

4 September 2018

Mr Aaron Harper MP
Chair, Health, Communities, Disability Services and Domestic and Family Violence
Prevention Committee
Parliament House
George Street
Brisbane QLD 4000

By email to: health@parliament.qld.gov.au

Dear Mr Harper

Re: Termination of Pregnancy Bill 2018

The Queensland Branch of the Royal Australian and New Zealand College of Psychiatrists (RANZCP QLD Branch) welcomes the introduction of the Termination of Pregnancy Bill 2018 (the Bill). In February 2018, we provided a [submission to the Queensland Law Reform Commission's Review of Termination of Pregnancy Laws](#) which advocated for legislation which recognises termination of pregnancy as a health matter rather than a criminal matter, and supports the best possible mental health outcomes for women.

The RANZCP QLD Branch is pleased the Bill reflects the same position with regards to treating termination of pregnancy as a health issue. We consider the Bill provides a clear and sensible legal framework for health practitioners and women, and we support the legislative changes brought about by the Bill.

The RANZCP QLD Branch considers that women's health, well-being, autonomy and welfare should be the central objective of abortion law reform. It is essential that women accessing termination services are offered pre- and post-counselling and support. Counselling should be affordable and accessible for all women. Some women will have particular care needs, including Aboriginal and Torres Strait Islander women, women who undergo terminations for foetal abnormality, women with serious mental illness and very young women. Accessible, affordable and appropriate mental health services are particularly important for these groups.

We note that the Bill is silent on these matters, and agree that counselling or psychiatric assessment should not be mandated for women accessing termination of pregnancy services. However, we urge the Queensland Government to ensure that there are adequate services to support women at every stage along the process, including those considering termination and following a termination. The RANZCP QLD Branch advises that counselling or other mental health support should be offered to all women accessing termination of pregnancy services. The 2013 *Queensland Maternity and Neonatal Clinical Guideline: Therapeutic Termination of Pregnancy* provides useful practice points for providing psychological support in the care of women requesting and accessing termination of pregnancy services.

The RANZCP QLD Branch is concerned how women across Queensland will have equitable and affordable access to termination of pregnancy services, particularly women in regional, rural and remote locations, when legislative changes brought about by the Bill translate into changes to services. We note that Queensland Health's website on abortion law reform states that 'the majority of terminations will continue to be provided in the primary health care and private sectors' (Queensland Health, 2018). In accordance with current law, terminations which occur in primary health care are only lawful where it is 'necessary to prevent serious danger to the woman's life, physical or mental health and is not out of proportion to the danger intended to be averted' (HCDSDFVPC, 2018). Hence the number of primary health-care services providing this service in regional, rural and remote areas would be limited, particularly those that perform surgical abortions. We note that there are only a small number of private services which perform surgical abortion in regional, rural, and remote areas of Queensland. For instance there are no private services which perform surgical abortions in Cairns, instead women are referred to the Marie Stopes clinic in Townsville. In Queensland, Marie Stopes clinics are located in Brisbane, the Gold Coast, Rockhampton and Townsville. We recommend the Queensland government prioritise ensuring women have affordable and equitable access to primary health-care services which provide termination of pregnancy, and encourage the expansion of public termination of pregnancy services to areas of need.

The RANZCP QLD Branch recommends the Queensland government should clearly communicate legislation change on termination of pregnancy to the Queensland public and to health services, in particular GPs, pharmacists and hospitals. The government should also provide clear and easily accessible information on the public and private health services which will provide termination of pregnancy services. This will assist all women especially those residing in regional, rural and remote areas.

In our submission to the Queensland Law Reform Commission, we supported a combined approach that applies minimal restrictions on terminations at an early gestational age, but with some requirement for additional medical review for later term terminations. We also emphasised that decisions regarding the termination of pregnancy should be guided by the woman's physical, social, emotional and psychological needs. We are pleased that the Bill adopts both of these important principles.

We agree with the inclusion of provisions for health practitioners to declare a conscientious objection, with the condition that the woman be referred to another suitable health practitioner or health service provider who can provide the service.

We are supportive of the provisions for Safe Access Zones. Harassing and obstructing women may lead to them experiencing additional distress and anxiety which may impact their mental health. Service provider employees should be able to carry out their vocation without harassment or intimidation as per other medical service provider employees.

If you would like to discuss any of the issues raised in the submission, please contact Bianca Phelan, QLD Branch Policy Officer via qldpolicy@ranzcp.org or by phone on [REDACTED]

Yours sincerely



A/Prof Brett Emmerson AM
Chair, RANZCP Queensland Branch

References

Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee (2018) *Explanatory Notes: Termination of Pregnancy Bill 2018*. Brisbane: State of Queensland.

Queensland Health (2018) *Fact check 5: Termination will be available in any hospital*. Available at: www.health.qld.gov.au/system-governance/legislation/specific/queensland-abortion-law-reform/check-the-facts/fact-check-5 (accessed 27 August 2018).