

*Our major concerns with the Change or Suppression (Conversion) Practices Prohibition bill in Victoria*

**1. The affirmation of gender identity will lead to conversion practices of young LGB youth by “transing away the gay”**

Under this bill, a young gay boy who is struggling with his attraction to other boys, or non-traditionally masculine interests, may be led to believe that, as a boy who does not adhere to masculine stereotypes, he must not be a boy. If, for example, he enjoys makeup (common in gay drag culture) or has predominately female friends, it could be illegal for a health practitioner or family member to question if his desire to present as a girl is actually a result of his same-sex attraction or non-adherence to gender stereotypes. This is similar to what occurred in the case of *Bell v Tavistock* (2020), where Keira Bell, now a detransitioned lesbian woman, pursued treatment to live as a man, without her gender clinic exploring whether her same-sex attraction to other girls, among other factors, was influencing her desire to live as a straight man. Conversion practices have traditionally been attempts to make same-sex attracted individuals heterosexual: by making affirmation of gender in all circumstances mandatory, more young LGB people will be supported to transition to become “straight”. As the majority of young trans-identified youth will grow up to re-identify with their biological sex as same-sex attracted adults, provided they are not pushed down an affirmative medical pathway, this bill cements the conversion of young LGB youth through transition.

**2. The Equal Opportunity Act (2010) will be amended to redefine homosexuality and bisexuality out of legal protections**

The bill included an amendment to change the definition of sexual orientation in the Equal Opportunity Act from “sex” to “gender”. As such, homosexuality and bisexuality have been legally eradicated in this process. Homosexuality, which we understand as exclusive same-sex attraction, will be redefined to attraction to persons of “the same gender”. Bisexuality, which we understand as attraction to either sex, will be redefined as attraction to persons of “more than one gender”. Sex is the binary categorisation of male and female (noting that rare conditions of disorders of sexual development, otherwise called intersex, do not alter the fact humans are a sexually dimorphic species). Gender is a subjective feeling based on one’s own identity. Sexual orientation is based on biological sex i.e. lesbians are attracted to other females, and gay men are attracted to other males. “Same gender” attraction defines lesbians as having the potential to be attracted to anyone who calls themselves a woman - including males with intact penises. Lesbians have been disproportionately affected by the influx of males into lesbian spaces and social pressure for lesbians to accept males as sexual partners - provided they identify as women. The definition of “same gender” attraction suggests that lesbians can be attracted to males, and that gay men can be attracted to females; the concept of which is deeply homophobic.

It also suggests that sexual orientation is not immutable and unchangeable; the very basis for why conversion practices are so horrific, as we know this is not the case. It implies that, should a lesbian come to terms with her sexual orientation while in a heterosexual relationship and prepare to “come out” and leave her boyfriend, should her boyfriend decide he now identifies as a woman, this heterosexual relationship is instantly transformed into a lesbian relationship and the lesbian should have no reason to leave her male partner as this is no longer in conflict with her sexual orientation. This erodes the rights of lesbians, gay men and bisexuals - as well as heterosexuals - to define their sexuality on their own grounds, and removes the rights afforded to sexual minorities on grounds of sexual orientation.

**Conclusions**

Although recent laws banning conversion therapy have been touted as a win for the LGB community, these bills have deeply disturbing negative consequences for lesbians, gay men, and bisexuals due to the inclusion of gender identity in this bill, and the redefinition of “homosexuality” and “bisexuality” to no longer be based on attraction to people of the same sex.