

SUBMISSION: TERMINATION OF PREGNANCY BILL 2018

I wish to submit my objection to the proposed changes to the existing Termination of Pregnancy Bill on the following grounds and ask that these be considered prior to a final decision:

1. ***It is proposed that termination should be treated as a health issue rather than as a criminal matter.***

Despite the rhetoric being championed that abortion is a health issue for a woman, I strongly disagree that this is the case. There are already sufficient provisions in the current legislation to allow abortion when the mother's health is threatened or in danger. This provision is not subject to change and therefore does not need review. The alarming change that concerns me is that, under the proposed changes, *abortion would be permitted for any reason up to 22 weeks*. This is a significantly alarming amendment because it allows abortion to be performed up to 22 weeks gestation for any number of reasons, none of which relates to the health of the mother or the child. It opens the door to allow sex-selective abortions, something that is obviously already occurring in an undercover manner, if you choose to look at the gender ratios of live births in Queensland today. Current polling indicates that 83% of Queenslanders oppose sex-selective abortion, with just 6% in favour. (YouGov Galaxy poll 6-8 August 2018)

One of the issues that is being cleverly disguised is that amendments to the legislation are being proposed as a health issue for a woman, rather than the blaringly obvious conclusion that this is actually a moral issue or, if you prefer, it is a social issue. Any society that considers it is appropriate to wilfully destroy the life of any of its members, is set on a path of self destruction. Even the most primitive societies generally respect the value and the sanctity of life. There is sufficient, authenticated, factual evidence available that proves without doubt that a foetus rapidly develops into a separate life entity very early in the conception cycle and that it continues to develop into personhood up to birth. That is an undeniable reality. Abortion review that is being proposed actually seeks to violate much deeper into the fabric of our society. It seeks to change the way in which we, as a society, value the life of each of its members, and more importantly, the life of its most vulnerable members, those already conceived but yet unborn. There have been a number of opinion polls seeking public advice on this issue. One of the most recent, conducted not more than one month ago, clearly provides evidence that "62% of those polled believe that the unborn at 23 weeks is a person with rights." (YouGov Galaxy Poll 6-8 August 2018)

If the proposed legislation continues, the questions which then arise concern who is permitted to make these life-ending decisions; what are the grounds on which that decision is made; does self interest override the common good of the society; which lives are considered dispensable or obsolete for the common good; what recourse is available to those selected to be killed; how does the society consider objection to its actions?

2. Women's autonomy and health (including access to safe medical procedures) should be promoted, recognising that:

- a) At the earlier stages of pregnancy, a woman's autonomy has greatest weight, and termination is lower risk and safe for the woman;**
- b) At the later stages of pregnancy, the interest of the foetus have increasing weight, and termination involves higher risk for the woman and creates more complex issues.**

Pregnancy is not a medical disease that requires to be cured. To equate it to such is a fallacy and a blatant untruth. In fact there are many women and their partners who would welcome a pregnancy were that possible. No medical intervention can ever be described as without risk or as "safe" to 100% of the population. There is always the risk of error, miscalculation, mishap or, even if the procedure itself is successful, there can be long-term unforeseen and unexpected consequences. In fact, 75% of recent poll respondents opined that abortion harms women's physical or mental health. (YouGov Galaxy 6-8 August 2018) This is in direct contrast to the information being circulated by the Queensland Government in support of the passage of this legislation.

In fact, 88% of poll respondents also believed that there should be **independent counselling** provided to all women prior to abortion. The current legislation requires that this should occur, but the current reality is that the termination clinic provides virtually no counselling and most certainly there is no independent counselling being provided by these same clinics. It is not in the financial interest of the termination clinics to do so as they are dependent on the income provided by their clients. There is no financial incentive for them to provide independent counselling.

I believe there should be provision in the legislation to enforce a cooling-off period of several days from the time of first approach with regard to abortion and before the actual surgical procedure. This would allow the woman and her partner some time to consider their options further. Abortion is not without grave risk to all parties and sufficient time should be provided to enable adequate consideration of all the factors involved, notwithstanding that this is a very emotive and confusing time. During this cooling-off period, the woman should be provided with access to alternative options to abortion and provided with sufficient support to consider her wider options. This may include the decision to continue with the pregnancy and, in this case, legislation should contain provision to ensure that adequate support is available to her and her family.

A woman experiencing an unplanned pregnancy is faced with some monumental hurdles including sometimes being coerced into terminating the pregnancy by a partner, family member, employer etc. In any other life situation, this would legally be regarded as harassment and provisions would be put in place to prevent the woman being confronted and coerced in this manner. This current proposal to amend the legislation seems to downplay abortion harassment and to almost regard it as a reason to support abortion. 26% of poll respondents had first-hand knowledge of someone they knew being pressured into having an abortion. (YouGov Galaxy 6-8 August 2018). That's quite a staggering percentage.

I cannot even contemplate how our Queensland Government leaders can so openly condone the passage of a bill that seeks to allow abortion up to the moment of birth. 60% of people did not approve of mid-term abortions past 13 weeks, while 76% said they would not allow late term abortions past 23 weeks. (YouGov Galaxy Poll 6-8 August 2018) Our society currently recognises that an unborn child has the same protective rights enshrined in law as that of an adult in respect of an act that results in the death of that unborn child and this is punishable by law and the court system. It beggars belief that we will now allow a similar act

that results in the death of an unborn child to be promulgated as being acceptable and even lawful.

My final objection relates to the issue of **conscientious objection on the part of doctors, nursing staff, hospitals and other institutions**. Our health professionals have traditionally opposed practices which are contrary to life. Legislation should not be enacted that forces them to act against their Hippocratic Oath (sworn to uphold life) and also compels institutions that operate under similar codes of conduct to comply with such life inhibiting conduct. Politicians always seem to be able to manipulate situations so they are not forced to comply with the party vote and are enabled to exercise a conscience vote. Do we not regard our health professionals as just that – they are most often professionals of the highest calibre who have chosen the health field because they believe that they can be of service and can improve quality of life. The legislation being proposed negates their positive contribution to our society and only reduces our society into a lower order.

I would welcome the opportunity to discuss any issues I've raised in this submission with the Queensland Law Reform Commission in more detail at any time.

Janette Dobson

