

## ***Public Submission from Isla MacGregor***

### ***Tasmanian Law Reform Institute Sexual Orientation and Gender Identity Conversion Practices Issues Paper No. 31***

The language used by the authors of this Issues Paper is more indicative of compliance with an ideology rather than provision of an impartial document providing the various peer reviewed references on the legislative options available.

I have a number of ethical questions to put before the TLRI in regard to the Terms of Reference as well as the process for selecting those consulted for the writing of the Issues Paper.

**1. The TLRI charter claims to work towards eliminating defects to the law. How can the TLRI purport to do this without first addressing the previous defects to the Justice and Related Legislation (Marriage and Gender Amendments) Act 2019 which provides the basis on which this current paper relies for its vague definitions, conflation of sex and gender and conflation of sexual orientation and gender identity?**

**2. Will the TLRI explain why other than LGBTQI groups, other important stakeholders were excluded from the Reference Group: no detransitioner groups, no professional medical groups, no LGB groups, no women's groups, no parents groups, no student or educational groups?**

**3. What selection process was used for members to the Expert Advisory Group and did any members of this group declare any conflicts of interest?**

**4. As funding for this Inquiry was provided by the Office of the Vice Chancellor, was the OVC provided with copy of the Issues Paper prior to its public release, and if so, was their any response?**

**My answers to the Issues Paper follow:**

**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'?**

**A. Sexual orientation and gender identity can not be conflated.**

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

**A. Sexual orientation and gender identity can not be conflated.**

**Question 3 Have you been involved in or offered, or are you aware of, any forms of SOGI conversion practices in Tasmania? If so, what were the effects on you, or the person exposed to them?**

### **2.3.5**

**Possible considerations for Question 3:**

- 1. Have you, or someone you know, ever been told that your sexual orientation or gender identity was a form of brokenness, or that being LGBTQA+ is caused by something negative, like past trauma or abuse?**
- 2. Have you been involved in, heard of, or are aware of, any groups in Tasmania that describe LGBTQA+ identities as somehow disordered or offered to suppress or alter LGBTQA+ feelings or identifying status?**
- 3. Have you, or someone you know, ever been offered materials or support that purport to help heal your LGBTQA+ status or make you whole?**
- 4. Have you, or someone you know, ever encountered a health practitioner, therapist, counsellor or other medical practitioner that encouraged you to try to change or suppress your sexual orientation or gender identity, or claimed they could provide such a service?**

**A. At 2.3.5.1, 2, 3, 4 – Is this vaguely worded question, inclusive of emotive language, providing an opportunity for some submitting responses to this Issues Paper to ‘name and shame’ any person or group or medical professional who does not agree with their gender identity ideology? Is this question designed with a view to include in the TLRI final report, similar chilling anti free speech laws as have been passed in the Lower House in Victoria?**

**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)?**

**A. Sexual orientation and gender identity can not be conflated.**

**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?**

**Sexual orientation and gender identity can not be conflated.**

**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?**

**Sexual orientation and gender identity can not be conflated.**

**Question 7 Should any existing Tasmanian laws (besides criminal laws or the Civil Liability Act 2002 (Tas)) be amended to cover SOGI conversion practices? If so, which ones and in what way?**

**Sexual orientation and gender identity can not be conflated.**

**Question 8 Are there any other models or approaches that are preferable to, or should complement, changing the law?**

**A. Sexual orientation and gender identity can not be conflated.**

**Question 9 Are there any other matters that you consider relevant to this Inquiry and would like to raise?**

**If the TLRI wish to push ahead with any laws concerning conversion practices they should confine their inquiry to LGB conversion practices.**