



The Tasmanian Council on AIDS, Hepatitis and Related Diseases Inc.

Response to the TRLI Issues Paper No 31

Sexual Orientation and Gender Identity Conversion Practices

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The Tasmanian Council for AIDS, Hepatitis and Related Diseases (TasCAHRD) welcomes the opportunity to provide a submission to the Tasmanian Law Reform Institute (TLRI) into Sexual Orientation and Gender Identity (SOGI) Conversion Practices Issues paper.

Who we are and what we do?

TasCAHRD is the peak Tasmanian community organisation for the support of people living with a blood borne virus (BBV) and the prevention of HIV and viral hepatitis. While working in partnership with Tasmanian communities towards the elimination of BBVs and associated stigma and discrimination, TasCAHRD provides services that promote the health and well-being of people living with, affected by or at risk of HIV and Hepatitis.

TasCAHRD has two main streams of service, Red Thread- the public face of TasCAHRD, and TasPPL, the care and assistance program. The Red Thread health promotion initiative builds health literacy on blood-borne viruses and sexually transmitted infections to reduce stigma and transmissions while increasing testing and treatment. Red Thread offers Bloodwise education sessions for organisations and community groups about HIV, viral hepatitis, STIs, and reducing the associated stigma and discrimination. TasPPL supports those living with or at risk of blood-borne viruses by providing case management, advocacy, referrals, financial assistance, and information about treatments, testing, transmission and prevention.

Many of our clients are members of the LGBTIQ community and have a diverse sexual orientation or gender identity and have experienced conversion practices at some point in their lives.

Our submission

TasCAHRD strongly opposes any form of practice that seeks to change a person's sexual orientation or gender identity (SOGI), this includes mental or physical interventions by health, community or religious organisations or individuals. Evidence indicates that SOGI conversion practices are harmful to all people subjected to them and that these practices lack efficacy.

Question 1. *After considering the background and working definition (see [1.3.23] on page 13), in your opinion, what are and are not 'sexual orientation and gender identity conversion practices'?*

Here at TasCAHRD we agree with the TLRI definition of sexual orientation and gender identity conversion practices. It encompasses a range of activities that aim to change the sexual orientation or gender identity of the individual, many of which have been experienced by some members of our client group.

Question 2. *Should people be allowed to consent to SOGI conversion practices? If so, at what age and under what conditions?*

These practices are based on misinformation. In that case informed consent cannot truly be gained when the information is false.

Question 4. *Do you think that Tasmanian law should be changed to address SOGI conversion practices? If so, should this be through comprehensive reform, amendment or both (a hybrid)?*

Comprehensive reform is required to ensure that these practices do not continue. It is important that the reforms include all people no matter their age or ability as the damage done is lifelong and can impact at any age.

Question 5. *Should some or all forms of SOGI conversion practices be criminalised in Tasmania? If so, which, if any, should be dealt with as serious (indictable) crimes and which, if any, should be dealt with as less serious (summary) offences?*

All forms of conversion practices should be criminalised and indictable, due to the considerable harm they cause.

Question 6. *Should some or all forms of SOGI conversion practices be made civil wrongs in Tasmania? If so, what sort of practices should people be liable for and how should those subject to such practices be compensated?*

No, civil wrongs do not carry the same weight as criminalisation and as such dilutes the perception of damage caused by these practices in the eyes of the general public.