we all agree to move yesterday, but we moved yesterday before we got an avalanche of Greens amendments at about 7 p.m. last night, and then, if that wasn't enough, we got one first thing this morning. I still recall, dare I mention, certain elements in this place castigating the shooters and fishers member for Lyons, Mr Di Falco, for moving an amendment without giving sufficient notice. This is where one wants to engage in sort of the moral high ground that nearly always comes back to revisit you. In relation to the Greens, this is what has occurred, that there are now a lot of amendments which were not known about when the Deputy Leader of the Greens moved a motion to set aside today and tomorrow for this bill.

As a result, the assertion is made that there was such overwhelming consultation, everything was so carefully crafted. This has been four years in the making, and yet - about 15, somebody else can do the maths for me, but - a few hours before debate starts on this supposedly superb bill, we've got yet another amendment being put forward by the movers and about 12 hours before that, there was this avalanche of other amendments and so, I can understand that some people want to move ahead with the debate.

Others, like Professor Razay, the most professionally qualified individual in this Chamber to make commentary on this, if he is feeling uncomfortable and wanting more time and suggesting that a committee might work its way through all these amendments, it is a proposition that ought be taken seriously and not worthy of a personal attack of the nature that the Professor Razay unfortunately had to endure from two contributions. I, for one, think that if Professor Razay is of the view, given his professional qualifications, that this is worthy of further consideration, then I think that is something that convinces me that this would be a proper course of action to ensure that the legislation that we may or may not pass in this place is as good as it might be. I support Professor Razay's motion.

[5.08 p.m.]

Mr O'BYRNE (Franklin) - I rise on the amendment moved by Professor Razay. A number of speakers have talked about the history, the years of advocacy and years of work on this issue not only in Tasmania, but across the country and, arguably, across the world in terms of how we protect people from conversion practices. I think there's broad agreement that conversion practices are hurting people and we need to outlaw them. I don't think that's the argument here; the argument is how we give effect to that principle.

In terms of Professor Razay, I understand you have wrestled with this. We've had a number of conversations where you have demonstrated to me you think deeply about this, you take your role seriously. You care about the medical profession and how they respond to the needs of their community. I don't doubt your motivation and your wrestling with this issue. I can't support your amendment because in some of the arguments that you provided to justify a review, they're philosophical differences, Professor Razay, and they won't change by any inquiry or any review; that won't change your position on these things.

You just disagree with those elements, and I think you understand that. The Leader of Government Business, too, and I understand the comparison you're using in terms of some of the arguments about motions and amendments and various things at late stages, but we all know the machinery of making legislation, essentially, for periods of time, we talk about principles, we talk about what we believe, what we think is right and wrong, what we think we can accept in certain areas or certain pieces of legislation. But you know, as an experienced legislator,

when you actually get to a stall, to give effect to those principles, the law, the words that we use, matter. How it's articulated in the legislation matters.

It is not uncommon for governments, for oppositions, for private members, for other parties, to propose detailed legislation on principles, and up until the moment the matter is debated, to work on the individual words to give effect to those principles. None of the amendments that I have seen - and some of the amendments from the Greens are some that I helped work with and propose - give effect to the principles that we agree on. So, it's not uncommon. I understand your argument and it was well put and your reflections on others in this House in terms of understanding, I agree with, but in terms of - at this moment in time - referring this to a committee, I think we've all got to realise that whenever we're here, we should try in every element not to do harm.

A committee will bring harm, and we need to acknowledge that. It will, it absolutely will. It will prolong and create further pain. If we have a choice to avoid that outcome, we should take that choice. Whilst I don't judge Professor Razay for his time here, this is a new member of parliament, this is his first term. While I think he'll reflect on the timing and the way he's moved this motion - he will; he's a reflective man - he will consider that this is poor timing. You should have circulated this. I know you want to treat other members of parliament decently and I know you anguish about this, but a committee will not resolve a lot of your issues.

Some of the amendments will, I think, and we should debate those and you should really engage in that debate. But I don't think it will resolve all your issues, and it will prolong the pain and will drag people through another wringer. They've had enough. I can't support the amendment, but I'm not attacking you. I don't judge you for raising this. You're a serious person who cares deeply about this issue, and I know we've had conversations where you've anguished about this in your position. I respect you for doing that, but I cannot agree with your amendment.

[5.12 p.m.]

Mr BARNETT (Lyons - Attorney-General) - I thank the Speaker for the opportunity to make a contribution on this. I concur with the member for Franklin's remarks with respect to Professor Razay. It comes from a good place and I appreciate that, and I believe Professor Razay is very well credentialed to speak on this particular bill, with his health background, and particularly as a professor, in terms of health, injury, mental health and wellbeing. I believe Professor Razay has the respect of members in this Chamber. I'm disappointed about the earlier debate. I won't reflect further on that, and indicate that if we can all work our way through this debate together in a measured and respectful way, I think that's absolutely sensible.

Professor Razay has a lot of merit in moving this to a committee. He's thought it through and he's outlined the reasons why. I'd like to concur with Professor Razay because of the things that I shared in my second reading speech, and my concerns, which I've shared publicly - they relate to the use of words. The member for Franklin said that words are important. They are important, and there's a lot of good intent that's been expressed in the debate to date, but good intent doesn't necessarily deliver good law. I think I said words to that effect during my contribution.

We need to get it right. We need to get the words right and the bill before us is an 88-page bill. It's the largest bill of its type in Australia. It's a Greens bill. It's not a Labor bill like many of the others on the mainland, and-

Mr Bayley - What does that mean?

Mr BARNETT - I think Professor Razay made references to the Queensland definition of what is a conversion practice. The bill includes references to what isn't a conversion practice, although I think that's not watertight, and we'll come to that in due course, I'd imagine and I hope. But the reference has been made by Professor Razay to what is a conversion practice, and he made references to the Queensland legislation. That's a good reflection. I think that's a very helpful contribution.

We've come in here today, having received a raft of amendments both last night and this morning. I think it was 11 clauses last night and more this morning from the Greens. I acknowledged that in my contribution and, of course, there are many others have brought forward amendments: I think, the honourable member for Franklin, Mr George, the honourable member for Clark, Kristie Johnston, and I know Liberal MPs, myself being one, have put forward and will be looking forward to getting it right in terms of those amendments. It takes time. I haven't been offered a briefing by the Greens on their amendments or their -

Dr Woodruff - Well, you could have asked. Other people have.

Mr BARNETT - response to the amendments that have been put. I also note that there's no second reading. When I looked last Friday, I think it was, there's no second reading speech. Normally when you deliver a bill, you have the fact sheets and, yes, they are there, but there's no second reading speech. That's the normal process. I'm just talking about process. Good process leads to good policy and good outcomes. Normally, having that opportunity for an inquiry, I think has great merit.

I will make reference to Professor Patrick Parkinson. I have a lot of time for Professor Parkinson, 30 years as a professor of law at Sydney University and a dean of the law school in Queensland. He knows his stuff when it comes to family law and he says this about the bill:

> It needs to make it clear to everyone, and it needs to be easy to understand and easy to understand examples.

Professor Parkinson says the bill:

> … can only be addressed by some of the most draconian legislation ever to be introduced into an Australian Parliament.

That's Professor Parkinson expressing concern. He says:

> When a law creates a lot of uncertainty, it has unintended consequences. The law will create a chilling effect on the provision of mental health treatment for vulnerable young Tasmanians.

It's those sorts of contributions and concerns that have been expressed by someone of incredible credibility and acumen, and I want to back Professor Razay and say thank you for

coming forward with this motion. It's something that I would certainly support to make sure that we do get it right. I made it clear in my contribution that the definitions were way too broad and ambiguous, and we still haven't got answers from the Leader of the Greens in terms of examples that are required that should be very clear in the legislation. We are creating crimes, we are changing the criminal law and including new laws to create crimes in Tasmania. Tasmanians should know exactly and be very clear what those laws look like and how they are worded. Likewise, a civil framework in terms of changing the law and the law enforcement agency, which will look at education, but also investigative powers and enforcement arrangements.

I made those points earlier. I think there is merit in this motion that's been put, and I certainly will be supporting it. I thank Professor Razay for putting it forward. It's out of a good intent to help make things better. I don't accept the criticisms of Professor Razay. He should be commended for putting this forward to try and make things better, and I hope this discussion and debate progresses in a positive and respectful manner.

[5.20 p.m.]

Mr FERGUSON (Bass) - Speaker, I look forward to taking my turn to contribute to the second reading debate. I have listened to most of the contributions from honourable members in this Chamber so far, including Professor Razay. He articulated a well-reasoned position and raised real questions - questions of fundamental importance that so far are evading this House, missing information, key answers to key questions and a process that's deeply concerning. I think where Professor Razay concluded his remarks was around the many amendments that are coming forward now, not just from around the Chamber, as they ordinarily do, but from the bill's proponents themselves. I think it was 21 last night.

Members interjecting.

Ms Rosol - The government move their own amendments on their own bills all the time.

Ms Haddad - Remember this the next time the government amends their own legislation.

Mr FERGUSON - Ms Rosol says, 'Oh, you do amendments on your own bills all the time'.

Members interjecting.

Mr FERGUSON - 23?

Members interjecting.

Ms Haddad - Sometimes, yes.

Dr Woodruff - You're doing your own amendments upstairs on the firearms legislation right now.

Mr Bayley - You're still doing them in the Leg Co.

The SPEAKER - Order. All honourable members can make contributions -

Mr FERGUSON - You're quick to - you expect to be listened to in silence, but you can't do it in return.

The SPEAKER - I ask that interjections cease, please.

Mr FERGUSON - 21 last night, at my count, and two this morning overnight. Professor Razay makes a reasonable point and a fair one.

Mr O'Byrne - Going till midnight tonight.

Mr FERGUSON - I'm prepared to work late. I don't think that's the issue. Or any night. I don't think that's the issue, with respect to whoever it might have been who just made that comment but there is a rush that we're witnessing, and some members here, I think, are prepared to be witness to that rush.

As for the consultation, the Greens have at least been prepared to allow the public to see the public submissions and the different stages of their own bill's development but I want to make mention that, unusually, the Greens have been very selective about what submissions they've received that they were prepared to make public that weren't marked 'confidential'. There's no problem with a confidential submission being held away from public view, no difficulty at all but the only submissions that are on the Greens' consultation website are from organisations. They have, it would appear, chosen to keep individual submissions from the public view.

One of those submissions was from Professor Patrick Parkinson. The only reason I know that is because he told me and shared with me his submission. He shared it, I think, with many of us in an attempt to have the benefit of his wisdom and experience with Australian law in these areas to be known by us. But the Greens have not allowed his submission to be known by members of this House or the public. He's got a lot to say, not just about the intent of the bill. He speaks at length about harmful, abusive and coercive practices. He deals with those very open handedly. He also raises the very serious risks in this bill. That's been hidden from this House, it's been hidden from the public, but it wouldn't be hidden from an inquiry of this House. He'd be allowed to submit and not be disadvantaged because he submits as an individual by a parliamentary committee. Unless he marked it 'confidential', a parliamentary committee would routinely adopt, accept and publish such a submission so that members of the committee and the wider public, and us as members who may not be on the committee, would all know about and be aware of those areas of concern he's raised.

There are a lot of Greens amendments. There are a lot of amendments in total. I don't know the total number, but it will be dozens. Professor Razay reasonably made the point. He brought into question: do members of this House seriously want to claim that they've read them all and understand them all? I think it's a fair question that he raises. I respect every member of this House is tremendously busy. Yes, we have a focus on our work in the Chamber and, no, I don't believe all 35 members are right across what will no doubt be, at a minimum, dozens of amendments to consider, potentially some of them intersecting with each other, perhaps with even maybe some conflict between amendments that would be considered one after another. I pity the clerks.

Also, I want to make the point here that in the time since the honourable member for Clark, Ms Johnston, spoke, in that time, just 10 or 15 minutes ago, I've been able to go to the

Tasmanian Law Reform Institute's submission to the Greens' draft bill. I'm prompted to do that by the member who said that this bill is based on the work of the TLRI. Totally false - substantially false. I'll correct my words, Substantially false. The TLRI at least had good sense to put forward their concerns, and because they're an organisation, they were allowed to have their submission published. I read from their submission. I've done this in the time since Ms Johnston sat down, because I knew it was wrong, what she said. The TLRI's view was that:

> ... health law framework was the most appropriate to regulate conversion practices with principal amendments recommended to be made to the *Mental Health Act 2013* (Tas). This approach was considered to provide an existing legislative basis for an adaptive, evidence-based, health service model for regulation of direct SOGI conversion practices.

It goes on with four dot points talking about the areas of the proposed reforms that would not be affected. In view of time, I won't read them all out. I quote:

> ... criminal law was to be a matter of last resort for serious, egregious or repeated forms of SOGI conversion practices that manifested as serious physical or mental harms or recklessness about such harms manifesting. This was based, in part, on the TLRI's concern that there was a need to limit the scope and application of the criminal laws to ensure that they do not have a chilling effect on legitimate conduct.

This bill is in direct contravention of that principle that the TLRI, which you're prepared to talk up - you are, you love to name-drop them, but it's in direct contravention of that principle. Later on, the same submission says -

Mr George - It's absolutely not.

Mr FERGUSON - You say it's absolutely not true. I've just read it out.

Mr George - Absolutely not. Have a look at the bill.

Mr FERGUSON - I've just read it out. Recommendations, I go on -

The SPEAKER - Order, the honourable member for Franklin, Mr George, you can make your own contribution on the amendment soon.

Mr FERGUSON - It was bad enough that you called Professor Razay cruel. I would ask to be able to make this point. Later in the submission the TLRI - and they told the Greens this - recommendations were not made by the TLRI to provide the Anti-Discrimination Commission with additional investigative powers, including with new coercive powers. And what have the Greens done? Does that sound like a bill that Professor Razay is asking for some more time for some analytical and careful work on this bill? Does that sound like what the TLRI were advocating? No, very different.

Again, the TLRI that honourable member for Clark, Ms Johnston loves to name-drop, said:

> The TLRI observes that there are aspects of the proposed Bill that reflect the recommendations of the TLRI; however, there are also several aspects that are not based on its views and recommendations. The primary concern of the TLRI in relation to the proposed Bill is the use of the criminal law framework as a primary response to conversion practices, including in some circumstances without the proof of injury, rather than a backstop measure of last resort for egregious and repeated conduct.

Does the member seriously wish to maintain the position that this bill is based on the work of the TLRI? She cannot sustain that argument. The TLRI go on and it expresses:

> The TLRI expresses concern that there is no requirement that serious physical or mental harm caused by the conversion practice is serious as recommended by the TLRI.

Now you may disagree with the TLRI, and I think the Greens will, but you can't say that your bill is consistent with the recommendations of the TLRI. The TLRI go on in their submission:

> It is not even a requirement that injury is caused given that for adults no injury is required if the person is reckless as to whether an injury is caused, and for children, there is no requirement for injury.

This differs considerably from the TLRI model. I skip a section. I quote:

> In summary, the offences that would be created under the proposed Bill have a wider application than the model proposed by the TLRI, and undermines the TLRI's intention that the criminal law would only be available as a last resort.

I'm concluding with the TLRI submission. As Liberal member for Bass, I'm giving voice to my community. I read again -

Ms BUTLER - Point of order, Speaker. I'm just seeking clarification whether the member is speaking for the bill or speaking to the amendment?

Mr FERGUSON - You know exactly what I'm doing, I'm speaking to the inquiry question and that is not a point of order. Seriously. This is what respect could look like if people would be prepared to listen, as I have been. I haven't interjected on a single member.

Mr Mitchell - It's a genuine question.

Mr FERGUSON - The TLRI say, in their submission, and I quote:

> Accordingly, the TLRI considers that careful scrutiny is required to ensure that there is an appropriate justification for abrogating the privilege and that this is proportionate, in the sense that 'the law limiting the right pursues an objective of sufficient importance to warrant limiting the right'.

They footnote that sub-quote and that is, of course, in response to the Civil Response Scheme. Finally, the TLRI, having just told everyone that careful scrutiny is required, says under the last part regarding child abuse:

> Under the proposed Bill, amendments are proposed to the *Criminal Code Act 1924*, *Limitation Act 1974* and the *Civil Liability Act 2002* to include conversion practices as a form of child abuse. This was not considered in the TLRI's 2022 Report.

The reason I've gone to the lengths that I just have is, because in an effort to rush this extreme, 88-page, comprehensive - and by far the most comprehensive - adventurous legislation in the country, members want us to not be aware of the risks that we're being warned about by the TLRI. This is the TLRI who some members love to name-drop as they try to ridicule Professor Razay for asking the House to be in a better position to provide that - what were the words - 'careful scrutiny' that has been recommended.

I don't regard this as an attempt to delay a later vote of the house. That is an insult to Professor Razay and any other member of good faith. If I had moved the same amendment to the question, to allow the House to vote in an inquiry, I would come at it from the same good place as Professor Razay. We need to make good laws. We are able, as mature politicians, to disagree on a policy without trying to make this an emotive debate about what a terrible person you must be to want to have a law that, when it passes, is a robust law. Even a law you may not agree with is, nonetheless, good law, fashioned in an appropriate way, consistent with good legal practice and fairness to our citizens. That's the position that I put forward. I support Professor Razay's well-intentioned, reasonable position.

I just express in closing my disappointment that people would be ridiculed for something as reasonable as what Professor Razay has put forward, given the false statements being made about the TLRI and the warnings that have been given to every member of this house by the TLRI and an eminent legal mind like Professor Patrick Parkinson, who has been denied his voice by the Greens' consultation website.

[5.34 p.m.]

Mr BAYLEY (Clark) - Honourable Speaker, thank you. I'll talk to this amendment. I don't want to take up too much time. We clearly need to get back to the business of debating the substantive bill because the hurt and the damage from conversion practice is undeniable, it is demonstrable. We have heard lived experience, we have heard the evidence of healthcare providers and just to take a moment to read - actually, before I do that, I want to talk about the hurt and the damage and I want to reflect on the fact that it is our responsibility, as lawmakers, to deal with that hurt and damage. We do that. The member who just took his seat talked about crimes and the criminal elements are built into this bill. It is our responsibility to make sure that hurt and damage to Tasmanians is prevented. It's one of the measures and the mechanisms that we can implement to make sure that we prevent harm. The harm is undeniable.

There are 30-odd, almost 40, health professionals who have written to us in an open letter and have made it really clear that this is a bill that they support and that it's also a bill that is urgent. It's urgent because every day we delay, there are more people who may be impacted.

These health professionals write:

> The bill seeks to prevent untrained and unqualified people from purporting to diagnose or treat sexual orientation or gender identity as faults or dysfunctions. This will be beneficial for all health practitioners because it will prevent the devaluing of our professional standards by non-medical specialists with damaging and non-evidence-based belief systems and reduce the risk of the irrevocable damage to the therapeutic trust caused by unethical, unregulated and unsound conversion practices.

They conclude by saying:

> For the benefit of our patients, our professionals, and our island community, we urge the Tasmanians to pass the Conversion Practices Prohibition Bill as soon as possible.

That means not delaying, and that's why the government, to their credit, gave us these two days to deal with this bill. It's absolutely our intention as the Greens, and my understanding the intention of the House, to make sure that we do deal with this bill and bring it to fruition over these two days that we have been afforded. We want to thank the government for their flexibility in giving us this time. We want to thank Labor and the crossbench for their flexibility in pushing out Private Members' Business.

It is our job to make the laws and it's our job to get on with it.

Woman's Health Tasmania unequivocally supports the passage of this bill:

> It will contribute to the ongoing good health and wellbeing of all Tasmanians by protecting members of our state's LGBTIQA+ community, including transgender and gender-diverse people from the harms caused by conversion practice that target gender identity and/or sexual orientation.

They go on and say:

> The bill protects vulnerable Tasmanians from harm. Protecting all Tasmanians from harm is not a radical act and we urge you to take action to protect all Tasmanians by supporting passage of this bill.

We can't afford delay. The discussion has been had already in here about the time it's taken to get us to this point already. Conversion practices have been going for decades and decades. In the more recent times, yes, it was the TLRI report that articulated the challenge and urged us to get on with dealing with it legally. That started in 2019 and their report was in 2022. This has been a long time coming and this legislation is substantially based on that TLRI report and also draws on the best bits of legislation interstate because we are a laggard. We were the last state to decriminalise homosexuality and we're the second last state to deal with damaging conversion practices. We don't want to be the last again to get with the system to become a progressive, compassionate and caring community.

In terms of the time and the consultation here: the draft bill was published and put out for consultation and sent to all members for six full weeks. This bill has been tabled now for six full weeks. I think it was 10 September that it was tabled, and all members have had copies of it. All members have been offered briefings. Many members have taken up those briefings.

This has been well worked through. It's utterly predictable that there's going to be amendments, including amendments from the movers of this bill. Those who cast the first stone should have a look at themselves. You yourselves are still amending the firearms bill in the other place.

Members interjecting.

Mr Ellis - We're amending it to fix your amendments.

Mr BAYLEY - You are amending it in the other place. Yes, there are amendments that have been distributed. But, as Mr O'Byrne indicated, many of these are as a result of negotiations with members. We're moving them, sort of, on behalf of and in collaboration with other members. This is entirely appropriate, entirely normal business.

I just want to say, for the Attorney-General to get up and criticise us about a flurry of amendments, when he flagged his own in his second reading speech and didn't even distribute them till 3.45 p.m. this afternoon, have a look in the mirror when you talk about amendments and criticise others about their amendments. It's entirely appropriate, it's entirely normal and it's entirely in line with the practice of the House.

We do want to finish this bill. It's clear in my mind that this amendment will go down and we'll get back to our second reading speeches, as we should. We really want to finish this bill tomorrow. It is an obligation on us, indeed, to finish this bill tomorrow, to not leave it hanging, to not leave vulnerable Tasmanians at further risk from these dangerous and destructive conversion practices. We are keen to make sure that that happens, and we'll use the mechanisms of the House to make sure that it does happen.

The SPEAKER (Mrs Petrusma) **-** The question is that the amendment be agreed to -

The House divided -

AYES 11	**NOES 21**
Mr Abetz	Mrs Archer
Mr Barnett	Ms Badger
Mr Di Falco	Mr Bayley
Mr Ellis	Dr Broad
Mr Fairs	Ms Brown
Mr Ferguson	Ms Burnet
Ms Howlett	Ms Butler
Mr Pearce	Ms Finlay
Prof Razay	Mr Garland
Mr Shelton	Mr George
Ms Ogilvie (Teller)	Mrs Greene
	Ms Haddad
	Mr Jaensch
	Ms Johnston
	Mr Mitchell
	Mr O’Byrne
	Mr Rockliff
	Ms Rosol

Mr Willie
Dr Woodruff
Mr Winter (Teller)

PAIRS

Mr Vermey — Ms Dow

Amendment negatived.

[5.48 p.m.]

Ms BURNET (Clark) - Honourable Speaker, I rise to speak to this Conversion Practices Prohibition Bill.

Members interjecting.

The SPEAKER - Order. If there could be silence in the Chamber, please. The honourable Deputy Speaker has the call.

Ms BURNET - I thank the Greens and Dr Woodruff for bringing this to the House for debate. In a way, forgoing your matter of public importance time this morning, made way for what is arguably another matter of great importance. I particularly want to thank those brave people who have described to me, as to other members of this place, what it is like to be subjected to conversion practices. We have heard those numbing, devastating stories relayed earlier in the second reading contributions by the honourable Leader of the Opposition, and other members of this place in their contributions. It has been acknowledged how hard it is to tell these stories repeatedly. I would like to think that this ongoing trauma can be replaced by a sense of hope after this debate. I wonder how you cannot have empathy, cannot come closer to understanding the trauma, hurt, and despair after hearing of those legacies of conversion practices.

I will, firstly, reflect on the limitations of the previous bill introduced by the government in 2022 and hear some of the concerns reported. Equality Tasmania's Rodney Croome said:

> The bill will allow conversion practices to continue both in health and religious settings under the guise of ill-informed terms like 'support', 'assist', 'care' and 'guidance'.

And another quote:

> It will also allow conversion practices to continue if there is consent, despite the fact that it is impossible to consent to a treatment that doesn't work for a condition that doesn't exist. There are holes that conversion practitioners will crawl through so they can continue to inflict their cruel and discredited therapies.

So where are we now? From a 12-page government bill to the Greens' comprehensive 88 pages, the bill sets forward protections that were not afforded to those impacted by conversion practices in the government's bill. We have before us a bill that has been informed - and I say informed, by the Tasmanian Legal Reform Institute report of 2022. It's not word for

word, as the honourable member for Bass, Mr Ferguson, has tried to point out, but this report was instrumental and very informative in how this bill was crafted.

The bill will reduce the impacts of conversion practices, considers the need for education - and this is fundamental in the beauty of this bill. It's been something that's highlighted in reviews in other states and from submissions. The ability to pursue religious and spiritual freedom is still afforded, and it identifies and distinguishes the medical and psychological practices for transitioning and de-transitioning. It doesn't prevent parents, guardians, pastors, clerics, doctors, educators and psychologists from talking to those questioning or exploring their sexual and gender identity. It does not. These conversations do not fall foul of the law proposed by this bill. They are quite different from the deliberate attempt to change or coerce someone into fixing something that is broken or deviant, or that does not fit into the binary heterosexual world.

I thank those people who raised genuine concerns for themselves or on someone else's behalf, from both sides. This issue of conversion practices is one that conjures many emotions. From the LGBTQIA+ community, the personal experiences are raw for anyone subjected to these practices or who has an understanding of what LGBTQIA+ friends, family and colleagues have gone through. It is also difficult for those who support conversion practices, who see the threat of allowing this to be addressed through legislation, through criminal penalties set down in legislation but I think this is something that we will be talking through with amendments. That's why the protections afforded to people practicing in good faith are important. For medical and health practitioners, educators, parents and members of religions who should be there for guidance and support for often young people considering matters of sexuality and identity, this bill provides those protections for opponents of the bill and those supporting the bill alike.

I've heard from many interested parties, have spoken to advocates and religious groups who harbour fears for freedom of religious practice. Members of the Muslim community I spoke to had concerns about what the proposed legislation might do if it were weaponised. I tried to allay some of their concerns, and I hope some of the conversations that the Greens have had with the Islamic community and various members of religious faiths have had some of those concerns allayed.

I've spoken to people in the medical profession who want a legal framework to stop the harm caused by quasi-scientific practices that set about trying to make people heterosexual. It is important that these concerns are allayed about the medical chilling effect where a person may need treatment for gender dysphoria, transitioning, de-transitioning, for example, but where the medical practitioner is concerned, any advice would be misconstrued as conversion practice by a patient. I believe the Greens, to their credit, have listened to those concerns and amended accordingly, but are still not weakening the intention of the bill for protection of some of the most vulnerable members of society who could be subjected to conversion practices.

Fundamentally, conversion practices are harmful. This bill is a statement from parliament that they are wrong and must stop. This important bill before the House is the first conscience vote that the Liberals have been afforded since I've been elected to this parliament and it is something I commend the Premier, Mr Rockliff, on. Indeed, I thank him for his thoughtful and stirring contribution and leadership on this issue. There are strongly held views from across the parliament. Whilst I feel there has been misinformation peddled in relation to this legislation, it is a matter of hearing all perspectives, as these are a reflection of broader Tasmania.

Here we are, four years from the previous attempt at introducing a bill around conversion practices by the Attorney-General and after the 2022 independent report of the TLRI on this important law reform. Since then, we have an expanded crossbench whose views, whilst they differ, will be very important. They will be considering this very carefully, no doubt all of the amendments as well. In some ways, the time is now ripe for this debate, for a respectful reflection and ultimately the most effective legislation we can muster. It's not lost on me that this minority parliament is making a big decision with significant benefits for a minority population.

It is challenging, however, to have been provided amendments that go to the heart of the bill at the eleventh hour by the Deputy Premier. Respect for each other should extend in providing and sharing information, any explanation of amendments beyond what is said in these second reading speeches. I'm very pleased that the amendment to send this to a committee was lost. I think this unfortunately shows a lack of good faith and is disappointing.

This bill is a reminder to all of us that words matter. There are people, such as the young folks invited by the honourable member for Braddon, Craig Garland, to meet with members of the crossbench earlier in the week from Youth Network of Tasmania (YNOT), from Working It Out, and other individuals who told us of the way conversion practices make them feel, of the shame for being who they are. This debate is important for pushing back on the misinformation that has been peddled. It is important for those young lives subjected to conversion practices and it is important for those people whose lives have been damaged by conversion practices along the way.

Some things happen when they do for a reason. I acknowledge that the LGBTQIA+ community and victim/survivors have waited too long for this discussion. However, here we are. I believe we must provide protections for members of our community who have been or could be coerced into horrendous, damaging, scarring conversion practices. We owe it to the people who have taken their own lives because of these practices, and we owe it to those who have advocated for these changes.

I mentioned earlier of religious practices and faith and sometimes the way debates are put, even in the large numbers of Tasmanians who have signed petitions for or against conversion practices, we can often make a binary decision for or against conversion practices, for or against an issue, but I think the reality is much more nuanced. We know that faith is important to a lot of people, and we know that if you're gay or trans or straight, no matter what, you should have a chance to practise your faith. It should be the same for one person and the next person. It can be a fundamental part of who we are.

I think that is a good thing, that this bill could also bring an improvement for faith-based organisations and even restoring some people's faith in religious institutions, knowing that conversion practices are banned. When there is a clear understanding that faith-based organisations, according to Tasmanian law, cannot engage in conversion practices, this sends a very strong message to all who believe in that particular gospel or creed.

I'm not so naive as to think there will still be people who cannot accept anything beyond the man/woman binary view of the world, but this parliament will send a very, very strong message that there is no place for conversion practices, to devastate lives should this pass.

To the LGBTQIA+ community: we celebrate your diversity. You are a part of who makes us stronger and who, as Tasmania, we are. If some people felt that they wouldn't be put through conversion practices then it would actually improve how they felt about their faith too. These are human rights-based matters rather than values. All children should be able to enjoy their freedoms, preserve their identity and be free from abuse and maltreatment.

In closing, Honourable Speaker, I'd like to, again, acknowledge the work of the Greens over many, many years, who have doggedly worked on bringing this legislation to this house and whose staff I know have put in many, many hours to hone this piece of legislation. I'd also like to acknowledge former leader Cassy O'Connor, now member for Hobart, who has been one of the driving forces with wanting to put an end to conversion practices. To advocates, stakeholders, the victim/survivors, people who have advocated for so long for a better Tasmania, Rodney Croome AM, who's here in the Chamber, and other members of Equality Tasmania, Working It Out, YNOT, who advocates for the young people of our state, for those religious organisations and members of the community who want to see an end to these practices and for members of health professions, who have worked so hard to get this legislation to such a place with as many checks and balances as possible, I thank you.

I will hear the amendments and vote accordingly on these, but I commend this this bill.

[6.04 p.m.]

Mr O'BYRNE (Franklin) - Thank you, Honourable Speaker, I rise to speak on the Conversion Practices Prohibition Bill 2026. I acknowledge the work of the Tasmanian Greens and other members of parliament to bring this important matter before us to consider, to act, to respond, to protect people. It's important to acknowledge that, from the outset, this bill is in response to an insidious form of abuse, an abuse that must be condemned. Conversion practices cause devastating harm to our community. It targets the most vulnerable members of our community, leaving victims with trauma that will be endured for the rest of their lives.

As elected representatives, we must approach this debate with the care and the respect that is owed to those victims. I want to acknowledge those with lived experiences who have come forward to help shape the bill before the house. Revisiting those experiences can be, in and of itself, traumatic, and I recognise the courage it takes for them to do so. I also thank those who've taken the time to meet with me, share their experiences and help me better appreciate not only the nature of conversion practices - practices that continue to persist within our community today, but also the extent of the harm that is caused by those who perpetuate this abuse. I've met with survivors and advocates over a number of years now, not just as some would have it, in the leadup to this debate. Over a number of years, I've met with advocates such as Rodney Croome and others who've brought people to share some of the most personal, deep, traumatic and painful experiences that people can imagine. I thank them for entrusting me with their stories, to understand them, reflect on them and respond, and be a representative.

Conversion practices have no place in our community. People should be protected from practices directed at changing, suppressing or eradicating their sexual orientation or gender identity. No person should be subjected to practices that seek to make them reject or suppress a fundamental part of who they are. The psychological and emotional harm caused by these practices can be profound, and it's important that our laws recognise the different ways in which that harm can be inflicted. When this issue is raised, people often think of the extreme and intrusive practices, including electric shock treatments or hypnosis. But conversion practices can also take more subtle forms that do not involve physical force, manipulation or an organised

treatment program. These forms of conversion practices are often hidden in plain sight and conducted in a manner designed to appear like a reasonable form of support. These features do not make conversion practices any less harmful, and it certainly does not make the conduct acceptable within our community, but it does make the task of defining conversion practices more difficult.

In light of this challenge, the bill is right to focus on purpose or intent in defining what a conversion practice is. It is the purpose behind the conduct that distinguishes whether conduct is or is not a conversion practice. The distinction depends on the person's intent and motives. To put it in simple terms, what is the person conducting the behaviour seeking to achieve? Are they attempting to change, suppress or eradicate a person's sexual orientation or gender identity? If not, then the conduct is not a conversion practice. This approach avoids having to draw a hard line between conduct that is considered conversion practices and that which is not. A rigid definition does not recognise the diverse and evolving ways in which these practices can occur. It would also be inappropriate to distinguish conversion practices on the basis of whether they are coercive, manipulative or done without consent. Once again, this does not recognise nor capture the more subtle forms of abuse that exists within our community today.

Like other members, our inboxes and phones, and our walk down the street on a daily basis have been full of people talking to us, lobbying us, advocating for various positions. The vast majority of that advocacy and those interactions have been conducted respectfully. I have listened carefully to the concerns expressed by faith-based communities, and I accept that there are genuine concerns about how this legislation will operate in practice. Now, I'm a middle-aged, white straight guy so I don't pretend to fully understand the complexities of the trans community and all of their journeys. I consider myself an ally. But I do know the religious parable about 'Love your neighbour', and I do know that we shouldn't hurt people. I also recognise that breaching these laws can carry serious consequences and we have a responsibility to be clear in how we articulate this law and place it on our books, because the harm caused by conversion practices can be devastating and it is only right that those responsible face serious consequences. I can appreciate why faith-based communities have sought reassurance about how this legislation will apply to their activities, particularly given the potential consequences of breaching the law. I've met with a lot of faith leaders over the last few months, senior church leaders, local pastors, senior members of churches, and they've treated my questioning and my debate and discussion with them with respect. The overwhelming majority, 90-odd per cent, I'd say, have interacted with me in a respectful way. I thank them for their time, openness and honesty in raising their concerns with me. I assured them that I took them seriously, and I apply my role and my task in deciphering the way forward seriously.

Faith-based communities should remain free to teach their beliefs and provide support, guidance and advice consistent with their values, provided these activities are not used as a means of conversion, as defined under the bill. I would expect a church leader doing their job, if someone from their church came to them and asked questions about these serious matters, that the church leaders would respectfully engage, provide guidance and support, and work through that conversation with that parishioner in a way that does not belittle, attack, denigrate, hurt, provide really excessive behaviours in that regard, but would ensure that person is really thinking through the challenges of faith they may have. I'd expect those conversations to occur and to be completely reasonable, and they are protected under this bill.

In view of this, I have worked with the Greens to strengthen the avoidance of doubt provision in relation to religious expression. I took this action to help those stakeholders understand where the boundaries lie. This avoidance of doubt provision, through my suggested amendments, expressly recognises that leaders in faith-based communities are free to express their beliefs and principles when delivering a sermon or providing religious education and pastoral care to members of their community. My amendment makes it clear that these activities are entirely legitimate provided they're not undertaken for the purpose of converting someone's sexual orientation or gender identity and I think faith-based leaders have an obligation to carefully work this through with their parishioners.

I've also listened carefully to the concerns raised about the role of parents and parenting. I've had a number of people raise the question with me, 'David, you've got daughters. What would you say if one of your daughters came to you and said that they're dealing with their sexuality, or they feel like the person they are is not the person that is presented?', and I said, 'How would I respond? I'd tell them I love them, and I'll always love them. We'll get someone to help you through that. We'll sit down, we'll get a medical professional to talk to you, to help you understand what you're feeling and whatever happens, we will still love you.'

When we're a parent, it doesn't mean it's a blank cheque. You don't lock your kid in the attic, you don't beat them, you don't hit them, you don't shake them. There are laws against that. You don't hurt your child. If your child's going through a process, you don't hurt them; you help them through it because the role of a parent is as important as it's ever been in providing guidance and advice to their children to help them navigate an ever-evolving world. We do not want to create an environment where parents are reluctant to engage with their children on these sensitive topics. To address these concerns, I have worked with the Greens to further strengthen the bill's avoidance of doubt provision concerning the role of parents. My suggested amendment makes clear that parents can continue to provide guidance, support and advice to their children in relation to sexual orientation, gender identity, sexual activity and religion. The suggested amendment sends a clear message to parents that this bill does not restrict them from engaging with their children on these matters, provided they're doing so for a genuine reason and they're not hurting them.

That is the overriding distinction that applies throughout the bill. Such conduct remains lawful, so as long as it's not undertaken for the purpose or intent of changing, suppressing or eradicating someone's sexual orientation or gender identity. These avoidance-of-doubt provisions will be enhanced by the bill's broader emphasis on education and prevention. The conversion practices commissioner has a critical role in helping our community understand where the boundary is, and the powers afforded to the commissioner under this bill, will ensure that all of those affected by these laws are clear on what the standard is.

The focus on education and prevention, rather than prosecution, is entirely appropriate, in my view - in fact, it's essential. Criminal prosecution is reserved for the most serious forms of conversion practice where the perpetrator has been negligent in relation to the harm that was sustained by the victim from the conversion practice. This focus on education and prevention will also apply to the positive duty to eliminate conversion practices. People who inadvertently breach this positive duty will be subject to education, not prosecution.

That is the intent of this bill, to educate people on where the boundaries lie and work together in eliminating conversion practices. We must ensure that our community is afforded meaningful protection against the harm caused by conversion practices.

I believe that this bill - and the bill with the amendments - will provide that protection, and the amendments ensure that those protections do not unnecessarily restrict the ability of people to provide genuine support, advice, guidance and pastoral care. Ultimately, it is not the setting in which the conduct occurs, or the beliefs held by those involved that should determine whether it's prohibited. It is the purpose of that conduct. It is the intent of that conduct and I believe that it is the appropriate distinction for this legislation to make.

I thank the Greens and all those members, members on both sides of the House, for the work they have done to get us to this point, and I support the bill.

[6.17 p.m.]

Mr JAENSCH (Braddon - Minister for Arts) - Speaker, I commend Mr O'Byrne on his contribution just now, and I thank the Greens for bringing this bill to the House. I thank those who've contributed to its development, all of those who are continuing to through the course of this debate, and those who agreed to make space in our schedule for an extended discussion of these important matters. I also thank my party for my right to a free vote on these matters.

My electorate is made-up of individual people with diverse backgrounds, identities, and beliefs. As their elected representative, I don't choose who I serve. They chose me and I am responsible and accountable to all of them. I want all the people I represent to have fulfilling lives, and to achieve their full potential, whatever that means for them.

As a Liberal, I believe in the innate worth and inalienable rights and freedoms of the individual, including freedoms of thought, worship, speech, association, and choice, and I believe in individual responsibility. I do not believe that one person's right to exercise their freedoms includes the right to remove, or restrict, or override another person's right to exercise their own. This is what inalienable means to me; rights and freedoms that can't be given or taken away. I believe in the individual and their right to exist in our society just the way they are.

Based on these principles - and from my own reading and research into the nature of conversion practices addressed by this bill - I accept the foundational principles outlined in section 8 of the bill, that:

a) conversion practices are deceptive and harmful to the persons subjected to them and to the community, and should be denounced and eliminated as far as possible;

b) all people, regardless of sexual orientation or gender identity, should be welcomed, valued and respected and should be able to live authentically and with pride;

c) a person's sexual orientation or gender identity is not broken and does not require fixing, changing, or suppressing;

d) no sexual orientation or gender identity constitutes a disorder, a disease, illness, deficiency, or shortcoming;

e) That children are particularly at risk of being subject to conversion practices and harms from conversion practices.

These beliefs and principles underpin my own approach to this issue, but as a legislator, I also need to understand and take account of the views and perspectives of the communities I represent and serve. I have sought and listened to my community's views, and I thank all of those who have shared their stories, their perspectives, hopes, fears and experiences with me. These are sensitive topics. No one does this lightly. I have been overwhelmed with the generosity of people who speak from their heart from all corners of this debate and this issue.

I heard strong representations from people and organisations concerned that a ban on conversion practices will reduce their freedoms of speech, religious teaching and practice. I heard strong representations from LGBTQIA+ people who have themselves been harmed by conversion practices and want them to be banned. I've heard strong representations from individuals and organisations representing several faith communities where I live on the north-west coast, who've told me that conversion practices have no place in their religious life, teaching and practice, and have urged me to support this bill.

What I have not heard, not once, is the voice of anyone who has been subject to a conversion practice who thinks that it worked for them, or that it made their life better and who doesn't support a ban. Not one. I have not heard anyone else quoting a lived experience advocate for conversion practices. Therefore, my question is to those who oppose this bill most fervently: where are all the people who conversion practices have helped? Where is the person in this debate who's prepared to say conversion practices made my life better: I went seeking help, I got it, and it fixed me?

The promise of help, change, fixing, healing, which is sometimes held out is spoken a lot about in this debate. I've not heard anyone say that it worked for them. I've looked. I haven't heard it. I stand to be corrected, but that is not evidence that has come my way despite looking, and, if there are none, if nobody who has experienced conversion practices is advocating for them to continue or arguing against the ban, then whose interests are those opposed to the bill seeking to serve? Not the individual, it would seem. Not the people needing or seeking help.

Opposition to this bill, then, would seem to be mainly coming from those representing people or organisations who either wish to continue performing conversion practices or who are concerned that their actions could be interpreted as conversion practices under the proposed laws. These concerns must be considered in the final wording of the bill to the extent that they minimise the risk of capturing or criminalising actions that are not conversion practices, and I note that various amendments have been proposed by others with this in mind.

I am also concerned that the majority of arguments I have heard against this bill are concerned about its implications for people or organisations who may conduct conversion practices, not the people harmed by them. As I described earlier, my focus in this debate is on the individual, and the removal or prevention of this harm to them. To me, that's our highest priority and it comes ahead of our obligations to the freedoms of those whose practices may cause harm. When I searched myself for this to ensure that I don't have a blind spot, I cannot for the life of me imagine any action that I would ever take or propose or recommend as a parent, an employer or a member of a community organisation that could be confused with a conversion practice, as defined in this bill: a deliberate targeted action undertaken with the

intention to change another person's sexual or gender identity. It is unimaginable to me, and I find it hard to empathise with anyone who considers it may be unavoidable for them.

And I'm not alone. In my canvassing of the views of my community, a number of people have come forward, spoken to me or put pen to paper, including those from faith communities and organisations where I live on the north-west coast, a famously religious part of Tasmania. From the Rev Canon Dr Garry Deverell, an Anglican priest:

> I write to urge you to support the proposed Conversion Practices Prohibition Bill 2026 being introduced by the Greens. These laws, if enacted, will go a long way towards reducing the harm so-called conversion practices do to the many vulnerable members of our community. Gay, lesbian, intersex and transgender people are not broken and do not need fixing. I'm satisfied that the bill, as drafted, will not interfere with the continuing right of all people to discuss matters of gender and sexual identity in a free and uncoerced manner.

From Father Greg Rowlands, an Anglican priest in Burnie:

> As a priest of some 38 years, I cannot see this attempt to victimise people as in any way consistent with any concept of hope, healing, nurture and being welcomed by God. For me, conversion therapy is a destructive and demeaning act. It needs to be ended before more children and adults suffer harm and possibly death as a result of this activity.

From Chresley Elphinstone, secretary of the Church Council of Wynyard Uniting Church:

> Our support for this crucial legislation is deeply rooted in the core commitments and values of the Uniting Church. Central to our faith is the conviction that every single person is inherently precious and entitled to live with absolute dignity because they are God's children. We believe that Christian practices should never be weaponised to cause harm, isolate or condemn individuals based on who they are or whom they love. Every individual, including all LGBTQIA+ members of our community, deserves to feel safe, respected and protected by the law from these dangerous and outdated practices. As our representative in parliament, I strongly urge you to stand up for human dignity, safety and equality by voting in favour of the Conversion Practices Prohibition Bill.

The Rev Dr Cornelia Hoffman of the Cradle Coast Uniting Church Cluster points out in her letter:

> In 2022 at its 16th national assembly, the Uniting Church in Australia resolved that conversion practices are harmful to people's mental health and wellbeing and affirm the dignity of each person. The resolution states:
>
> > Affirm the Uniting Church statement, 'Dignity in Humanity', which states that every person is precious and entitled to live with dignity because they are God's children;

> Affirm that prayer and pastoral care are long-held Christian practices that will continue to be offered to support and uphold people, including LGBTQIA+ people, and agree that these Christian practices should not be used to harm or condemn people, including LGBTQIA+ people; and recognise that sexual orientation and gender identity change efforts are harmful to people's mental health and wellbeing.
>
> The continuing occurrence of conversion practices in Tasmania is sad and deeply concerning and, regrettably, leaves no alternative than to legislate against such harmful practices. Accordingly, considering the above, I support the Conversion Practices Prohibition Bill and urge you to do the same. I attached 37 letters of support from members of the Cradle Coast Cluster Uniting Church, which I have scanned for convenience. Please be assured of our prayers and for respectful and calm debate.

I agree with those who have made these representations to me. I'm reassured that the principles I've used to come to my position on the issues of conversion practices are shared in faith communities and the broader community across my region as evidence that the proposed ban does not limit or offend religious freedoms generally, though I acknowledge that some church leaders I have met with remain concerned and opposed to these changes. Our challenge is to capture this intent to remove harm in ways that do not create other costs, legal and procedural problems that may in themselves damage institutions that our communities rely on. Again, I note that there have been a large number of amendments foreshadowed. With this in mind, I'll listen and consider my support for each of them in turn.

I foreshadow that I will propose amendments of my own for the consideration of the House. My amendments in the committee stage of the debate will aim to keep the bill's focus on preventing further harm by changing the future behaviours of individuals who may otherwise cause harm through conversion practices, not to punish perpetrators for things done in the past that were legal at the time. To this end, my amendments will aim to remove or modify provisions that would give the bill or ensuing act retrospective effect; and to remove the automatic liability of employers and vicarious liability of organisations for actions of individual employees, noting that employers and organisations can themselves be held liable for conversion practices. These proposed amendments would remove significant risk and uncertainty for businesses and organisations, including government departments, for matters that are outside their direct control or that have happened in the past.

Furthermore, they also maintain a focus on individual responsibility, not corporate liability. This is important because an individual has to decide whether or not to participate in a prohibited conversion practice. They should not be able to knowingly proceed with illegal actions using the defence that they were following orders or the directions of their employer. I would hope, by removing the automatic liability of employers, although they can be separately reported and found liable, investigations and legal processes may be more focused on penalising illegal actions, and less attractive to speculative and frivolous legal claims motivated by the possibility of financial settlement from a larger entity.

Overall, my heartfelt hope is that there is never a prosecution under this legislation because people who may otherwise have conducted prohibited practices choose not to, not only because of the penalties for doing so, but because of the clear message from their society, through the passage of this bill, that such practices and the harms they cause are no longer

acceptable to us. Again, I commend the Greens and all who have worked with them for bringing this bill. I look forward to supporting it through its remaining stages and to improving it, if possible, through my amendments and others that have merit. Thank you.

[6.34 p.m.]

Ms BUTLER (Lyons) - Deputy Speaker, before I speak about the detail of this bill, I will speak about why this debate matters and is really important to me. About a decade ago, I sat with a friend who trusted me enough to tell me about something deeply painful he had carried for years. As a young man, he had been subjected to what was described as 'help', a spiritual assistance, assistance from his family and community to rid him of his demons. It was described as care and support, but what he experienced was cruelty. He told me about being repeatedly told that who he was, was wrong, that something deep and fundamental about his identity needed to be changed. He spoke about the shame, the humiliation and the emotional torture he was exposed to. He spoke about losing his family, losing relationships and losing his sense of self to breaking point. He survived. Just. Two decades later, he still carries those scars. The pain did not disappear when the sessions ended. The consequences followed him into adulthood, and they remain with him today. That experience is why I have approached this debate with great care.

The Anti-Discrimination Commissioner's submission to the Tasmanian Law Reform Institute provides powerful insight into why reform has been pursued. The commissioner notes that Tasmania's existing *Anti-Discrimination Act 1998* may already provide some avenues for complaints. However, she argued that the reality is very different. The submission states that conversion practices are often presented as helpful, supportive and coming from a place of compassion and are frequently recommended by people whom an individual trusts. As a result, many people do not initially recognise the conduct as harmful. The commissioner points out that the negative effects can emerge years later and can include guilt, shame, severe anxiety and depression, internalise homophobia, and PTSD. The commissioner goes further and states that,

> A solely complaints-based system and reactive approach will not go far enough to protect the rights of people who may be subject to SOGI conversion practices and prevent them from harm.

This bill adopts an education-and-prevention-first approach through the establishment of an education, prevention and response scheme. Rather than simply waiting for a person to be harmed and then asking them to navigate a complaints process, the bill seeks to prevent harm before it occurs.

There are many people in this House today who have spoken about faith-based concerns around this bill, and my family have always been very connected with the Uniting Church. My father is, I think he's a church leader at his Uniting Church in Victoria now, and I was really pleased with the support shown by the Uniting Church to the Greens in relation to this bill, and I will read for the record their statement -

> At Uniting we firmly believe people should have the freedom to determine their own sexuality and identity, and every person, whatever their sexuality, sex or gender identity, deserves to be treated with fairness and respect. As both a faith-based organisation and a provider of critical mental health services in regional and rural Tasmania, we have a particular duty to speak

> in support of our LGBTIQ+ consumers and the broader community to advocate the Tasmanian government support of future legislation to protect those affected from harm. Acting boldly, respectfully, and compassionately to confront injustice underpins Uniting values and practices. We called on each member to not just support the introduction and passing of such legislation, but to act with empathy when engaging formally, publicly, or privately on this matter. Acknowledging debate is an inevitable and integral part of change, we encouraged them to reflect on their personal contribution and role in this process to ensure we prevent further harm to all those who are affected.

This bill establishes a conversion practices commissioner and allows reports to be made about alleged conversion practices. It provides investigative powers there where there are serious breaches of systemic and ongoing practices affecting groups of people. Importantly, the bill defines a conversion practice as conduct directed towards a person on the basis of sexual orientation or gender identity for the purpose of changing, suppressing or eradicating that orientation or identity.

The legislation also establishes offences for engaging in conversion practices that cause injury, taking someone outside Tasmania for conversion practices, and advertising conversion practices. Significantly, it is the fact that consent is not always treated as a defence, and that reflects concerns raised by the commissioner who questioned whether genuine, informed consent can exist where evidence indicates these practices are ineffective and potentially harmful. The commissioner also stated it is inconsistent to label the service discriminatory in some circumstances but not others. At the same time, this bill seeks to balance important rights and freedoms. The commissioner acknowledged that freedom of religion and freedom of expression are important rights which must be protected.

The bill also recognises those concerns for exemptions for good-faith health services delivered by registered practitioners and for conduct that genuinely supports a person's coping skills, development or identity exploration.

This debate is not about what a person privately believes. It is not about preventing religious faith. It is not about stopping respectful conversations. It is about whether practices directed at changing or suppressing another person's sexual orientation or gender identity should be permitted when evidence indicates they can cause profound and lasting harm. To be honest, there is no amount of conversion practices that will ever change a person's genetics and sexual identity. Those practices are draconian and harmful.

When I think about this issue, I do not think first about clauses, penalties or legal definitions; though I believe this bill fulfils those intentions. I think about my friend. I think about a young person sitting with their parents, people they are meant to trust, and being told that they have a demon inside them. I think about the years that follow: the loss, the low self-esteem, the inner turmoil, the isolation, the shame, the trauma.

The following passage are words of my dear friend who gave me permission to speak his experience into the record on this debate. I am grateful for his trust, his strength, and incredible resilience and empathy. This is such a very personal and deeply traumatic memory he still lives with today. These are his words:

> Every person's forming years forms the foundation of the rest of their lives. Things that happened to you during those years feel bigger than Ben-Hur and stay with you throughout your adulthood. Just think of the things that happened to you at school that still haunt you at your school reunion 30 years down the line.
>
> It was during these years that I was told I have a demon in me and I am going to hell, by my parents - the two people who should love me unconditionally, the people I should feel safe with. I was a top student and a top athlete, but none of that mattered to them because I'm gonna end up in hell because I didn't like girls. I didn't choose this, and they could not get past this.
>
> I was sent to multiple people for conversion therapy where they told me I had a demon in me which causes me to feel this way. There was something so wrong with me that they could not accept me for who I was. I had to change myself constantly. It was hammered into me that I had evil in me during these crucial forming years. Who I was was wrong, not accepted in this world.
>
> When other children had their first kiss, I had a demon. When other children brought their first girlfriend home to show off to their parents, I had a demon. When other people chose their partners for the prom, I had a demon. I came close to believing these people who told me the real me does not have a place in this world, does not fit, the night I sat on my parents bed with a gun in my mouth, crying uncontrollably.
>
> However, still here, sometimes haunted by those forming years where I was forced by the people who brought me into this world to be subjected to conversion therapy, trying to change me by breaking me down psychologically during a time when I was at my most vulnerable.
>
> Conversion therapy does not work. You can't change a person's sexual orientation, not from gay to being straight, not from straight to being gay. The only thing it achieves is causing psychological damage to people who are vulnerable and probably alone, who are under the care of their parents and their guardians. Damage that will follow them throughout adulthood and be with them for the rest of their lives. I'm not sure if I will ever find total peace.

For those reasons and for those Tasmanians who continue to carry those experiences today, our parliament should approach this debate with care, compassion and a commitment to ensure that no young person is ever made to feel that they need to be changed in order to be worthy of dignity, respect and belonging. These laws are the least that we can do. I thank the Greens for bringing this debate to the House. I, along with my colleagues, support this bill. Thank you.

[6.45 p.m.]

Mr FAIRS (Bass) - Honourable Deputy Speaker, I speak today on the Greens' Conversion Practices Prohibition Bill 2026. At the outset, I want to make something absolutely clear. No member of this House supports coercive, abusive, degrading or harmful treatment of

any Tasmanian because of their sexual orientation or gender identity. Where genuine harm occurs, it should be condemned. Where unlawful conduct occurs, it should be addressed.

The question before us in this place is not whether people should be protected from harm. The question before us is whether this bill is the right way to achieve that objective. After carefully considering the legislation, the post consultation changes published by the proponents of the bill, and the concerns outbound by legal experts and community organisations, I've concluded that it's currently not. For that reason, I will wait until the numerous proposed amendments become clear before I reach a determination on this bill.

I acknowledge that many people supporting this legislation do so out of a sincere desire to prevent harm. Rather, my concern is that the bill creates serious uncertainty about what conduct is actually prohibited and then attaches some of the most significant criminal, civil and regulatory consequences seen anywhere in Australia.

When parliament creates criminal offences, people must be able to understand the law. The fundamental principle of good law-making is that citizens should know what conduct is lawful and what conduct is unlawful, yet one of the most striking features of this current bill is that it remains remarkably difficult to define precisely what a conversion practice is. The legislation contains lengthy lists of things that are not conversion practices, but it remains unclear exactly what conduct parliament is being asked to criminalise. This concern has been raised repeatedly by commentators and organisations from across the community.

The Post Consultation Changes document explains that a number of amendments were made following feedback. Some improvements were made, including changes to offences and expanded health practitioner exemptions. However, many of the central concerns remain. For example, the bill prohibits conduct undertaken for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity. What does 'suppressing' mean? The bill does not define it. Would supporting an adult who seeks help to live according to their own religious values be suppression? Would a parent or guardian encouraging a cautious approach before a child socially transitions be considered suppression? Would a counsellor helping a person exploring competing feelings and values be suppression? Different people may answer those questions differently. The problem is that under this current bill, those questions may ultimately be answered only after complaints, investigations, legal proceedings and considerable distress for people involved.

A second concern is the extraordinary breadth of some of the obligations created by the bill. Clause 11 imposes a positive duty on every person to take reasonable and proportionate measures to eliminate conversion practices. According to the analysis before us, that obligation potentially applies to every Tasmanian.

This bill, if passed in its current form, is not merely telling people not to engage in particular conduct. It is imposing a positive obligation requiring them to take steps in relation to conduct that remains difficult to define with certainty. If we expect Tasmanians to comply with such a duty, then Tasmanians must first be able to understand with confidence what the duty actually requires. I do not believe the bill before us presently provides that clarity.

Another area of concern is organisational liability. The bill establishes provisions under which employers and organisations may be held responsible for conduct committed by employees, contractors or volunteers. This concern has been raised not only by legal

commentators but also by community organisations whose operations depend heavily on volunteers. Many sporting clubs, charities, churches and community groups already face increasing compliance obligations. Before parliament creates new forms of vicarious liability carrying potentially serious consequences, we must be satisfied that the scope and operation of the law are clear and proportionate. At present I am not persuaded that they are.

I'm also concerned by the bill's interaction with counselling, pastoral care and mental health services. The legislation includes exemptions intended to protect legitimate therapeutic and healthcare activities, and I acknowledge those provisions. However, numerous submissions argue that uncertainty remains regarding the boundary between prohibited conduct and legitimate exploration of a person's circumstances, experiences, and goals. Some fear that mental health practitioners may be reluctant to engage with complex cases involving issues of gender identity because of concerns about complaints, investigations or future litigation.

Whether one agrees with those concerns or not, they are concerns that have been genuinely raised and deserve careful consideration before parliament proceeds. The stakes are simply too high when legislation intersects with mental health treatment and vulnerable young people.

The bill also introduces serious criminal offences. According to analysis of similar legislation around Australia, Tasmania's proposed framework would carry some of the most severe penalties in the country. When parliament contemplates criminal sanctions of this seriousness, clarity becomes even more important. The more severe the penalty, the more precise the law should be. In my view, that standard has not yet been met.

A further issue is the retrospective effect of certain civil claim provisions. The bill removes limitation periods for particular claims related to conduct directed at minors and does so in a manner that may implicate conduct occurring decades ago. Whenever parliament legislates retrospectively, it must proceed with extreme caution. Records disappear, witnesses move or pass away, memories fade. Fairness to both claimants and respondents becomes increasingly difficult to maintain. These are serious issues deserving much deeper examination, which I'm pleased to note and I believe is reportedly underway.

I am mindful that many Tasmanians approach this debate from deeply personal experiences. Some have suffered real hurt. Some have suffered and experienced rejection. Others fear that legitimate conversations, counselling or religious practices may become subject to legal uncertainty. Members of this House can acknowledge both realities at the same time. We can oppose harmful practices while also insisting that legislation is to be clear, proportionate and workable. Those principles are not in conflict. Indeed, they should guide all good law making.

The post consultation changes show that concerns raised during consultation were significant enough to warrant amendments. To me, that demonstrates the value of scrutiny but it also demonstrates that the bill remains a work in progress. The unresolved concerns are not minor drafting issues. They go to the heart of the legislation's definitions, operation and consequences.

For those reasons, I don't believe this House should proceed with the bill in its current form. If there were genuine gaps in Tasmania's existing legal framework, then those gaps should be clearly identified and addressed. If harmful conduct requires further prohibition, then

conduct should be defined with precision. If new criminal offences are proposed, they should be accompanied by certainty rather than ambiguity. If Tasmanians are to carry new legal obligations, they should be able to understand exactly what those obligations are.

This debate is not about questioning the dignity of any individual. Every Tasmanian deserves respect. Every Tasmanian deserves protection from abuse. Every Tasmanian deserves equal worth before the law. My concern is simply that this bill and its unamended form does not provide the legal certainty that legislation of this significance demands. For those reasons, I encourage members to submit suitable amendments for debate in this House before we vote on a final bill, and I know that's going to be happening.

I'm extremely and sincerely grateful to the Leader of the Greens, Dr Woodruff and Tom from her office for the considered briefing on this bill, as well as Mr Rodney Croome AM who was in the Chamber but has now just disappeared and popped out, for his insight and guidance with this issue and some advice. I also thank those many Tasmanians from all sides of the debate for contacting my office with their views over the past few months. For the reasons I have briefly outlined for the second reading vote, I cannot support this bill, but I will listen intently to the contributions, and have been, of members speaking to the bill. I also look forward to the debate on the raft of amendments to it before I make a final decision because we need to get it right. Thank you.

[6.56 p.m.]

Mrs GREENE (Bass) -There's nothing wrong with being gay, there's nothing wrong with being transgender and there's certainly nothing wrong with being who you are. Yet here we are, in 2026, debating whether people should be subjected to practices designed to change or suppress something so fundamental to their identity. At the heart of this debate are children and young people who deserve to grow up feeling safe, loved and accepted.

I've listened to members in this place say that they support the intent of this legislation but they have concerns about the detail. Of course, parliament must scrutinise legislation very carefully, but let's remember how we got here. The Tasmanian Law Reform Institute recommended banning conversion practices four years ago. Four years. The Liberal government have had four years to consult, draft legislation, work through concerns and bring a bill before this parliament. They even released their own draft legislation in 2023, but they never brought it to this House. Instead, it has taken the Greens to introduce this bill. I acknowledge the work of the honourable member for Franklin, Dr Woodruff, and her team in bringing it forward. I also acknowledge my colleague, the honourable member for Clark and Labor's shadow attorney-general, Ms Haddad, for her work on this legislation and in this space. I thank her for the care, thought and commitment she has brought to these discussions and for working constructively to ensure that the legislation delivers meaningful protections for LGBTQIA+ Tasmanians. This is an important reform and one that deserves serious consideration and collaboration across the entire parliament.

There has been criticism of the Greens during this debate for proposing amendments to their own bill despite undertaking extensive consultation but that is precisely how parliament is meant to work: you consult, you listen, you negotiate and, where necessary, you make changes. I feel that the Greens have worked very collaboratively across the parliament to respond to concerns and improve the legislation, and I welcome that. You cannot demand that people listen to your concerns and then criticise them when they do, and I think that some of those sitting opposite should reflect on that. If members have concerns about individual

provisions, then let's debate them - and we will be this evening and into tomorrow. Let's consider amendments. That is our job. However, after four years, the question is becoming increasingly difficult to avoid: how much more time do you need? How much more time should Tasmanians be expected to wait? There comes a point when supporting something in principle is simply not enough. Good intentions do not protect people, laws do, and Tasmanians deserve a parliament prepared to finish the job.

I acknowledge that this legislation has generated genuine questions and concerns, including for people of faith, parents and health practitioners, and I have listened to a broad spectrum of views. I want to speak about my faith. I'm a Catholic and my faith has taught me the importance of compassion, dignity and treating others as I would want to be treated. I know there are many Christians across Tasmania who support this legislation because of their faith, not in spite of it. I don't believe that my faith requires me to turn my back on LGBTQIA+ Tasmanians. Quite the opposite. The Christian values of love, compassion and dignity are entirely consistent with protecting people from harm. Faith should be a source of comfort, not a justification for cruelty.

I also recognise that parents love their children and want what is best for them. That includes many parents who are grappling with questions about sexuality or gender identity that they may not fully understand. Those families deserve support, not judgment. But there is a fundamental difference between helping a child understand who they are and trying to make them become someone else. A parent's love should never come with the condition that their child must change who they are. Freedom of religion is an important right, but freedom of religion should never mean freedom to cause harm, and conversion practices have caused harm. We've heard those stories throughout this debate, and we've been receiving them over the last number of months. This bill does not prohibit religious belief. It does not prevent ordinary family conversations, appropriate medical care, or genuine exploration of someone's identity. What it prohibits are practices directed at changing, suppressing or eradicating another person's sexual orientation or their gender identity. While some have spoken about this legislation as though it threatens their freedom, let's not lose sight of those who have already been harmed, young people who have already been told that who they are is wrong, who have been made to feel ashamed, who have been taught that acceptance depends on changing something fundamental about themselves.

These practices are not relics of the past. The Tasmanian Law Reform Institute received 46 submissions describing people being offered or subjected to conversion practices in Tasmania. Working It Out, which has supported LGBTQIA+ Tasmanians for more than 25 years, tells us these practices have occurred under the guise of counselling, courses and retreats, and the consequences have been devastating. Research from La Trobe and Macquarie universities found that one in 20 young LGBTQIA+ Tasmanians have experienced conversion practices. Those who experienced these practices were around three-and-a-half times more likely to have been diagnosed with post-traumatic stress disorder and almost four times more likely to have attempted suicide. These are Tasmanians who have carried shame, trauma and hurt because somebody convinced them that they needed to change. There is something deeply damaging about a young person placing their trust in an adult only to be told that their identity is something that they should be ashamed of, suppressed or changed. The adults in a child's life should be about building their confidence, not teaching them to be ashamed of who they are.

Laurel House, a specialist sexual assault service in northern Tasmania, has raised serious concerns about the relationship between conversion practices, coercive control, sexual violence

and child abuse. As someone who has spent years advocating for the safety of women and children, I take their concerns extremely seriously because we know that harm does not always come from strangers. Sometimes it comes from the people we love and trust, from people in positions of authority in places where children should feel the safest and sometimes that harm is justified as being for their own good. But good intentions do not erase harm, and love should never be conditional on someone changing who they are. Children deserve guidance, care and the freedom to explore their identities as they grow. They deserve adults who will listen, support them and help them navigate difficult questions without fear or judgment. What they do not deserve is pressure, humiliation or coercion designed to force them into becoming someone else.

I was disappointed to hear autism raised in this debate today in a way that appeared to question a young person's capacity to understand their own identity. We know that autism and gender diversity can coexist, and yes, autistic young people deserve thoughtful, individualised clinical care that recognises their particular needs. But autism is not a reason to dismiss a young person's identity, and it certainly isn't a justification for subjecting them to conversion practices. Being autistic does not make someone broken, being LGBTQIA+ does not make someone broken and being both certainly doesn't mean that they need fixing. We should be focused on ensuring autistic young people receive appropriate support and protection, not making assumptions about who they are.

This legislation rightly extends protection to both sexual orientation and gender identity. The Women's Legal Service of Tasmania has urged members not to leave transgender Tasmanians behind. They already have been for way too long. We cannot claim to protect vulnerable people while deliberately excluding some of those who need protection.

This bill takes an education and prevention-first approach, while providing consequences for very serious conduct. It recognises that preventing harm matters just as much as responding after it does, and I think that Tasmania has come a long way. There was a time when being gay in this state was a criminal offence. People fought for years to change the law, often at enormous personal cost. Some of those people have been sitting in this very Chamber and gallery today. We owe them recognition for the courage it took to challenge those laws and those attitudes but progress does not mean that work is finished and today we have another opportunity to make Tasmania a safer, kinder and more inclusive place.

I'm a mother of two boys and when I think about this legislation, I think about what we owe to our children. We all have hopes and dreams for our kids. We imagine the lives that they'll lead and the people that they will become but parenting teaches us something important our children are not here to become the people that we imagined. They're here to become themselves. Our job is to love them and to guide them and to make sure they know they always have somewhere safe to land.

Whatever my boys discover about themselves as they grow, I want them to know one thing above all else: there's nothing that they could ever tell me about themselves that would make me love them any less, and it breaks my heart to think that children and young people in this state may be too afraid to have conversations with their parents: children who worry that being honest about who they are might mean losing the love and acceptance of people who matter to them the most.

I know of many people who have been put in that situation, and no child should ever have to choose between being themselves and being loved by their family or people who are close to them. That is why protecting children from practices designed to change or suppress their identity matters so deeply. I think about the young Tasmanians who have also been listening to this debate, those who are still finding the courage to tell their families who they are, those wondering whether their parents will still love them, those who have already been told that they're wrong or broken or somehow less deserving of acceptance. They deserve to hear this parliament say something different, that you are not broken, you are not something to be fixed and you deserve to be safe because ultimately this legislation is not about changing who they are; it's about stopping others from trying to change them. The only thing that needs changing is the law that still allows these practices to happen.

Finally, I want to speak directly to LGBTQIA+ Tasmanians, particularly young people who may be struggling to feel accepted or supported. I want you to know that you're valued, that you belong and that you deserve dignity and respect, and my electorate office is and always will be a safe and welcoming space for you, a place where you can be yourself, where you will be listened to without judgment and treated with kindness. You should never have to change who you are to feel safe, to feel accepted or to feel loved. I commend this bill to the House.

[7.08 p.m.]

Mr FERGUSON (Bass) - Thank you, Deputy Speaker. I rise tonight to say that I will be voting against the Greens' Conversion Practices Prohibition Bill 2026. I do this after carefully considering the legislation, looking at the arguments of the Greens and their supporters, and I've reviewed serious legal and medical concerns raised by qualified experts, and my position rests on three straightforward, mainstream, Australian liberal principles - protect children, trust families, defend freedom.

These should guide this parliament. They certainly guide me, when legislating about family relationships, professional healthcare, intervening in religious dogma and individual freedom. I'd like to begin with something beyond dispute. It may be the one thing that brings the house together. Nobody should be subjected to cruelty, violence or coercion. Historical practices involving electric shock, aversion techniques like nausea, punishment and degrading treatment were wrong. I respect those who say they've experienced those treatments, and I recognise that the Greens say they want to prevent that suffering, but the question is whether this particular bill is a sensible, proportionate, and carefully drafted response. My conclusion is that it isn't.

The bill goes far beyond prohibiting abuse. It creates criminal offences, imposes obligations across the community, exposes organisations to serious liabilities, and it risks interfering with legitimate counselling, responsible and loving parenting, and freedom of conscience.

As I said earlier in the debate when we were considering an inquiry, I want to address the extraordinary process by which this legislation - this complex and long legislation - has reached the House. As we know, the Greens released a draft bill for public consultation, and that's appropriate, especially for the length and complexity of it but where is the transparency about the submissions? I'd like to hear the Greens leader in her summing up address this. It was most unusual to see a small subset of submissions released, but not anything if the submission was provided by an individual. Of course, I'm not referring to a confidential submission.

The Greens selectively published, and I'm concerned that potentially hundreds of submissions have not seen the light of day, including important expert criticism. Why should members legislate without properly examining the objections of those who participated? It does rather feel like an artificial decision by the Greens, and it's reasonable to ask why.

Why should the public be denied the opportunity to examine competing arguments? There was no second reading speech, which the Attorney-General referred to earlier, accompanying his introduction, to properly examine those changes. That would have been a reasonable place for members of the community, or MPs, to look at some explanations or rationale for the policy decisions that they'd taken.

When parliament is being asked to decide the matter, the Greens are amending their own legislation with, I think, 23 amendments to 13 clauses overnight. What does that tell us? Well, it tells me that the legislation isn't settled, significant legal questions remain unresolved, and it demonstrates the danger of attempting to repair complex statutory defects through hurried negotiations on the floor of this House, because, of course, there'll be many other amendments.

This is an 88-page legislative scheme, the longest, most complex, and deepest intervention into the social life of Tasmanians compared to any other state or territory. Given that those are profound consequences, I have to declare that the process has been a mess, the legislation and the foreshadowed amendments reflect that mess, and the pressure to pass something must not override our collective responsibility to make good law. I say that on behalf of an MP who is, or is not, in favour of the principle. The House should pass robust law.

I draw a particular attention to Emeritus Professor Patrick Parkinson AM, a distinguished Australian family law scholar and an authority on laws relating to children, families and society. He now calls Tasmania home; we're very lucky to have him in our community. His detailed examination of the bill deserved a lot more attention than it got. His conclusion is devastating, and having read his analysis, I can well understand why the Greens might not have wanted his report to receive a link on their page.

He's identified fundamental problems with the definition of conversion practices; a net designed so broad and deep as to capture so many more behaviours, practices, conversations, and expressions than any reasonable-minded definition of a conversion practice as we've understood it to be. He pulled out the new obligation under clause 11 affecting all organisations and people, the criminal liability of organisations, consequences for mental health professionals, and the very remarkable decision by the Greens to have civil liability with retrospective effect. He argues these are not minor drafting issues capable of repair through some committee stage amendments. He actually says they go to the foundations of the bill and argues that the bill can't be fixed with amendments.

It imposes an enforceable obligation to take measures to eliminate conversion practices. Professor Parkinson explains that this is not simply a prohibition against unlawful conduct. It requires people to take certain actions whether or not they wish to. People who have never dreamed that they would be picked up by the Greens' law will be picked up, and because the obligation is not confined to particular institutions or professions, its reach is extraordinarily broad. Parliament is being asked to pass a new legal duty across the state without making clear what ordinary people must even do to comply. How is that responsible lawmaking? The Greens claimed that the bill is, 'What's wrong with you people? What's the problem? It just prohibits conversion practices.' That claim is now exposed as false, because it does a lot more. Professor

Parkinson also identifies the extraordinary operation for clause 19, where employers and principals may be taken to have committed offences committed by employees or agents, including volunteers. That's a decision, a policy decision of the Greens.

He highlights a disturbing drafting decision. The civil liability provision expressly refers to conduct occurring in the course of employment, but the equivalent limitation is missing from clause 19. This raises the possibility of criminal liability extending to conduct outside a person's employment or volunteering responsibilities.

This is an extraordinary risk to impose on community organisations. I say to Labor: why have you welded yourself to the Greens on this bill? This is a decision the Greens have taken that they have not justified.

What about these exemptions that we heard about on social media in the last three weeks? I think that when they realised they were losing the public debate, they needed to rally and try to send out these messages of assurance. One of the most misleading aspects of this debate has been the claim that the bill contains exemptions protecting families, faith communities, professional practitioners and ordinary conversations. Look at the actual words. For example, a parent discussing sexuality or gender with their child does not, 'of itself', constitute a conversion practice. I emphasise the words 'of itself'. An expression of religious belief or prayer does not, 'of itself', constitute a conversion practice. That qualification is deliberate and critical. It does not say parental guidance is protected. It is a false claim. That is a myth and I bust it tonight. It does not say that requested religious or welcome religious counselling is protected. That is a false claim, that's another myth, and I expose that tonight. It does not guarantee that ordinary conversations won't be captured by the bill's deliberately broad definition.

The health provisions carry their own qualifiers: they're conditional, they're not genuine exemptions. How demeaning for the Greens and their friends who want us just to pass this bill blindly, how demeaning for them that they lowered themselves to the position of saying, 'Oh, these are exemptions, what are you worried about? You stupid Christians, you silly families, you conservatives, you business community people, what are you worried about? You're all exempted.' How demeaning for the Greens that they got themselves to that position, but they are exposed. That is not honest.

That decision by the Greens to direct those words 'of itself' gives away any pretence of exemption. It's false and misleading. An assurance that something is not lawful 'of itself' is not an assurance that it's lawful. I would have thought that's pretty obvious, and that's the distinction that the Greens refuse to confront. I invite the Greens leader to deal with that in her summing up and prove me wrong.

The legislative net is cast wide and deep to reshape society around their gender theory, that they have signed up to, rather than simply, as they say they want to, targeting historical abusive therapeutic practices which have been discredited for decades, as they claim. It's no answer to a frightened parent, psychologist, church pastor or a Quran teacher that their conduct might eventually be found lawful after an investigation. Nor should everyday Tasmanians need expensive lawyers to understand the limits of their freedom.

I don't expect that everyday Tasmanians should have to read this law or this bill. That's our job. I'm here in their stead as their representative of the people of Bass, to argue these principles and to expose these failures in the legislation, and to do my best to convince others,

including those on the other side, to please examine the evidence. Be careful what you're welding yourself to with the Greens. I think you've been tricked. The public should not have to read the qualifications for themselves. They call them exemptions; they are not. That's tricky political spin at best; it is lies at worst.

The risk to children and professional care - my deepest concern is what this legislation can mean for vulnerable young people. Consider a 15-year-old experiencing confusion, distressed, or mixed feelings about their sex. What does that child need? I say that they need adults who listen, professional assessment, time to explore that complicated question without pressure toward a premeditated, predetermined outcome. I don't think those kids need to be told that they might be in the wrong body. I feel that that is cruel to even pose that question in the mind of a child: do you think you might be in the wrong body? That upsets me greatly. To think that a child might be asked that question by an adult upsets me a lot to think of that. No child should be asked that question, but I know that it happens. I think that's abuse. I think that's cruel to pose that question and to ask a child to ask that question of themselves. A child may well be experiencing some real challenges for whatever its foundation or cause.

Every one of these children is precious. I've always said that Tasmanian children are the most precious Tasmanians, and I only have compassion and love for all of Tasmania's children. They deserve our full support - including in the way we make our laws, including in the way we make laws about the people who will speak to those children, the extent to which we'll allow them to speak compassionately and lovingly to those children, to the extent that we make laws that tell parents how far they can go in guiding their children.

Don't you think that Dr Woodruff cares more for these children than their parents, because she doesn't. I know about parents. I know that there are failings at times, but parents love their kids. Grandparents love their grandchildren. Uncles and aunties, who didn't get a mention in the bill, nor brothers or sisters, cousins, they get no mention in the bill, they love these children. They love them more than we do. They're their family and they're being written over and many of them don't even know it. Their rights are being sold down the river.

What they don't need is risky political ideology imposed upon life-changing decisions. When I say life-changing decisions, I mean like the conversation invoking that question I mentioned earlier, like puberty blockers for a minor or like social transition, which, frankly, is a big change in a person, even though it may not have any physical impacts immediately, and of course there are physical interventions.

Neither does the parliament need the Greens' political platform dressed up as a modern translation of the Bible. I was surprised to hear a speech earlier today and I, just on that subject, want to respond very briefly. I noticed that Greens member for Bass spoke almost exclusively about religion in her speech. I noticed that she didn't attack contemporary Islam or Hinduism, people who I've spoken to in the last three weeks who have got major concerns about this bill. Or people who hold Christian values in good faith but don't call themselves Christians, and there are plenty of those people in our community. Only mainstream Christianity attracted her criticism.

The attack that was there on members of this House on the basis of their beliefs, I believe, was ugly and undeserved, and I say that with a strong platform because, speaking as a Christian person myself, I haven't used Christianity as the basis for my rationale in my explanations for my position. I could, but I haven't relied upon that, and yet that was the centre of Ms Rosol's

allegations in trying to discredit the arguments of those from whom she holds a different view. I say, through you, Deputy Speaker, to Ms Rosol: do not come up with your own scripture of your choosing. Do not characterise your opponents by beliefs just because you don't share them. How about arguing on the facts and respect the beliefs of others? That respect has been extended to you and it would be good if it was reciprocated.

Briefly, as I look at the clock, the independent Cass review in the United Kingdom should be important learning for every person who calls themselves a Tasmanian leader. That country and the others have made big mistakes, and we're about to deepen our own investment in those same kinds of mistakes blindly chasing that gender theory ideology. It's spoiled a lot of lives, it's caused a lot of harm, and a Labor government in the United Kingdom have reversed; other Scandinavian countries have reversed. I fear that we're going to also reversed after we've knowingly been aware of the risks and knowingly made laws that deepen this gender theory in our laws, our health system and our education system.

I note that the medical debate is not settled, as some would say. Just because you've found 50 doctors, so what. You found 50 doctors who signed up to your law. Do you know how many doctors there are in the state? Are you aware that the Commonwealth review is imminent? I don't know what it will say. It might say charge on, it might say slow down, I don't know, but you're not prepared to wait for that. We politicians ought to be humble enough to acknowledge these facts. Professor Parkinson has given us so much useful guidance to help us with these deliberations, and I fear that many find it an inconvenient truth. It's easier to sideline and just invite people to walk on past.

One of the things that remains with me about Professor Parkinson's submission to the Greens, which they refuse to publish, is that the process that a person will be made to go through when there's a complaint - including, by the way, not from the supposed victim - anybody can make the complaint - is the process that they will be pushed through. Professor Parkinson makes the point that the process is, in fact, what the Greens intend to be part of the punishment. The feared process is the chilling effect. What happens when young people most in need of careful assessment may, in fact, not be able to get it any more at all because of the chilling effect of these laws that the Greens are proposing? I'm deeply concerned about what's occurring here in this parliament.

I recognise and respect that the House has voted on the inquiry. It's not to happen but I hope at least that we can have the decency on different sides of this Chamber - you may want a law on this, you may not, but we should only pass good law. We should deal with the fact of retrospectivity being brought in; we should deal with the civil liability obligations that are being brought in; we should deal with the new obligation that the Greens want every Tasmanian to have in their workplace, business or NGO. I hope to support some sensible amendments, but I won't be supporting this bill.

[7.28 p.m.]

Mr BAYLEY (Clark) - Honourable Deputy Speaker, I rise to speak on the Conversion Practices Prohibition Bill, and I thank Dr Woodruff for bringing it on. I am so proud to be part of it. I acknowledge the staff in Dr Woodruff's office for their hard work on this bill in helping to bring it to this point. To Thomas and Alice, in particular, thank you. I also acknowledge the immense contribution of survivors and advocates for telling their stories, sharing their experiences, articulating their values and standing up for others. To Rodney and Amilie, and those watching online, thank you for helping us get to this point. I acknowledge that this issue,

this debate and its relevance to your lives and those in our community may be difficult and trigger trauma and pain. Please look after each other, both today and in the wake of tomorrow's resolution on this bill. Your lives, your hearts and your very souls are being publicly debated and subject to ignorant attack, callous indifference, and arguments anchored in bigotry, misinformation, and disinformation.

This is life-saving legislation, law that will prevent the immense harm caused by conversion practices conducted in the flawed belief that sexual orientation and gender identity are conditions that can be cured. They are not. That is the science and medical advice, that is the lived experience and that is the simple reality. It's a matter of great shame that Tasmania was the last Australian state to decriminalise homosexuality, in 1997 but the progress made since, on justice and equity for our LGBTQIA+ family is rightly a matter of great pride and something we, all the way up to the government, embrace and espouse. As expressed by Rodney on the Tasmanian website of Brand Tasmania:

> When you feel discouraged and powerless, recall how this tiny corner of the planet defied every expectation to pull itself up by its rainbow bootstraps and reinvent itself. The history of this spectacular transformation is long and sometimes painful. It was only because many people worked together to pool their talents and encourage each other.

And so it is with the Conversion Practices Prohibition Bill, a collaborative effort across the community and across this parliament to create this bill and give it the time it needs to be thoroughly debated and finally resolved. Thank you to one and all involved. I acknowledge Labor and the crossbench for your flexibility in pushing our private members business rotation to clear the decks for today. I acknowledge the government in allowing us the time today and tomorrow to debate and resolve this bill.

I want to make clear to the Chamber that it is our and other members' intention to resolve this bill this week. We have sought advice from the Clerks and intend to ensure that there is a resolution to this bill in full before tomorrow night. This is a most important bill, a bill of life and death, a bill of significant consequence to many in our community, and a bill of good conscience. That's why the Premier has, in a welcome decision, offered his members a conscience vote. This is a bill too important and the community in question too exposed to leave hanging, adjourned with no resolution and no clear pathway forward. We will move to conclude this bill tomorrow and we urge all members to engage in this process with this in mind. Make your points, distribute your amendments early and debate in good faith irrespective of the anticipated outcome because this is yet another issue where Tasmania lags behind other states and other advanced, compassionate and modern societies around the world.

The ACT and Queensland banned conversion practices in August 2020, Victoria in February 2025, South Australia and New South Wales in April 2025. Only Western Australia is yet to make this action to protect its people, but its Labor government has recommitted to it and is consulting with stakeholders and, I quote, 'monitoring law reform in other jurisdictions'. Eyes are on Lutruwita/Tasmania this week. People are watching parliament, this Chamber and us, as representatives. People are watching to see if Tasmania is, indeed, a jurisdiction that has taken stock of past failures, can recognise the pain and cost of inaction, and is prepared to finally do what is right, catch up to the country and demonstrate that we are able to make decisions that are evidence-based, compassionate and contemporary. Can we rise above the intolerance and ignorance? Can we continue this state's important journey along a pathway of

righting past wrongs, protecting precious people and being the world-leading place that we think we are, that we tell the world that we are? Or will we continue to permit a practice that harms Tasmanians, against the science and real medical advice, in the vain attempt to convert them into an image, a physical, psychological or sexual state that someone else believes is what's right for them?

Globally, progressive, compassionate and caring communities are enacting law reform in this space. The western world is moving on from the Dark Ages. In March last year, the Finnish parliament voted 125 to 49 to support a citizens' initiative calling for a ban on conversion practices. In July this year, new penal code laws came into force in Sweden that bolstered criminal law protections against conversion practices. Norway passed a ban on conversion practices in 2023. France unanimously passed a ban on conversion practices in 2022. The UK currently has a draft bill for a ban on conversion practices. Let Tasmania not be a laggard again. Let us, in here, do Tasmania proud and protect our people from actions that are proven to be harmful.

The evidence underpinning this bill is clear and unequivocal. The detailed work of the Tasmanian Law Reform Institute in its 2022 report, 'Sexual Orientation and Gender Identity Conversion Practices', made the case for law reform, and it is an important part of the evidence and advice that has got us here today. The report was based on evidence received and accepted that conversion practices are happening in Tasmania and that they cause severe harm to people subjected to them. The TLRI concluded that conversion practices continue and remain a risk to LGBTQIA+ Tasmanians. It recommended that Tasmanian law is reformed to more appropriately deal with these harms and risks. This bill is that law reform and it has the backing of many. Expert community service and advocacy organisations have written to us all to put their perspectives and urge action to prohibit these practices in Tasmania. Women's Health Tasmania wrote to us all. CEO Sally Bruce writes:

> Women's Health Tasmania strongly supports the passage of this bill. It will contribute to the ongoing good health and wellbeing of all Tasmanians by protecting members of our state's LGBTQIA+ community, including transgender and gender-diverse people, from the harms caused by conversion practices that target gender identity and/or sexual orientation.
>
> The bill aligns with contemporary healthcare practices. The bill is evidence-based. The bill protects vulnerable Tasmanians from harm. Protecting all Tasmanians from harm is not a radical act. The Tasmanian government has an obligation and duty to prevent the harm that conversion practices are proven to cause. Supporting the bill will accomplish this.

In correspondence with Dr Woodruff, Women's Legal Service Tasmania CEO, Yvette Cehtel wrote:

> The Women's Legal Service Tasmania encourages you to afford all women equality through the Conversion Practices Prohibition Bill. Our service wants all women to be afforded access to quality services and legal services, and the attendant social supports are no exception. We do not want women to feel unable, embarrassed, or uncomfortable in their interactions and experiences with the law and the system that sits around that. We can do better in

> Tasmania and will do so if the legal scaffolding is placed to ensure we are all protected and equal under the law.

Trans and gender diverse parents last week wrote:

> We write as parents of trans and gender diverse young people who are concerned about what is being said, and not said, in the current discussion about the Conversion Practices Prohibition Bill. What should be discussed more? Conversion practices are a real and harmful threat to our children and families. We know from local and national research that one in twenty young LGBTQIA+ Tasmanians go through conversion practices, and that as a result, they are three to four times more likely to have PTSD and to attempt suicide. We strongly support the Conversion Prohibition Bill. I urge Tasmanian lawmakers to hear our plea.

Amilie Courtney, here in the Chamber earlier today - and someone I first met several years ago in this very Chamber as part of the Youth Parliament and heard from as a witness in the Bullying and Discrimination in Schools Inquiry - made a submission to our consultation and laid out exactly what real help for a young trans woman looks like. Amilie writes:

> As a transgender young woman, I understand the difference between genuine support - which allows someone the freedom to explore their identity without pressure or predetermined conclusions - and conduct that begins from the assumption that there is only one acceptable outcome. Although discrimination and conversion practice are not identical, they are frequently sustained by the same dangerous premise: that queer and transgender people are problems to be managed, corrected or contained, rather than human beings entitled to dignity, autonomy and safety. The Conversion Practices Prohibition Bill 2026 deserves to be welcomed because it clearly states that no person's sexual orientation or gender identity is broken.

In a welcome contribution from the faith community, the Uniting Church in Australia supports the bill, and called out the fear campaign mounted against conversion prohibition legislation:

> The Pride Circle of the Uniting Church in Australia endorse the Conversion Practices Prohibition Bill and urge you to vote for it. Pride Circle of the Uniting Church in Australia celebrates the contribution that LGBTQIA+ people bring to both the church and society, and as such any efforts to suggest that they need to repress, or renounce any part of their God-given identity is something that the Pride Circle would resolutely renounce.
>
> We have all seen how those opposed to LGBTQIA+ equality seek to foster fear and opposition by declaring that religious freedom and parental rights are under attack. It is time we learnt that there is no substance to these fear campaigns. Religious freedom is as strong as ever in Australia and even though we have marriage equality, parental rights are no different, even though we have school-inclusion programs. The sky has not fallen in.

This goes to the response that is needed to rebut the detractors of this bill. Some of the opponents of this bill have tried to conveniently define conversion practices in a narrow way that only captures the manner in which they used to occur. Some interests would like us to see conversion practices simply as the use of barbaric practices using techniques such as electroconvulsive therapy - I heard this from minister Ellis earlier.

This is not a definition used by reputable organisations. It is a purposefully limited definition pushed by people who have an ideology that people whose sexual orientation or gender identity don't match their worldview and should be changed to match their worldview. This doesn't mean each and every person who puts forward this sort of definition is coming at it from this perspective, but there are powerful interests behind the scenes spreading misinformation to well-intentioned people. The reality is that conversion practices have changed in nature and those who still use these practices would be very interested in ensuring only the practices of the past are prohibited. The reason is very simple: they conduct or facilitate conversion practices, and they want to continue to do so.

The stories of people are very clear: while the use of techniques like ECT or aversion stimulus are undoubtedly harmful, the lifelong impacts on people's mental health and relationships from convincing them their very identity is broken, sinful or morally unacceptable is devastating. You don't need to use barbaric physical practices to cause deep and lasting harm. To the people who ask what evidence there is that conversion practices continue, the answer is testimonies: testimonies from survivors, testimonies from practitioners, and testimony from others. We've heard victim/survivor testimony already in this debate.

There is a pervasive torrent of people expressing a view that trans people are not really the gender they identify as. Our own Police minister is putting out anti-trans social media content worthy of manosphere cultural war influencers. This is the pseudo-medical ideology that underpins conversion practices. The ideology is still pervasive. Survivors are still giving their accounts. A submitter to the TLRI report said that they would continue to undertake conversion practices even if laws were passed. On what reasonable or rational basis could one suggest that conversion practices don't happen anymore? Only through defining conversion practice out of existence can this perspective hold water.

Again, in his contribution, we just heard Minister Ellis refer to them as the 'so-called' conversion practices. This isn't the only deception that's being used by those driving the messages behind this campaign. They would have people believe that we have an unclear definition that is broad and can't be explained, that is despite this definition being used in other jurisdictions in Australia, this is despite our legislation having clear avoidance-of-doubt provisions, and this is despite us consistently and thoroughly providing detailed answers to queries and to numerous detailed public documents and explanations.

But what of the other side of this debate? Do they provide detailed explanations of the sort of conduct they think may be inadvertently captured? No, we get euphemisms: euphemisms like 'loving parental conversations', or 'guidance' or 'pastoral care'. Does that side of the debate elaborate on the details of the conduct they think might be at risk? No, it's a deliberate and insincere campaign to sow doubt and fear in people. They don't want to outline what conduct they are talking about because exploration or pastoral care sounds a lot more innocent than convincing a gay person that they're broken and that they have to become a heterosexual in order to become a moral person. We've already heard in the debate today the devastating impact and futile nature of this approach.

I also need to point out the hypocrisy of those who are criticising a ban on conversion practices for being ideological or interfering in medical decisions, despite the fact that there is an explicit exemption of registered health practitioners. It begs the question: what else are they pushing for? A ban on gender-affirming care? An end to conversion practices is supported by the overwhelming majority of health and medical organisations, journal articles and evidence more broadly. Opposition to gender-affirming care is championed by anti-trans advocates and a tiny minority of those in the medical field.

On process, let me take umbrage with the Deputy Premier and his critique of the process and the actions of members in this place. On the one hand, he criticises members for the supposedly late distribution of amendments, then the next he flags his own, at the time yet to be distributed, and only distributed mid-afternoon this afternoon. Deputy Premier, this process has been long and extensive, starting with the TLRI report, itself informed by expert advice, comprehensive consultation, and deep professional consideration. This bill was laid on the table early last month and has been subject to repeat briefings both offered and given. Before that, it was out for public consultation for six weeks. It's had every specific question responded to, it's backed by extensive evidence, it's been coming for years and it's time that we got it done.

I reiterate again to those opposed: that is the clear intention of the Greens, and we believe this House, to see this bill resolved this week. I believe that every person deserves to be loved for who they are, to be accepted, to be respected and to be protected. Every person has the right to be who they want to be, to love who they want, to live as the person that they know they are, not the person that someone else wants them to be. As humans, we are all fragile, we are all vulnerable, and we all deserve to be safe. In the face of the evidence, the lived experience and the science, the harm inflicted by conversion practices is not in question. As with all harms, it is our job as lawmakers to establish the structures, the processes and the penalties to prevent them. This bill does that.

This bill is well considered, well consulted, well constructed and well overdue. It is our job as lawmakers to pass it, and I urge all in this Chamber to do so. I commend the bill to the House, and I thank you for your attention.

Recognition of Visitors

The SPEAKER - Before I give the call to the honourable member for Lyons, Ms Howlett, I'd just like to acknowledge the honourable member's parents who are in the Chamber today. I believe it's your 65th wedding anniversary today. Is that correct?

Members - Hear, hear.

The SPEAKER - Congratulations on 65 years together. That is a remarkable achievement. Thank you for being here tonight.

[7.47 p.m.]

Ms HOWLETT (Lyons) - Thank you, honourable Speaker. I rise to speak on the Conversion Practices Prohibition Bill 2026. I want to begin by making one thing clear: I do not support conversion practices that cause harm to people, and I support protecting children from abuse, coercion and harmful treatment.

Some of the stories associated with conversion practices are deeply disturbing. No child should be made to feel that there is something wrong with them, that they are not accepted by their family, or that they need to be changed to earn love in order for support. Every Tasmanian deserves to be treated with dignity and with respect. Every child deserves to feel safe, supported and loved for who they are. I believe we have a responsibility to ensure that legislation we pass achieves that objective without creating unintended consequences. That is where my serious concerns with this bill lie.

Parents have a fundamental role in raising their children, guiding them through difficult periods and helping them make sense of the world around them. That role does not disappear when a family is dealing with complex questions about sexuality or gender identity. Parents should be able to have open, honest and sometimes very difficult conversations with their children. They should be able to ask questions, offer guidance, express their views and seek appropriate support for their family. These conversations must always be grounded in love, respect and the wellbeing of their child. However, there is a difference between a parent having a genuine conversation with their child, offering advice or seeking help, and subjecting that child to harmful practice designed to change who they are.

We need to make sure that the law recognises that difference very clearly, and that consideration should not stop with parents. Grandparents, aunts, uncles and other members of extended family can play a very important role in a child's life. If you know my family, we are very, very close to our nieces, our grandchildren, our nephews, our aunts, our uncles, and we have conversations constantly. They, too, should be able to provide love, support and guidance without fear that ordinary family conversations could be caught by legislation that is unintended to prevent harm. My concern is that this bill doesn't draw those lines clearly enough. When legislation creates new offences and obligations, people need to understand what is prohibited and what remains lawful. That is particularly important when the legislation touches on families, healthcare, counselling, religious beliefs and the relationships between parents and children. We must be careful not to create a situation where parents are afraid to speak openly with their children, or where family members hesitate to offer support because they're uncertain about the legal consequences. That wouldn't be a good outcome for children or our families.

I'm concerned about the potential for unintended consequences for community organisations, professionals and others who may be affected by this bill. At the same time, Speaker, I do not want these concerns to distract from the purpose of the legislation. People who have experienced genuinely harmful conversion practices deserve to have their experiences taken seriously and the law should provide appropriate protection. The challenge for parliament is to get the balance right: protecting people from harm and protecting people from conduct while ensuring that the legislation is clear, fair and workable.

Speaker, unfortunately, I don't believe that this bill before us achieves that. I have really serious concerns about the current provisions. I believe that they raised fundamental questions about the scope of the bill, the rights and the responsibilities of families, and the potential for unintended consequences for teachers, businesses, government departments and also community organisations. These are not minor issues.

They go to the heart of how this legislation will operate in practice and whether it strikes a right balance between protecting people from harmful conversion practices and ensuring ordinary families, conversations and legitimate support are not caught up in that law, and

having considered these concerns, I'm very sceptical that the fundamental flaws in this bill can be adequately addressed through amendments. For that reason, regretfully, I will be opposing the bill at the second reading.

Honourable Speaker, protecting children and supporting families should not be competing objectives. We should be able to do both. We should be able to prohibit harmful conversion practices, protect our vulnerable people and ensure that every Tasmanian can live with dignity and respect. Thank you, Honourable Speaker.

[7.53 p.m.]

Ms BROWN (Franklin) - Honourable Speaker, I rise to speak on the Conversion Practices Prohibitation Bill 2026. I am proud to stand here as the Labor member for Franklin in support of this bill, to support its intent to reduce harm, and to support the LGBTQIA+ community and protect vulnerable Tasmanians. I would like to thank members of our community who have advocated tirelessly for this bill over many years. Thank you for sharing your stories and reliving your traumatic experiences in the hope that future generations will never be subjected to these harmful practices.

I want to personally thank everyone who has shared their experiences directly with me. They spoke of what has been described to them as therapy, but there was nothing therapeutic about what they experienced. What they described was actually torture. Practices such as counselling intended to convince or direct someone to be cured of homosexuality. Abusing people into conformity by telling them that they are damaged, that they are broken, sinful or wrong; physically harming somebody until they proclaim that they are no longer gay, performing exorcisms and being subjected to electroshock therapy or cold-water therapy: these are all forms of conversion practices. These are torturous activities. These are not therapy. Since when have we considered torture to be therapy in a modern Australia?

These practices cause immense psychological harm and, in many cases, physical harm to people subjected to them. They do not deliver their intended outcome. They do not change, suppress, or eradicate a person's sexual orientation, gender identity, or gender expression. The idea that we can take the intrinsic part of a person's identity and attempt to change it through coercion, through shame or abuse, should have been something that we rejected decades ago because it was never okay. Yet the consequences of these practices continue to be felt today.

I have heard the stories of people who have been left feeling broken, living a lie, and surviving complex trauma because of what they have experienced at the hands of people who refuse to accept them for who they are: people who believed they could be changed through practices dressed up as treatment but grounded in pseudoscience. I have heard from members of our community who have felt they had only two options: to end their lives or to hide who they are and pretend to live a 'normal' life. No one should ever feel like those are their only two choices. No one should have to feel with the overwhelming feeling of shame, self-hatred, or anxiety, simply because they are trying to live their most authentic lives. But that shame does not come from who these people are. It is fuelled by anti-LGBTQIA+ attitudes that tell people that somehow they are wrong, broken, or unworthy of acceptance. It is these same attitudes that go hand-in-hand with conversion practices.

It is deeply concerning that, even today, people continue to defend these practices and misrepresent their destructive effects in wrapping them up in reassuring language of 'pastoral care.' Let us be clear, this bill does not prevent somebody from speaking to their preacher. It

does not stop a person from seeking spiritual guidance in a time of need or discussing things that trouble them and that includes their sexuality. This bill does not make pastoral care illegal. It does not prohibit faith-based teachings, nor does it prevent people from finding connection or support within Christian communities or any faith-based communities. What this bill actually seeks to prohibit is the use of practices that inflict harm, reinforce shame, or promote the lie that pseudoscience can change the intrinsic part of who a person is.

I've spoken with a member of our community who tried to 'pray the gay away' and they tried damn hard. I'm sure everybody in this Chamber would know that it wouldn't have worked, and it didn't work, and it never works. All it does is cause more pain, deepen shame, and put our young people at risk. Make no mistake, conversion practices cost lives.

I want to acknowledge the distress that many members of our community have experienced as they have watched the debate around us unfold. People have watched this debate evolve and grow increasingly distressing and disappointed by the culture war that has been deliberately fuelled around legislation intended to protect vulnerable people from harm.

One member of our community has reached out to me to tell me that there have been so many mistruths spread about this bill that it has been labelled as a 'radical gender bill' or a 'war on Christianity'. They wish politicians would simply call this bill what it is: a bill to end torture, a bill to accept people for who they are, and a bill to put an end to pseudo-scientific practices that have never been proven to work, that have cost lives, that have torn families apart and have subjected many people to harmful treatments.

I hope this parliament supports this bill because it's the right thing to do. I hope this parliament supports this bill, because every person deserves to feel proud of who they are, to live freely and authentically without the fear of being told that they need to be fixed, and importantly, I hope this parliament supports this bill because we have a responsibility as elected representatives to protect the people we serve from these practices and not to shield those who perpetrate it. Every Tasmanian deserves to live with dignity, safely and with acceptance. With that, I will support this bill.

[8.05.51 p.m.]

Mr ABETZ (Franklin - Treasurer) - Thank you, Speaker. Abuse and coercion are two ugly human behaviours deserving of our condemnation. Be it at the workplace, a tertiary institution or anywhere else, the conduct known as abuse and coercion is to be reviled. A civil society requires nothing less. Abuse and coercion are damaging to human wellbeing, and with this universally agreed proposition we are being led down a path to support the Conversion Practices Prohibition Bill 2026. The bill, however, does a lot more than its supporters claim.

In considering additions to our statute book, we need to ask what is the matter which we are seeking to address and is the legislation proportionate? Is the cure or remedy for the identified social ill worse than the identified social ill? There can be no doubt that the remedy being prescribed here will have severe side effects.

On its reading - and yes, I've read every word on all 88 pages - the bill denies fundamental freedoms and rights in the pursuit of outlawing a non-defined practice labelled a conversion practice. Section 5 tells us conversion practice means a practice or conduct directed towards a person, whether with or without the person's consent, for the purpose of changing, suppressing or eradicating, or inducing the person to change, suppress, or eradicate their sexual orientation

or gender identity. The person's wishes are to be denied. The definition is broad. Could it involve behaviours from a disapproving eye roll or spoken words of disapproval or disappointment, to threats of violence or denial of liberty?

We already have well-honed laws dealing with criminal threats and deprivation of liberty, irrespective of the motivation. Because of the ill-defined nature of that which is thought to be outlawed, the bill spends more time telling us what the bill allegedly doesn't outlaw. Confusing? Absolutely. How about clause 5(4), where we are told that, 'for the avoidance of doubt, certain conduct of itself doesn't constitute a conversion practice', so it begs the question, the conduct allegedly exempted becomes unexempted if combined with some other not-defined characteristic. The law needs certainty, especially if criminality is involved, and this bill fails that crucial test.

One of the alleged exemptions graciously provided by the bill is under section 5(4)(F), 'parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children'. How very libertarian of the bill's proposers to allow mums and dads to discuss these matters with their children. Really. Since when has a legislature, respecting the rights of parents and family, tried to control what may or may not be traversed in a family discussion on these matters? Even if the exemption were upheld, imagine the scenario: an extended family discussing these matters, and Mum says some words. Yet if those exact same words uttered by Mum were repeated verbatim by Grandma, godmother, sister or auntie, they could all be criminally liable. One person can say something and it's exempt, anyone else saying exactly the same words is criminally liable. The bill simply does not withstand basic analysis and scrutiny.

Gender identity in children and young people can develop and change over time, yet the bill stops anything other than affirmation while the identity is still developing, a concern expressed to all of us by the LGB Alliance. Yes, there are alternate views even within the LGB community. A definition that I could support would be along the lines of: 'A conversion practice is a practice that is intended to try to bring about a change in a person's fixed and persistent same-sex orientation by therapeutic techniques such as inducing nausea, vomiting or paralysis while showing the person same-sex images, using shame or coercion to give the person an aversion to the same-sex attraction, or engaging in similar abusive therapeutic techniques.' Then you have specificity, which is vital if we criminalise behaviour. Talking of criminal liability, the bill reassuringly tells us in clause 9:

A contravention of this Act does not create any civil or criminal liability -

One may think, well what's all the fuss about, until you keep reading and the bill quite disingenuously says:

- except to the extent expressly provided by this Act.

Honesty, transparency and integrity would dictate that clause 9 should read: 'This bill is full of potential criminal and civil liabilities. Just read on.' Indeed, just three clauses later, the first indictable offence is created in clause 12, followed by another indictable offence in clause 13 and if that's not enough, we've whacked two indictable offences in clause 14. There are at least half-a-dozen penalty clauses which could bankrupt you, and there are also infringement notices. Why does the bill set out to misrepresent when it is peppered with liabilities of infringement notices, fines that would bankrupt, indictable offences and terms of

imprisonment? Many people genuinely believe they might be helping children and others by supporting this bill. However, good intentions are not enough when the consequences are irreversible and last a lifetime, whilst others may languish in prison.

Interfering in the natural development of a young person's body through the destructive practice of puberty blockers is worrisome. Yet protecting a young person from such irreversible, life-changing interference by encouraging them to suppress their desire or feelings of gender dysphoria until all developmental stages have been fully achieved would be criminalised under this bill. We know from Tavistock in the United Kingdom, the discredited institution which wrecked countless lives through the affirmation agenda, how dangerous the affirmation agenda is in practice. As the rest of the world closes its Tavistock's because of the lived experience of the victims exposing the devastating consequences, here we are in Tasmania being asked not only to adopt the discredited approach, but to criminalise those who would seek to protect the vulnerable from it.

There has been much talk about victim/survivors of this ill-defined conversion practice regime, but having spoken with many victim/survivors who have regretted the decision to transition, often after active encouragement by the affirmation agenda, which could, of itself, be considered a conversion practice, leaving them scarred physically and mentally, and infertile to boot, asking, 'Why weren't we warned? Where was the duty of care?' And the survivors are suing.

The very fact we have de-transitioned victim/survivors exposes another flaw in the bill. There is an underlying supposition that people's identity or orientation is locked in. Of the small number who experience gender dysphoria, there is a substantial majority who, with the natural passing of the years, no longer experience the dysphoria and no longer believe nature gave them the wrong body. Overwhelming is the data in this regard. I distinctly recall a person openly sharing with me about his gender dysphoria, which hit him at the age of 15. As quick as it hit him, it left him some 18 months later. He was so extremely appreciative no-one affirmed him and he was spared the puberty blockers and the so-called acts of affirmation.

As Bernard Lane, publisher of the *Gender Clinic News* Substack asks:

> Who is keeping open the future choices for these kids? How can a child consent to loss of fertility?

He goes on to list the consequences: sterilisation, sexual dysfunction, cognitive deficits, cardiovascular problems and brittle veins - consequences not to be dismissed. I say to this House, be careful what you are voting for. Finland and Sweden have commissioned reviews of treating youth gender distress with blockers and hormones. They've restricted the use. The UK Cass review restricted blockers to a clinical trial. Queensland and New Zealand have adopted policies to stop new treatments. Is it not fair and reasonable for people with a genuine concern for their fellow humans to encourage them, to use the bill's language, to suppress their wishes and consider the consequences?

Only a month ago here in Australia, medical professionals and parents were calling on state governments and health authorities to urgently review policies on gender medicine after the World Professional Association for Transgender Health sensationally conceded its standards of care are merely opinions in an area of, and they acknowledge, significant medical debate. The science is not settled, but the consequences are. As Dr O'Malley, the founder of

the world's leading organisation providing evidence-based therapy to de-transitioners and parents of gender-distressed children, observed there is a different level of fear and silencing around discussion of transgender ideology in Australia compared with other countries. We are experiencing the same silencing here. Referring to Australians, Dr O'Malley said:

> They seem to be genuinely fearful of legal consequences in the way that other countries aren't.

She quite rightly said Australia is losing more than it realises by not allowing people to speak freely. This is exactly what this legislation does: it stops people from speaking freely. The lived experience of de-transitioners is silenced. Their regrets, their warnings are shunned as running counter to the affirmation agenda which wrecked their lives. They should be able to openly share their lived experience one on one, without fear of jail. Dr O'Malley has bravely talked about her own lived experience rejecting her sex as a young person and having grown into a woman and experienced motherhood. She freely admits if given the opportunity at the time, she would have taken puberty blockers and is very thankful that they were not available.

Dr O'Malley asserts that there is no supporting evidence base for gender-affirming care. Gender-affirming care has dismissed all the greats in psychotherapy and psychology and created the new concept of affirmation, which is anti-psychological. From a medical perspective, from a psychology perspective, from a public policy perspective, this concept of gender-affirmation is contested. In a free liberal democracy, we should be encouraging the contest of ideas because today's orthodoxy is often found to be yesterday's folly. Just ask the survivors of Tavistock. Motivation and good intentions are never the determinants of such matters.

When over 100 faith leaders, along with other faiths, urge the parliament to reject this proposed legislation, we are duty bound to at least listen and fully and comprehensively analyse their concern. As expressed, their concern is that their ministry will be criminalised. Such a law would not in any way reflect an inclusive, diverse, and tolerant society. It would in fact be the exact opposite. In a free liberal democracy, voluntary discussions and exploring different approaches to life should be protected. This is especially the case when it comes to family.

I ask colleagues, irrespective of individual predispositions to the bill, is it reasonable, sensible, fair, proportionate or just? Common sense overwhelms us and dictates the conclusion that the outcomes of this legislation are unreasonable, they defy sense, are unfair, disproportionate, and unjust. The fact that proposers of the bill have overnight forwarded so many amendments tells its own story.

Listening to contributions, I note that the party of which I'm a member allows the expression of differing views. We aren't cookie cutter replicas of each other. Those who have reservations about this bill are accused of engaging in a culture war. Can I simply say, to have a war you need two sides. Guess who else is involved? Pot calling kettle black. The name-calling, I thought, was most unfortunate, as was somebody trying to tell over 100-plus Christian faith leaders what Christianity is actually all about. That self-importance is, I must say, something which I found strange.

There are many matters that I would like to raise - and will do during the committee stages - but the bill, in short, is extreme, it's flawed, it's vague and it does not invite support when objectively and dispassionately assessed. Accordingly, unless there is a wholesale

rewriting of the bill - which might be achieved if we had gone to a select committee - I will need to oppose the bill.

In the time remaining, I wish to read a speech from Marcus Vermey MP.

> This House is a responsibility to protect Tasmania from harmful conversion practices. People who have experienced abuse or coercion deserve to have their experiences taken seriously, and to receive appropriate support. We also have a responsibility to ensure that the laws we pass are clear, proportionate and workable. I cannot support the Conversion Practices Prohibition Bill in its current form because I'm not satisfied that it provides efficient certainty for families, health professionals, and community organisations.
>
> The definition of conversion practice is central to this legislation. It determines the reach of a scheme that includes reporting, investigation, civil enforcement and criminal offences. The House must carefully examine how that definition operates across the scheme and where the boundaries are drawn.
>
> I acknowledge that clause 5 contains exclusions and clarifications Those provisions are important, but their practical operation should be tested against the circumstances that parents, clinicians, and community organisations may reasonably encounter.
>
> For a young person experiencing distress about their identity, access to compassionate, evidence-based care is essential. Appropriate care requires room to explore concerns, consider individual circumstances, and discuss treatment and non-treatment options including the benefits, risks, and uncertainty.
>
> The legislation should give confidence about how they can provide that support lawfully. The proposed positive duty and employer liability provisions also warrant scrutiny. Small businesses and community organisations need to understand what reasonable precautions require of them, including where volunteers are involved. Their responsibilities must be proportionate to their circumstances and supported by practical guidance.
>
> Freedom of speech must receive careful consideration, including the protection of respectful religious expression and appropriate pastoral care. The petition signed by 4296 Tasmanians demonstrates substantial concern about these matters. Parliament should consider those concerns carefully, alongside the experiences of people harmed by conversion practices.
>
> Before supporting this bill, I would need greater confidence in the scope of its prohibition, the effectiveness of its safeguards, and the practical responsibilities it creates. I urge the House to give these provisions further scrutiny and make the changes needed to protect people from harm while providing clear and effective safeguards for lawful care, family discussion, and fundamental freedoms.

Marcus Vermey, 28 October 2026.

[8.21 p.m.]

Mr GARLAND (Braddon) - Thank you, honourable Speaker. I rise to give my contribution to the Conversion Practices Prohibition Bill 2026. I want to begin with a few simple principles that guide how I approach the Conversion Practices Prohibition Bill. I believe individuality should be encouraged and celebrated. I believe people should be free to discover who they are, who they love and how they want to live. I don't believe anyone should be made to feel ashamed or broken because of something fundamental about themselves. We should all be able to grow up and work out who we are without somebody else insisting that we must think, feel or behave a certain way. I believe individual liberty is something we should always seek to protect, and when parliament considers restricting those liberties, we have a responsibility to demonstrate that doing so is necessary, justified and proportionate to the harm we are seeking to prevent.

I'm not an expert on sexuality or gender identity. There are aspects of these issues that I don't fully understand, and I don't pretend otherwise but I've listened to the supporters and the critics of the bill, and I'll be carefully listening to the debate.

I want to acknowledge the many submissions by the community to my office and the request for meetings to discuss the bill. I acknowledge the many community groups and organisations on both sides of the debate that wanted to share their perspectives with me. These contributions are important and, as an independent member of parliament, I rely on those views to help me understand legislation and form views on the different issues that have emerged.

Many LGBTQIA+ Tasmanians have lived with the fear of rejection, the threat of losing their family or community, or the cruelty of being told that something fundamental about them is wrong. Some have been subjected to practices intended to change who they are. Others have spent years hiding their feelings because they were frightened of what might happen if they told the truth.

I've been particularly impressed by the courage of young people who have spoken out about these issues, and I acknowledge the Youth Network of Tasmania and Working It Out for their advocacy and for helping young people find the confidence to speak about matters that can be deeply personal and sometimes painful. It takes courage to stand up and tell your story, particularly when you know that others may question your identity, your experiences, or your right to be heard.

The experiences of people subjected to conversion practices are deeply troubling. Survivors have described years of shame, self-loathing and desperate attempts to change themselves, often because they feared losing their families, their faith or the communities that gave their lives meaning. Some were told they were sinful, damaged or in need of healing. Others sought help from pastors, counsellors or other trusted adults because they had already come to believe there was something wrong with them. The power imbalance in those relationships can be enormous. When somebody is frightened of losing their family, their community, or the people they love, power is imbalanced and consent is not freely given.

We also need to recognise that harmful practices are not always carried out by people who believe they are doing something cruel. Sometimes they are carried out by people who genuinely believe they are helping, but irrespective of intentions, we need to prevent a harm.

My office has received a great deal of correspondence about this bill. Some people support it strongly; others have major concerns and oppose it strongly. We should not assume that everyone who questions the bill is prejudiced. Concerns about legal certainty deserve examination, but we should also recognise when those concerns are being used to advance ideological arguments about whether particular people ought to be accepted in our community. The question is whether people should be protected from practices intended to change and suppress who they are and not whether we can resolve differences in a wider ideological argument. Some concerns are genuine and some provisions may benefit from clarification, and I look forward to the debate on amendments.

For me, one of the most important questions is what happens in the home. Parents have enormous responsibilities. We provide live shelter, protection, guidance, discipline and values, and as children mature, their capacity to make decisions about their own lives grows and our role as parents changes. Young people need guidance. They need adults who will listen and ask questions, help them understand consequences and protect them from harm. They also need the freedom to explore who they are without being pushed towards a predetermined outcome. I acknowledge that the bill does contain protections for ordinary parental discussion, and those protections are really important. The question is whether they are sufficiently clear and whether they will operate as intended.

One aspect of this bill that deserves greater attention is the role of the proposed commissioner. Much of the public debate is focused on complaints, investigations and criminal penalties, but the legislation also places considerable emphasis on education, prevention and helping people understand what conversion practices are, and I think that is important. There may be parents, religious leaders, counsellors and others who genuinely believe they're helping somebody without appreciating that their actions could be causing harm. Education and engagement may help those people understand the consequences of their conduct and change their approach.

The bill provides for different responses depending on the seriousness of the conduct. I want to be satisfied that the safeguards and enforcement arrangements are fair and proportionate, but I am prepared to recognise the proponents of this legislation have thought carefully about the distinction between people acting in good faith and people engaging in harmful practices. I don't believe that every parent, pastor or counsellor who expresses an unpopular opinion will find themselves facing prosecution. At the same time parliament must be satisfied that the commissioner's powers are appropriate, the complaints will be handled fairly and that the scheme can operate effectively within Tasmania's limited resources. Those are reasonable questions to ask of any new regulatory framework.

We should also consider what has happened in other Australian jurisdictions that have already prohibited conversion practices. These laws attracted many of the same concerns we are hearing in Tasmania, particularly about parental responsibilities, religious freedom and the independence of health professionals but the evidence to date does not suggest that those jurisdictions have experienced the widespread prosecutions or interference in ordinary family and religious life. Victoria's Law Reform Commission reported this year that there had been no criminal prosecutions under its legislation, and it was not aware of prosecutions under equivalent laws elsewhere in Australia. The ACT statutory review similarly found no confirmed conversion practices, complaints or police investigations under its legislation, and that provides some reassurance.

I've listened to people who believe this legislation is essential to protecting vulnerable Tasmanians. I've also listened to people who are genuinely troubled by aspects of it,` I've tried to understand the arguments being made on both sides, and I don't pretend that all my questions have been answered. That is a reason to listen more carefully to the amendments proposed during consideration of this bill. I intend to listen closely to the debate, consider those amendments on their merits and assess whether they improve the clarity, fairness and operation of the legislation.

I would like to think Parliament can approach this debate with humility and compassion. We don't have to understand every aspect of another person's identity to respect them, we don't have to agree with every decision somebody makes about their life to recognise their right to live it, and we should not assume that our own experiences give us the authority to decide who somebody else ought to be. I want young people to grow up knowing they are valued, that they belong, and that they are free to discover who they are without fear of cruelty or coercion. I also want parents, health professionals and people of faith to understand their responsibilities and have confidence that the law will treat them fairly. Those objectives should not be incompatible.

The task before parliament is to determine whether this bill, with whatever amendments may be proposed, achieves them. I will continue listening, considering the evidence and examining the legislation carefully before I reach my final position, because whatever we decide, we owe it to the people affected to get this right.

[8.30 p.m.]

Mr MITCHELL (Lyons) - Speaker, it's been a long day and the night's not over yet. I think we're going into Committee after this. I'd like to thank the Greens for bringing on this very important bill. I know the Leader of the Greens will be speaking after and wrapping up for the wrapping-up debate.

There have been a lot of terrific speeches today. I'd like to particularly point out that of the member for Bass, Ms Rosol; that was, I think, particularly moving for me. There's been a number I think, and people have shared some really interesting and heartfelt stories. I'd like to acknowledge, of course, the presence in the Gallery for most of the day of Mr Croome and Amilie, who have just been sticking it out and I'm guessing they were chucked out because the public area is closed, but otherwise I'm sure they'd be here.

Society changes and develops; it doesn't stand still. I'm old enough - not quite as old as the Treasurer and the Deputy Premier, but nearly getting there - to remember when being gay was illegal in Australia. Now we have ministers of the Crown who are openly gay, lesbian - of all parties, not just the Labor Party, not just the Greens, we've got Liberals as well. It's just part of life now. It's accepted as part of life.

Domestic violence in my youth used to be something that was regarded as a 'family matter'. It was something that you wouldn't get the police involved in. We'd never think that now. We know that domestic violence, or family violence as we call it, is a serious matter that requires police attention. It's a social issue. The notion of what we leave to families evolves. It's always evolving. I don't doubt that those who have subjected their children over the years to conversion therapies and practices, they did it, from their point of view, from a place of love

and faith, a desire to ensure that their children lived in grace or could earn their place in heaven because of the way they believed in their religion.

Society has moved on. It's evolved. We have learned. We know how damaging these practices are. I think it's instructive that the tenor of this debate shows that society has moved on because none of the opponents of this bill have defended conversion therapy or conversion practice. In fact, they've been at pains to say it either doesn't happen, or we don't believe it, or we don't believe it happens or it's damaging. They acknowledge that. All the opposition that's been articulated has been, 'We think there are unintended consequences, we think it goes too far, we worry that it might impinge on people's ability to pray or talk to their pastor, or grandma might end up in jail for saying something.' It's been about those sorts of things. Nobody is defending conversion practice - 10 to 15 years ago, it would have been defended because people who are gay, lesbian, transgender would have been labelled in words that I won't use, but words that were common when I was growing up. That shows how far we've come. We've got a way to go yet. No-one in this debate has said that homosexuality is a disease or an illness that needs to be cured. That's different to what would have been said five, 10, 15 years ago.

The opposition has been narrated in terms of the detail. I accept that for opponents of this bill. A lot of that may be grounded in truth but I do think, and I think Mr Garland touched on this, that some of it's also grounded in ideology, that those who are fundamentally opposed to the progression of rights for LGBTQIA+ people are looking for any reason to halt the progression of further rights.

This bill has been painted as an attack on faith, as an attack on people of faith, and it's not. People can still be faithful to their religions, they can still pray, they can still talk to their pastors or their priests. This bill is about one thing, and that's why I'm proud to support it. This bill is about one thing: protecting children, protecting young people, letting children be who they are, letting children find themselves without the undue pressure from people who think they're acting in their best interests, but from powerful interests in their lives, whether it's parents, whether it's a pastor, whether it's a community leader, whether it's a scout leader. From people in their lives who are acting from a place of love in their minds, it protects kids from being unduly pressured into being told that, 'Hey, if you're gay or lesbian or transgender, there's something wrong with you and you need to change it'. Society has evolved. We are saying that's not okay.

Conversion practices are insidious. Children have been subjected to treatment by their loved ones, their community leaders, and the evidence is clear: it causes harm, lifelong harm. We've heard the examples from a number of speakers and real-life stories have been shared. These people carry the scars and wounds into adulthood and it never leaves them, the sense of betrayal, the sense of disconnection from family. During these stories, what also struck me was the people who are subjected to the treatments and the practices are not the only victims; their parents who, themselves, have grown up believing that they need to teach their kids to be something other than what they are, also miss out. They miss out on the love of their kids because they're also victims.

We have a role in helping shape the narrative of what is acceptable in society, and it is absolutely acceptable to be gay, lesbian, transgender, intersex, asexual. It is okay. These people are not broken. It doesn't require conversion. When you think about what causes conversion therapies and practices in the first place, what needs converting? Why does it even exist? It's indefensible. That's why I think speakers against this bill have not sought to defend conversion

practice or conversion therapy, because they know it is absolutely indefensible. Instead, they've sought to come around it from a different way and seek to attack the detail and I'm sure there's going to be a lot more of that as we go into committee and discuss at length the various amendments.

I'm sad that the Treasurer has left the Chamber. I wish I'd been able to say this while he was in here, but the Treasurer in his address, catastrophised this bill. He has a long history of opposing the recognition of rights for LGBTQIA+ people in this state and in this country. In 1994, as a new senator, he strongly opposed federal and state efforts to decriminalise consenting same-sex sexual activity. In fact, when Paul Keating's government overrode Tasmanian criminal legislation, Senator Abetz issued a press release titled, 'Federalism perverted to allow sodomy and incest'. He argued that decriminalising homosexuality could lead to the legalisation of incest. More recently, the Treasurer said marriage equality was a slippery slope that could lead to legal precedents such as wanting to marry the Sydney Harbour Bridge. Well, to my knowledge, marriage equality has been in for close to a decade now and nobody has sought to marry the Sydney Harbour Bridge. It's come in. Gay and lesbian people are getting married all over the country. Society evolves. It's just part of life.

I invite opponents of this bill to please go through the transcripts from today and read the stories of the real people who have been subjected to these practices, particularly Mr Garland, who is yet to make up his mind. Listen to the young people, in particular, who have lived experiences of the traumas they've been subjected to. It's not just from the practice; it's from the knowledge that these practices exist, that somehow it's okay that they are part of our society. That tells these young people that there might just be something wrong with you that needs fixing. There's not. There's nothing wrong with being gay, nothing wrong with being lesbian, nothing wrong with being transgender. My message to young people is: you are loved, find yourself. Have the space to find yourself, live your life, be happy, be content. I commend this bill to the House, and I have every hope that it succeeds. Thank you.

[8.41 p.m.]

Ms FINLAY (Bass - Deputy Leader of the Opposition) - Speaker, I rise this evening with deep awareness around the weight of this conversation, the debate in this Chamber and the discussions in the community, and with enormous respect for the deeply personal experiences that people bring to this. At the heart of this legislation are people, Tasmanians, Tasmanians who have experienced real and profound harm. None of us must lose sight of that. Behind this debate are real people, deeply personal stories. People have experienced harm and hurt in places and relationships where they should have felt safe, loved and accepted. I acknowledge them and the courage that it's taken to share their stories. Every Tasmanian deserves dignity, every Tasmanian deserves respect and every Tasmanian deserves to be safe from harm.

Over many months, I've had many conversations with people right across our community, including conversations with church leaders and people of faith. I've listened to and read so many conversations and stories. I've listened, and felt and heard tension and conflict in these conversations. I know that all of them have been sincerely held and have come from places of deep feeling, deep understanding, deep experience, deep faith and deep conscience. Through all of these conversations, every single one, I have not met anybody, I have not spoken to anybody who supports harmful conversion practices and I think I've heard that from everybody in the Chamber. So, not just here in the parliament but right across the community, I've not ever met somebody who believes that harmful conversion practices are okay but some of the

conversations I've had have been more difficult than that. They've been around where to draw a line in legislation, where to draw a line that matters about how we protect people from harm while respecting genuine expressions of faith, care and conscience.

Dignity, equality, fairness, respect, understanding, acknowledgement - we've always got to have in all of these conversations, in all of these moments, room for kindness, for care, for understanding, for love, for prayer, for pastoral care, for family, for conversations genuinely offered in good faith. But never can good intentions justify practices intended to change or suppress another person where those practices are intended to cause harm. There has to be a line. The challenge for this Chamber, the challenge for the debate, the committee, amendments, consideration, contributions, will be how that line is expressed in legislation, because it matters.

I stand this evening and acknowledge those who have experienced harm, the pain that you've carried and the courage that it's taken to speak out. I want the people who have spoken to me in good faith to know that I've heard them, and I want on the record my own perspective to be honestly felt here. This is a weighty discussion. We have deep responsibility; it is ultimately about people - our people, our community - it's about Tasmanians, it's about their lives, their experiences, their wellness, their faith, their dignity, and everybody's right to be safe from harm. In these moments we must act justly, love mercy, and walk humbly. That's how I always try to approach these matters: with care, with kindness, with humility, and I trust that that's what happens as we go into committee on this bill. Thank you.

[8.46 p.m.]

Dr WOODRUFF (Franklin - Leader of the Greens) - Thank you, honourable Speaker. I have a lot to say. I'd like to start by thanking members for their contribution because I have so many questions to respond to, or comments to respond to, in my summation. I would love to take more time to thank individual members for their contributions, their thoughtful and constructive speeches, but unfortunately, I'll have to limit it to a very sincere and brief thank you, and your words will stand in the *Hansard* for people to read, and the statements of support for the LGBTQIA+ community and ending the harms of conversion practices will be relayed and won't go unnoticed.

I have a range of particular comments to make about contributions. I will start with the Attorney-General, who made a number of accusations in respect of our definition of conversion practice. He repeatedly referred in his contribution to the language as being vague and lacking in clarity about what it might capture. He raised that it might capture conversations and that it's not confined to, to quote the Attorney-General, 'quack mental health treatments'. At the outset I want to point this out as a strawman argument. Nobody says conversion practices exclusively take the form of pseudoscience or pseudo-medicine. People say they 'often' do, and that is true, just as it's true that they do not always take that form. Any definition that does not capture the nature of a conversion practice will simply allow the practices to continue under a new guise, and this is why the legislative definitions around the country are very similar. Our definition reads -

> (1) In this Act, *conversion practice* 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.

This definition is the same as the definition of Victoria that's been in operation for five years and very similar to the definition in New South Wales. This bill has more criteria that must be met than in the Australian Capital Territory and Queensland, which do not require conduct to be motivated by the person's sexual orientation or gender identity.

It's similar to South Australia. However, South Australia is the only jurisdiction requiring the conduct to occur more than once. Survivors and advocates and the Law Reform Institute are clear that this is 'problematically restrictive', and I understand this is the preferred definition of opponents to the bill. However, it's important to recognise that requiring conduct to occur more than once does not fundamentally alter the kind of conduct that's been captured by the definition. I point to the Attorney-General's own definition of conversion practice in his draft 2024 bill to ban conversion practices, and that definition said:

> Subject to this section, for the purposes of this division, a conversion practice is a practice that attempts to change or eradicate the sexual orientation or gender identity of the recipient of that practice.

Attorney-General, I note our bill actually has an additional requirement that the conduct needs to be on the basis of a person's actual or perceived sexual orientation or gender identity, additional to the bill that you drafted in 2024. The Attorney-General's definition in 2024 didn't include the word 'suppression', but otherwise it's not fundamentally different to our definition in this bill in its construction. It doesn't confine its scope to 'quack mental health practices', and it can certainly capture entirely verbal conduct.

When the Attorney-General sets an impossible standard of listing the specific details of all conduct that would be captured in this bill's definition, and all that isn't captured, that's not a standard that he's ever applied to himself or any of the bills he's introduced as Attorney-General. As an additional fact, this is not how common law jurisdictions like ours construct their laws.

The Attorney-General raises concerns about possible chilling effects. I suggest any chilling effects caused by this legislation may be caused from opponents falsely and shamelessly claiming that the legislation will capture ordinary conversations, or that it would interfere with the doctor/patient relationship in medical care. We know it doesn't. Victoria, which has the same definition of 'conversion', has only seen 16 reports and no investigations or prosecutions in five years. That's what the evidence says.

Why are people uncertain? It's not because of the facts. It's because of the harmful and dangerous false information people are pushing on social media. The most that people in the community need to understand is that if their conduct isn't for the purpose of changing, suppressing or eradicating a person's sexual orientation or gender identity, it's not captured by this bill. Period.

The Attorney-General made a lot of the notion that this definition could be applied to a discussion. It's something of a frustration that opponents have sought to claim our bill has a vague definition, and that was repeated before by the Attorney-General, despite the same or similar definitions operating in most other states of Australia and, indeed, as I said before, in the Attorney's own proposed legislation from 2024. At the same time as making that argument, they also refuse to articulate the specifics of what they are concerned might be captured.

'Conversations' is so broad it's practically a meaningless term. What it does clarify is that it doesn't involve a physical component. Conversion practices don't need to involve a physical component to cause harm. It's not unusual to have laws that apply to non-physical conduct; conversations, verbal or electronic, can cause harm. Defamation, coercive control, bullying, harassment, threats - we have laws covering all these matters and they can all be verbal in nature. Claiming that these other laws can criminalise a loving conversation would be offensive and misleading, and the same is true for conversion practices.

Can conversion practices be verbal? Yes. Does it mean conversation is criminalised? No. Again, I point out that the Attorney-General's own bill was equally applicable to, as he points it, his claim of criminalising conversations.

The Attorney-General also claimed in his contribution that it's unclear to what extent parts of the act will be applied retrospectively. The act has explicit clauses articulating this. Section 76 outlines that the act only applies to conduct that occurs after the commencement day, with historic conduct able to be received for support purposes and for informational purposes, but not able to be actioned. Amendments in the schedule outline that the limitation period removal is retrospective. I note that this is an existing provision introduced by this government that already operates retrospectively.

I will foreshadow here that we have discussed amendments that would remove any retrospectivity completely from the bill, and have agreed to support them. I can go into more detail on this when the clauses come up for debate.

The Attorney-General took issue with our amendments arriving last evening and this morning. I agree, it's not ideal. We would have preferred it to be earlier if possible. We've been working with multiple parties, which has been a complex process, and the amendments have been circulated as early as possible.

I will raise, however, that the Attorney-General at the time of his contribution this afternoon, had not circulated any of his amendments, nor has any member who's indicated in their contributions that they won't be supporting the bill. He objected on the grounds that these relate to laws that can send people to gaol, but none of the amendments circulated relate to the criminal provisions.

The Attorney-General also raised concerns about teachers, police officers, nurses and paramedics. I would note that nurses, and paramedics have an outright exemption if they follow their professional requirements and act in good faith. It's also very unclear to me in what circumstances the Attorney-General thinks teachers, police officers, nurses, and paramedics are discussing people's sexual orientation and gender identity, and undertaking conduct for the purposes of changing, suppressing or eradicating their sexual orientation or gender identity - and what sort of thing he considers appropriate and desirable in this space if they were.

I note the Attorney-General's comment that he met with us in a formal briefing on this bill at the consultation stage. I appreciate that. He raised several concerns with us in good faith then. So, it's perplexing he didn't recognise in his contribution that many of the specific matters he raised with us then have in fact been addressed in the final bill. From his comments, he certainly didn't seem to check if we had, or else he simply didn't seem to care to check before declaring his opposition to the bill in the media.

The Attorney-General also raised concerns about the inclusion of the words 'of itself' in our avoidance of doubt provisions in clause 5, as did Mr Ferguson. The Attorney-General himself used almost identical language in two clauses in his recent *Residential Parks Act 2026*. For example, his bill stated:

> (a) the sale of a dwelling on a site in accordance with this Division does not, of itself -
>
> (i) terminate, or otherwise affect, a residential park agreement in force in respect of the site

His clause note stated:

> Sale of a dwelling by itself, does not terminate or otherwise affect the Residential Park Agreement or rights obligations under it.

This should make it perfectly clear that there's no hidden or sinister meaning behind the phrase 'of itself' in our bill. The qualifier 'of itself' is there to prevent the misuse of the clause. This means that the listed conduct does not of itself constitute a conversion practice, or evidence of a conversion practice, but may be assessed alongside other factors to determine whether or not a conversion practice occurred.

In practice, this means that if someone expresses their view that there is a moral imperative for people, or a person, to be a particular sexual orientation or gender identity, clause 5, subsection (4)(b) provides that saying this is not inherently a conversion practice. If someone goes on to assert that all people should live their lives by these rules, 4(c) also provides that saying this is not inherently a conversion practice. If that's the extent of the conduct, there's no conversion practice. But if, for example, a person went on to tell an individual their same-sex attraction is a disorder, or that they're broken or need healing, and then instructed them in what they needed to do to cure this disorder, then a conversion practice has likely occurred.

The Attorney-General's own draft bill to ban conversion practices had a similar qualifier of, 'no more than'. I note the Attorney-General intends to move to omit 'of itself', and I query the Attorney-General as to why he's looking to lower the threshold of our avoidance of doubt clause below the threshold he presented in his own draft bill in 2023. It's hard to accept it as a good faith argument.

The Attorney-General argues that public debate of puberty blockers should not run a risk of being captured by the definition of conversion practice. I agree - and it doesn't. I would also point out that if our bill did run that risk, so would the Attorney-General's draft bill to ban conversion practices as well. His bill, in fact, had no provision at all to protect public debate.

The Attorney-General has also raised concerns regarding the vicarious liability provisions in the bill. His concerns were around claims that we're seeing organisations around the world being punished for expressing views on gender. I would suggest that this isn't, in fact, an example of vicarious liability, it's a direct response to those actions. Our vicarious liability provisions set out circumstances where employers can be held accountable for unlawful conduct of their employees, which is not a novel concept. Incidentally, the recent *Residential Parks Act 2026* - which I just mentioned - of the Attorney-General's, included vicarious liability provisions for residents in respect of guests.

I should also flag here that we've agreed to support the removal of clause 19, which is criminal vicarious liability, and I'll discuss more about that when we get into the clause.

Finally, the Attorney-General argued that our medical professional protections are not enough because a doctor's professional body may wrongly not back them in. This is not how it works. The exemption in the bill applies if the conduct complies with all relevant legal, professional and ethical requirements. It does not require some sort of written statement of support from a professional body. I also point to the fact that we've been accused of somehow interfering with medical decisions, despite providing a clear exemption in the bill and support for our bill by the AMA, the Women's Health Service and a letter signed by 50 health practitioners. The Attorney-General's comments suggest an apparent distrust in the decisions of professional medical bodies and their practice guidelines, which is unfortunate.

I want to go to Mr Di Falco's comments. The member for Lyons asked about the cost of the scheme. The Victorian scheme has a budget of around $800,000 a year. Considering baseline costs, as well as our smaller size as a jurisdiction and population, we expect a budget in the order of $500,000 would be appropriate, but no doubt the commissioner will make a detailed budget submission. The volume of matters we've seen in Victoria is 16 reports, zero investigations and zero prosecutions over five years since the act has been in law. On this basis, we do not expect any budgetary requirements for either TASCAT or Tasmania Police, as we expect the volume will be extremely small relative to their existing budget and caseload. Of course, we're not in control of the ultimate budgetary decisions.

In relation to the comments by the member for Bass, Mr Razay and some other members who've raised claims of gender care being a contested medical space, we may disagree over the validity of the opposition we see to gender affirming care. However, this is a moot point. Existing medical relations will govern what doctors can and can't do. Politicians do not and should not decide on what appropriate health interventions should be. This bill does not change the current situation. To any extent that members don't trust the rules that currently govern medical practitioners - and there's been some commentary in this regard during the debate, unfortunately - I suggest that if that is actually true there would be far greater concerns for medical practitioners than our bill.

Mr Razay identified that in Queensland, that state's legislation gives specific examples of conduct that's considered conversion practices. These examples in their legislation are called marginal notes in their drafting practice. This drafting practice does not occur in Tasmania and, anyway, in Queensland those marginal notes do not form part of the legislation. They do not hold legal weight. The actual definition in Queensland reads:

> Conversion therapy is a practice that attempts to change or suppress a person's sexual orientation or gender identity.

That's, in fact, much narrower than our definition. It does not require that the conduct be directed at a person, nor does it require it to be on the basis of a sexual orientation or gender identity.

In relation to the comments by the member for Bass, Mr Ferguson, he criticised us for being selective in making public a limited number of submissions. The reason we didn't publish all of them is simple. We did not have the capacity to convert 2000-odd emails and portal submissions into a publishable format, to seek permission from 2000 people to publish them, and redact personal information from 2000 submissions.

We also emailed all members of our intentions regarding publishing organisational submissions and no concerns were raised with us at the time.

Mr Ferguson suggested that a second reading speech should have been published in advance to articulate the reasons for the changes in the bill from the draft. That's not the purpose of a second reading. It is a legal document for the bill as tabled. Furthermore, we released to all members and to the public a document outlining all of the changes in the bill and the reasons for them. The suggestion we have not articulated this because the second reading speech was not online is a nonsense.

Mr Ferguson described some people as not being allowed to have their submission be made public and I reject that characterisation. Mr Ferguson specifically noted a submission from Patrick Parkinson and how we 'did not allow his submission to be known'. That's not true. As Mr Ferguson noted, this submission was circulated to all members of parliament. I did not receive a request for it to be published from Mr Parkinson.

Mr Ferguson read out the TLRI's submission but did not seem to have actually read the final bill to see how the bill responded to that submission. He repeatedly read out comments in respect of the child-specific offence, which he apparently seems to have no idea is no longer in the bill. We outlined this in briefings, for which he wasn't present, and also in a document we produced outlining the changes from the consultation draft. For a member who professes a deep desire to scrutinise the bill, he could at least have read it.

Mr Ferguson also read out the following from the TLRI submission:

> Under the proposed bill, amendments are proposed to the *Criminal Code Act 1924*, *Limitation Act 1974* and the *Civil Liability Act 2002* to include conversion practices as a form of child abuse. This was not considered in the TLRI's 2022 report.

If Mr Ferguson, who was saying he wanted more time to understand these matters in a committee, had bothered attending a briefing or reaching out to us at all, we would have been able to inform him that the TLRI was, unfortunately, incorrect in their statement.

The TLRI's summary of their 2022 report, page v, states:

> Complainants should have access to civil liability schemes. In addition, criminal offences should be enacted as a last resort for SOGI conversion practices that cause serious harm. In both cases, conversion practices directed towards children should be categorised as a form of child abuse.

Recommendation 14 from the TLRI's 2022 report reads:

> The *Civil Liability Act* should be amended to include sexual orientation, gender identity conversion practices as a form of child abuse for which organisations responsible for the care of a child are vicariously liable.

Page 169 of the report reads:

> The definition of child abuse in section 5C of the *Limitation Act* should be amended to mirror the new definition in 49(H) of the *Civil Liability Act*, namely to include conversion practices performed on a child.

Furthermore, page 180 of the TLRI's report reads:

> The new provision of 'Conducting an illegal conversion practice on a child' should be included as an abuse offence under section 105A(1) of the Criminal Code.

All of the child abuse definition amendments were made on the direct recommendation of the TLRI report. It's unambiguous. Mr Ferguson effectively accused us of misleading by referencing the TLRI. We have not claimed our bill is the TLRI model. We have said it was informed by both the TLRI model and other jurisdictions, particularly Victoria. It clearly was informed by the TLRI report. The provisions I quoted from above came directly from them.

We've deviated from their model for a range of complex reasons, and I don't have time to get into that in this summation, but some of this will no doubt be canvassed, at least to an extent, in the committee stage of the bill as regarding the questions that members asked. Several members who attended briefings will already be aware of those details.

In finalising my comments on Mr Ferguson's contribution, he made the comment that 'you didn't consult enough'. Well, we consulted with members and then got their feedback and took it on board in good faith and wrote amendments on the basis of that. Mr Ferguson also said 'Why do you have 23 amendments?' So, is the problem that we haven't consulted enough or that there are too many amendments. Given the consultation led to the amendments, you sort of can't have it both ways and we've done our best to work in good faith with members on these matters.

In relation to minister Ellis's comments, minister Ellis spoke a great deal about how this legislation would mandate gender-affirming care. This is false. It will not. This bill does not require a person to do anything; it only prohibits a person from conducting a conversion practice. Furthermore, it leaves the regulation of health care to existing regulators.

The member for Braddon suggested that a person may be required to comply with next year's laws instead of today's laws. I can confirm this is not correct. The rules at the time of the conduct will apply. The member also seemed to suggest that a doctor actively trying to direct

a client towards a particular gender identity or sexual orientation is not doing a conversion practice, they're just doing medicine. I think that says everything about where the minister stands with regards to conversion ideology.

The minister raised concerns about 'suppressing' not being defined. Speaker, in four out of five of the other states' acts to ban conversion practices, suppression is included. None of these jurisdictions has defined suppression in any of their acts. Many terms are not defined in legislation. Suppression is not a particularly complex word, and no particular interpretive concern has been raised, including by OPC. I note that some of the few amendments we've seen from the opponents of this bill on the Liberals benches introduces new terms like 'coercion' and 'abusive', without including a definition for these terms. They also move to omit 'suppression', which raises the question of whether they really consider the term unclear or whether they simply support the suppression of sexual orientation and gender identity.

Minister Ellis also raised concerns about the commissioner not being bound by the rules of evidence. That's because the commissioner is not a court. It's extremely common in Tasmania - at least 50 acts have a similar provision. This includes five acts introduced by the government in just the last two years: the *Commission for Children and Young People Act 2025*, *Judicial Commissions Act 2024*, *Racing Regulation and Integrity Act 2024*, *Farm Debt Mediation Act 2024* and the *Disability Rights Inclusion and Safeguarding Act 2024*. It's our understanding that these provisions tend to be for clarification, rather than waiving a process that's intended to apply to these sorts of matters. For example, the *Evidence Act 2001*, which is where a significant amount of the rules of evidence are outlined, expressly prohibits it only applies to court proceedings. I'd also add the commissioner's decisions can be appealed to the tribunal.

Minister Ellis also argued that our bill has a maximum penalty under the Criminal Code of 21 years compared to 10 years in Victoria. As members would be aware, and the Minister for Police certainly should be, Tasmania's Criminal Code framework does not set individual maximum terms of imprisonment for offences. Instead, it provides the discretion for courts to impose appropriate penalties within a global cap. Victoria is different. It sets various offence levels for crimes that each carry their own maximum penalty. They contain level 5 and 6 offences in their legislation to ban conversion practices, for example, which have maximum imprisonment penalties within those levels of 10 years and five years. Tasmania does not have levels of offences to assign to particular offences and instead has a global limit in the Criminal Code. Our state's practice is to leave court discretion in their sentencing decision-making. This does not mean that sentencing will be higher in Tasmania and the government's currently tabled Justice, Miscellaneous Prohibited Symbols and Protections of Worship Bill 2026 does the same thing with its proposed Criminal Code offences. I think this shows some members are being less than sincere in their comments.

Minister Ellis also asked if a school refusing to use pronouns is suppressing. No, it's not. Refusing to use a person's preferred pronoun doesn't suppress their gender identity. It's immoral, but it's not a conversion practice. Ask any transgender person if they've ever met anyone who refuses to use their pronouns. You'll find they all have, and that their gender identity isn't suppressed as a result of that.

I just have a couple of members to complete and I need to correct Mr Fairs' comments about the positive duty, and in saying so, I accept that it's entirely understandable, that the member has really gone above and beyond in the efforts he's made to come up to speed with

this legislation. I want to correct it for the record. The member read out only half of the clause which says 'a person must take reasonable and proportionate measures to eliminate conversion practices'. Unfortunately, he neglected the critical second half which reads:

engaged in by the person or another person acting on behalf of the person.

Inadvertently, that's a misleading representation of the clause. He also didn't correctly identify that the positive duty in this bill does not give rise to criminal or civil liability. I just want to say again that he's made an enormous effort in this regard, so I want to correct it for the record.

Finally, minister Abetz claims that our Clause 9 is a deliberate attempt to trick people into believing the bill creates no criminal or civil penalty. That is patently absurd. The purpose is to clarify that the 'General prohibition on conversion practices' in Clause 10 and 'Positive duty' in Clause 11 do not create liability. All our materials say this is what it does.

Time expired.

Mr BAYLEY (Clark) - Honourable Speaker, I move -

That the member be heard for an additional five minutes.

Just to conclude the wrap up.

Motion agreed to.

Dr WOODRUFF - All of our materials outline that the bill does create offences. Clause 9 is based on provisions in Victorian legislation as well as recommendations from the Commission in their review. The suggestion that this is a deliberate ploy to communicate that our bill creates no civil or criminal liability is untrue. We've never communicated this. We do communicate that it involves criminal offences. I'm not sure whether the minister thinks that our thoughts were that people would read all the way to Clause 9 and then stop reading halfway through and just ignore all our communications on this to the contrary, but that is an unfortunate and ridiculous conspiracy theory that sets a very unfortunate tone to some of the comments that have been made by him and other people opposing the bill.

Honourable speaker, I want to end with some very brief thank yous to people who have gone above and beyond: everybody who's made a submission to this bill. Thousands of people have contacted us. Thousands of Tasmanians have given their views. We welcome and thank them for their contributions. There were views strongly opposing and strongly supporting. Thousands of people put time and effort into making their views heard. We are here today because of the stories of people who have bravely shared their heart and soul from the experiences they've had. We recognise how hard that's been for them. We know that many of them have lost so much of their lives from time that could have been lived in wholeness and joy. That is what drives us to progress this legislation. I look forward to the debate in the committee stage of the bill. As Mr Bayley has said, the Greens are very committed to doing everything we can to have the proper conversation. I'm sure it will be an orderly and great conversation where there has been a lot of conversation and understanding, and so I feel confident that we'll be able to work through matters in the bill.

Finally, I do want to particularly draw attention to the people from Equality Tasmania, particularly Matty Wright, Anthony Crawford and Warren Ferrari, Ash Russell, Andrew Badcock, Julia Hine, to Dr Miranda Hann and all of the work that she does, and the 50 medical professionals who put that effort into that letter, and to the 28 parents of transgender children who have been very vocal: Don Pitcher, Pru Peschar, Leonie Crosse were outstanding in speaking up for their children and for all trans young people.

We have in the Chamber Amilie Courtney, and her efforts and contributions in letting us understand the reality of young trans people living in Tasmania today and how we need make these changes. It's for people like Amilie and future Amilies to come. Finally, Rodney, thank you for guiding us. Thank you for being our light and making sure that Tasmania will become a safer and inclusive place long after, and your contributions. This is something enduring that we can do for Tasmanians today and into the future.

With that, I thank members very much and look forward to the committee stage of the bill and commend the bill to the House.

[9.20 p.m.]

The SPEAKER (Ms Petrusma) - The question is that the bill be now read a second time.

The House divided.

AYES 22	**NOES 10**
Mrs Archer	Mr Abetz
Ms Badger	Mr Barnett
Mr Bayley	Mr Di Falco
Dr Broad	Mr Ellis
Ms Brown	Mr Fairs
Ms Burnet	Mr Ferguson
Ms Butler	Mr Pearce
Ms Finlay	Prof Razay
Mr Garland	Mr Shelton
Mr George	Ms Howlett (Teller)
Mrs Greene	
Mr Jaensch	
Ms Johnston	
Mr Mitchell	
Mr O'Byrne	
Ms Ogilvie	
Mr Rockliff	
Ms Rosol	
Mr Willie	
Mr Winter	
Dr Woodruff	
Ms Haddad (Teller)	

PAIRS

Ms Dow	Mr Vermey

DRAFT

Bill read the second time.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

In Committee

Clauses 1 and 2 agreed to.

Clause 3 -
Objects of Act

Dr WOODRUFF - Chair, our first amendment is

Page 8, paragraph (b), after subparagraph (iv).

Insert the following subparagraph:

"(v) investigate serious contraventions of the positive duty under section 11; and"

So, Chair, as I indicated during the second reading contribution, we have worked with a number of members and stakeholders and developed amendments based on their input. This is our first amendment and it's rather straightforward clarifying something raised with us, that the object only refers to one of the grounds on which an investigation can occur. This amendment clarifies in the objects that a serious contravention of the positive duty is also grounds for an investigation to occur under 40(a)i.

Clause 3, as amended, agreed to.

Clause 4 -
Interpretation

Dr WOODRUFF - Chair,

Page 9, after the definition of "gender identity".

Insert the following definition:

"guardian has the same meaning as in the Children, Young Persons and Their Families Act 1997;"

Chair, this came from the Minister for Education in the other place. She raised some matters for us to look into, and the first one is the use of the term 'parent' and the limited scope of this term. Other members have also raised questions regarding the definition of 'parent'. We agree that the language could be more inclusive. This amendment inserts a definition of 'guardian', which we will move to insert instead of 'parent' in a later clause. For members' reference, the definition of 'guardian' reads:

(a) A parent of a child, and

(b) A person, other than the secretary, who is the legal guardian of a child and,

(c) A person, other than the secretary who has the legal custody of a child and,

(d) Any other person other than the secretary who generally acts in the place of a parent of a child and has done so for a significant length of time.

Mr BARNETT - Couple of questions there. Thanks very much for clarifying that and obviously it needed this based on feedback that you have had, and obviously it's really important in terms of the definition of the legal 'guardian', which includes a parent is my understanding. I haven't been through the *Children, Young Persons and Their Families Act* but I'd seek your confirmation and clarification as to what it does cover. Parents? Who does it cover and who doesn't it cover? This is a particularly sensitive area for families, for parents, for grandparents, godparents - foster parents would be another one. Just getting clarity on that.

The original definition that was in the bill was gender identity, and of course, some would argue that that can change over time, so I'm seeking clarification from you on that.

Ms HADDAD - We'll support this amendment. It's inserting the definition of guardian that already sits in the *Children, Young Persons and Their Families Act 1997* in anticipation of a future amendment that's over the page which is expanding the definition of parents. It's one of the exemptions that is not considered a conversion practice, which is conversations between parents and their children. I think what we heard Dr Woodruff explain is that there was some concern that that was too narrow, that there are other adults who are responsible for raising young people in Tasmania, so the word 'guardian' is more inclusive of the kind of family structures that people have these days. There are also quite a few grandparents raising grandkids in my family, for example. It would mean that that exemption also extends to those people who are guardians of young people. The definition needs to be inserted into the act so that it makes sense when that further amendment is moved.

Mr Winter - Hear, hear.

Mr BARNETT - Just to respond to that - and this is picking up the point that the honourable opposition attorney-general is making reference to - saying that 'legal guardian' is more inclusive.

Ms HADDAD - Or 'guardian', not 'legal guardian'.

Mr BARNETT - Well, you know, I'm a parent, and parents see themselves as parents, they don't see themselves as legal guardians.

Ms HADDAD - You are a legal guardian.

Mr BARNETT - In terms of use of language, I just draw that to your attention. It's a very sensitive area. I realise that the definition that you've got here is all-encompassing, but I'm

responding to your reference to inclusivity in terms of 'legal guardian' being more - there are a lot of families who have parents and kids and they don't refer to themselves as legal guardians, they refer to themselves as mums and dads.

Ms HADDAD - I'm really loathe to extend the debate on this very simple amendment. I take the Attorney-General's point that parents consider themselves parents. I'm also a parent but whether we like it or not, when you're a parent, you are usually also the legal guardian of that child. That's not always the case. There are children being raised by others. This actually will expand the exemption that a lot of people have spoken very passionately about in this place today, so that it doesn't only apply to parents. It applies to parents and other adults who are raising young people in Tasmania.

Mr SHELTON - Along this discussion, as in the second reading speeches, and in committee, it is important that we deal with this because in legal circumstances, in fact, people could be looking at what happens in these committees. As a grandparent, I'd just like the Leader of the Greens to explain where grandparents fit into this, because I am a grandparent of eight children and have a lot of conversations with my grandchildren. Under the definition, you're not a legal guardian, but you are certainly important to their upbringing. Just wondering if I could just have an explanation about where grandparents fit into this whole deal.

Dr WOODRUFF - Thanks for the contributions. Just to make the question about 'parent' very clear, it was in the first paragraph that I read and the definition of guardian means parent of a child, and a person who's a legal guardian of a child, and a person who has legal custody of a child, and any other person who generally acts in place of a parent of a child.

I'll just address the Attorney-General's comment and come to you, Mr Shelton, second. Attorney-General, I think the point about this is that it is more inclusive and that was the purpose of the minister for Education's recommended change and it's her view that that is the correct and most inclusive term. I understand and hear you that that's not a term that we use. Those of us who are parents don't use that term about ourselves but legislation isn't about having everyday comfortable terms; it's about being quite precise. The point of this is to make sure that all of those different people who have responsibility for the care and upbringing of children are appropriately included in that term.

In relation to foster parents, paragraph (c) covers legal custody, which is not defined. The term 'legal custody' originally mirrored the term used in the *Family Law Act 1975*, which has subsequently changed its terminology. The historic definition of legal custody in that act was:

> (a) has the right to have, and the responsibility for, the daily care and control of the child; and
>
> (b) has the right to make, and the responsibility for making, decisions concerning the daily care and control of the child.
> [TBC]

Which we understand covers foster care. That's why we want to have that term 'legal guardian', to be more inclusive.

In response to your question: yes, grandparents are sometimes actively involved. In circumstances, grandparents can generally act as a parent and then they would be covered by

that definition, but otherwise they're not included in the definition. This clause being referenced is in terms of an exemption for the avoidance of doubt. Just because a person isn't included doesn't mean that they would not be conducting a conversion practice. No person is captured by the act if they're not targeting a person on the basis of their sexual orientation or gender identity for the purpose of changing, suppressing or eradicating that. No teacher, no shopkeeper, no police person, no grandparent, no cousin, no auntie, no-one would be targeting a person as a conversion practice, unless they were doing the specific things under the definition of the act. In relation to the word 'parent' this would move to expand that to the more inclusive modern understanding 'legal guardian' to include foster parents, kinship carers and so on.

Mr JAENSCH - Just technically, I would have thought that if it was the minister for Children and Youth in there, her reference to guardian would be, I would have thought, more 'legal guardian'. Foster parents and such in that case would not be a guardian in that under those arrangements, the child would be under the guardianship of the Secretary, under our legislation. Guardianship is a legally defined term that there'd be just one guardian for any child, naturally and legally a parent. In circumstances where the parent has lost or forfeited guardianship, that generally would be the state. Sometimes the third-party guardianship would be transferred and made permanent, but it's not a generic term where there can be a range of different guardians for one child, as I understand it. It depends on where this is relied on in the in the body of the bill or the act how it would be applied or interpreted might be.

Dr WOODRUFF - Okay. I mean, this is quite a lot of detail -

Mr JAENSCH - I know.

Dr WOODRUFF - No, no, that's okay. This is my understanding from the minister. So, what I read out was the definition which is in the *Children, Young Persons and Their Families Act 1997*, and within that definition part (c) says:

> A person (other than the Secretary) who has the legal custody of [the] child …

'Legal custody' isn't defined, but the term 'legal custody' originally mirrored the term that was used in the *Family Law Act 1975*, which has changed a little bit since then, but the historic definition of 'legal custody' in that act was:

> The right to have the daily care and control of the child and the right and responsibility to make decisions concerning the daily care and control of the child. [tbc]

We understand that covers foster carers. That's our understanding that the way it's written in the Children and Young Person Act would cover foster carers, notwithstanding the comments that you made.

Mr FAIRS - Dr Woodruff, just a quick question. Kids in state care - you mentioned foster carers, but those others that are in an institution or something like that, where would they fall under this?

Mr Jaensch - The state's the guardian.

Ms Haddad - Yeah, the state is the guardian.

Mr FAIRS - So, the state government would be the guardian or the -

Dr WOODRUFF - I'll just seek some advice. It would cover them as a legal guardian and it would also cover anyone who generally acts in the role of a parent. In that instance, it could cover grandparents, for example - a person if they had a predominant amount of care for the grandchild.

Mr FERGUSON - Dr Woodruff, before you just added to your sentence there, I was about to ask you: is there now a differential in treatment between different grandparents? such as the scenario Mr Shelton outlined where he provides a lot of care for his grandchildren from time to time, but he's not a designated custodial guardian? Are you saying that there are two different kinds of treatment for grandparents as a result of your amendment tonight?

Dr WOODRUFF - No.

Mr FERGUSON - So, they're all treated as covered?

Dr WOODRUFF - No, this is about the definition of a parent and making the legal definition of a parent more inclusive in the bill. In the community, grandparents have different statuses. Some grandparents are actively involved in raising their grandchildren, so under the law they have a different legal status in certain situations, and this is one of those situations.

Mr FERGUSON - With respect, you answered no to my question. Is there a differential treatment between grandparents, some of whom have legal custody and responsibility for a child, compared to someone who has a lot of care of the child but is not the legal guardian? You said no to my question. You said no. I asked if there was different treatment, a differential. Do you wish to reconsider your answer? because that was the question I was asking: are you confirming or not confirming that a grandparent in Mr Shelton's scenario is treated differently to a grandparent who has legal responsibility for a child?

Dr WOODRUFF - Treated differently in what respect?

Mr FERGUSON - As to whether they're covered legally and not subject to your conversion practices allegation under clause 4.

Dr WOODRUFF - Well, what I'm doing here is relaying the Minister for Education's preferred amendment. I encourage you, if you've got any concerns about the way legal parent is described under the Children and Young Persons Act, that you could make a change to that act but in relation to this bill, no, there is no - this is just about the definition of a legal guardian.

Mr Ferguson - This is your amendment. Are they treated the same or differently was the question. You said no.

Dr WOODRUFF - Well, I don't quite understand your question, I'm sorry.

Mr Ferguson - I think you might.

Dr WOODRUFF - No, I'm sorry, I don't, actually.

Mr Ferguson - Are they treated differently? You did say no.

Ms HADDAD - I want to speak again on this amendment because I think I can see what's happening here. I think, with respect, this is an attempt to make sure that we drag this out as long as we possibly can. We're not on the amendment that's actually making the change that Mr Ferguson is asking questions about. The amendment that we're on right now is inserting a definition from a different piece of legislation, the *Children, Young People and Their Families Act 1997*, that contains a definition already. All this amendment is doing is inserting that definition from the *Children, Young Persons and Their Families Act* into this bill.

So, the concerns that are being raised about the fitness of that definition to reflect what a guardian means, the understanding in society about who might be a legal guardian of a child, and whether that definition is good enough or not, is actually not the argument here. If we want to have that argument, we need to have a talk about amending the *Children, Young Persons and Their Families Act*, because that definition already exists at law. It exists in the *Children, Young Persons and Their Families Act*.

We've got a number of former ministers for that portfolio, or adjacent ministers for that portfolio, here in the room tonight who, I dare say, understand what we're talking about here. They understand that what this amendment is doing is simply taking a definition from one piece of legislation and inserting it into this bill, because the bill will later refer to that definition. It happens all the time in Tasmanian legislation. They know it, I know it, Dr Woodruff knows it.

I think I can see what's going on here. If we want to have a bigger debate about whether the definition of 'guardian' in the *Children, Young Persons and Their Families Act* is sufficient or not, let's have that debate. Now's not the time.

Clause 4, as amended, agreed to.

Clause 5 -
Meaning of *conversion practice*

Mr FERGUSON - Chair, I don't know if there's a desire of the Committee to do this in any particular order, but I do have an amendment to put before the House on clause 5.

Mr Bayley - Has that been distributed?

Dr Woodruff - Can we have a copy?

Mr FERGUSON - I was advised that they have been shared. If that's not the case -

Ms Johnston - They're not named. The government distributed them, but they haven't said which member is moving those. Are you moving all of those, Michael?

Mr FERGUSON - I said I have an amendment to clause 5. There's, as far as I'm aware, only one amendment to clause 5 circulated by the government.

Dr Woodruff - No, there's not one. There are three amendments to clause 5.

Mr FERGUSON - I hope we can just ensure there is no misunderstanding about that. I'll begin by reading the amendment and I will be certain that I'll be pulled up if it's not been circulated. If that will be the case, I'll make sure that it is.

First Amendment

Page 12, subclause (1).

Leave out the subclause.

Insert instead the following subclause:

'(1) In this Act, conversion practice means an abusive or coercive practice or treatment that is -

(a) directed towards -

(i) a child or person with impaired decision-making ability, whether with or without the person's consent; or

(ii) any other person, without the person's consent; and

(b) directed towards the person on the basis of the person's sexual orientation or gender identity; and

(c) directed towards changing or eradicating the person's sexual orientation or gender identity.'

Mr FERGUSON - Chair and to the Committee, this amendment seeks to provide real clarity and certain precision to the definition of a conversion practice. Many members of this House have made the point repeatedly that the definition provided by the Greens in their bill is extraordinarily wide and poorly defined, so as to capture a whole range of Tasmanian citizens going about their ordinary daily lives.

The definition is, of course, central to the operation of this bill; everything else in the bill will hang off this definition. It therefore concerns me and many others on this side of the House that that definition be very carefully determined. The definition determines the conduct that will be prohibited. It determines the conduct that will be reported to the new commissioner office and, in certain circumstances, subject to criminal penalties.

Given the significant consequences for Tasmanians that can flow from the definition, it's vital that the legislation draws a clear distinction between genuinely abusive or coercive conduct and other conversations, advice and interactions concerning a person's sexual orientation or gender identity. Throughout the second reading debate and the stories that we have heard of alleged behaviours, practices, whether they were historical or allegedly still occurring, they are best described as abusive and coercive. So, it's only reasonable then that the language in the definition reflect the concerns that have been raised by the Greens, Labor and some Independents. This amendment would require the conduct to be an abusive or coercive practice or treatment, rather than capturing other conduct that's not abusive or coercive.

It would also make clear that consent is not determinative where the person is a child or has impaired decision-making ability. For other adults, the amendment would require the conduct to occur without their consent, recognising personal agency. This reflects the importance of protecting children and vulnerable people from abusive or coercive practices, while recognising the autonomy of adults who are perfectly capable of making their own decisions - and their decisions should be respected.

The amendment also removes the reference to 'suppressing' - the word suppressing - a person's sexual orientation or gender identity from the operative definition. This removes a term which is significantly contributing to the vagueness and the lack of clarity in the current drafting that eminent persons like Professor Patrick Parkinson have been trying very hard to raise with us.

I repeat, it's really important that the legislation is sufficiently clear to guide practitioners, families, community organisations and religious organisations about the conduct that this House would be prohibiting. The objective is not and should not be preventing people from accessing support, exploring their identity or having a genuine conversation about their circumstances. The bill itself recognises a distinction between conversion practices and genuine identity exploration and support. This amendment seeks to ensure that the prohibition is appropriately targeted at abusive or coercive conduct intended to change or eradicate a person's sexual orientation or gender identity.

I'll just conclude this point by saying that this amendment is brought to the House on the basis of what I regard as fundamental flaws of this bill that have been reflected by others, including our Attorney-General. I don't think that this fixes those fundamental problems with the bill, but it is a fair-minded and reasonable belief that we can mitigate the worst excesses of the bill because these will affect Tasmanian citizens who, as we stand and sit here tonight, would not be aware of the law that will be imposed on them and the definition that this House and these members get to decide. They deserve our caution.

I'm not making a case that it's the same as a definition in another state, but I would make the case that it's much more aligned. Other states like South Australia, New South Wales and others have definitions that are far clearer than the definition offered in the Greens' original bill, which rhetorically, I could say you could drive a truck through. I wonder if that isn't the intention of the Greens to have such a wide definition. The definition should be targeted at the behaviours that members around the House have been saying need to be outlawed. That's precisely what this amendment seeks to do. I move that amendment for the committee.

Mr GEORGE - Briefly, I don't think I'm any more simple or any more intelligent than anyone else in this House. This clause as it stands is perfectly clear for any ordinary person to read and understand. It's absolutely clear. The amendment, however, basically pulls the pin on the intent of the act. There's no way in the world I can support it. It's intentional, clearly.

Ms BURNET - I have to agree. This is a fundamental and very important clause in this this bill. By changing this definition and this clause the way that the honourable member is intending will absolutely rip the stuffing out of the intent of this legislation.

Mr BARNETT - I'll be very pleased to support the views of my colleague Mr Ferguson. I've said throughout my second reading speech and since, privately and publicly, that one of the big problems with this bill is the very broad definition and the ambiguity, the

ambiguousness of the definition. Don't just take my words for it, because this is a very key clause that the honourable member for Bass is seeking to amend. Professor Patrick Parkinson is an eminent legal professor, 30 years at Sydney University, Dean of the law school in Queensland, and he has sent a submission to the Greens and to all of us. I hope we have a copy and I hope it gets to the public record. It hasn't been released publicly, but I draw people's attention to it.

He makes it very clear to everyone that you need a clear and precise definition. He says that it is quite uncertain in this bill because the definition of a conversion practice is so incoherent, and because in relation to gender identity, there are no known verified examples of unethical conversion practices. He says that. He says the definition is incoherent. Then he says, in essence, these are the problems with this bill:

> The proponents of it seem unable to define clearly the conduct that they're seeking to ban.

He goes on and says,

> The bill is being proposed by people who believe that there is a serious problem in the Tasmanian community that can only be addressed by some of the most draconian legislation ever to be introduced into an Australian parliament.

Then he says further down,

> When a law creates a lot of uncertainty, it has unintended consequences.

So what this amendment is all about is seeking clarity, seeking definition, providing a way forward where we can improve this bill. At the moment it is very broad and very ambiguous, and this is a key section that the honourable member for Bass is seeking to amend.

There's a reference to New South Wales, there's a reference to Queensland, there's a reference to South Australia. My advice with respect to New South Wales, I am advised that the *Conversion Practices Ban Act 2024* (NSW) is the clearest example where there's an explicit reference to 'coercion', which is one of the keywords in this amendment. The official New South Wales anti-discrimination guidance expressly identifies using 'shame, coercion or other tactics', to create an aversion and so on. The honourable members made reference to South Australia. There must be more than one practice and also again makes reference to coercive practices. There's an argument about having one or two or more. If you're looking at a definition of a coercive practice, you often need to look at the circumstances and to see a pattern of behaviour that happens over time. That's the whole point of 'coercive'. In my recent family violence reforms, coercive behaviour happens over a period of time. That's assessed whether it's economic coercive behaviour, whether it's emotional coercive behaviour, you can see a pattern of behaviour. At least it's providing greater definition, and greater clarity on exactly what the problem is we're seeking to fix in this legislation.

I note the Queensland legislation does provide examples of what a conversion practice is. I know that the honourable Leader of the Greens is familiar with that legislation. I do not have it in front of me, but in Queensland, it listed the actual examples. We don't normally do that in Tasmania. That's not a normal practice in terms of drafting legislation, but it's just an

example of giving greater clarity to the sorts of examples, the sorts of coercive behaviour, the sorts of abuse or the sorts of conversion practices that we're focusing on in this legislation.

I commend the amendment that the honourable member has brought forward. I think it identifies a key flaw in this bill and that is this clause. It needs improving, and this is one way to provide that improvement. There may be others, which I'm absolutely open to as well. I seek feedback from the honourable Leader of the Greens with respect to those concerns and whether she'd be amenable to that.

Dr WOODRUFF - We don't support this amendment. It's a much more restrictive definition than the definition proposed in the government's 2024 draft bill, as well as any definition elsewhere in the country. The member for Bass, Mr Ferguson, is not correct in saying that this is much more aligned with other jurisdictions in Australia. None of them allow conversion practices with consent. All bar one contain 'suppression' in their definition. None of them include the language of 'coercion' or 'abuse'. I don't know what's going on here, but that is a false assertion.

Conversion practices can occur in environments where manipulation and social pressure are used, either overtly or subtly, to coerce people into volunteering to enter into a conversion practice. The conversion practitioner doesn't need to coerce somebody but themselves, because structures of power are set up for others to do it for them.

The removal of 'suppression' would indicate that the member wishes to allow for the suppression of a person's sexual orientation or gender identity. We do not support this. This is a conversion practice. In relation to what the Attorney-General was asking in what you were referring, I responded just then to some of the things that you asked, but the other thing you mentioned about the New South Wales definition including 'coercion' - I believe you said, 'The New South Wales legislation includes 'coercion'.' It doesn't. It reads:

> ... a conversion practice means a practice, treatment or sustained effort that is -
>
> (a) directed to an individual on the basis of the individual's sexual orientation or gender identity, and
>
> (b) directed to changing or suppressing the individual's sexual orientation or gender identity.

Ms HADDAD - Thanks, Chair, for the opportunity to speak on this amendment. The opposition will oppose it. This is inserting consent as an exemption or, as the mover explained, that it would mean that somebody could consent to conversion practice. What this would do in practice, would mean that adult conversion practices would continue because they are almost always entered into voluntarily and sometimes, as the story I shared in my second reading contribution earlier today, with great desire; people enter these practices sometimes out of desperation, because they've been told this is the only pathway that they can take to fix their apparent affliction.

The problem is that informed consent can't be given to conversion practices, even when they are entered into voluntarily, because victims aren't told when they do enter those programs that conversion practices are based on discredited pseudo-psychology, that they're futile, that

they don't work, that they inflict harm and that they are also undertaken by people without the relevant qualifications. Additionally, they do cause harm, people aren't told that, and you can't consent to harm.

If this definition is included in the act, it would allow people who are conducting conversion practices to continue to harm others on the basis that the victim has consented to that harm. Consent can't provide an unrestricted justification for conduct that would otherwise constitute assault or other unlawful harm. So, this definition, harmless as it might look on paper, would in fact create a significant anomaly within our existing legal system across all of our other statutes.

Mr FERGUSON - Thank you for the remarks from colleagues around the Chamber. The fact is that the government members are moving towards as many as we can, some targeted amendments to mitigate the worst excesses of this bill. I stand by the comment that this is far more aligned to the definition applied in other states.

In fact, although I've specifically or this side of the House is moving for a specific inclusion of the words 'abusive' or 'coercive' as one of the key parts of this definition, as I listened very carefully to Dr Woodruff reading the definition of the New South Wales definition of 'conversion practice', it was almost word for word what is in the amendment before the House in part (b) and (c) - almost word for word. Now, I'm not saying that it should be the same as a particular state, but I am saying that it should be fit for purpose to achieve what members opposite have been saying in the debate they want it to outlaw. That's precisely what we are doing here, while also recognising personal agency. I think that members do need to be mindful of the laws that they're making that will affect citizens of our state who trust us to make wise decisions.

To the member who said that it pulls the pin on the bill, that is frankly a ridiculous statement. Professor Parkinson, who has kindly advised us in plain English with his excellent submission, has outlined why the very definition is a key part that needs to be carefully considered and prudently determined by us.

I'm not sure who said that it will rip the stuffing out of the bill - I think that might have been the honourable member for Clark, Ms Burnet. I mean, that is interesting language and it's colourful, as you may have intended, but it doesn't do that. What it does do is outlaw abusive and coercive practices or treatments. That's what it does. I think that it actually demonstrates the bona fides of what members on this side of the House have been saying. While a number of us, not all Liberals, but certainly myself, opposed the bill and have just voted in that way, I still feel an obligation to do our best to improve the bill, to take away some of the worst excesses of it.

I stand by the comments made through my earlier contribution and just now. I thank everybody for their comments. I do urge, in particular, the Labor Party to be cautious about welding themselves to the Greens on every possible clause in this bill. If they would do that throughout the debate, they actually will be doing the community a disservice and I hope that we can get good laws, even if we may disagree on some of the principle. I do urge support for the amendment.

DEPUTY CHAIR (Ms Howlett) - The question is that the amendment be agreed to.

The House divided -

AYES 11	NOES 21
Mr Abetz	Mrs Archer
Mr Barnett	Ms Badger
Mr Ellis	Mr Bayley
Mr Di Falco	Dr Broad
Mr Fairs	Ms Brown
Mr Ferguson	Ms Burnet
Ms Ogilvie	Ms Butler
Mr Pearce	Ms Finlay
Mrs Petrusma	Mr Garland
Prof Razay	Mrs Greene
Mr Shelton (Teller)	Ms Haddad
	Mr Jaensch
	Ms Johnston
	Mr Mitchell
	Mr O'Byrne
	Mr Rockliff
	Ms Rosol
	Mr Willie
	Mr Winter
	Dr Woodruff
	Mr George (Teller)

PAIRS

Mr Vermey	Ms Dow

Amendment negatived.

Mr ABETZ - I seek leave on behalf of Professor Razay, member for Bass, that Clause 4 be recommitted for the purposes of allowing him to move his amendment, which he accidentally overlooked whilst he was outside the Chamber. I think that might be a procedural way to deal with it.

Deputy CHAIR - We can deal with that. We just need to deal with Clause 5 first and then we can recommit to Clause 4.

Prof RAZAY - Clause 5, page 12, after subclass 1:

Insert the following subclass:

'(x) Without limiting subsection (1), examples of conduct that may constitute a conversion practice include the following:

(a) inducing nausea, vomiting or paralysis while showing a person same-sex images;

(b) using shame or coercion to give a person an aversion to same-sex attraction or to encourage gender-conforming behaviour;

(c) using other techniques to encourage a person to believe that being lesbian, gay, bisexual, transgender or intersex is a defect or disorder.

Deputy CHAIR - Professor Razay could I please ask you to read out paragraph (c) again?

Prof RAZAY - I'm sorry, probably there was some error using other techniques rather than therapeutic.

Deputy CHAIR - Yes, if you could just read paragraph (c). Thank you.

Prof RAZAY - Can I speak to the motion?

Ms Johnston - You need to read (c) again.

Prof RAZAY -

(c) Using other techniques to encourage a person to believe that being lesbian, gay, bisexual, transgender or intersex is a defect or disorder.

Deputy CHAIR - Thank you.

Prof RAZAY - Honourable Speaker, I move this amendment to provide clarity and specificity to what is a broad and potentially ambiguous definition. It's important that legislation creating criminal offences clearly identifies the conduct it is intended to capture. This is particularly important where the consequences for individuals may be significant and where the legislation seeks to regulate contact occurring across a range of settings, including therapeutic, religious, family and community environments.

This amendment draws on the approach taken in the Queensland's *Public Health Act 2005*, which identifies specific examples of conduct that may constitute a conversion practice being:

(a) inducing nausea, vomiting or paralysis while showing a person same sex images;

(b) using shame or coercion to give a person an aversion to same sex attraction or to encourage gender conforming behaviour;

(c) using other techniques to encourage a person to believe that being lesbian, gay, bisexual, transgender or intersex is a defect or disorder.

These examples are important because they demonstrate the nature of the contact that conversion practices legislation is intended to address. They help distinguish harmful practices directed at changing or suppressing a person's sexual orientation or gender identity from other conduct that may fall within a broad definition but does not constitute a conversion practice.

Practices outlined in these examples, in line with the Queensland legislation, are examples of those that have caused significant distress and harm to people who have experienced them. I believe examples like these included in the bill, drawing on legislation which has been in effect for many years interstate, adds clarity and is consistent with the behaviour we understand should be covered by this legislation. This amendment is intended to provide that clarity and help ensure the bill achieves its intended purpose.

Dr WOODRUFF - Well, I'm not sure, Professor Razay, if you had the opportunity to hear my second reading response but I did speak to this matter in that. I'll just relay some of those comments again.

The Queensland legislation that you refer to that's the basis for your amendment gives specific examples that are considered conversion practices and, as I outlined, these are what are called 'marginal notes' in Queensland in their drafting practice and we don't have that practice in Tasmania. In Queensland, those marginal notes don't form part of the legislation, and they don't hold legal weight in Queensland law either. In Tasmania, the inclusion of this as a clause in the bill would change the context and make it part of this law.

I understand what you're trying to do with the words and obviously a number of the things that you've listed would be a conversion practice. The problem is that it is a list which we are very concerned could result in a reading down of the provision in the bill and it would constrain the interpretation of what a conversion practice could be.

We also make the point that we haven't had the opportunity to look at this, it's only just been circulated now, and we're concerned that it could be very consequential. We don't support this amendment. We thank you and we recognise where it's coming from, but we don't support the amendment in the bill.

Mr ABETZ - Can the Leader of the Greens explain how she can make the assertion she did when the preface to the amendment by the member for Bass, Professor Razay, if I heard it correctly, said 'without limiting subclause (1)'? Therefore, it cannot be a reading down of that clause. It cannot have any of the impact that has been asserted by the Leader of the Greens. I'm just wondering from where she gets that assertion, given the very clear wording of Professor Razay's amendment, which says 'without limiting subclause (1)'.

The fact that in Queensland they have notes and whatever else, they have different ways of legislating, that's fine. Park that idea. What Professor Razay is doing is saying this should form part of the bill, and there is nothing wrong with importing that into the legislation given what Professor Razay has said. There's plenty of legislative precedent where there are elements in a piece of legislation where it says 'without limiting', but here are a few examples.

I would have thought that's a perfectly reasonable amendment being moved by Professor Razay. I would like a full explanation as to why the Leader of the Greens has made the assertions that she did when there is that very clear statement at the very beginning of the amendment that the amendment would not limit in any way subclause (1).

Dr WOODRUFF - I'll just go back to the point I made before. What Professor Razay is seeking to do is seeking to import from what are called 'marginal notes' in Queensland legislation which are explanatory information, which is akin to the second reading speech probably, if you like, here in Tasmania and import it into Tasmanian legislation into the bill. That potentially has a very, very different effect and we only just got it.

So, the assertion, honourable Treasurer, wasn't anything about Professor Razay's amendment, it was about the fact we haven't had time to consider this or consider the impacts. We haven't had time to get legal advice, so we're not supporting the amendment.

Mr O'BYRNE - I understand the intent from the member for Bass, Professor Razay, but the problem is as soon as you start to define it, then that restricts the ability for those interpreting the act to respond to a whole range of different circumstances that are probably beyond our knowledge in terms of some of the conversion therapies. That is why this path was taken to basically avoid a hard definition or definitions and to focus on intent. That's the nature of this clause and the effect of it. I understand what you're trying to do to try to give some direction, but in some respects, it actually makes it worse, in my view. I understand the intent of the amendment, but I can't support it either.

Mr ELLIS - I want to commend Professor Razay for moving this amendment to the bill. I think it does identify one of the fundamental flaws of the bill: the fact that the definition is so broad and so difficult to pin down, particularly when it uses words like 'suppress', which of course can have very broad definitions. Professor Razay here is seeking to provide guidance, and indeed that is the feedback that we hear overwhelmingly in the community, that there is not enough guidance about what a conversion practice is. Certainly, I understand that the Greens are concerned about potentially limiting what the definition of that might be. Obviously, Professor Razay has addressed that with his amendment, and it was covered by the Treasurer as well but providing guidance to the community and to parents, caregivers, counsellors and medical professionals about what exactly we might be talking about is very important.

As Professor Razay mentioned, we're talking about potentially breaches of the criminal law, and if people cannot know what the law is, then you will have them falling on the wrong side of the law potentially, or more broadly, as has been addressed substantially in this debate over the course of many hours, the chilling effect of people who don't know what the law is and so withdraw. They withdraw loving and caring advice, guidance to children and, of course, as we've seen extensively, including in court cases in Victoria, people who would seek to provide medical care and guidance to children suffering from distress about their bodies and their gender - withdrawing entirely from providing those services.

Not only are we in a situation where we cannot seemingly know what a conversion practice is as part of this bill - and the Greens are certainly hesitant to provide that guidance to parents and others - but because of the vagueness, we could be in a situation where even those who don't receive a punishment either receive a process which can take many years as I've outlined before; the process that has impacted Dr Jillian Spencer in Queensland, a process that cost her her job, three years of her life, significant legal expenses, reputational damage, and yet in the end, she was found to have done the right thing. Then, it's people who simply withdraw their services entirely.

So, I think it is very reasonable, based on the feedback that we have had right across the consultation process from the Greens, the submissions that are published - and as was well articulated by Mr Ferguson in the debate, the potentially hundreds of submissions that weren't published - potentially 2000 that weren't published - simply because they are individuals who would have been published under a government piece of legislation but who, under the Greens, weren't published, including very esteemed people like Professor Patrick Parkinson. It is a reasonable thing for criminal law to have a definition of what the breach is. Indeed, Professor Parkinson has spoken extensively about that.

To see families potentially falling on the wrong side of the law, to see medical practitioners and councillors falling on the wrong side of the law and seeing people who are seeking to provide a cautious approach to the care of children who are distressed about their bodies, so concerned about the vagueness of this law, that they withdraw entirely. That would be a very difficult and devastating consequence of this law.

If the Greens believe that those practices that Professor Razay has outlined are wrong, then they should be included in the definition. I don't think that I'm hearing anyone in this debate who doesn't think that your definitions of those practices, those aversion practices, wouldn't be a good thing to be explicitly outlawing. I support Professor Razay for his very considered amendment to the bill.

Ms HADDAD - I can't help myself but respond a little to what the member for Braddon just said. That is, as you know as well Chair, committees and governments do consultation often on a piece of the legislation and not everything is published. Indeed, individuals have to give their consent for their publication. I wasn't involved with the Greens' consultation process, but I would observe that it's not always the case that government bill consultation submissions are published. Often they are not, depending on the views of the submitter.

Mr Barnett - It's normal practice.

Ms HADDAD - Not if they don't give their consent, Attorney-General. You know that, you're the Attorney-General. Anyway, I won't take the bait.

I will speak to this amendment. A bit like what Mr O'Byrne has said, Professor Razay, through the Chair, I understand the intent of this and I think I actually agree with the member for Braddon. There would be no one in this room who would argue that those examples that you've put in the definition are not harmful, absolutely. Inducing nausea and vomiting or paralysis while showing someone same-sex images or using shame or coercion to give person an aversion to same-sex attraction, those things absolutely are harmful. No argument about that.

What I've learnt from speaking to victim/survivors of conversion practices recently is that those things, thankfully, don't happen in Australia anymore. They were phased out around about the 1970s. They are what was known as 'aversion therapy' and they included other things as well like electric shock therapy, that kind of thing, also utterly deplorable.

My concern with inserting this kind of definition here based on my understanding from victim/survivors who say that these practices don't happen anymore, is that including these examples will actually provide a lens for the interpretation of the rest of the bill too. It could, in an unintended way, lift the bar for the rest of the interpretation of the bill, including the

education and prevention components of the bill, which I think are really important. It could lift those to really, under a narrow interpretation, perhaps only be considered if they met these very serious harmful practices.

Again, I've only just read this amendment as well, and I absolutely understand and respect your intent. I feel like if the bill is to include examples, which is problematic in its own way, it would make sense for those examples to be some of the things that currently do happen, like the victim/survivor stories that lots of us have shared in this place today. There's no argument these things are very harmful but what I'm told is that they don't happen very much or at all, really, in Australia anymore. They were something that was common in the 1970s. For that reason I'm hesitant to support this amendment, but I do understand the motive behind it.

Ms BURNET - Just briefly, along the same lines as Ms Haddad, what Professor Razay has done to this amendment is to put in specific examples, and I have concerns about that in making it too defined as examples. You know, what is left out in your examples? It's a rhetorical question, really. This wasn't a recommendation of the TLRI as well, so it's an unprecedented amendment suggestion. I won't be supporting your amendment.

The CHAIR (Ms Howlett) - The question is that the amendment be agreed to.

The Committee divided -

AYES - 11	**NOES - 21**
Mr Abetz	Mrs Archer
Mr Barnett	Ms Badger
Mr Di Falco	Mr Bayley
Mr Ellis	Dr Broad
Mr Fairs	Ms Brown
Mr Ferguson	Ms Burnet
Ms Ogilvie	Ms Finlay
Mr Pearce	Mr Garland
Mrs Petrusma	Mr George
Prof Razay	Mrs Greene
Mr Shelton (Teller)	Ms Haddad
	Mr Jaensch
	Ms Johnston
	Mr Mitchell
	Mr O'Byrne
	Mr Rockliff
	Ms Rosol
	Mr Willie
	Mr Winter
	Dr Woodruff
	Ms Butler (Teller)

PAIRS

Mr Vermey	Ms Dow

Amendment negatived.

Mr BARNETT - Thank you, Chair. I move -

Second Amendment

Page 13, subclause (4).

Leave out ', of itself,'.

It's highlighting the importance of the definition and what some refer to as the exemptions. What many speakers in here, including the honourable Leader for the Greens and many others who support the bill, are saying is this not their intent. This is not their intent to capture public debate. It is not their intent to capture belief or principles, religious beliefs or principles, parents discussing matters related to sexual orientation, gender identity, sexual activity or religion with their children, or health practitioners. They say those things are protected under this bill. That's what they say. If that was the case, that would not be such a concern to many members in the community and many stakeholders, many parents, many kids, many families.

That's set out very clearly in page 13, subsection 4. There is (a), (b), (c), (d), (e), (f), (g), and (i), and I won't go through all of them, but they're all very fair and reasonable. However, the words in advance for that says:

> For the avoidance of doubt, the following conduct does not, of itself, constitute a conversion practice:

The trouble is the use of the words 'of itself'. The amendment that I'm moving makes clear that the list of items in clause 5, subsection 4 are not conversion practices, to make it very clear. To remove 'of itself' makes it patently clear. I'll put it another way, and I'll quote Professor Patrick Parkinson, our eminent professor. He says, in terms of the merit of this particular amendment:

> The words 'of itself' create doubt about what it is the parliament seeks to prohibit, and such uncertainty is not appropriate when the definition forms the core of a serious criminal offence.
> [TBC]

This has been said by me, by the minister for Police, by many others. We are creating crimes. It needs to be very clear what's in and what's out. What is the crime and what is not the crime? There needs to be great clarity around that. By leaving in the words 'of itself', it leaves open the possibility of some expression considered alongside other conduct or evidence of purpose that could actually be a conversion practice.

This is the concern. I've raised it during my second reading debate. I'm now moving this particular motion. I've been very upfront about it and I'm hoping it will be considered positively to provide clarity for members of the community, for stakeholders, for all Tasmanians to know very clearly what is in, what is the crime and what isn't the crime, because that's the purpose of

this particular clause. It's a really important clause, clause 5. It's a simple amendment, to leave out the words 'of itself', to provide the appropriate clarity that these activities are not to be considered conversion practices. Without this amendment, people undertaking these legitimate activities are still at risk of prosecution or complaint being made against them. We do not want that to happen. I've heard right through the debate the movers of this bill, those who support the bill, do not want it to happen. Let's get clarity. Let's lock it in. This is something I hope in which we can all be united to support greater clarity.

When we are creating a crime we want to know what it is and what it is not. This will achieve the desired effect in my view, and also in the view of Professor Parkinson. I'll be very interested to hear the views of the Leader for the Greens and anybody else. I've shared that evidence, I've shared the merit of it, and I believe it's really important to make this bill, improve this bill and make it a better bill or, another way to put it, a less bad bill, from my point of view. But this is an area where I hope we can gain agreement. I will leave it there in light of the hour. I think I've been very clear with my remarks, and I hope that assists honourable members.

Ms HADDAD - Thanks, Chair. I want to be clear; this is one of the sections that my colleagues and I have discussed the most - one of the potential amendments. Indeed, it is one of the areas that probably dominated the conversations that I had with the many religious leaders that I met with in the lead up to today's debate. As I said in my second reading contribution, they were very respectful conversations. I feel they were. But this might be an example of get 10 lawyers in the room and you get 10 interpretations, because I absolutely understand the intent of the Deputy Premier in moving this, that he is seeking to provide absolute exemptions for what are here, you could say, qualified exemptions because of those two simple words 'of itself'.

My interpretation is that it would in fact, perhaps unintentionally, do the opposite. Let me explain why, because I really want to put my views on the record very clearly about this. I'll remind members that in the consultation draft of the bill, this was the section that attracted a fair bit of criticism, particularly from religious groups, and I could understand their concerns on the draft bill, because it was drafted in such a way that it said these things - and the same list: participating in public debate, prayer, including beliefs and principles, parents talking to children, health practitioners providing health services - are not conversion practices unless they are conversion practices. So, that felt very circular wording. I can understand why there was some further debate around what that meant and seeking further guidance about what that meant.

I think now where this bill - the changes that have been made since the consultation draft to the tabled version in fact do provide that clarity, partly because you have to read the definition in two parts. So, on page 12, the beginning of the definition is conversion practices, in order to be considered conversion practices, need to satisfy all three of those elements in the beginning of part 5, subclause (1)(a) and (b). That is, they have to be directed towards a person. They have to be directed towards a person on the basis of that person's sexual orientation or gender identity, and they have to be directed towards a person on the basis of their sexual orientation or identity for the purpose of changing, suppressing or eradicating it.

That's part (1). If you go over the page to page 13, this is the clause we're debating - the amendment from the Deputy Premier:

> For the avoidance of doubt, the following conduct does not, of itself, constitute a conversion practice:

Again, that list - I won't go through it in the interests of time - public debate, prayer, healthcare, parents talking to their children.

It might seem really harmless to take out those two words - it's just two words, right? How impactful can they be? But in actual fact, like I said, maybe it's an example of get many lawyers in the room, you get just as many opinions. My reading of it is if those two words were taken out, what in fact would happen is that all of those things - participating in public debate, prayer, providing healthcare and parents talking to children - would be the sanctioned vehicle through which conversion practices could be provided. In other words, it would now read: a conversion practice must be directed towards a person on the basis of their sexual orientation or gender identity for the purpose of changing, suppressing, or eradicating it, but conversion practices cannot be delivered, they cannot be considered to have satisfied those three elements if they are part of a public debate, if they are part of prayer, if they are part of healthcare service, or if they are part of parents speaking to their children.

I think removing those two words 'of itself' would in actual fact have the, perhaps, unintended consequence of not providing further clarity on what a conversion practice is or isn't, but rather would provide a clear list of where and how you can provide conversion practices.

I also want to put on the record my understanding of the importance of prayer and how fundamental it is to people of faith, and how personal and meaningful it is to people of faith. I absolutely respect that. There has also been some commentary on this bill that indicates that there should be a complete exemption for prayer, and I think when considering those views it's important to remember stories like Glenn Worrell's. He described that the most harrowing parts of his conversion practice experience in fact were delivered through prayer. For that reason, yes, it is absolutely important that there is a clear exemption in the bill to explain that prayer is in no way criminalised, but that prayer can be delivered through conversion practices. As I said on the first part of the definition of clause 5 on page 12, to satisfy being a conversion practice, it has to meet those three elements.

For those reasons we will oppose the amendment.

Mr ABETZ - This is passing strange to be opposing this amendment. What we heard during all the second reading speeches was that there was this raft of exemptions that would protect people. Now we are being told that that raft of exemptions is not in fact - and that is what I sought to articulate in my second reading speech, that these exemptions could become, to use the term, unexempted, but we weren't really sure how, why, or in what circumstances. To criminalise something, you have to be absolutely clear in what you are seeking to criminalise. Here we have a situation of saying, 'These things are exempted' in the second reading contributions, but now we're being told that ‘of itself’, it may necessarily not be exempted. The House, the people, and the law deserve the clarity that is so important when we are making certain actions criminal.

What I'd like to know or hear is: give us an example of how this exempted behaviour could become unexempted. I would have thought if it is exempted behaviour, it's exempted full stop. I'll take the first clause: if you're engaging in public debate, that's exempted. However, if

you then also engage in some other activity which is abusive, coercive or whatever, then of course that should be the criminal activity. But how do you then relate it back to having engaged in public debate. There doesn't seem to be any coherence in the drafting here with the words 'of itself', I would say.

I understand that in other legislation 'of itself' is often used, but that is in the civil law. I stand to be corrected, but in the criminal law where you're dealing with matters that could send you to jail and be locked up, you do need absolute clarity. This amendment moved by the Attorney-General would provide the clarity and should not in any way be derogating from the bill and its intentions if we are to believe what we were told during the second reading speeches from those supporting the bill.

Dr WOODRUFF - Thank you. I remind you and the House that your own draft bill to ban conversion practices in 2024 had a similar qualifier to 'of itself'. You used 'of no more than'. I just draw the House's attention to that -

Mr Abetz - 'No more than' is not 'of itself'.

Dr WOODRUFF - I said similar. I also draw the House's attention to the fact that the 'of itself' qualifier is specifically to ensure that loopholes aren't created. The list in the clause is quite long and covers conduct that is relatively broad in nature. I want to go to a couple of submissions or comments that were made that I think give some examples that can help with people understanding the distinction. Ms Haddad, the Labor shadow [attorney-general], has given a good explanation. The Uniting Church in their submission made quite a few statements about their concerns about the negative impact that conversion practices is having on Tasmanian faith communities and pastoral standards. They say:

> Conversion practices also deliberately blur the necessary boundary between pastoral care and psychological counselling, thereby demeaning both. Conversion practices are underpinned by a number of false and misleading pseudo-psychological claims. Some conversion practices claim to be therapists despite lacking expertise in mental health diagnosis and treatment. As pastoral workers we have certain standards which we would violate by pretending to have medical expertise we don't have and by trying to convince an LGBTQIA+ person that they should seek treatment. Conversion practice legislation will uphold these pastoral standards.

The point they're making is that you can use pastoral care for good or with intention to cause harm, if that is your intention. Bronwyn Larkins, who is a survivor and has spoken out publicly about her experiences, also says that the claim that the bill would prohibit ordinary pastoral care doesn't stand:

> Responsible pastoral care supports people to live safely, honestly and with dignity. Conversion practice begins from a materially different premise, that LGBTQIA+ identity is a defect, disorder or moral failure to be corrected, suppressed or overcome.
>
> The law should protect pastoral support that is non-coercive and affirming of personal agency while prohibiting pastoral conduct directed at inducing

shame, compulsory suppression, rejection of a gender identity, or denial of a person's capacity for relationship and selfhood. Intention remains the key component of this bill. Those who provide pastoral care, counselling and religious education where the intention is not to deny someone the ability for them to be themselves could not be deemed a conversion practice under this bill.
[TBC]

Intention is an important component in so many laws, as she says, and it is in this one as well. On the basis of that and the other comments that we previously made, we will not be supporting this amendment.

Mr ELLIS - We've just had a discussion about the fundamental flaw of the bill, that it doesn't actually define what a conversion practice is, and that that could potentially criminalise parents, counsellors, family members and medical practitioners. Now we hear from Ms Haddad that not only is the offence itself not defined, but even the exemptions which are put in the bill are not defined as well, because, as Ms Haddad has pointed out, the 'of itself' actually means that those exemptions don't apply on the basis of an interpretation that the commissioner could make. Saying that quiet part out loud is important, because across the weeks and months of this debate, members of our community have been told that if you are doing this set of things, you are exempt from the penalties that exist within this bill - 21 years' imprisonment - you will be exempt from those. Except Ms Haddad has now said that you won't be, and we won't find out exactly why because we don't have a definition of the offence itself, and now we hear that we don't have a clear definition of what behaviour is actually exempt. The broadness of those exemptions are important because it also is instructive about the scale of which this kind of conduct or these kinds of offences could apply and how threadbare the protections for the community are.

Public debate, as the Treasurer has said, can we hear from the Greens - I didn't hear at all from the Greens what conduct in public debate would be a criminal offence that the exemptions could not apply to. We don't have a definition of the offence and we don't have a definition of where public debate actually is no longer exempt. Where is the line?

Similarly, for important matters that we have discussed today and really what is at the core of this bill, about the care that is provided for children who are suffering from a distress about their bodies. It is said that this bill has exemptions for medical practitioners to be discussing that, whether those people are suffering that distress, whether those people are potential de-transitioners, of which massive harm has been wrought on those people and who are now seeking help to change back to their birth sex. We would like to know when those exemptions stop. When does that good faith, which is in the definition of that exemption, when are those medical practitioners no longer exempt? because people will need to be mandatorily reporting people for child abuse on the basis of whether these people are exempt or not?

That is the scale of what is being asked. Every member of the Tasmanian community is a mandatory reporter potentially as part of this bill, for an offence which is not defined, on the basis of exemptions that don't apply strictly and universally, but we're not told how far that those exemptions might protect you. These are important matters.

Indeed, one of those exemptions is for parents having discussions with their children. Now, of course, as I mentioned in my second reading contribution, when we're talking about

minors considering medical care, parents are not just people who are discussing these matters, they are people deciding with that child because the child cannot necessarily consent to the life-altering procedures of which they might be subjected to. Yet we are now told that those exemptions are not to be relied upon; but we're not told at what point they can no longer be relied upon.

This is a legal quagmire that could impact people for years with legal process. Even if they are found to be not guilty in those legal matters, the impact of that can be vast. As we mentioned before, there are examples here in Australia of the impact that these kind of matters can have. When it comes to public debate, we have examples here in Tasmania where people have been working through legal processes for years and had their reputation substantially impacted.

This is sloppy drafting. It's been now admitted to by the supporters of the bill, despite having denied it for months and months and months and of course all sorts of things said about the people who were raising the alarm. The quiet part has been said out loud, and Tasmanians need to understand it. Indeed, this discussion will of course be looked at in the courts of law by the commissioner, and they need to have some guidance. I'd encourage - I in fact implore Dr Woodruff to tell us at what point our public debate, when we go outside of this place, could be regarded as a conversion practice and no longer protected by the law? At what point could discussions with children who are distressed about their gender no longer be exempted from the protections that were apparently afforded to them as an exemption under the bill? For the medical practitioners acting in good faith, at what point are they no longer exempt and protected under this law? We need the answers to this because the answers have been denied for a long time by those people who said, 'You don't need the answers because you have the protections there'. These are the kind of protections you put in when there are no real protections at all.

Ms HADDAD - I'll just speak one final time, because that was some extraordinary callisthenics from the Minister for Police, Fire and Emergency Management, extraordinary callisthenics. He first of all completely misinterpreted what I said. I feel I gave a very clear explanation of my understanding of this definition. He asked the question, 'When does it become a conversion practice? Where's the answer? There's no definition. There's no explanation. Nobody's going to know. Point to the detail.' The detail is in the first part of the definition. Nothing will be considered a conversion practice unless it meets those first three elements.

I know that the Attorney-General and the Treasurer are far better lawyers than me. They know that that's how definitions with elements work. They're choosing to ignore their own knowledge and their own experience and their own understanding because they oppose the bill. Something will not be a conversion practice -

Mr Ellis - That is patronising.

Mr Abetz - That is very patronising.

Mr Ferguson - That's not fair.

DEPUTY CHAIR - Order.

Ms HADDAD - I listened to you in silence. I listened to you all in silence.

Something will not fit the definition of conversion practice unless it is these things:

(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;

The minister asked, 'When will participating in public debate be not a conversion practice?' Well, it won't be a conversion practice if it is not -

Mr Ellis - When will it no longer be exempt?

DEPUTY CHAIR - Order, Mr Ellis. Ms Haddad heard you in silence.

Ms HADDAD - I'm answering your question. It will be exempt when it's not conduct directed at a person on the basis of their sexual orientation or gender identity for the purpose of changing, suppressing or eradicating their gender identity.

Mr Ellis - Then it wouldn't be an offence. When it the offence exempt?

DEPUTY CHAIR - Mr Ellis.

Ms HADDAD - The offence is committed when the conduct or practice is directed towards a person on the basis of their sexual orientation or gender identity for the purpose of changing, suppressing or eradicating their sexuality or gender identity.

Mr Ellis - So there are no exemptions then?

Ms HADDAD - Yes, there are exemptions.

Dr Woodruff - It's not an exemption to harm someone.

Ms HADDAD - Are you saying that every public debate or every procession of prayer or every conversation with a parent or -

Mr Ellis - No, I'm saying those are the exemptions.

DEPUTY CHAIR - Mr Ellis.

Ms HADDAD - every healthcare conversation would be a practice or conduct directed towards a person on the basis of their sexual orientation or gender identity for the purpose of changing or suppressing or eradicating their gender identity? We have public debates every day that are nothing to do with those things.

Mr Ellis - I think you're misunderstanding.

Ms HADDAD - I think you're misunderstanding.

Mr Ellis - That's the offence, and then you're exempt from the offence. When are you not exempt from the offence on the basis of it?

Ms HADDAD - You're not exempt from the offence if your conduct or behaviour is directed towards a person on the basis of their sexuality or gender identity for the purpose of changing, suppressing or eradicating their gender identity. It's the same kind of definition everywhere else. No one's rushing to the courts to prosecute priests, parents and healthcare workers. They're not.

Mr Ferguson - Give it 12 months.

Ms HADDAD - Give it 12 months?

Mr Ferguson - Yeah. Six.

Members interjecting.

A member - Jesus Christ.

Ms HADDAD - Six months? Alright.

Members interjecting.

Deputy CHAIR - Ignore interjections. I ask members to be quiet and let Ms Haddad speak.

Ms HADDAD - I said I'd only speak briefly and I've spoken longer than required because I think there's only so much explaining you can do when people don't want to listen.

Mr ABETZ - I found the contribution just made somewhat concerning. If, as we were told, the behaviours outlined in Section 5, subsection (1), which creates the offence, that that is what you have to prove, then why do we have subclause 4 for the avoidance of doubt, the following conduct does not -

I'll leave out 'of itself' -

> … constitute a conversion practice:

Now we're being told that, of itself, it in fact can be a conversion practice and this blows up the whole argument in relation to the exemptions because we are being told that it could still be a conversion practice. So, if it can still be a conversion practice, the exemption clause means absolutely nothing.

Mr O'Byrne - You just don't understand what conversion practices are. That's the problem.

Mr ABETZ - Sorry, David? Couldn't hear.

DEPUTY CHAIR - Can all questions be asked through the Chair, please? All questions be asked through the Chair, please, Mr Abetz.

Mr ABETZ - Fine, but with Committee stages there's a degree of informality and politeness from time to time, which allows -

DEPUTY CHAIR - When it suits you, Mr Abetz. Please continue.

Mr ABETZ - Well, I would be prepared to take an interjection from Mr O'Byrne -

Mr O'Byrne - Just I think your contribution demonstrates that you probably don't fully appreciate the depth and breadth of conversion practices and how they are conducted because, essentially, what Ms Haddad has described is there are various environments and settings where conversations occur. In of itself, that's not a conversion practice until you start to do a conversion practice, which is about suppression.

Members interjecting.

Mr Ellis - It's not an exemption then if it's not exempt at all.

Deputy CHAIR - Order.

Mr ABETZ - With respect, it is exceptionally late. I would invite the member for Franklin to read the *Hansard* tomorrow and reflect on what he said.

DEPUTY CHAIR - Mr O'Byrne, if you would like to make comment, seek the call after Mr Abetz has wound up.

Mr O'Byrne - He's wound up enough, I think.

DEPUTY CHAIR - I know.

Mr ABETZ - I think I'm winding him up by the sounds of it but really, what we're saying is that participating in a public debate can potentially offend subclause (1). If that is the case, then the exemption means absolutely nothing.

Mr ELLIS - I think Ms Haddad's second contribution was even more telling than the first. Indeed, the Treasurer has outlined exactly -

Ms Haddad - That I can read a bill? Wow.

Mr ELLIS - the concerns that we have with this bill and that people have been speaking about in submissions for months. I tend to agree that review of the *Hansard* will be important for members on this, because, of course, the whole point of having the exemptions is that there is conduct of which may be regarded as suppressing someone's gender identity, which in fact means cautious care provided by medical practitioner to a child who is distressed about their body.

Now, if that child says that 'I am born in the wrong body' and a medical practitioner encourages them to have active, watchful waiting, which as the Cass review has actually found,

that is the gold standard for care around the world for children suffering with distress about their bodies. The whole point is that that could be regarded as suppressing someone's gender identity. The whole point then of having an exemption, we were told, is don't worry about that kind of conduct because that kind of conduct is protected by an exemption: you will not face the law because you're exempted as a medical practitioner supporting someone.

> health practitioners providing information, in good faith, about treatment and non-treatment options, including their potential benefits, risks, limitations and uncertainties;

- even though that is a practice which could be regarded by that child, when they become an adult, as having suppressed their gender identity.

That is the whole point of exemptions, and for Ms Haddad to now say 'Actually, the exemptions don't exist' -

Ms Haddad - That's not what I said.

Mr ELLIS - If you are suppressing someone's identity, you are at legal risk. The whole point of the exemptions was that you wouldn't be at legal risk because you are practising healthcare, not conducting a conversion practice. I think it's particularly telling in this debate how much the quiet part has been said out loud, how much the concerns of a range of different medical bodies, and indeed professors like Patrick Parkinson and a range of parents and concerned people right across our community - you are exposed. There is potential legal risk for providing cautious care for the people you love. The protections that we were told about are actually Clayton's protections, not just because of the words 'of itself', but because of, more broadly, what has been outlined by Ms Haddad and Dr Woodruff in this debate. This is an important area because the concern of the community is that there is a whole range of care and caution that is being lumped in with cruelty. If those exemptions don't exist, that care and caution puts these people, whether they are legal practitioners, parents, or others at legal risk. For those reasons, I am very supportive of the Attorney-General's amendment.

Mr FERGUSON - Chair, I think a lot of the debate is most ungracious. First of all, the shadow-attorney who is representing the Labor Party has said something which I feel is revealing. While a number of members of this Chamber are exchanging knowing glances and giggles about how ridiculous these Liberals are being on this particular clause, it's interesting that the Labor Party have been agonising on this very point. Interesting that Ms Haddad has indicated in a revealing comment that members of her team have been grappling with the same issue.

Mr George - Which is good.

Mr FERGUSON - Well, why isn't it okay in here then?

Mr George - Because we're all supposed to grapple with the issue.

Mr FERGUSON - Oh, so it's okay in some circumstances, but not in the House of Assembly? I mean, what a pejorative comment.

Mr George - If that's what you say.

Mr FERGUSON - This is my contribution, and you're interrupting. I'm responding to you.

Deputy CHAIR - Mr Ferguson, if we can keep the subject matter relevant, please, to the debate.

Mr FERGUSON - That is a most revealing comment. I would, through the Chair, invite Ms Haddad or more particularly Dr Woodruff to please tell us this: if the amendment is so offensive to you, if you're so convinced that in fact subsection 3 is in fact of no active benefit to a person who is categorised in that way under those so-called exemptions, then why is it there? Why have you included these fig leaves in the bill if they are of no effect? If in the circumstance, the definition under the earlier clause of conversion practice is met, then why have you codified pretend exemptions?

The Attorney-General is moving an amendment on behalf of the Liberal Party that seeks to remove the words 'of itself' because we've correctly and fairly identified, as apparently so have some of the Labor Party members in their caucus, that they nullify the benefit. It is the case that members of the Labor Party and the Greens have been writing to my constituents in Bass telling them that their concerns are unfounded because there are these exemptions.

Uncomfortable for you, isn't it, hearing this? I ask again: why have you included it if it is of no effect if your earlier definition of conversion practices is met? You remember that definition of conversion practices, that one that you refuse to amend when we set it so wide and broad and ill-defined?

Equality Tasmania went to great lengths with a range of little Facebook tiles sharing the facts, challenging misinformation. Time and again, what's this one? 'Parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children' circled in green, couple of arrows pointing at it. These are the facts, they're saying. What are they saying? They're trying to draw people's attention to the clause which provides what is intended to look like an exemption but has been revealed tonight as of no value whatsoever to that constituency. There is another one with regard to health practitioners, 'Share the facts, challenge misinformation', they say, encircling the phrase:

> health practitioners providing information, in good faith, about treatment and non-treatment options, including their potential benefits, risks, limitations and uncertainties

But if in that circumstance that engagement, that medical patient engagement, still constitutes the Greens' broad, ill-defined definition of conversion practice, that phrase is of no value at all. Why is it there? Is it a decoy? Who's providing the misinformation here? Who's tricking who? I say it again: if it meets the definition, your definition that you refuse to change, then why is it here in the subsection (4)?

And there's a third one. I realise I labour in vain, but at least your knowing glances and giggles have stopped. Share the facts. Challenge misinformation. The third one is, and I'll read:

> an expression, including in prayer, of a belief or principle, including a religious belief or principle

- circled in purple, couple of arrows pointing at it. Again, if any of those engagements between a youth pastor or an imam or a Hindu priest - I spoke to the Hindus two weeks ago - if any of those engagements meet your definition of conversion practices and they've thought that they could rely on what you have called exemptions, then haven't you misled them, Dr Woodruff? Aren't you exposed?

I now feel for some of the Labor members who have not been allowed a conscience vote. It has been said that no-one asked for one. That's interesting. I guess we'll never really know. I'll take that on face value but it's clear that there is concern about this matter. Maybe some members of the Labor Party have had a go at representing these concerns.

It's not so farfetched and it's not so easy to ridicule and it is reasonable to pose this issue because what we've found ourselves is a circular argument: these are the definitions of conversion practices, over here, here are some exemptions but they're not exemptions if it's a conversion practice. I'm nearly surprised that you convinced OPC to draft it like this. They've obviously followed your instructions. Great people in OPC, highly professional, but they can only do what their client instructs. It feels like the Greens have instructed OPC to draft a bill that has an ironclad definition of conversion practices to capture as much as it possibly can and to put some tinsel on it that looks like an exemption to attract attention, but which has no legal effect. It's highly concerning.

I wasn't joking when I suggested that it won't be 12 months; it might be six months before somebody's dragged through an investigation by your new statutory officer and, as the minister for Police was only just saying, repeating the logic of Professor Parkinson, it'll be the process that's the punishment. The process can be cruel, too.

Good people - I care about them. Good people can easily be dragged through the process. It might be a health practitioner, it might be a religious worker, paid or in volunteer, or a family member dragged through your process, the strongest in the country, with potentially criminal sanctions but even if it doesn't land with a criminal charge and a fining by a court, hopefully at a high standard for a criminal charge. What an awful process to drag someone through, thinking in good faith that they were meeting your exemption rules. I don't think that's so ridiculous at all.

I freely admit I'm not a lawyer, and happily so - science teacher, quite happy about that - but I can understand what the Greens are doing. I have that legal literacy to know what you're up to. I wonder if the Leader of the Greens would have the courage of her conviction to admit to the Committee, to this House, that the section of the bill which has been widely promoted as exemptions are in fact of no legal benefit in any circumstance if the earlier definition of a conversion practice has been met.

Mr JAENSCH - I intended to sit through this part of the debate without debating my Liberal colleagues on matters, but I also intend to not support this amendment and to continue in the vein that I started with this debate, so I do feel compelled to back myself and my judgment on this matter and the reasons that I support it.

I think that from some of the contributions from Mr Ellis in particular, the statement of exemption for medical practitioners that he's looking for is under Subsection 3, which is clearly

marked as 'a conversion practice does not include' a range of matters. This is clearly, in my mind, an exemption. It's a clear separation saying it 'does not include' these things.

Section 4 says it is for avoidance of doubt. It's clarification. I don't know the matters that Mr Ferguson was referring to in terms of the public promotion of aspects of the bill. I'm not familiar with the documents he's referring to. What I am familiar with is, through the debate and some of the matters raised with me, raised in social media and elsewhere, where there was genuine concern from people who were saying, 'Now I can't even talk to my kids', or 'Now I can't even teach my religion,' 'I can't even participate in a public debate now because it will be illegal'. That's not true. If people were actually worried or were actually led to believe that those things by themselves, in and of themselves, were conversion practices, then they're not.

In the context of this document, if those things were done and directed towards a person on the basis of their sexual orientation -

Mr Bayley - That's right.

Mr JAENSCH - for the purposes of changing or inducing, et cetera -

Mr Bayley - And it is.

Mr JAENSCH - then they can be. If they're done in conjunction with other things that establish a pattern or program or a cumulative effect of having that intention, then they're not of themselves - they're in with other things.

For the people who are saying, 'I can't believe that we won't be able to even talk to our kids anymore about gender and their bodies and those sort of things' - yes, you can. That doesn't attract this attention. If you do that as part of a pattern of activity with the intent of the matters identified in 5(1), then you're in a grey area. The exemption that you're looking for is under 3, specifically the one that you sought around medical matters, Mr Ellis. That's why it's called 'does not include', whereas the other is 'for avoidance of doubt'. That's my understanding.

Mr Bayley - Hear, hear. Well said.

Mr Ferguson - Thanks for acknowledging the grey area.

Members interjecting.

Mr Ferguson - Your words.

Mr Jaensch - That's why there is a process to investigate.

Mr BARNETT - As the mover of this amendment, I think the cat has been belled. It's been belled for some time throughout the debate on this amendment. The Deputy Leader for the Greens assisted in the belling of the cat in response to one of our Liberal colleagues who said that the exemptions mean nothing, and you said, 'as it should'.

Mr Bayley - What?

Mr BARNETT - You can check the *Hansard*. I heard it very clearly. It's consistent with the pattern of behaviour throughout this public debate where the Greens, Labor, the proponents of the bill have been saying up hill and down dale, 'You have nothing to worry about when it comes to parents, when it comes to public debate, when it comes to dealing with and talking with families, when it comes to prayer, when it comes to religion and expression of belief, and you've outlined these exemptions in the public arena, up hill and down dale.

The honourable member for Bass made reference to a whole range of social media posts by Equality Tasmania and, indeed, many other proponents for the bill. The cat has been belled. You've been caught out. I did not expect this to come up the way it has tonight in moving this amendment. It's a simple, sensible amendment which I thought we could all be united upon to get this tightened up in terms of my concerns and this side's concerns about the definition, the ambiguity, and then what's exempt.

There is this circular argument by my shadow for the Labor Party to say these exemptions aren't really exemptions because clause (1) applies. Well, why do the first words in this subclause say 'For the avoidance of doubt'? What does that mean? It's pretty clear. It's for the avoidance of doubt and then you've got a whole list of examples that are for the avoidance of doubt, and what was problematic are the words of itself.

You see, my shadow belled the cat as well in terms of - and putting it on the public record, you've met with a number of religious and Christian leaders, and I'm glad you have - but you belled the cat because, clearly, there are some members in the Labor Party who are very uncomfortable with this definition. The Labor Party have not been given or granted a conscience vote and that is a great shame. I thank the Premier for the opportunity of a conscience vote in my party, in this party, on this side of the House. There are strains, there is clearly division in the Labor Party on this one and more generally, and I'm not surprised. I'm not surprised at all because they are close, at least some of them, to the religious community, to the Christian community, to the Muslim community, to the people who've been sitting here today and others who are watching online. They know their concerns. We've found them out tonight and I will make it very clear because I know what's behind this.

I'm going to read to you section 27 of this bill. What did Section 27 say? This is about a third party who can report a conversion practice to the conversion practice commissioner. A third party who is not even part of the conversation, not even there, sees some public debate and can report to the conversion practice commissioner. What does the commissioner do? Well, the commissioner has very significant powers. It's a law enforcement agency in that regard. It's a statutory authority with significant powers of investigation.

You then get an inquiry, a report from a third party of a public debate and whoever's involved in that public debate, and to the point that I think the Treasurer made earlier and indeed the member for Bass, it's the whole process of being hauled before this statutory officer. Will it take a week, a month, a year? We don't know. In some cases, like in the Queensland example I made reference to earlier tonight, three years before the honourable professor was exonerated. That's a really good point I think to note, because if these exemptions are not exemptions and they don't apply, you're going to have the third-party reports. They'll be hauled before the commissioner. So, mark my words, I'm saying it right here, right now: this is quite a possibility under this bill. It is clearly a possibility under this bill.

I would also say, as a point I made earlier, there was no second reading speech. Every bill that comes to this parliament from a government - our government, past governments - they have a second reading speech fact sheet and it's on the public record because, guess what, the courts read the second reading speech. It gives them an indication.

Ms Haddad - It's in *Hansard.*

Mr Bayley - It's in the *Hansard*, isn't it?

Mr BARNETT - It wasn't on the record when I looked at it.

Mr Bayley - Maybe the courts will look at the *Hansard*. There's been a second reading delivered.

Ms Haddad - That's not where they go. It's not where the courts go.

DEPUTY SPEAKER - Order.

Mr BARNETT - Well, I'm making the point. It's very important.

Ms Haddad - The courts go to the *Hansard*. You're the Attorney-General. The courts go to the *Hansard*, not the parliament website.

Mr BARNETT - Well, we'll go through the second reading speech, and we'll see what the honourable member has said. We'll see what the honourable member has said about the exemptions and whether they're true and whether they are watertight exemptions or not, because you've been saying it publicly up hill and down dale for weeks and months, and now, we come into the parliament tonight and it's being denied. You've got a circular argument and now we're going to have third-party reports based on public debate.

This is a shambles and I would seek the feedback from the honourable Leader for the Greens with respect to each and every one of those exemptions as to whether they are watertight or not and whether she is on the same side as the shadow attorney-general for the Labor Party.

That's the position. It's getting late. It's a simple amendment. I urge support for the amendment. What has been revealing tonight is what's come through from the Greens and the Labor Party and they're clearly working in cahoots. They've been saying for weeks and months there's nothing to hide here. There's nothing to be worried about. Well, guess what? What we found out tonight there really is. Tasmanians can be really concerned because these exemptions aren't what they have been said to be.

I'll finish on a response to the shadow attorney in her criticism of myself and the Treasurer. I don't appreciate it.

Ms Haddad - I said you were better lawyers than me. It's true.

Mr BARNETT - You were saying that we know one thing and doing another. I don't appreciate it. It's not on in this place. Parliamentary language is important and the way we treat each other with respect is also important. I deny the accusation.

Ms Haddad - I said you were good lawyers and better lawyers than me and I stand by that.

DEPUTY SPEAKER - Ms Haddad.

Mr George - The Premier's obviously in cahoots as well.

DEPUTY CHAIR (Ms Butler) - The question is that the amendment be agreed to.

The Committee divided -

AYES 12	NOES 20
Mr Abetz	Mrs Archer
Mr Barnett	Ms Badger
Mr Di Falco	Mr Bayley
Mr Ellis	Dr Broad
Mr Ferguson	Ms Brown
Ms Howlett	Ms Burnet
Mr Pearce	Mr Fairs
Mrs Petrusma	Ms Finlay
Prof Razay	Mr Garland
Mr Rockliff	Mr George
Mr Shelton	Mrs Greene
Ms Ogilvie (Teller)	Ms Haddad
	Mr Jaensch
	Ms Johnston
	Mr Mitchell
	Mr O'Byrne
	Ms Rosol
	Mr Willie
	Dr Woodruff
	Mr Winter (Teller)

PAIRS

Mr Vermey	Ms Dow

Amendment negatived.

Dr WOODRUFF - Our next amendment is -

Page 13, subclause (4), paragraph (b), after 'including in'.

Insert 'a sermon, religious education, pastoral care or'.

We've drafted this amendment based on feedback from both Mr O'Byrne, the member for Franklin, and the Premier. I want to thank both of those members for raising these matters and working through them constructively. The nature of this debate and the bill has meant that addressing issues of interest or concern for members in a way that appropriately fits with the

bill can be quite complex, and both of the members have been open to discussions about the particulars of how these may be constructed, for which we're appreciative.

That this amendment extends the examples provided for in subclause (4), paragraph (b). The paragraph, as amended, would read:

> An expression including in a sermon, religious education, pastoral care or prayer of a belief or principle, including a religious belief or principle.

We're comfortable that this amendment articulates that the expression of 'a belief or principle in a sermon, religious education or pastoral care' is not impacted, and it does not go broader than conduct that exceeds the expression of 'a belief or principle'.

Chair, we're comfortable that this amendment is consistent with the framework of the bill, and I thank the Premier and Mr O'Byrne again for working through these matters constructively and in good faith.

Amendment agreed to.

Dr WOODRUFF - Our second amendment in this clause -

Page 14, same subclause, paragraph (f).

Leave out 'parents'.

Insert instead 'guardians'.

As I foreshadowed earlier, Chair, we've constructed this amendment based on the feedback from Ms Palmer in the Legislative Council, and we agree a more expansive and inclusive term than 'parents' adds value to this clause. I thank the member for her feedback.

Mr BARNETT - Quick question on that one. Again, I appreciate you sharing this in good faith, et cetera, but what about the question about parents and/or guardians? We're all used to the using the word 'parents'. We're deleting the word 'parents', as I understand it in this amendment, so could we just get some clarity on that? Why don't we just have 'parents and/or guardians'? There are a lot of parents in this room. We love our parents. So, we are actually deleting the word 'parents', colleagues, and inserting the word 'guardian'. I can see your intent and technically it may be appropriate. I'm asking the question. I haven't taken advice on this particular one because things have been coming at us pretty thick and fast, so I'm just asking the question.

Dr WOODRUFF - I'll go back to what I said previously on the amendment we did in clause 4, Attorney. When we inserted the word 'guardian' at that point, it was from the *Children, Young Persons and Their Families Act 1997*, and the definition of 'guardian' in there reads 'A parent of a child and a person who's a legal guardian', et cetera. So, 'parent of the child' is in the definition for 'guardian' that we've already agreed to previously which is replacing 'parent' previously.

This is a consequential amendment following on from the one that we've already agreed to. My response is because that is the definition in the children and young persons act. We're comfortable with the amendment that's been proposed by the member, and we're moving that -

And the Committee having continued to sit after midnight.

Thursday 29 October 2026

Mr Barnett - Which member?

Dr WOODRUFF - Ms Palmer, the Minister for Education. We are comfortable with the amendment as it stands.

Mr FERGUSON - A simple question, Dr Woodruff. I will come back to this a bit later on perhaps when we're off these amendments and we're on the clause, but I'll just ask you this genuine question. You said before you sat down when moving the amendment that this adds extra value. Would you please outline in what possible way there could be any additional legal value to the change to the broader definition, a group of people who are covered by the word 'guardians' compared to 'parents'? I hope it's clear why I'm asking this, because earlier we have been discussing whether this subsection (4) has any value at all as an exemption. So, I ask you in what way does it add any value as you have said it adds value?

Dr WOODRUFF - We're moving the amendment as requested by the member in the other place. This is the amendment that we're comfortable with moving. If you'd like to ask those questions, you could ask the member and perhaps it's something that could be addressed in the other place.

Mr FERGUSON - That's a fatuous answer. They were your words, Dr Woodruff, not anyone else's. You were selling the amendment to the House. You said it provides, and I quote, 'Extra value'. I ask you again, without avoiding the question or seeking to deflect to another member in another house, in what way, please, does it provide any legal extra value to a parent or guardian, given that it's in subsection (4)?

Dr WOODRUFF - I'll just repeat what I said earlier. It's a more inclusive and expansive term, that's the value.

Mr Ferguson - I think you know the answer. It provides no extra value.

Mr ABETZ - So, deleting 'parents' is somehow a more inclusive term than 'parents and guardians'?

Ms Haddad - Look at the definition of 'guardian'. The definition of 'guardian' starts with 'parent'.

Mr ABETZ - I'm struck by that. With this amendment, it allows us to concentrate specifically on that clause and we'll accept for the purposes of the debate the term 'guardian' or 'parent'. Can it be explained to the House why words uttered by a guardian would be exempted but if those exact same words were to be uttered by a grandmother, an aunty, a sister or a godmother would not be exempted?

Ms BURNET - I go back to my notes from clause 4, and I think we've actually voted in favour of this amendment. The word 'guardian' has the same meaning, and Dr Woodruff has already said this, as in the *Children, Young Persons and Their Families Act 1997*. I think we've had this debate, a round and round debate unfortunately, and Ms Haddad did raise that point and was I think going to vote against this amendment just to get the ball rolling. I think we've had this debate some hours ago. It is quite clear to me what the intention of this amendment is.

Mr BARNETT - Through you, Chair, very quickly. It's an important debate. The debate is being had.

Ms Burnet - We've already had it.

Mr BARNETT - You're saying we've had it. I'll tell you what, there's a lot of people thinking and talking about the role of parents and then they are asking themselves the question: what about the grandparents? They're asking themselves the question: well, what about the aunties and uncles or the brother and sister? That's the question they're asking. We haven't got the answers yet. We're going through a debate, and I've realised that it's late and we're in Committee. I don't want to extend this unnecessarily, but I am asking the question. The Treasurer asked the question. I've asked the question. The member for Bass has asked the question. I can tell you there are a lot of families asking that question.

Ms Burnet - It was answered in clause 4.

Mr BARNETT - The Greens and the proponents for this bill have been promoting this up hill, down dale that there are exemptions for parents. Then, people are asking me the questions, 'What about the grandparents?', 'What about the godparents?', 'What about the foster parents?' These questions really should be answered and you're the proponents for the bill and the ball is in your court. I'm leaving it with you. I'm not going to extend it any further, but that's the question.

DEPUTY SPEAKER - The question is that the amendment be -

Mr Abetz - If I may?

DEPUTY SPEAKER - Mr Abetz, yes, you do have one more opportunity.

Mr ABETZ - Thank you. I'm sure that wasn't a biased Chair's comment just then. Can I ask the question again -

DEPUTY SPEAKER - Mr Abetz, were you just reflecting upon my call? I hope not.

Mr ABETZ - No, I said I was absolutely sure that it wasn't.

DEPUTY SPEAKER - Please proceed, Mr Abetz, and keep the tone pleasant. Thank you.

Mr ABETZ - But it wasn't. That might be a two-way street.

Members interjecting.

DEPUTY SPEAKER - Excuse me, were you reflecting upon the [inaudible 12.06.11 a.m.]?

A member - Have some respect.

Mr ABETZ - No, I'm just saying an obvious fact.

DEPUTY CHAIR - [inaudible 12.06.20 a.m.]

Mr ABETZ - Can we have an answer to the question as to why guardians are exempted, but grandmothers, aunties, sisters, godmothers aren't? That is a question that deserves answering, and indeed, great grandmothers - a very good point. Why is it that some are exempted and others are not, if exactly the same words are spoken? If these matters are of are criminal nature, it seems passing strange that a mother can utter them, or a father, but if exactly the same words are spoken by somebody else, they can be criminalised.

In relation to Ms Burnet's commentary that we've had this discussion before - no, we didn't. What we did have before was the inclusion of the term in definitions in clause 4 of the term 'guardian' for having that inserted. We are now debating the issue or considering the issue of the exemptions that now will apply to a guardian. So, materially different. I think the public are entitled to an answer as to why we have exempted parents or guardians now. One, we don't want to mention parents, fine but, why, if the conduct is otherwise criminal, would a guardian be exempted, but every other relative in the immediate family not exempted if exactly the same words were uttered?

DEPUTY SPEAKER - The question is that the amendment be agreed to?

Mr Abetz - We don't get an answer? What arrogance.

Members interjecting.

DEPUTY SPEAKER - Mr Abetz, I'm moving. Thank you.

Amendment agreed to.

Mr Abetz - No answer.

Mr Ferguson - No answer.

Dr WOODRUFF - Chair, I move -

Same page, same subclause, same paragraph, after 'discussing'.

Insert 'or providing guidance, support or advice on'.

Chair, this is an amendment that we've also developed in consultation with the Premier and the member for Franklin, Mr O'Byrne. Following amendment, the paragraph will now read:

> Guardians discussing or providing guidance, support or advice on matters relating to sexual orientation, gender identity, sexual activity or religion with their children.

We are likewise comfortable that this is a constructive amendment that we think is appropriate, and I thank both of those members again for bringing the matters forward and for working with us constructively to get this amendment together.

Mr Barnett - Can you read the whole clause as amended, please? Is this under (f)?

Dr WOODRUFF - Yes.

Mr Abetz - So, it'd be 'Guardians discussing or providing guidance, support or advice on matters relating to sexual orientation, gender identity, sexual activity or religion with their children'. I'm here to help.

Dr WOODRUFF - Thank you, Treasurer. I wouldn't have thought otherwise. This is page 13 subclause 4 -

Mr Barnett - It's page 14. I'm here to help as well.

Mr Ferguson - It's a pile-on.

Mr Abetz - A pile-on of help.

Mr Jaensch - Like a pillar of strength.

Dr WOODRUFF - Thank you. Everyone's so helpful. It's page 14, subclause 4, paragraph (f). We have just changed 'parents' to 'guardians':

> guardians discussing or providing guidance, support, or advice on matters relating to sexual orientation, gender identity, sexual activity or religion with their children;

Mr O'BYRNE - Consistent with the previous amendment that was suggested by myself and also by the Premier, we thought the words 'discussing matters relating to sexual orientation, gender identity' et cetera - some of the feedback that we received of people going, 'Well, hang on, I can discuss with my child or the person within my care, but what about if I provide greater guidance and support or advice?' which actually encompasses a bigger conversation that might happen around these topics. We think adding the extra words in provides scope and ability for guardians, parents, people with responsibility to have a broader conversation, not just a discussion. It broadens the concept of what's going on and it makes it, I think, safer and clearer for parents, guardians and others to have that conversation. A 'discussion' in of itself could mean a number of things, but 'providing guidance, support or advice' we think is a is a far better way to encompass those kind of conversations.

Mr FERGUSON - I'm very glad that I am seated across to Mr O'Byrne, because that's precisely where I want to be as well. I ask Dr Woodruff, given the previous discussion that we've had in trying to understand the value of this subsection 4, through you, Chair, Dr Woodruff, you are now amending subsection 4(f) to provide that wider scope. I won't now

be able to quote Mr O'Byrne verbatim, but he's described 'a wider conversation can be had'. I think that's vital that that sits on the record. I'm very challenged about whether that is something that we can rely upon in this House. I'm very challenged about this because I didn't get an answer to my earlier question, which I will ask later when we get off the amendments and we're on the clause.

I ask: what is the practical value to the family members who are now given this wider scope of that broader conversation? Some would say greater legal certainty, wouldn't they, for the family members? No one's nodding over there, but that's what it implies. You're implying that by adding these words that a parent or guardian can 'discuss and provide guidance, support, or advice on matters relating to sexual orientation, gender identity, sexual activity, or religion with their children' that you are widening the range of activities that people can believe, reading this, you're widening the scope of their conversation. That sounds very decent and very helpful. But does it work, Dr Woodruff? Will they be able to be accused of conducting that conversion practice?

Mr O'Byrne - It depends on what they say. It depends on how they do it - that's the point. This is the point.

Mr FERGUSON - If the answer is yes, please tell the committee what the value of that subsection 4(f) will be for that family.

Dr WOODRUFF - Thank you, Mr Ferguson. I appreciate that you didn't agree with where we landed on the amendment that the Attorney-General moved to page 13 in relation to 'of itself'. I believe we've thoroughly canvassed this argument. I accept that you don't agree.

Mr Ferguson - No, no, I asked you a question.

Dr WOODRUFF - I know you did, but I'm saying your question is fundamentally returning us to the argument which we've canvassed very thoroughly previously. We're here on the amendment that Mr O'Byrne and the Premier have proposed around clause (f). I'm comfortable with the amendment and that's the amendment they're submitting to the House.

Mr FERGUSON - I just want to put on the record that I find that non-answer entirely unsatisfactory. If Dr Woodruff as the mover of this amendment has used the word 'constructive' in pitching the amendment to the House and is not able to indicate whether or not a family that does exactly what the amendment provides for could still be subject to an accusation and an investigation of a conversion practice, then why are we fiddling with subsection 4? I think that's a fair question. If, as I think, Dr Woodruff doesn't wish to answer my question, then I think the answer sits in the room.

Mr O'Byrne - You're welcome to being an opposition member when you're in the room.

Mr FERGUSON - It's a pretty disappointing tactic to try to deflect back to a previous debate, which is not the orientation of my question at all. I think that the question sits in the room. It deserves an answer. I ask again: what is the practical benefit to the family of the additional words that are being moved by you, Dr Woodruff? Can they still be accused and subject to an investigation and potential charges for conducting a conversion practice? It is a fair question, and you should be transparent and you should be accountable for your legislation and this amendment.

Ms HADDAD - This actually was one of the things that some of the religious groups that I met with, predominantly Christian ones, raised with me as well. I believe that they would welcome the expansion of the terms in this amendment to expand discussion to providing guidance, support or advice. In fact, those were some of the exact words that they did talk to me about in some of the discussions that I had. Again, as we did canvas in the previous debate, something will only constitute a conversion practice if it's a practice or conduct directed to an individual on the basis of their sexual orientation or gender identity for the purposes of changing, suppressing or eradicating their sexual orientation or gender identity.

I was quite impressed with minister Ellis's ability to really twist my words and make them sound like something that they weren't. It's not the first time he's done so; I'm sure it won't be the last. That's what my understanding of this amendment is: that it would in fact be welcomed by some of the religious groups who have had concerns with this. For that reason I will be supporting it.

Mr ABETZ - If I heard Mr O'Byrne correctly, and I'm happy to stand corrected, but the question that I thought was posed was that with this extension, which I must say I agree with, I think it's a good amendment and I'm happy to accept it from my point of view. Can a parent be charged with being in breach of the definition of conversion practice by, let's say, providing guidance? If I heard Mr O'Byrne correctly, I think he said, 'It depends on how they do it'. If that is what I heard - and I might be wrong, and Mr O'Byrne is frowning, so I may well have it wrong, so I won't put those words in his mouth - but I will ask Dr Woodruff the question: can a person be charged, a guardian be charged for providing guidance on the basis that they mightn't be doing it properly according to the legislation?

Dr WOODRUFF - By charge do you mean a criminal offence?

Mr ABETZ - Mm.

Dr WOODRUFF - Well, harm would need to be proved. Intention and harm would need to be proved and it would also need to be negligent of doing so.

Mr Ferguson - Harm would need to be proved?

Dr WOODRUFF - This is, as we've talked about -

Mr Abetz - It's not an exemption.

Dr WOODRUFF - an avoidance of doubt clause. It's a clarification clause.

Mr BARNETT - Through you, Chair. Just to be really clear on the record, it is clearly not an exemption. Dr Woodruff has made it very clear, 100 per cent clear for everyone, it is not an exemption.

Mr O'Byrne - No, because it's for an avoidance of doubt.

Members interjecting.

Dr WOODRUFF - It was never an exemption.

Mr BARNETT - Great to have that on the record. I'm not sure why the effort was made to - I support the efforts to broaden that definition and thank the member for Franklin for his efforts - but it's very clear from Dr Woodruff that there is no exemption there. You belled the cat because you've been telling everybody for weeks and months that there are exemptions here and for parents and for religious purposes and it's just not the case.

Mr O'BYRNE - Chair, this is just deliberate distorting of what we're talking about here. Mr Jaensch was very clear about the avoidance of doubt. What we're trying to do here when parents who are being whipped up with misinformation about this, who are genuinely concerned, when the clause referred to discussing. What does that mean? Well, you can provide guidance. You can provide support and advice, but as soon as you start to suppress and start to aggressively approach this and suppress someone's gender and sexuality in a way that causes harm, that's when you get into trouble. Do you not understand?

The reason why this bill has been crafted this way is to test intent. If it's your intent to provide guidance and support to your child, you are okay. If it's your intent and your action that actually causes harm, you are not okay. It's what this is trying to do. When parents legitimately want to get some direction and support, we provided these extra words to give them that extra support but you know the line that will need to be crossed that would cause harm. This is distorting this.

Mr Ellis - No, it's not. We're trying to establish the position.

Mr O'BYRNE - You absolutely are and this is why we're trying to amend this clause to provide decent parents with a bit of support and guidance about how to work through what are very complex issues.

Mr ABETZ - Just to be absolutely clear, the provision of guidance, support or advice can be provided by anybody. Surely, that must be agreed that can it be provided by anybody if it's not done with the intent that the member for Franklin, Mr O'Byrne, has just indicated to us.

Why do we have to exempt guardians? It's not an exemption. Every single person in the community would have the right to provide guidance, support or advice on these matters to the person so, why are we giving an exemption? Why don't we delete 'guardian' and insert 'everyone'? That's the logic here. I don't think it can be disputed and therefore it really has exposed that the exemption or the protection is not there as was asserted during the second reading speeches. For me, that is a very concerning matter because now we have heard that everyone can provide guidance, support or advice, so why do we just limit it to guardians? Why do we do that? I'd like an answer to that and I think the community deserves an answer.

Mr JAENSCH - I'm not the author of the original or the amendment, but in my mind, where we're providing a list of things for avoidance of doubt, it's because it's responding to people who voiced doubt or had questions. This is responding to them. As I said before, 'Won't I be able to talk to my kids about these issues now?' - technically, you may be right, but also as a parent, as a guardian who is a parent, now with adult children, I don't want everyone providing advice to my kid on all of these matters but I don't think that's what we're trying to capture here. I think that the avoidance of doubt is trying to pick up on concerns that have been raised and there is clarification being provided. That's my reading of it. That's the basis on which I'd support it.

Mr ELLIS - I wasn't intending to speak on this one, but I think it's quite clear that there is a misalign or a contradiction between the members who are in support of the exemption processes that are being provided here. I hear very different things from Dr Woodruff to Mr Jaensch, and of course, Mr O'Byrne. I think the arguments that were outlined by the Treasurer were very clear. One of the reasons why I think this debate is struggling is because Dr Woodruff as the mover of the bill and the person sitting at that Chair is simply not answering questions that are being put forward in good faith by members of the House. It is quite extraordinary. It is normal practice to answer questions in the committee stage and they continue to go unanswered by Dr Woodruff. Instead we hear a range of different answers that are contradictory from Ms Haddad, Mr Jaensch, and Mr O'Byrne. I appreciate the intent on which we're agreeing on these things forward. But frankly these are important matters because people could be subject to legal jeopardy for years and potentially criminal penalties, and we can't figure out in this House or be told at what point these exemptions apply, whether they even exist. Perhaps Dr Woodruff has now said that they don't exist as exemptions.

It is interesting that we can't define the scope of the offence because it would limit, but we can define the scope of the avoidance of doubt, or the exemption or whatever we're calling it, because it will provide some comfort to people about whether they are exempt from an offence which we cannot define and limit. There is an inherent contradiction among the arguments that we're hearing from those in support of Dr Woodruff's position. Then there's also an internal contradiction from those who refuse to provide the definition for a criminal offence but yet will provide some sort of definition of maybe what an exemption is, or potentially an avoidance of doubt.

Again I come back to the central point. Dr Woodruff, as the mover of the bill in committee stage is refusing to answer reasonable questions that are being put forward by members of this House. I think that is important because parents, medical practitioners and others are placed at serious legal risk, and we have no idea how to respond to that. We are all mandatory reporters for an offence that we don't fully understand clearly in this House.

Mr GEORGE - Apart from the fact that the poor cat's been belled a lot this evening, the Treasurer now wants to have his cake and eat it. First of all, he wants generalities to cover all sorts of contingencies, and he wants specificities. In this case he wants a generality: why can't it be 'people' rather than 'guardians'? Why can't it be all people? The truth of the matter is here we are talking about, for the avoidance of doubt, this is a particular amendment which says if you're a guardian, here's the basic line. This is your get out of jail free card, if you want to call it that.

Mr Abetz - Get out of jail free card.

Mr GEORGE - Well.

Mr Abetz - Unfortunate term.

Mr GEORGE - This is a bill in any case which very clearly promotes education over punitive action very clearly all the way through. This particular amendment says to guardians: here you go, this is specifically for you, no problems about that. I cannot see why the Treasurer would object to it. This is specifically for guardians.

Mr Abetz - I'm not objecting to it. I'm saying I support it.

Deputy CHAIR - Order.

Amendment agreed to.

Dr WOODRUFF - Chair, I move the following amendment -

Page 14, Clause 5, subclause (4)(f), after 'religion with'

Leave out 'their children'

Insert instead 'a child for whom they are a guardian'

This is an amendment that relates to the matter raised by Ms Palmer. It is consequential on the things that we've talked about previously: it's about guardians and children of guardians. Instead of talking about their children, it's a child for whom they are a guardian. This has come also from Ms Palmer, from the Legislative Council, and it is on the matter that we've discussed before.

Amendment agreed to.

Dr WOODRUFF - Chair, I move the following amendment -

Page 14, Clause 5, subclause (4), after paragraph (f)

Insert the following paragraph:

(x) 'the provision of age-appropriate relationships and sexuality education that is consistent with a curriculum approved or recognised under a law of Tasmania or the Commonwealth and is delivered in accordance with the requirements applicable to the provision of that education;'

This amendment again relates to matters raised by the minister for Education in respect of that member's portfolio. Much like parental discussions and religious teachings, I want to assure teachers that teaching sex education is in no danger of being captured by this act. Subsection (4) is in part to provide certainty and comfort to people. On this basis, we're comfortable that this amendment is appropriate and adds value, and we thank the member for raising the matter with us.

Mr FERGUSON - I asked two questions on the previous amendment and the member chose to ignore answering, and deflected in the first case to a previous debate -

Deputy CHAIR - Sorry, Mr Ferguson, I'm going to draw you up and ask that you restrict your comments to this amendment.

Mr FERGUSON - I really am. I really am, but I'm having to ask the same question. I believe the member ought to be accountable for what she's bringing to the House. This amendment may well have originated with a conversation with the minister for Education. I've

no issue with that, none at all. I actually have no issue with the inclusion of the amendment. My question is, given that you have said, Dr Woodruff, that there's no danger of these activities that are described in the new paragraph labelled (x) currently, no danger of these activities being captured by the bill, I'm going to ask you, if that's true, would you please explain to the House what legal benefit is provided? Can the person conducting these education activities be accused of conducting a conversion practice? Can they be investigated? Could they be charged? You've said two conflicting statements this evening. On the one hand, you said there are no exemptions, and now you're saying that this amendment leads to a situation where there is, and I quote you, 'no danger of it being captured by the bill'. Would you please explain those two positions?

Dr WOODRUFF - Thank you. Mr Ferguson, avoidance of doubt provisions articulate matters that aren't captured already to avoid doubt. All of the provisions in subclause (4) are for the avoidance of doubt, which, you would understand from other legislation, is a common practice in legislation to have avoidance of doubt provisions. This is another one. I don't really know what else to say in terms of explaining what avoidance of doubt provisions are. It's a form of legislation to try to clarify matters, and that is exactly what these are. They were up to (i), and another one has been added.

So, as for every other subparagraph, this is yet another one of those and its purpose, as all the other ones are, is to clarify that if, in this instance, sex education is being taught in a school according to the curricula and there is not any other matters that would make the conduct are that is being practised a conversion practice, then it is not a conversion practice. There's nothing inherent about sex-ed that a person in that instance would need to be concerned about.

Mr Ferguson - Could they be accused, I asked you. You're not answering.

Mr ELLIS - I think it's a simple question that the member is asking in good faith. If you were in those circumstances, can you be investigated and charged?

Mr Ferguson - You said there was no danger of being captured.

Dr WOODRUFF - Unless they're doing a conversion practice -

Members interjecting.

DEPUTY CHAIR - Order.

Dr WOODRUFF - which is on the basis of a person's sexual orientation or gender identity for the purpose of changing or suppressing or eradicating sexual orientation or inducing the person to do that. In other words, if you're teaching sexual education in a class, the fact that you're teaching sexual education even to one person where it is not attempting to change or suppress a person's sexual orientation or gender identity, then no, that would not be a conversion practice.

Mr FERGUSON - We're getting closer, Chair. I didn't ask that question, but we're getting closer. I asked if the person could be accused and investigated. That was the question. No, I haven't got to the point of whether they actually are conducting a conversion practice. I didn't do that. I didn't say that. I didn't ask that. I asked if a person doing exactly what is

proposed in the amendment, I asked you, Dr Woodruff, could they be accused and subsequently investigated. We don't know if it's a conversion practice.

Mr George - Well, unreasonable -

Mr FERGUSON - In my question it's a reasonable question - and Mr George you ought to want the answer as much as me.

Mr George - I've got the answer.

Mr FERGUSON - Oh, you know the answer? Do you think that they -

DEPUTY CHAIR - Order, Mr Ferguson.

Mr FERGUSON - Do you think that they can't be investigated? Can't be accused?

Mr George - I'm telling you -

Mr FERGUSON - My question is very simple. Given that you have given an assurance on *Hansard*, on the record, that there's no danger of being captured, I ask you again - we're getting closer - can a person be accused and then investigated of conversion practice?

Mr George - No.

Dr WOODRUFF - Chair, what I will say is what I said. If a person is not conducting a conversion practice, they have no danger -

Mr Ferguson - Can they be accused?

Dr WOODRUFF - in teaching sex-ed in a school.

Mr Ferguson - You're refusing to answer. You're not being transparent.

Dr WOODRUFF - Anyone can be accused of anything, Mr Ferguson.

Mr GEORGE - Can I make an obvious comment? Anybody can be accused of anything -

Members interjecting.

Mr GEORGE - Hold on - and investigated if there's a prima facie case to answer. Anybody can. So, Mr Ferguson, the member for Bass, I could accuse you of driving too fast through the car park and nearly running me over. You would be investigated. If you drove like that, you would be accused and you would go to a court. So, it's a ludicrous question because the truth of the matter is anybody can be accused of anything and anybody can be investigated for anything. This makes no difference to any other law that is extant in this state. What a ludicrous question to ask.

Members interjecting.

Mr Ferguson - A very fair question, and your ridicule does you no credit.

Mr George - It's a pointless question, and it's timewasting.

Deputy CHAIR - Mr George and Mr Ferguson, please, if you have comments to make to each other, take them outside and we'll conduct business in here.

Mr FERGUSON - Just a quick stylistic question: if this amendment were to be adopted, we would have the alphabet going '(f), (x), (g)'. I'm just wondering with the subclauses what is happening with that.

Dr Woodruff - That's a drafting thing that gets fixed up after.

DEPUTY CHAIR - Just for clarity, that will be fixed up by the secretariat.

Amendment agreed to.

Mr ELLIS - Chair, I move the following amendment -

Page 14, sub-subclause after paragraph (1),

Insert the following paragraph:

(x) the performance, in good faith, by a teacher, educator, school chaplain, counsellor, pastoral care worker or other person acting in a professional, educational or pastoral capacity, of the person's ordinary duties or functions, including -

(i) providing education, instruction, guidance, counselling, supervision, care or support; and

(ii) engaging in appropriate and lawful discussions concerning sexual orientation or gender identity, including discussions initiated by students, parents or guardians."

It inserts a new paragraph after paragraph (1), clause 5(4) to protect teachers, educators, school chaplains, counsellors and pastoral care workers performing their ordinary duties in good faith. It adds one line to a list that this bill already contains, a list the bill itself says is there for the avoidance of doubt, although of course our discussion over the course of previous amendments has been very telling. I'm not sure we're getting any closer to the kind of answer that mandatory reporters and people who are potentially accused will be satisfied with given the nature of these proceedings.

I am asking that if people believe that list is important, that we extend it to people who we trust with our children for five days a week. If a teacher answers the student's question honestly, is doing their job, they're not committing a conversion practice. It is a revealing list, but if you read it again, of course, you ask who's missing. The people who spend more waking hours with Tasmania's children than anyone else outside their own family are teachers, teacher aides, school counsellors, chaplains and pastoral care staff. As the Deputy Premier pointed out in his second reading debate speech, there is no specific exclusion for a teacher answering a student's question, nor do they get the health exemption in clause 5(3)(a) because

that covers only registered health practitioners. Tasmanian teachers are registered professionals, just not with the kind of registration that this bill currently recognises. The school counsellor who isn't a psychologist, the wellbeing coordinator and the chaplain, who are often the first adult a struggling young person turns to - they get nothing at all. Whether that's an oversight or design, the results are the same.

If health professionals, people of faith, and people in public debate deserve protection for doing their ordinary work in good faith, and indeed can say some of these things, then there is no principal reason to deny it to the people we send into classrooms every morning and indeed have some of the highest expectations about their treatment with children. Anyone who's spent time in school knows that the hardest questions never arrive on schedule. Students don't make appointments to ask the hard questions, and teachers don't get a script either. It can often be in those ordinary moments when a trusted adult - and, as we've noted in other debates in this place, often some young people only have a trusted adult at school because home is very tough. It's important that those teachers and others are supported in that process. Every one of those people is acting professionally and in good faith. Yet some of those conversations that we could be having about terms so broad as 'suppressing' could be read differently. Was the counsellor suppressing a gender identity by suggesting a careful pace? Of course we mentioned before the bill doesn't define suppressing and no-one in the school will know until the commissioner decides. That's why this amendment expressly covers discussion initiated by students, parents or guardians. When a child or a parent asks a question, answering it should never be a legal risk. Some members of course will say that no teacher will ever be prosecuted by this, and of course, as we've been saying in the debate, that misses the point. Potentially, prosecutions are very real and we're talking about criminal prosecution.

But prosecution is not the whole risk. The process is just as much a part of it. Under clause 27, anyone can report whether or not they were affected, but under Schedule 1, a conversion practice directed at a child becomes reportable conduct under the *Child and Youth Safe Organisations Act*. Today, emotional and psychological harm is only reportable when it's significant - that's under our law today. This new category needs no harm at all. Once an allegation is made, the head of the organisation must then notify the independent regulator within three business days and investigate. The regulator must then refer it to the commissioner, who is not bound by the rules of evidence.

Under clause 54, the school itself is taken to have engaged in the conduct unless it can prove that it took reasonable precautions. Of course, think about what that means for a teacher in Burnie or Queenstown. A complaint, an investigation that hangs over them for months, colleagues who wonder, their name is in a file under a category that this bill writes into our child safety laws for answering a question and providing advice as a trusted adult in a young person's life. For a teacher, regardless of the outcome, the process is the punishment, even if they are cleared of it at the end. Schools will respond as any sensible institution does; they will tell staff to say nothing. When a teacher is told to say nothing, children are left to work it out alone or online.

In the second reading debate, the Premier asked this house a fair question: if the harm from coercive or degrading practices is real, how do we prevent it? But of course, there's a second question: how do we prevent it without making the people who care for our children afraid to talk to them and help them make decisions? This amendment answers the second question in this particular area, I hope; although the debate that we've just had over the course of a range of different amendments throws certainly doubt in my mind of this.

If members do believe in the merits of what was written into the bill and some of the public things that they said prior to the debate, then I think it is reasonable that they would support this amendment for the people who we entrust with our children. Our teachers already carry enough - they've got curriculum, behaviour, NAPLAN and even the playground duty roster that would test many of us - but they shouldn't also fear that an honest answer will end in an investigation. We should be sending our teachers into classrooms with confidence and not the concerns that potentially hang over them. I commend the amendment to the Committee.

Dr WOODRUFF - Thank you for this amendment, and we appreciate the intent. Chair, we might have been able to support an amendment in this space if we'd had some time to properly consider it and provide some feedback - that's what other members have done. You'd appreciate that this is a space where it's important to consider all the implications and, unfortunately, this -

Mr Ellis - I think it was circulated already, Dr Woodruff.

Dr WOODRUFF - No.

Mr Ellis - Yeah, it was.

Dr WOODRUFF - Well, maybe today.

Mr Ellis - Circulated among this group of amendments that had been moved with all the others.

Dr WOODRUFF - Sure. Well, there wasn't time to consider it properly today. I'm not saying we haven't seen it; I'm saying there hasn't been time to consider the implications of it. It's long with a considerable number of elements, so we're -

Mr Barnett - Do you want to sleep on it? Come back to it tomorrow.

Dr WOODRUFF - not inclined to support it.

Mr BARNETT - Seriously, this is unsatisfactory. This is a very important amendment that member for Braddon has put forward. I raised it in my second reading speech. I raised this very issue about the importance of teachers and those in our schools, and this amendment captures the essence of those concerns that were raised. Why should we only deal with our health practitioners? Why should it just be the parents and legal guardians? I mean, kids spend so much of their time in the schools, as the member for Braddon has indicated, primary schools and secondary schools -

Mr Bayley - We just passed a clause in relation to schools and curriculum and teachers. We just addressed it.

Mr BARNETT – These are the counsellors and school chaplains. You weren't listening to the amendment that's been circulated earlier today, and I raised it in my second reading speech earlier today. No, I'm not happy with that response. Through you, Chair, I would like the honourable Leader for the Greens to consider sleeping on this overnight. She's indicated an openness to consider this. We've just had a debate. We've accepted your amendments,

Mr O'Byrne's contribution and minister Palmer's contribution, and I would seek your sensible approach, particularly at this late hour, rather than just dismissing it, to sleep on it overnight. I'd imagine we could hold this vote until tomorrow. Then you might be able to accept it, because I think it's of great merit. I think there's a lot of merit in this to provide that protection and that support. This is what this whole point is in Clause 4: to provide the protections. That's what we've been advised, but of course it's not the case.

Nevertheless we think there should be this amendment, and we'd like to put that to Dr Woodruff as she's getting advice. I'll add a couple of points because you're putting them at risk otherwise. If they aren't provided for protection, there is a risk that they could be investigated. I've said earlier about Section 27 where you have a third party investigator and could make that complaint to the conversion practices commissioner and then they have powers under Section 29 to exercise those powers and call in information advice and so on. If the investigation then takes place, who knows how long it's going to take. The whole process could be very, very messy. People's reputations are at stake. That's what's happening here. People's reputations are at stake as they get called before the commissioner to answer questions, provide advice, give evidence. This is the concern that we have. I think minister Ellis, member for Braddon, has made some very good points that I raised in my second reading speech. I seek, through you Chair, a response from the Leader for the Greens to either support this amendment or, if the member for Braddon is willing to hold it until tomorrow, to work it through.

Mr JAENSCH - Could I ask just on the side while the member is taking advice, is there anything about this amendment that you would modify, considering the previous amendment that we've made, which relates to teachers and sex education in schools? Is there any overlap that you would -

Members interjecting.

Dr WOODRUFF - Thank you, it's a good conversation. As the government often does on bills, I would like to hear the views of the minister for Education and to consider the relationship between what's been proposed here and the previous amendment that's already been passed. That's not a commitment to supporting it, but an openness to having a conversation about it in the Legislative Council, because I think that's the appropriate - a more considered conversation about the impacts of it. I value hearing from the minister in that respect, and other members. So, we won't be supporting it here, but open to continuing the conversation about it.

Mr ELLIS - Just to sum up, Chair, I think this is a very reasonable amendment about the people who we entrust our children to and who indeed spend more time with them than just about anybody else outside of the family. But also I think it's important to consider some of the journey that we've been on for this debate procedural. I'm being told by the Leader of the Greens that they won't support this amendment because they need time to consider. Now, of course -

Dr Woodruff - We only just got it today, Mr Ellis. Other members have circulated and worked in good faith on amendments.

Ms Butler - Consult with your Education minister who sits in the other place.

DEPUTY CHAIR - Order. I know it's late, but it would assist the Chair if interjections were at a minimum.

Mr ELLIS - This was provided as part of the tranche of amendments that we've already been discussing for this Committee, amendments that were moved in the tranche that were moved by the Attorney and by the Treasurer. Of course, we just had a debate before, a motion that was moved by Professor Razay about a committee that could look into this bill because we believe that we need more time. You told us that we didn't need more time in that process, but now we're being told that moving amendments, you don't have time to consider, even though you've had them for the better part of the day.

Am I right in understanding that you won't support any of the amendments that were proposed in that tranche of amendments that were provided to you earlier because you haven't considered them? Did you consider the amendments that were moved previously by the Attorney and the Treasurer, which were part of that group? How would you like us to understand or think about your expectations as the mover of this bill in providing a dozen or so or even more amendments in the last 24 hours to your own bill, and indeed amendments that were proposed during Question Time today, yet you won't support on its face amendments that were put to you in a similar timeframe because you need more time to consider the bill?

I'd also make the point that it's 1 o'clock in the morning. If you would like to consider this, we could be adjourning the House. You can consider it over the course of the next few hours, and when we come back to this debate sometime a little bit after Question Time in about 10 hours or so, that perhaps more consideration could be given of my amendment and any other amendments that have been proposed by members over that period of time as well.

Dr WOODRUFF - I think I gave a pretty comprehensive response, Mr Ellis, about why treating this as a serious amendment and I think it needs and deserves the input from the Minister for Education and some time to consider it, which is why we're open to talking about it and looking at it in the Legislative Council, which is something that the government often does on bills.

DEPUTY CHAIR (Mr Mitchell) - The question is that the amendment be agreed to.

The Committee divided -

AYES 15	**NOES 17**
Mr Abetz	Ms Badger
Mrs Archer	Mr Bayley
Mr Barnett	Dr Broad
Mr Di Falco	Ms Brown
Mr Ellis	Ms Burnet
Mr Fairs	Ms Finlay
Mr Ferguson	Mr Garland
Ms Howlett	Mr George
Mr Jaensch	Mrs Greene
Mr Pearce	Ms Haddad
Mrs Petrusma	Ms Johnston
Prof Razay	Mr O'Byrne
Mr Rockliff	Ms Rosol
Mr Shelton	Mr Willie
Ms Ogilvie (Teller)	Mr Winter

Dr Woodruff
Ms Butler (Teller)

PAIRS

Mr Vermey — Ms Dow

Amendment negatived.

Clause 5, as amended, agreed to.

Mr ABETZ - Chair, I move -

That you do now report progress and seek leave of the House to recommit clause 4.

Dr WOODRUFF - It's late. Can you please explain what your intention is? Are you trying to conclude debate on the bill tonight?

Mr Abetz - No, it's to recommit clause 4.

Dr WOODRUFF - Apologies. Okay, as we decided previously.

Progress reported; Committee to sit again.

Clause 4 recommitted.

CONVERSION PRACTICES PROHIBITION BILL 2026 (No. 45)

In Committee

Clause 4 -
Interpretation

Prof RAZAY - Chair, I move -

Page 10, subclause (1), definition of 'injury', after paragraph (b), before 'whether temporary or permanent'.

Insert 'that is serious or substantial,'.

I move this amendment to ensure an appropriate threshold for injury in the bill. Including 'serious or substantial' in the definition ensures the bill appropriately captures abusive or coercive practices that are harmful in nature. None of us in this place want to see Tasmanians subjected to harmful practices that cause genuine harm and injury.

I move this amendment to ensure the bill establishes an appropriate threshold for injury and harm. Including the words 'serious or substantial' in the definition provides an important

safeguard, ensuring the bill appropriately captures abusive or coercive practices that cause genuine harm while maintaining a proportionate approach to criminalisation.

Currently, the bill defines 'injury':

> *injury* means -
>
> (a) physical injury; or
>
> (b) harm to mental health -
>
> whether temporary or permanent;

It also defines harm to mental health:

> *harm to mental health* includes psychological harm, but does not include an emotional reaction (including distress, grief, fear or anger) unless it results in psychological harm;

While I am very aware of the need to address harm to mental health, I am concerned that this definition of harm and of injury is not a significant threshold for a bill proposing criminal and civil penalties.

This amendment is about ensuring the legislation is appropriately targeted and that the threshold, including for criminal liability, reflects substantial or serious harm. A clear threshold helps ensure the legislation operates as intended and is applied in a fair and proportionate way.

Dr WOODRUFF - Thank you, Professor Razay, for considering this. Chair, we're comfortable with the definition as it is in the bill. This definition, as it is, is strongly based on evidence, diverse feedback in the consultation process.

Our offences in the bill have been constructed based on the offences in Victoria. There have been no prosecutions in Victoria for five years since the operation of the bill and as such it's considered and we agree that the offences there are already considered to be a high bar and we're not persuaded that the bar needs to be raised even higher than it is in Victoria.

Mr BARNETT - I'd like to speak in support of Professor Razay's amendment. I think it has got a lot of merit to it. I think the point is we're creating crimes here. We're talking the Criminal Code, up to 21 years now - the Criminal Code 1924. I think there's a lot of merit in this. At the moment, the threshold is very low - it's about as low as you can go. So, if you're creating a crime, and for a crime of up to 21 years in jail, it's very significant. Using and inserting the words 'serious and substantial' makes a lot of sense, frankly. I think it's very important to have those safeguards in legislation like this. It's a very, very serious matter. If we're treating it as serious, then we should say so in the bill.

I do support Professor Razay's thoughts and, through you, Chair, I respect with your health background and your comments earlier about mental health and wellness. You understand about that. So 'significant, serious or substantial', I think that makes a lot of sense. It would capture, of course, abusive and coercive behaviour, which is what we've been talking about in terms of the types of activities that we want to stop. I think we're all in agreement on

that and to ensure that it doesn't happen in Tasmania. I just make that point. Let's see if we can get behind Professor Razay and back him in. I think it makes good sense because we are creating legislation that creates a crime and there needs to be a very significant threshold. Inserting the words 'serious and substantial' is supported.

The CHAIR (Mr Mitchell) - The question is that the amendment be agreed to.

The Committee divided -

AYES - 13	**NOES - 19**
Mr Abetz	Mrs Archer
Mr Barnett	Ms Badger
Mr Di Falco	Mr Bayley
Mr Ellis	Dr Broad
Mr Fairs	Ms Brown
Mr Ferguson	Ms Burnet
Ms Howlett	Ms Butler
Mr Pearce	Ms Finlay
Mrs Petrusma	Mr Garland
Mr Rockliff	Mr George
Mr Shelton	Mrs Greene
Ms Ogilvie	Ms Haddad
Prof Razay (Teller)	Mr Jaensch
	Ms Johnston
	Mr O'Byrne
	Mr Willie
	Mr Winter
	Dr Woodruff
	Ms Rosol (Teller)

PAIRS

Mr Vermey	Ms Dow

Amendment negatived.

Clause 4, as amended, agreed to.

Clauses 6 and 7 agreed to.

Clause 8 -
Principles

Mr GEORGE - A number of small amendments which are intended to be mostly reassurances for those who may be concerned about the impact of this bill should it be passed and become legislation. I move the following amendment -

Page 15, paragraph (b)

Leave out 'should be'

Insert instead 'have the right to be treated in a way that makes them feel'

Subsection (b) will read 'all people, regardless of sexual orientation or gender identity, have the right to be treated in a way that makes them feel welcomed, valued and respected and should be able to live authentically and with pride'. This amendment comes from my belief that you can't legislate values and beliefs. That's a matter more of education than it is of legislation. This amendment is to ensure that this particular principle is appropriately targeted at people's behaviour towards others rather than trying to legislate their beliefs or their values. This change recognises that whether rightly or wrongly, reasonably or unreasonably, you may not believe a person is welcome or valuable or even respect them. However, that is no excuse not to treat someone with respect and to make them feel welcome and valued, regardless of the differences that you may have with someone. As I said, this is an attempt to avoid legislating values and instead to promote an educative approach.

Dr WOODRUFF - Thank you, Mr George, and thank you for the backwards and forwards discussions we have had about the amendment. This principle was drawn from the Victorian legislation's 'objects' and the language was slightly different as a result of translating objects into principles in this bill before us. The Victorian objects have been supported by the community and survivors and are considered to be very important part of the functioning of the bill. The amendment that Mr George has put forward brings us closer to the language of the Victorian objects and on this basis we're comfortable with the proposed language and happy to support the amendment.

Amendment agreed to.

Mr GEORGE - Second amendment -

Same page, paragraph (c).

Leave out the paragraph.

Insert instead the following paragraph:

'(c) no sexual orientation or gender identity is broken, constitutes a disorder, disease, illness, deficiency or shortcoming, or requires treatment or fixing;'.

This second, and in fact the following amendment, are targeted at the same issue. The original drafting of paragraph (c) could be easily and honestly misinterpreted to mean that this bill does not support a person changing their gender characteristics or expression to match their gender identity by receiving gender-affirming care or otherwise transitioning, or it could be dishonestly represented as meaning that. So, to address this, I suggest taking out paragraph (c) and (d) and instead replacing them with the new paragraph.

DEPUTY CHAIR - Mr George, just for the clarity of *Hansard*, we're dealing with your second amendment. We'll deal with the third amendment in a moment.

Mr GEORGE - Sorry. I would suggest taking out paragraph (c) and instead replacing it with the new paragraph that captures the same intent but without the potential internal conflict.

Dr WOODRUFF - This amendment and the next amendment you foreshadowed which is consequential in paragraph (d), we are comfortable with consolidating them and it doesn't detract from the value.

Amendment agreed to.

Mr GEORGE - Third amendment -

Page 16, paragraph (d).

Leave out the paragraph.

For the same reason that I have already expressed.

Amendment agreed to.

Mr GEORGE - Fourth amendment -

Same page, after paragraph (e).

Insert the following paragraph:

'(x) responses under this Act should, where appropriate, prioritise education and prevention.'

I think that pretty much speaks for itself, Chair. The amendment provides assurance or is intended to provide assurance for those who are unsure whether good-faith religious practices or parental guidance will be prosecuted under this bill. It makes it much clearer that this bill is really aimed and directed at an educative process, rather than a legal process that may put someone in the way of the law.

Dr WOODRUFF - Thank you, Mr George. We're comfortable with this amendment that reflects and articulates the underlying principle of the bill, which is to prioritise education and prevention, where appropriate. There's been quite a lot of conversation throughout the debate so far about crimes but, fundamentally, the whole focus of this bill is targeted education and in investigation only for serious or systemic conversion practices, so this is an important clarification of the intention of the bill and we're happy to support it.

Mr GEORGE - I thank the Greens. It's actually been a good process, which has gone backwards and forwards quite a lot and there has been a lot of movement, so I'm very grateful to the Greens, as I am for them bringing this bill on.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 11 agreed to.

Clause 12 -

Mr ABETZ - I will be moving an amendment to clause 12, which will be exactly the same amendment that will be moved for clause 14. I don't know if we can do them as a job lot or we can't. That's the way the procedure is in this House and so be it and we'll get on with it. I move the following amendment -

Page 19, subclause (1) paragraph (c)

Leave out 'is negligent as to whether'

Insert instead 'intends that or is reckless as to whether'

These amendments replace the negligence threshold for the requirement that a person either intends the relevant outcome or is reckless as to whether that outcome will occur. In fact, the original draft of the bill adopted a recklessness standard. It is unclear why that threshold is subsequently being lowered to negligence. Clauses 12 and 14 create indictable offences carrying serious criminal consequences. It's therefore important that the fault element reflects an appropriate degree of personal culpability.

Under the bill as drafted, a person commits an offence where a conversion practice causes injury and the person is merely negligent as to whether that injury would occur. Negligence is a comparatively low threshold, especially in relation to other recent legislation in both New South Wales and South Australia. It does not require a person to know of the risk nor consciously disregard it. It may be sufficient that a person fails to appreciate a risk that another reasonable person might have identified. By contrast, recklessness is a well-established principle of criminal law. It requires awareness of a risk and a conscious decision to proceed despite that risk. That is a significant departure from the approach taken in comparable jurisdictions.

The Tasmanian Law Reform Institute also recommended a more cautious approach to the use of criminal sanctions in this area. The institute described criminal law as a measure of last resort and contemplated its use for serious, egregious, or repeated conduct resulting in serious physical or mental health. At page 176 of the 2022 Sexual Orientation Conversion Practices Final Report, the Institute said:

> The Criminal Code should be used as an option of last resort for serious, egregious or repeated forms: if SOGI conversion practices manifest as serious physical or mental harm, or a person is reckless about them manifesting that harm proven beyond reasonable doubt.
>
> Criminal sanctions should contain express provisions exempting medical professionals where the conduct is a medical practice undertaken in good faith, in compliance with relevant medical standards and authorised by law.

Importantly, the Institute referred to recklessness as the appropriate fault standard, rather than negligence. The institute also recognised that broadly framed criminal offences can have a chilling effect on legitimate conduct. With that, I commend the amendment to the House.

Dr WOODRUFF . Recklessness is a problematic threshold; recklessness requires that a person has an awareness of a relevant risk, whereas negligence is a standard based on whether a reasonable person would be aware of a relevant risk. Part of the nature of conversion practices is that practitioners often refuse to accept the evidence of harms and risks of conversion practices and therefore a recklessness threshold, in our view, would not be appropriate for a conversion practice offence where a person may just refuse to accept that their behaviour has caused risk. The offence in the bill, as the Treasurer pointed out, does differ from the TLRI report. Our bill uses the threshold of injury and negligence. When the TLRI report was released in early 2022, there was not much data on the operation of similar offences in other jurisdictions. Since then, we have information showing that there have been no prosecutions under the Victorian offence in five years of operation. As such, the offence in this bill we don't consider to be too low a bar at all. With a state the size of Victoria for five years there have been no offences. On the basis of that and the other comments I made about recklessness, we won't be supporting this amendment.

Mr GEORGE - Chair, I approached this initially in exactly the same way that the honourable Treasurer has; I thought that reckless was a higher bar, that was an appropriate bar to cross. However, I just want to make the point that, in fact, this is not a subclause that stands all on its own. This is a subclause that has both (a), (b) and (c), and the conjunction is there at the end of (a), 'and', and then it is there at the end of (b), 'and': A person 'intentionally engages in a conversion practice directed towards another person; and the conversion practice causes injury to the recipient; and the person is negligent' - as opposed to reckless - 'as to whether engaging in the conversion practice will cause injury to the recipient.' I think that when you put those three together the bar is actually placed at just about the right spot. Certainly, I would have agreed with the Treasurer, except for the little word 'and' as the conjunction between them all.

Ms BURNET - I won't be supporting the amendment either because I know that the Greens have, during the briefings that we've been provided, said that negligence was chosen as the standard because some conversion practitioners refused to accept that conversion practices could cause harm and so could not be found to be reckless, which is essentially what you've said, Dr Woodruff, and that negligence uses a reasonable person standard and has been adopted in Victoria. There is no requirement to change this. I mean, the amendment suggests changing it to a higher level, but negligence is, I feel, the appropriate standard.

Mr ABETZ - Very Interesting that the Leader of the Greens said that 'if you ignore the risk', in her commentary. You know what? If you ignore risk, you are reckless. So, her commentary was in fact in support of the amendment and it is a higher standard. Do we really want to criminalise somebody who was not aware that he or she may have been engaged in a conduct that they didn't see the consequences of, whereas if you're reckless, you must have known about the risk, the possibility of it, and, as a result, you are held to be criminally liable. It's a pretty standard proposition and I would put it to you that if you're going to criminalise somebody then there ought be that higher standard of recklessness, which is, in fact, where the Greens themselves started before they watered down the proposition. I recommend to the House that we reinstate that which the Greens originally had, namely recklessness.

Mr GEORGE - Just a response to that, because the Treasurer hasn't actually answered the point that I made. This person that we're talking about - this imaginary person - has to intentionally engage in a conversion practice, it's got to be directed towards another person, it has to cause injury - now, if that's not enough to indicate that someone was negligent, then what

is? You don't need to be reckless to do it, you just have to be negligent to have done those things in the first place.

Mr JAENSCH - Just briefly, on this, similar to the last point, and your own amendment, which I didn't support - I didn't support that because I found it hard to draw a line as to where how much injury was enough. My reading of the negligent clause here is not so much that there was an awareness and the person proceeded anyway, but rather that they didn't care that this could be harmful in, which is also a little bit different from unaware that there could be harm, I think. Negligence suggests disregard for the harm -

Mr George - Negligent driver.

Mr JAENSCH - I'm caught up with knowing how much harm or how much appreciation of harm comes with this and trying to scale within that to recklessness et cetera is, I think, a really difficult one for me. Same with the last one about how much harm is serious and when we have something here which the person themselves may have come for help, not harm, and then where is it okay for them to have undertaken. I've tended, in my contribution on the second reading, I'll continue with the theme, of my focus in this being on the individual and the harm, not the various protections or excuses or ways out for the perpetrator of that harm and the principle that we've adopted that these are inherently harmful practices. I think harm is a given in our principles. Everything else now is a measure of how much harm is reasonable to hold a person to account for.

Mr FERGUSON - I rise to make the point that we're in a legal hazard with some of the arguments being made by my good friend minister Jaensch just now, because he's unfortunately conflated the degree of harm with what is actually proposed by the Treasurer as the degree of intent - two completely different concepts. It's not about the level of harm - that is perhaps a danger of making laws that can send people to jail at 1.40 a.m.. I would seriously counsel against that line of thought. It is going to take us down a poorly advised path. I profess no legal expertise in this area and we'll bring the Committee back to the point made by the Treasurer that this is the degree in relation to the matter of intent that the TLRI recommended. Interestingly, it's where the Greens started. Something happened between the consultation draft of the bill and the final draft.

Mr George - They rethought it.

Mr FERGUSON - Yes, they rethought it.

Mr George - That's a good thing.

Mr FERGUSON - Well, you may feel it's good, Mr George.

Mr George - It's always good to rethink.

Mr FERGUSON - It's also good to take advice from legal expertise. Many people have different opinions on the policy direction, but the TLRI provided the architecture of what a law could look like. Rather than accepting the direction or the good advice of the TLRI on this particular point, we've actually gone in the opposite direction. It seems to me that every single time a matter is raised in relation to the matrix of ways in which ultimately a Tasmanian citizen can be taken to task, reported, with or without consent, whether or not that person was even in

the room, whether or not the person reporting was even present to witness the event, that it's a rumour that can lead a person to being investigated by the new bureaucracy of the commissioner that could lead to them being charged, could lead to them going to gaol. In every possible respect, the majority of this House seem to be fighting tooth and nail to make it easier ultimately for that Tasmanian citizen to find themselves in legal jeopardy. I'm very concerned about what I've just heard. It disappoints me to find that an amendment that's been circulated for many hours and has been looked at by members of the Liberal Party very clearly as a way of preventing an unnecessary legal, legally hazardous outcome.

I would invite the Labor Party in particular, as a mainstream party of this state, to please see sense on this and to listen to those of your members who might have been urging a more appropriate legal pathway on this. I am concerned that the hour is not seeing the House and its members at our best. I'll leave it at that. I do support the amendment. I think it's fair-minded and I cannot do a better job than TLRI in advocating for this level of culpability - not in relation to the level of harm. That is not the subject of the amendment. It's in relation to the level of intent.

Mr BARNETT - I would like to share a few remarks in support of the amendment. What we're talking about here is, with respect to Clauses 12 and 14, creating indictable offences. These are very serious criminal offences. It's absolutely vital that the fault element reflects the appropriate degree of personal culpability. I do want to quickly go back to the TLRI and what they said about this. What did they say on 31 July in their letter to colleagues here. I'll just read it. The TLRI's view was that:

> The criminal law was to be a matter of last resort for serious, egregious or repeated forms of SOGI conversion practices that manifested as serious physical or mental harm, or recklessness about such harms manifested.

The TLRI uses the word recklessness. This is the report that the Leader for the Greens and the Labor Party are being referring to. Then the TLRI says:

> This was based on the TLRI's concern that there was a need to limit the scope and application of the criminal laws to ensure that they do not have a chilling effect on legitimate conduct.

I think this is spot on and I have not heard the reason as to the reason why they've gone from recklessness down to negligence. That threshold is lower. That was in the draft bill, and now it's been removed. The TLRI has recommended a very cautious approach. They have made their position clear.

I also emphasise the fact that whatever the time is, 1.45 a.m., these are important legal principles that as the Attorney-General I would like to emphasise. I'd encourage colleagues to take it on board. This is a really serious part of the bill and I'd like to think we could get it right. There has been no explanation as to why we've got the opposite way, as to which way we should. We really need to make sure we get this right when we're creating a threshold and an element for indictable offences.

Dr WOODRUFF - Thank you, Attorney and other members for questions. Yes, this is a serious legal principle, you called it, or a serious legal issue, and that is why we have been directly guided by the Victorian legislation. This is the Victorian legislation; this is the

requirement in Victoria. It has been five years since this has been legislated in Victoria, a state much bigger than Tasmania, and in five years there have been zero prosecutions - zero prosecutions - also zero investigations, but that's another part of the bill to come later. Zero prosecutions.

It's an important point, but I did explain, and I'll just mention it again, that recklessness is a problematic threshold in the context of conversion practices, where we know from statements made by victim/survivors and statements made to the TLRI in submissions to the 2022 report that some people refuse to accept the evidence that there is anything wrong or harm caused because of conversion practices. That is a concern with the use of the word 'recklessness'.

As I said before, the TLRI's report was released in 2022 and the information about Victoria's legislation and how it's tracked after five years and the comprehensive review that's been done there was not available then. On that basis, we have adopted the Victorian model because it seems manifestly reasonable when there so far has been zero prosecutions.

Mr JAENSCH - Just to my colleagues with legal backgrounds, if we have established a principle in this bill that conversion practices are harmful, is negligence even available to us? Or is it, by definition, reckless if a person has conducted a conversion practice and it has caused injury, and conversion practices are defined as being harmful, can you be negligent or is it all reckless? I think I'm going away on this, but I want to just test that because negligence implies that there can be an assumption that there's no harm. If we are establishing a principle that conversion practices are harmful, can anyone be negligent about their potential to harm?

Dr WOODRUFF - Negligence - it just requires that the standard is based on whether a reasonable person would be aware of the risk.

Mr JAENSCH - So, we've defined here, in a public act, that conversion practices are harmful. If a reasonable person taking an interest in this matter has accepted that principle, if we're representing the community's views that they are harmful, can anyone involved in a conversion practice therefore be negligent because they'll be in the knowledge that this is a harmful practice?

Dr WOODRUFF - With respect, we're talking about the difference between a principle and between actual conversion practice conduct. So were an offence to be prosecuted, there'd have to be specific conduct, a specific intention, that would happen directed towards a person and it would have to cause harm and then the negligence test would be part of that. But it's not a general principle; it's the specific instance that has to be tested.

DEPUTY CHAIR – Treasurer, you had two speeches already.

Mr Abetz - I have, but I think I might be summing up?

Dr WOODRUFF - No. You don't get to sum up, sorry.

Mr BARNETT - Is there anything in particular you wanted to say? Because I think what I wanted to say was that together this concern that we have, that the threshold is lowered for an indictable offence - and you add that together with the baseness in discussion we have in relation to exemptions where we have agreed to disagree, very strongly. It just emphasises the

overreach that you as the proposer of the bill and putting forward the bill. It's further evidence in my view of a very stark and unfortunate overreach that you have now demonstrated based on the responses that you've given to these questions. It's disappointing. You haven't been willing to entertain any of these Liberal ministers' amendments and this is a further one of those. You haven't reached out to say, look, can we negotiate on any of this? During the discussion, it just hasn't happened. I am disappointed: very, very disappointed.

We've made our concerns very clear on terms of the definitions and ambiguity, we're trying to get specificity, getting containment, making it clear so Tasmanian people, Tasmanian families, know exactly where they stand. This, unfortunately is making it worse.

Dr WOODRUFF - It's very unfortunate that the Attorney-General characterised it like that. I'll just deal with the incorrect statement, Attorney-General. I'm addressing your incorrect statement. You said we haven't accepted any amendments from Liberal ministers. That's not true. We have accepted amendments from two Liberal ministers.

You said it was unfortunate we didn't reach out to negotiate on these. We didn't know about them today. The other members and ministers did come to us. It's not that we don't want to negotiate, that's not the case. We're very keen and we have been doing that with a number of other members; the Premier, other Liberal ministers. It's just that on this matter we disagree. We have taken this very seriously.

As a lawmaker, I know that you look around at other jurisdictions and you look at precedents and what works well in other jurisdictions when considering what's appropriate for Tasmania. We've looked at the Victorian legislation. It's been reviewed for five years. It's the only state that's had such a substantial review, and the findings are very comprehensive. It's not overreach for such a large state as Victoria. There have been no prosecutions under exactly the same definition. I accept that you have a difference of opinion, but we have really done this in good faith and are considering the matter very seriously.

DEPUTY CHAIR (Prof Razay) - The question is that the amendment be agreed to.

The Committee divided -

AYES - 14	**NOES - 16**
Mr Abetz	Ms Badger
Mrs Archer	Mr Bayley
Mr Barnett	Dr Broad
Mr Ellis	Ms Brown
Mr Fairs	Ms Burnet
Mr Ferguson	Ms Butler
Ms Howlett	Ms Finlay
Mr Jaensch	Mr George
Ms Ogilvie	Mrs Greene
Mr Pearce	Ms Haddad
Mrs Petrusma	Ms Johnston
Mr Rockliff	Mr Mitchell
Mr Shelton	Mr O’Byrne
Mr Di Falco (Teller)	Ms Rosol

Mr Willie
Mr Winter
Dr Woodruff
Mr Garland (Teller)

PAIRS

Mr Vermey — Ms Dow

Amendment negatived.

Mr ABETZ - Chair, there is a second amendment which is of an identical nature and also amendments to clause 14 which has been circulated, but given the vote, those amendments will be withdrawn.

Amendments withdrawn.

Mr ABETZ - Can I, whilst I'm on my feet, appeal to the House as to whether we are still making good law at 2 a.m. in the morning or whether we can deal with the rest of these matters tomorrow? I would have thought there's plenty of time tomorrow. Is there an indication around the Chamber? All right, well, in that case, I move -

That we report progress and seek leave to sit again at a later hour.

Dr WOODRUFF - Well, we have had conversations around the Chamber and I think the mood, at least on this side of the Chamber, is to make sure that this bill is debated and finalised through this House tomorrow. The question is in our hands how we make that happen. I know there are members who would like it to go on longer, but there are mechanisms that we could use to finalise this debate tomorrow. So, it's really up to us collectively. I was hoping that, given where we are, we'd go to 3 o'clock. I think having had conversations with Labor, they want to go to 2.30.

Ms Butler - It's the staff as well.

Dr WOODRUFF - Yeah, that's right. But it's really a question of then ensuring that we will finalise this bill tomorrow.

Mr BAYLEY - If I may just make the point, I appreciate that and I appreciate the impost on the staff. We are all in this place to make laws and at times we do sit really late to ensure that we do that. We would have hoped to have been certainly more progressed by this point, 2 o'clock in the morning, we'd hoped we'd been well through these amendments. There was a period for the first chunk of this committee process where it did feel like the answers were being given and they weren't being heard. We went round and round in circles. We had government members talking for their full slot and repeating each other's cases. But putting that aside, we all want to go home.

Can we seek a commitment from you, leader, to extend the House tomorrow night in order to conclude this bill conclusively? We are seeking this side of the House and the supporters of this bill want a resolution on the bill. I think we'd be all prepared to go home right now if you can give us a commitment that you're prepared to extend the sitting. As you know,

Leader, only the government can extend the sitting tomorrow night because it's an automatic adjournment at 6 p.m. You can understand why that is a concern to us. You can understand what that might mean for this bill if we get to 6 o'clock and there is no resolution. So, if you can give us a commitment to either conclude the bill or extend the House to ensure that we can conclude the bill, I think we'd all be prepared to go home right now and be back here at 10 o'clock in the morning.

Ms HADDAD - I feel similarly, and I'm not going to reflect on the clauses we've already gone through, but I don't know how long it was, I'll have to check the *Hansard*, but it felt like it could have been an hour, an hour and a half, discussing whether or not to include the definition of 'guardian' from the *Children, Young Persons and Their Families Act*. We had former ministers and ministers interrogating the mover of the bill on that definition that sits in a different piece of legislation. That was such a simple question. I think we just got off on a pretty poor start in discussing these amendments because there is a bit of a lack of trust on this side of the Chamber about the willingness of government members to allow this bill to progress through to the third reading and to completion in this Chamber tomorrow.

I for one don't want to see trans, gender-diverse, gay and lesbian Tasmanians have to wait months and months of uncertainty, not knowing what's going to happen to this bill. I feel similarly, I think. There's parliamentary staff who are here until the wee hours of the morning. We put our hands up for elected office and we know that this is what comes with the job, but I'm conscious of others in the building whose workplace this is as well. I make the same request basically to the Leader of the Government. I'm not sure what standing orders allow and don't allow. I should know it better than I do, but it is 2 a.m. If there can be a commitment that we will finish this bill tomorrow - which I think there is more than enough time to do. In all honesty, I think there's time to have Question Time, MPI, finish this bill and go back onto government business tomorrow. I genuinely do.

The way that we've been debating these amendments so far, I know some of them were very heartfelt and debates that we needed to have, but the one I point to, which was simply importing a definition from one piece of legislation that already exists, that's already a government piece of legislation, into this one - it went round and round in circles, did my head in. I think that's why there's a bit of distrust. If there can be some assurance that we'll get through the bill and have it finished in our Chamber tomorrow, I know we'll have to take you on your word for that and your colleagues as well, but that that's where my head is at.

Ms JOHNSTON - As my colleagues have expressed, I have been quite disappointed in the conduct of this debate so far. I think there is a lack of trust, and I'm seeking a good faith commitment from the government that they will conclude this debate tomorrow and give us the time to do that and conduct themselves further in this debate in a respectful manner that ensures that we can have that while still having a robust debate.

As the honourable member for Clark, Ms Haddad has just articulated, we spent an extraordinarily long time discussing something which really shouldn't have been at all contentious. I myself have wanted a number of times to contribute to the debate but have not because I felt that other members had adequately addressed the points that I was going to make or answered the questions that were there; articulated the issues. I didn't want to drag it out. I am extremely mindful of the hurt and suffering at the moment in the community, in particular LGBTQIA+ community who have been put through the absolute ringer whilst we've been discussing this publicly. I don't want to prolong that. I don't want to see us having to come back

in two weeks' time to continue and resume this debate and then perhaps have the debate in the other place put out to maybe next year.

I do seek a commitment. I'm trying to engage in a respectful way. Of course I would love to have my say as a firm ally of the LGBTQIA+ community on a number of things, but I recognise we have an important job to do, and where I feel other members have contributed and answered questions or made those points that I would like to make, I don't want to prolong the agony of people who have already suffered enough. I urge the government that if we do support the adjournment now, that there is a rock solid good faith guarantee that we will progress this bill to its conclusion by adjournment tomorrow night.

Mr O'BYRNE - I'll be very brief. I think there's been a number of contributions and the intent is clear from the majority of members of the House to deal with this. I saw nods from the Premier - if I can confirm that on *Hansard* or nods from the Leader of Government Business - that it's the intention to resolve this debate by 6 p.m. tomorrow night. I understand the complexity on your side because you've got a conscience vote and it's not appropriate to gag ministers or members on a conscience vote but repetition is not a form of flattery in this debate, I think. If another member has represented your views I think it's quite important that you just allow them to do that and you 'Hear, hear', and that will be on *Hansard*. If you've got that commitment, I think we can let the staff go home and we can have at least three hours' sleep.

Mr FERGUSON - I will also be brief. I'm going to do my best to respect the comments that have been made during this question before the Chair. I want to take this opportunity to express this point of view. The reason a number of questions have been posed more than once is because the mover of the motion has chosen on numerous occasions to simply not answer the question. That must be understood and equally respected for a productive day tomorrow. I hope that would not occur again. If the question is awkward or uncomfortable, the member ought at least to be as accountable and transparent as she demands of others, in at least answering the question, even if it's a question that surrenders a particular point. What we do want is some transparency and honesty and an ability for any member of this House on any seat to be able to ask a question and be afforded a reasonable answer. I give a perfectly well-intentioned commitment that tomorrow I will conduct myself with the same motive to achieve good law without trying to frustrate any other member of the House or the conduct of its business.

Mr GEORGE - Very briefly and with apologies to the staff who look after us, I'm more than prepared to sit through for a few more hours this evening if necessary, unless the Leader of the House can give us guarantee with the best will that we will complete this bill by tomorrow evening before the House rises.

Ms BADGER - Just for clarity on that, what we are seeking as a commitment is not just to conclude the bill tomorrow, because we know that if the debate cannot be managed or it gets out of hand for whatever reason, we will get to 6 p.m. What we are seeking is a clear commitment to conclude the debate and extend the House past 6 p.m. as necessary. It has to be both, not just to simply conclude the bill tomorrow, because who knows where it's going to be. The commitment to extend the House is necessary and is what is essential here.

Mr ABETZ - I might be needing indulgence, I think, to be able to speak again on this. If that is granted, I thank the House for that. From a government point of view we want this

bill dealt with by close of business tomorrow. People might like to think about whether there is an appetite to curtail the lunchtime, for example, tomorrow to help us get through. I think that can be managed. Looking at all the amendments, I have to say I think we're going to make a lot more progress. The serious issue for a lot of us on this side was in relation to Section 5, the definition of a conversion practice. We've crunched through that and we've crunched through a few other sort of major issues. With the failure of my last amendment that I moved, I think there are about three or four other amendments that can be withdrawn because we're not going to put the same vote time and time again. I think that we can manage that. Early tomorrow morning we might like to think as to the possibility of curtailing the lunch hour for let's say 45 minutes or something like that, if that is agreed.

From a government point of view, and I think the mood in the House, Chair, is that we finish this matter by close of business tomorrow. To the member for Lyons, Ms Badger, can I say that we have every intention to have the matter finalised by 6 p.m. and I think best endeavours will achieve that.

Members interjecting.

Mr ABETZ - If best endeavours don't achieve that, then yes, the House will be extended.

Ms Badger - Thank you.

Progress reported; Committee to sit again.

ADJOURNMENT

Mr ABETZ (Franklin - Choose an item.) - Honourable Speaker, I move -

That the House does now adjourn.

Answers to Questions

Mr ABETZ (Franklin - Leader of the House) - I simply table two answers.

Papers tabled

The House adjourned at 2.14 a.m.

DRAFT