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To: [Thuringowa Electorate Office](#); [Caloundra Electorate Office](#); [Maiwar Electorate Office](#); [Nicklin Electorate Office](#); [Mundingburra Electorate Office](#); [Lytton Electorate Office](#)
Cc: [Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee](#)
Subject: Why 22 Weeks? Termination of Pregnancy Bill 2018.
Date: Wednesday, 29 August 2018 8:47:46 AM

Honourable Members of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

As you know, the Queensland Law Reform Commission is only an advisory body. It is up to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to investigate the veracity of the recommendations of the QLRC, and then make appropriate recommendations to the Queensland Parliament.

While I support most of the recommendations put forward by QLRC, their recommendation of a 22 week limit on unrestricted termination does not stand up to even the most basic scrutiny. I respectfully ask that the committee pay particular attention to this area during your deliberations.

The QLRC provides three main reasons for setting a 22 week limit on unrestricted termination of pregnancy:

- 22 weeks is before the time where a foetus supposedly becomes viable (QLRC claim 24 weeks), outside the uterus and with current medical practices;
- Current clinical practices recommend different levels of clinical facility for terminations before or after 22 weeks gestation; and
- 22 weeks would provide consistency with other jurisdictions.

Each of these “reasons” is fundamentally unsound:

- Medical advances could at any time bring forward the time at which a foetus becomes viable, meaning the proposed legislation would result in the killing of viable foetuses. Just last week, the Courier-Mail reported advances that improved the viability of 23 week old foetuses;
- Current clinical practices should align with legislation, not the other way around. The fact that some clinics are ill equipped to perform termination after 22 weeks is no reason to select 22 weeks as the appropriate limit for unrestricted termination (Women deserve appropriate medical treatment regardless of the point at which pregnancy may be terminated); and
- Just because it happens in other states does not make it best practice, right or justifiable.

The QLRC report also says (3.191) that “The Commission considers that a gestational limit earlier than 22 weeks would be unduly restrictive”, but their recommendation provides no information as to why that might be the case.

In fact, the QLRC report provided no valid arguments why they chose a 22 week limit, rather than a 20 week limit, a 12 week limit or anything between 8 and 22 weeks.

Under the proposed legislation, women would always have appropriate access to termination when there were extenuating circumstances, regardless of whether a gestational limit of 8, 12 or 22 weeks is set for unrestricted termination.

Surely the limit for unrestricted termination should be set lower than 22 weeks!

I implore the Committee to give my comments reasonable consideration when you review the proposed Termination of Pregnancy Bill 2018.

Yours sincerely

Anthony Shoesmith

