




Australian Rail, Tram & Bus
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(Qld Branch)

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Research Director
Health, Communities, Disability Services and Domestic and Family
Violence Prevention Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Committee,

Please find enclosed, the submissions for the Queensland Branch of the Australian Rail, Tram and Bus Union in respect of the Abortion Law Reform (Woman's Right to Choose) Amendment Bill 2016.

Kind regards,

Owen Doogan
State Secretary

Correspondence to: industrial@rtbu.com.au

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RTBU supports "a Women's Right to Choose".

No Government, no Doctor, no Health Clinic should ever have the right to tell a woman that she must have a child against her will.

Currently in Queensland, it is only lawful to provide an abortion to a woman if going through with the pregnancy would seriously harm her physical or mental health.

This means that if a woman is raped and falls pregnant due to that rape, yet having the baby would not cause serious harm either physically or mentally, she cannot choose to abort the pregnancy.

Unbelievably, this is still governed by the Criminal Code!

UNPLANNED PREGNANCIES HAPPEN- IT'S NOT ABOUT JUDGEMENT

Unplanned pregnancies are a reality. It is estimated that half of the pregnancies in Australia are unplanned and half of those reported using preventative contraception prior to falling pregnant.

The days of an unwanted pregnancy being shameful or a dark family secret are over. History tells us that when we make morality calls on such matters, terrible things happen. Lives have been lost and irreparably damaged by the law being overly dictated by moralistic views.

Women who don't have ready access to abortions sometimes take matters into their own hands and risk their own lives to rid themselves of an unwanted pregnancy. All manner of home remedies are experimented with from excessive alcohol binges, scalding hot baths, wire coat-hangers and back-alley practitioners to bush-medicines and physical beatings. The list of potential risks and complications is endless. The WHO estimates that 21.6 million unsafe abortions took place globally in 2008 and in that year, it is estimated that approximately 47,000 women died from those unsafe abortions.

We, as a mature and developed society, cannot allow this to continue to be a risk to women in Queensland.

LEGALITY AND SAFETY GO HAND IN HAND

There is no correlation between the legality of abortions and the number of abortions performed in any given jurisdiction. This tends to indicate that whether abortions are lawfully available or not, they will continue to be performed. An unwanted pregnancy does not become a wanted pregnancy by way of restrictive legislation.

The only statistic that the Government is in a position to impact is whether those abortions are performed safely or not. It is irresponsible for the Government NOT to legalise and regulate abortion.

“Where abortion is generally permitted, it is generally safe, and where it is highly restricted, it is typically unsafe. In South Africa, the annual number of abortion-related deaths fell by 91% after the liberalization of the abortion law in 1996.”¹

THE CRIMINAL CODE IS NO PLACE FOR ABORTION LEGISLATION

We submit that it is not an amendment that is required, but a removal of abortion laws from the criminal code completely.

An abortion by choice is a medical procedure. Just as having one’s tonsils removed by choice is a medical procedure. There is no place for it in the criminal code. There are protections that exist already for a woman who is assaulted and forced to miscarry a pregnancy. There is no need for the criminal code to refer to a consented to and indeed, sought medical procedure.

Legislative regulation of abortions should be implemented elsewhere in appropriate legislation or associated regulations.

COST

Currently, access to abortions is somewhat dominated by the price tag. There are fluctuating prices for having an abortion and it varies from region to region. The cost may be prohibitive for some in remote areas- by the time a woman pays for travel and accommodation expenses to a place where an abortion can be obtained, there’s still the bill for the service that needs to be taken care of.

This may mean that for some, the cost of an abortion sits close to \$1000. If a woman cannot afford this outlay, she is forced to have a child; one that she can potentially not provide for financially.

Abortion should be free for all who choose it. If an abortion clinic is not immediately accessible in a woman’s local area, the Government should reimburse reasonable travel and accommodation expenses as is the case in New Zealand.

GESTATION PERIODS

We do not seek to make specific submissions on gestational periods before which an abortion be allowed. The RTBU do not claim to be medical experts, nor do we claim to know what is best or safest for any woman. We would defer to medical experts already practicing in the area to guide the Parliament on any suitable cut-off period.

We do, however, submit that any limit set on gestational periods, not be set in black and white. There must be a buffer for circumstances outside the ordinary. This may include when a woman’s health is seriously threatened by the continuation of a pregnancy or where severe foetal malformation is detected.

PRIORITY TREATMENT

Once a woman determines that she is to have an abortion, the matter should be treated with some urgency by medical staff. She should not be left to ponder, worry or indeed extend past any

¹ R Jewkes and H Rees, ‘Dramatic decline in abortion mortality due to the Choice on Termination of Pregnancy Act’, South African Medical Journal, 2005, 95:250. Cited in [3].

imposed gestational limitation because of a delay in the system. Referrals need to be made and handled quickly.

SOCIETY IS READY

There is no longer the mass societal outrage and anger associated with this issue that there once was. Opinions have softened and common sense has prevailed and it's time now for women's health to be prioritised over personally held moral beliefs. Each woman should be free to choose for herself whether her own morals permit her to abort a pregnancy or not. It is not for the Government to dictate those morals to her.

Whilst currently, the default position under the legislation is that performing an abortion is a criminal act unless there are prevailing circumstances, this is not, in reality, how it is applied. In many medical clinics, the exception is rightly applied liberally. It is high time that the legislation reflected the current, sensible practice.

The RTBU therefore submits that the decriminalisation of abortion is a priority for the Queensland Government and that the above measures be taken into account when amendments are made to the legislation.

Submission for the Queensland Branch of the Australian Rail, Tram and Bus Union prepared by Carla Jones, Industrial and Women's Officer.