

What are they?

The *Sexuality and Gender Identity Conversion Practices Act 2020* came into force in February 2021. It defines a "conversion practice" as "treatment or other practices" which aim "to change a person's sexuality or gender identity".

This could include a religious or cultural practice.

What is a criminal offence?

A conversion practice performed on a child or a person with impaired decision-making ability regarding their own health or welfare is a criminal offence even if that child or person, or their parent or guardian, consented to the conversion practice.

It is also a criminal offence to remove a child or a person with impaired decision-making ability from the ACT to have a conversion practice performed on them.

Such offences are punishable by up to 12 months imprisonment and a \$24,000 fine.

How else can conversion practices be dealt with?

Stage 1: If a conversion practice is performed on someone other than a child or a person with impaired decision-making ability, a complaint can be made to the ACT Human Rights Commission (Commission).

Stage 2: The Commission will try to resolve the complaint through conciliation (an informal, voluntary and flexible approach to assist the parties to reach a mutually agreed upon outcome).

Stage 3: If the Commission cannot resolve the complaint, they can refer it to the ACT Civil & Administrative Tribunal (ACAT).

Stage 4: ACAT will consider if the conversion practice performed on an adult without impaired decision-making ability caused, or is likely to cause, harm or adversely affect their rights, interests or welfare.

Stage 5: If ACAT decides that the person complained about did engage in a harmful practice, ACAT can order that:

- (a) their conduct not be repeated
- (b) they address any loss or damage suffered because of the harmful practice
- (c) they pay compensation
- (d) any other order ACAT considers appropriate

What you can do

Organisations

If you are a religious or cultural organisation and would like more information to mitigate the risk of engaging in unlawful conversion practices, please contact the Racial & Religious Discrimination Legal Service Inc on 02 6100 1875 or email admin@racialreligiousdls.org.au for free and confidential legal advice.

Individuals

If you have a complaint made against you, please contact the Racial & Religious Discrimination Legal Service Inc on 02 6100 1875 or email admin@racialreligiousdls.org.au for free and confidential legal advice.

