

Dear Committee members

### **Submission regarding the Termination of Pregnancy Bill 2018**

Thank you for considering my submission.

#### **Why decriminalisation of abortion is an important moral issue**

The key moral question regarding abortion is whether the unborn baby is a human person.

If the unborn baby is not a human person, then no moral justification for abortion is required.

Mothers should be free to procure abortions with limited restrictions apart from those that apply to any other health procedure.

If the unborn baby is a human person, then the moral justifications typically provided for abortion are not adequate. If they are a human person, we should only allow abortion for the same moral reasons that we allow other the life of other human persons to be taken. In other words, they should be treated no different to a toddler, child, adolescent, adult or elderly person.

The reasons given for why an unborn baby should not be considered a human person typically fall into one of the following categories:

1. **Size** – They are smaller than a born human. It is hard to see how difference in size disqualifies someone from being a person. We don't usually treat 4 year olds less valuable than 14 year olds even though they are smaller in size. Unborn babies should be valued similarly.
2. **Level of development** – The unborn baby is less developed than a born human. Again, it is hard to see how this fact by itself should disqualify the unborn baby from personhood. A 4 year old girl can't bear children because her reproductive system is less developed than a 14 year old girl, but this doesn't disqualify her from personhood. They are equally valuable, and so it should be for the unborn baby.
3. **Environment** – The unborn baby is located in a different environment than a born human. It is hard to see how location should affect your value or how changing your environment should affect your status as a person. It doesn't make sense that a 7 inch journey through the birth canal magically transforms a value-less human into a valuable person.
4. **Degree of dependency** – The unborn baby is dependent on the mother's body for nutrition and a proper environment. Similarly, newborns and toddlers are also dependant on their parents to provide nutrition and a safe environment. If you alone witness a toddler fall into a pool, the toddler is dependent on you for their survival. You would not be justified in declaring her not valuable simply because she depended on you for her survival. The unborn baby should not be disqualified from personhood because they depend on their mother in the same way.

Notice that toddlers differ from teens in each of the four above categories but we don't disqualify toddlers from personhood. Since born and unborn humans differ in exactly the same ways, we shouldn't disqualify the unborn from personhood for these types of reasons.

**Why the Termination of Pregnancy Bill 2018 should not be passed**

The Termination of Pregnancy Bill 2018 (**Bill**) would allow abortion on demand up to 22 weeks for any reason. It would also allow abortion past 22 weeks until birth, even for social reasons, if two doctors approve, although there is no penalty if a second doctor's approval is not obtained and the second doctor is not required to see the mother or review her file. Abortions would be available for free at taxpayers' expense at public hospitals. These circumstances would lead to an increase in the abortion rate.

For the reasons given above, it is a grave moral wrong to take the life of an innocent unborn human person. For the law to allow this to happen, and indeed for it to be taxpayer funded, is unjust.

The current legal situation is adequate. Although abortion is criminalised in Queensland, no woman has ever been convicted for having an abortion. The procedure is widely available, with 14,000 occurring each year. Even if the law is not enforced, the retention of abortion in the Criminal Code provides moral guidance to society about the weightiness of this issue: abortion takes an innocent life and harms the mother. Given the present availability of abortion and the value of retaining the legal status quo, the Bill is both unnecessary and unhelpful.

The Bill does not include any safeguards for women seeking an abortion, such as independent counselling, an informed consent requirement and a cooling-off period. It also compels doctors to refer for abortion, removing their right to full conscientious objection.

For the reasons given above, I submit that the Committee should recommend that this Bill is not passed.

Kind regards

Will Barker