

**From:** [REDACTED]  
**To:** [Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee](#)  
**Subject:** [SPAM ?] Submission to the Inquiry into the Termination of Pregnancy Bill 2018  
**Date:** Wednesday, 5 September 2018 11:59:33 AM  
**Importance:** Low

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Attn: Committee Secretary, Inquiry into the Termination of Pregnancy Bill 2018

Dear Sir or Madam,

I would like to register my opposition to the above bill, and submit that it not be presented to parliament. Failing that, I would urge all members to vote against this legislation to ensure that it fails.

While most of the arguments for an against abortion are well-known, I will focus on the following aspects:

- How to determine the point at which abortion becomes murder
- The issue of conscientious objection within the bill
- The problem with agreement from two medical practitioners
- The frequent lack of perceived alternatives for women seeking abortions
- The problem with the most compelling argument normally advanced for abortion

### **How to determine the point at which abortion becomes murder**

Equating abortion with murder is understandably highly emotive. Murder is usually associated with violence, hatred, anger, and one person wanting another person to not be alive. Abortion is usually couched as being compassionate to a woman in difficult circumstances, or concern about the quality of life of a child.

However, setting aside the emotional considerations, the reality is that at some point, abortion must logically become murder. There is no broad agreement among doctors, scientists, ethicists, philosophers or others about when this occurs. Some argue that it is

- at birth
- around 22 weeks when the baby has a chance of surviving outside the mother (although this could conceivably be pushed back by incubating a premature baby in an artificial womb)
- when the baby can feel pain (which is thought to be at anything from 5 to 20 weeks depending on which journal article you read)
- when there is a detectable heartbeat or brain activity
- when cells start to differentiate
- when splitting to identical twins become infeasible)
- at implantation

- at conception

While some arguments can be made of each of these points in time, the weakest one in my view is at birth. While a lot of changes occur in the babies body at this time, the **only** change that is relevant to the abortion argument as the baby travels from the womb via the birth canal to the outside world is that **the baby becomes visible!** By this logic, it would be OK to murder someone in a dark room, or behind a wall. In reality, society is simply unwilling (at this time) to accept the murder of a baby once it has a face, makes bay noises and moves like a baby, but if all these things are going on inside the mother's body they are out of sight, so people's consciences tend to have less problem with taking away the baby's life.

### **The issue of conscientious objection within the bill**

The bill allows for doctors to conscientiously object to abortion, but are required to refer the patient on to an abortion service or another doctor who will perform the abortion. This betrays an appalling lack of understanding of conscientious objection. It is not even a compromise provision. The doctor does not refuse to perform an abortion because she finds it yucky, so would ask someone else to do it. She believes it is murder, and is thus wrong. Requiring her to refer the patient to someone else would violate her conscience just as much as performing it herself. It would be like hiring a hit man to murder someone because you don't want to do it yourself.

This requirement is completely unacceptable.

### **The problem with agreement from two medical practitioners**

Closely related to the above point, the bill provides for abortion right up to birth provided two doctors agree that it is appropriate. This overlooks the fact that there might be two hundred other doctors who don't believe it is appropriate (including the one above who was compelled to refer the patient on, in violation of her conscience). The patient or the doctor, just needs to keep looking until they find someone who agrees.

This sort of provision for any procedure is always problematic. Unless there is some more objective way, or well proven guidelines, for determining whether a procedure is appropriate, there would need to be strong evidence that a substantial majority of the medical profession would be likely to agree that it was appropriate.

### **The frequent lack of perceived alternatives for women seeking abortions**

Women are often virtually forced to have an abortion by family members or partners, or are not put in a position where they can imagine a future for themselves looking after the baby – particularly if they would need to do it on their own, or there would be financial hardship. Many women suffer psychologically, and sometimes physically, for may years after an abortion.

Adoption used to be very common, and was generally a very successful model, but these days it is very rare. The barriers are much to high, churches don't want to be involved because there are too many conditions which they would object to, and women no longer even consider it an option. If women were required to view an ultrasound of their baby before they go ahead with the procedure, it would be much easier for them to imagine a positive future for themselves with the baby.

### **The problem with the most compelling argument normally advanced for abortion**

Of all the arguments that are usually advanced in favour of abortion, the once that seems to be felt most deeply is the woman's right to do whatever she likes with her own body. Her body is considered the closest thing to her very being, her own self, and

that last part of her life that outsiders should have any right to tell her what to do with it.

The problem with this argument is that it doesn't give her the right to decide what to do with someone else's body – in this case the baby. Unborn babies are the most defenceless, voiceless, invisible members of our society – so if the woman decides to do something with her body that will harm someone else's body, that is just wrong. She might as well use her hands to strangle someone else, because they are her hands – a part of her body. If the woman claims that the baby is just a part of her body, if the baby is a boy, it logically means that she has a penis and testicles, something which all women would deny.

### **Recommendations**

- Don't allow this bill to become law
- Require women to view an ultrasound of the baby before making the final decision to proceed with the abortion
- Provide information about adoption and other services for single mothers, and mothers with disabled children.
- Legislate to remove the current barriers to adoption
- Allow protesting and providing information around abortion facilities, in line with existing laws about public behaviour and harassment that apply elsewhere.

Thank you for your consideration.

Peter Raymond Smartt

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