

Submission to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee: Abortion Law Reform (Women's Right to Choose) Amendment Bill 2016 and Inquiry into laws governing termination of pregnancy in Queensland

Even though abortion is technically illegal in Queensland, the current legal situation allows unfettered access to abortion services. Around 15,500 abortive procedures took place in Queensland in 2009.¹ We believe it would not be right to further strip away any protection that unborn children may be given in this State.

Abortion is presented as “one part of a spectrum of sexual and reproductive health care,”² as if it were no more serious than a woman’s decision on which type of oral contraceptive pill to take. It is presented as a viable and preferable option for women who do not want to continue with an unplanned pregnancy, when in actuality it is a medical procedure with potentially serious risks³ and frequent negative physiological and emotional impacts.⁴

The pro-choice lobby frequently makes reference to unplanned pregnancies as a result of rape, sexual assault, incest, or in situations of domestic violence, as a reason for decriminalising abortion. This depiction is unrealistic when statistics show that **less than 1% of abortions** are performed on women who are the victims of rape.⁵ Even in cases of sexual assault, one study of 192 pregnant women showed 78 per cent of the women who chose to abort (representing 30% of the total) regretted their decision. None of the 70% who continued their pregnancies regretted the decision.⁶

There are different opinions on when a human being’s life begins. Regardless, it is an unreasonable position to take that a fetus is not a human being when it has a heartbeat, developed organs, and can survive outside of the womb (which becomes viable at approximately 24 weeks of pregnancy). It would be an even harder proposition to argue that a 36-40 week old fetus is not a

¹ Statistics available through the Medicare website at <https://www.medicareaustralia.gov.au/statistics>. Figure cited is generated by adding the numbers of procedures under item numbers 35643 and 16525.

² <http://www.childrenbychoice.org.au/info-a-resources/facts-and-figures/abortion-in-qld-issues>.

³ <https://www.emilysvoice.com/get-informed/abortion-procedures-risks/>.

⁴ “One comprehensive study of 400 international studies into the psychological risks associated with abortion concluded that 20-30% of women who had an abortion suffered from serious, prolonged, negative consequences”: <https://www.emilysvoice.com/get-informed/abortion-facts/>; citing: Dr Priscilla Coleman, Abortion and mental health: quantitative synthesis and analysis of research published 1995-2009. The British Journal of Psychiatry, 2011, <http://bjp.rcpsych.org/content/199/3/180>;

⁵ Stephanie Croft, Abortion in Australia in the 21st Century, Facts, Current Trends and the Way Ahead 2006, NSW Right to Life, p 15.

⁶ Selena Ewing, Women and Abortion: An Evidence-Based Review ,2005; a meta analysis of Australian and international research on why women have abortion, compiled for a Women’s Forum Australia parliamentary submission. See also www.afterabortion.org; citing David Reardon’s book, Victims and Victors, 2000, www.theunchoice.com/victimsandvictors;

human being when it can breathe outside of the womb, moves about and kicks, and sleeps inside of the womb.

It is legally incongruous that killing an unborn child is punishable by imprisonment for life,⁷ yet the taking of an unborn child's life by its own mother/doctors is treated as an unpunishable offence. The law needs to have internal consistency in its treatment of a "child". This cannot be achieved through defining a fetus as a "child" for the purposes of section 313, yet disregarding its personhood through repeal of the abortion offences.

All stakeholders will agree that the intentional taking of human life is murder, and it is only a very tenuous argument that seeks to classify a late-term fetus, or indeed a fetus that can survive outside of the womb, as anything other than a human being.

Abortion is murder and should be treated as such by the law.

Presenting abortion as an easy option and passing laws that facilitate the choice to abort, without even consideration of its legality, does a disservice to Queensland women. It does a disservice to unborn children whose lives can be ended up until the minute they are born. It does a disservice to fathers who have no say in their unborn children's future because "her body, her choice". Furthermore, it does a disservice to the large numbers of infertile women/couples in Queensland who are seeking to adopt and provide a loving home to an unwanted child.

A better outcome for all parties could be achieved if Queensland's laws and policies were geared away from encouraging abortion, and instead adoption was presented as a viable alternative, and more comprehensive support and counselling was provided to women who face an unplanned pregnancy.

⁷ *Criminal Code 1899* (Qld), s 313.