

Termination of Pregnancy Bill 2018

I support the Bill for the Act about the termination of pregnancies, and to amend this Act, the Criminal Code, the *Evidence Act 1977*, the *Guardianship and Administration Act 2000*, the *Penalties and Sentences Act 1992*, the *Police Powers and Responsibilities Act 2000* and the *Transport Operations (Road Use Management) Act 1995* for particular purposes.

The purposes of this Act are:

- (a) to enable reasonable and safe access by women to terminations; and
- (b) to regulate the conduct of registered health practitioners in relation to terminations.

It is a women's right to make decisions about her own body and the matter of a termination of pregnancy should be a matter for determination between a woman and her doctor. It is a health matter and should not be a legal matter.

The Bill provides certainty not only for women but also for their doctors about their legal position in relation to termination of a pregnancy.

This Bill modernises Queensland's position in relation to termination of pregnancy and is long overdue. It decriminalises medical termination of pregnancy by a doctor, bringing Queensland into line with all other Australian States, except NSW, and in line with UN treaty bodies.

This Bill also provides for a health practitioner who has a conscientious objection to performing or advising about a termination, has to inform the woman and refer the woman or transfer her care to another health practitioner or health service provider where the termination can be provided by a health practitioner, without a conscientious objection.

It also provides for the establishment of safe access zones in which particular conduct, at or near termination services premises, is prohibited.

This Bill, is based on the Queensland Law Reform Commission's (QLRC's) twenty-eight recommendations, that were guided by the following principles:

- generally terminations should be treated as a health issue rather than as a criminal matter;
- women's autonomy and health (including access to safe medical procedures) should be promoted, recognising that:
 - at the earlier stages of pregnancy, a woman's autonomy has greatest weight, and termination is lower risk and safe for the woman;
 - at the later stages of pregnancy, the interests of the fetus have increasing weight, and termination involves higher risk for the woman and creates more complex issues;
- the law should align with international human rights obligations relevant to termination of pregnancy laws, including enabling reasonable and safe access to termination services;
- the law should be consistent with contemporary clinical practice and health regulation; and
- the law should achieve reasonable consistency with the other Australian jurisdictions that have modernised their laws relating to termination.

The QLRC also considered 1,200 submissions on its consultation paper. It also considered the former relevant Parliamentary Committee's inquiry, reports and public hearings involving over 2,700 submissions into the two Private Member's Bills introduced in 2016 that sought reforms in relation to termination of pregnancy. Therefore this subject has had significant community input.

I urge the Queensland parliament to pass this Bill.

Anne Kennedy

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