

A submission to the Queensland Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

Regarding abortion law reform.

Prepared by

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We have combined expertise in the history of reproduction with a particular focus on illegal abortions in Queensland and Australia from 1880 to 1990. Associate Professor Lisa Featherstone has been working on reproduction and sexuality since 1999, with a particular focus on legal and medical histories. She has published widely in book form and in national and international journals of high ranking. Ms Cassandra Byrnes is undertaking her PhD, writing on the history of birth control and abortion in Queensland, and has been awarded a UQ Global Change Scholarship for her work on women's reproduction.

As historians of abortion, we submit that terminations need to be decriminalised and readily available for women across Queensland, as an urgent matter of health and safety, and gender equity.

We both research in time periods before the medicalisation of abortion in Australia. Before the 1970s, women sought out illegal abortions, which were performed by local women, midwives, nurses and sometimes doctors. Many of these operations could be dangerous, even life-threatening for the woman. We have read cases in court trials and medical records where women attempted to abort themselves with dangerous poisons, including ergot, arsenic, iron and aloes, all of which had the potential to have very serious side effects including paralysis, blindness and even death.

If this did not work, women attempted abortions with a range of household items, including needles, catheters, knives, stilettos, crochet hooks and pens. Some women used a syringe, which would be filled with the caustic disinfectant Lysol.

Other women turned to doctors and midwives who would perform the illegal operation at a high price. These surgeries were not necessarily safer, and infection and pain were relatively common, and sometimes deadly.

Our research suggests that women realised the dangers of abortion, and the pain that they would generally endure. Nonetheless, they were willing to take this risk, because they were unable to have a child, for social or economic or health reasons. Many of these women were married, with children already, while others were single women who were unable to raise a child on their own. The very desperate measures these women were ready to endure, shows the level of desperation they felt over their unwanted pregnancy. The women were – literally – prepared to risk their own life and health, in order to end their pregnancy.

While many women in Brisbane and South East Queensland are now able to access abortions through clinics (for a fee), the same cannot be said for women in regional Queensland, for those unable to afford the clinic fees, or for those who are over the 14 week gestational limit. These women are caught between their own need for a termination, and the 1899 Criminal Code (sections 224, 225 and 226) which criminalises all terminations in Queensland.

We urge you to remove abortion from the Criminal Code, to allow abortion to be more readily accessible for women who require it. Our research has shown that making abortion a crime does not prevent it, but rather drives it underground, rendering it a dangerous and even deadly operation. Women will continue to seek abortion either way, but decriminalisation will ensure it is a safe surgery, monitored by the health profession who are guided by ethical codes of conduct.



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