

Dr Rosalie Woodruff MP
Leader, Tasmanian Greens
Parliament House
Hobart TAS 7000

Dear Dr Woodruff

Draft Conversion Practices Prohibition Bill 2026

COTA Tasmania welcomes the opportunity to comment on the draft *Conversion Practices Prohibition Bill 2026*.

COTA Tasmania supports the Bill's objective of preventing practices intended to change, suppress, or eradicate a person's sexual orientation or gender identity. We recognise that these practices can cause profound and enduring harm and welcome the Bill's application to adults as well as children.

Our comments are limited to matters affecting older Tasmanians. We do not seek to address the wider legal, clinical or religious considerations raised by the Bill, which other organisations are better placed to comment on.

Older survivors of historical conversion practices

Many older LGBTIQ+ Tasmanians have lived through periods when diverse sexual orientations and gender identities were criminalised, pathologised, or heavily stigmatised. Some may have experienced conversion practices many decades ago and may only now feel able to speak about those experiences.

Clause 65 provides that the criminal offences and civil response scheme will apply prospectively. While the Commissioner may consider earlier conduct when identifying patterns or assessing the impact of more recent conduct, historical conduct cannot by itself provide the basis for action under Parts 4 and 5.

COTA Tasmania accepts that criminal penalties and regulatory enforcement should not ordinarily be imposed retrospectively. However, this should not prevent people affected by historical conversion practices from accessing information, support, appropriate referrals, or voluntary restorative processes.

We recommend that the legislation or its implementation arrangements expressly enable the Commissioner to receive and respond to disclosures of historical conversion practices for non-enforcement purposes.

This could include providing information, facilitating access to trauma-informed support services, recording de-identified evidence about the prevalence and impact of historical practices and, where all parties freely agree, offering an appropriate voluntary restorative process.

This would complement the proposed amendments removing limitation barriers for certain civil claims arising from conversion practices experienced during childhood.

Older people receiving care and support

Older LGBTIQ+ people can be particularly vulnerable when they become dependent on family members, carers, health professionals, home-care providers or residential aged-care services. Some older people may feel pressured to conceal or suppress their identity to maintain family relationships, receive care or feel safe within a service.

The Commissioner's education, prevention and practice-guidance functions should therefore expressly include:

- residential aged-care and retirement-living settings;
- home and community care services;
- health, mental health and palliative-care services;
- faith-based organisations providing care and support; and
- family members and informal carers.

Practice guidance should help services distinguish between legitimate, person-centred care and conduct intended to suppress or change a person's identity. It should also reinforce older people's rights to dignity, privacy, personal relationships and culturally safe, identity-affirming care.

Accessible reporting and supported decision-making

The reporting and civil response scheme should be accessible to people with disability, cognitive impairment, limited digital skills, communication difficulties, or other support needs.

Clause 24 appropriately allows a report to be made by a person who is not directly affected by the alleged practice. However, further consideration should be given to how an affected person can be assisted by a trusted supporter, advocate, or appropriate representative throughout the reporting, referral and facilitation processes.

Any such arrangements should reflect supported decision-making principles and give primacy to the affected person's own will, preferences and rights wherever these can be ascertained. Information about the scheme should also be available in accessible formats and through non-digital channels.

Health practitioner definition

COTA Tasmania also suggests reviewing the definition of "registered health practitioner" in clause 4. Although the term ordinarily encompasses a range of professions registered under the National Registration and Accreditation Scheme, the draft definition appears to be limited to practitioners registered in the medical profession.

Older people commonly receive multidisciplinary care involving psychologists, nurses, and other regulated health practitioners. The intended scope of the exemption in clause 5(3)(a) should therefore be clarified to ensure that legitimate, clinically appropriate, and ethically compliant care is treated consistently across relevant registered professions.

Implementation and review

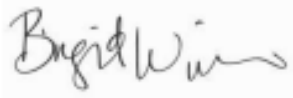
We recommend that:

- older people and organisations representing older LGBTIQ+ Tasmanians be included in the development of practice guidelines and education initiatives;

- information and data collected under the scheme be disaggregated by age, while maintaining appropriate privacy protections; and
- the five-year statutory review expressly consider the scheme's accessibility and effectiveness for older people, including historical survivors and people receiving aged care or other support services.

COTA Tasmania supports the intention of the proposed legislation. Addressing these matters would help ensure that older people are visible within its implementation and can access appropriate protection and support.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brigid Wilkinson', is centered on a light gray rectangular background.

Brigid Wilkinson

Chief Executive Officer

31 July 2026