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Cc: [REDACTED]
Subject: Submission: abortion law reform
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Submission by: Susan Chapman
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To whom it may concern,

I have read through the information available on the site <https://www.parliament.qld.gov.au/work-of-committees/committees/HCDSDFVPC/inquiries/current-inquiries/AbortionLR-WRC-AB2016> and will outline my opinions below regarding the abortion law reform,.

I have used the questions provided as a guide on the site:

1. What policy objectives should inform the law governing termination of pregnancy in Queensland?

- *It is valid to bring the law up to date, and to simplify and legislate in terms of today's situation.*
- *It is important to weigh the choice of the woman with both the fact that this affects more than her own life (the foetus', and family), and that she may not comprehend the ramifications of her choice. Therefore having safeguards in place (e.g seeing two medical practitioners, meeting certain conditions) are important to keep these in balance.*
- *The importance of guarding the moral choice of a medical practitioner to not take part in activities that cause harm to a foetus (e.g. having a clause for a contentious objector)*

2. What legal principles should inform the law governing termination of pregnancy?

- *Sanctity of life - (when does this apply to a foetus?)*
- *Potential for harm to the mother - both if the abortion takes place, and if it doesn't*

3. What factors should be taken into account in deciding if a termination of pregnancy is lawful? (e.g. consent of the woman, serious danger to the woman's life, the woman's physical and mental health, other factors?)

- *consent of the woman,*
- *serious danger to the woman's life,*
- *the woman's physical and mental health, (including ability to make such a choice)*
- *stage of gestation, and viability of the foetus*
- *while I agree that the law should not be in conflict with current community attitudes and expectations, I also see a huge danger in changing law simply because of current attitudes and expectations. I see this as the difference between being representation (who slavishly obeys the dictates of the electorate) and leadership (while respecting the views of the electorate, making decisions on what is wise and right). I am also not convinced that the community attitudes and expectations are to want abortion to be completely decriminalised and a legal right to be offered to all pregnant women.*

4. Should termination of pregnancy be regulated according to the period of gestation? If so, how should the law apply to particular gestational periods?

Yes, in line with the legislation of many other states and territories. As to which week marker, I do not have the background or experience to give input. I think it was NT that states the period after which a foetus is able to be sustained outside the womb (28 weeks). In others it is 24 weeks. In my mind the importance is the principle that terminating the life of a late-term foetus is significantly different to terminating in the first week of pregnancy - in terms of potential trauma (physical and physiological) to the mother as well as viability of the foetus.

5. Should the law in Queensland provide for conscientious objection by health providers?

- *absolutely! To not do so would be to put many in an untenable moral position.*

6. What counselling and support services should be provided for women before and after a termination of pregnancy

- *as much as possible!*
- *counselling and support that frankly communicates the dangers of abortion, the alternatives*

available (full term pregnancy with ongoing support, adoption, abortion, are there other options), and the state of development of the foetus - as well as the benefit of abortion (which I am assuming is what the woman would be first thinking of when seeking an abortion).

- From anecdotal experience of others (I am not trained medically, nor have I formally researched this topic) I have gathered that the physiological and emotional trauma of an abortion can occur years after the event, and regardless of how convinced the person was at the time that abortion was the correct action to take. Therefore awareness of this potential long-term harm, and correspondingly, the availability of long-term support and counselling, are necessary.
- If a woman chooses to continue with the abortion, she should be protected from harassment - while also given access to a wide range of information, and be freely allowed to change her mind.

7. Please inform the committee about your views on any other aspects of the Bill and the terms of reference.

- As I read through the acts in various states and territories, and legal cases, I was impressed with some of the wording. This includes:

- Abortion is illegal under ... unless ...

- the safeguards in place that acknowledge that this is a momentous decision, with grave consequences.

[e.g. from Vic Law reform Act 2008: After 24 weeks, a registered medical practitioner may only perform an abortion where the practitioner:

~ reasonably believes that the abortion is appropriate in all the circumstances

~ has consulted at least one other registered medical practitioner who also reasonably believes that the abortion is appropriate in all the circumstances;

In considering whether the abortion is appropriate in all the circumstances, a registered medical practitioner must have regard to:

~ all relevant medical circumstances

~ the woman's current and future physical, psychological and social circumstances]

- penalties: If the act of abortion is decriminalised, there still needs to be in place stiff penalties for the disregard for the policies and procedures outlined in the amendment.

- Explanations of the wording of the bill and ramifications have seemed shallow and a avoiding of responsibility. There are two examples of this. First, from listening to an interview on ABC radio a number of weeks ago, where the member submitting this bill was interviewed. His answers were not clear nor satisfactory in giving information requested. I would suggest that this interview is listened to by those evaluating the bill. Secondly, from reading the amendment bill (transcript) itself, the conclusion of the member as follows seems an avoidance of responsibility. I believe the submission of a bill is not simply to provoke discussion, but when thorough thought and discussion has already happened, and the submission is the proposed way forward. From amendment bill conclusion: I have not drafted any clause or made any suggestion in relation to gestation periods, whether it be 24 weeks, 20 weeks or whatever, because my main concern is that this parliament get together and pass law reform in this area. We need something that a majority of MPs in this place can support. It is my hope that, during the committee process with submissions from medical professionals and with MPs operating in goodwill, we can reach a point at which all or certainly the majority of members in this place can support this so that young women or any women, especially vulnerable women, are not risking criminal prosecutions. Surely a young person should not have to ruin their young lives by proceeding with a pregnancy if they are not ready and their family and their doctor think it unadvisable. When nearly a third of women will seek an abortion over their lifetime, it is about time our laws reflected modern values that trust and empower women to make decisions about their own bodies. I commend this bill to the House.]

- I personally hold the belief that a foetus of any gestation should be given the right of sanctity of life. But I do not expect other people to be held to my belief. I also do not expect to be penalised in any way for holding to this belief - or for any health professionals to be penalised.

- I do believe that there is a waiting list for adoptions within Queensland. If this is the case, does it not seem a wise alternative to encourage having a child adopted rather than terminated?

Respectfully submitted
Susan Chapman

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