

Submission

To: The Inquiry into laws governing termination of pregnancy in Queensland

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Abortion law in Queensland should remain under the Criminal Code of 1899, sections 224 - 226 and 282 as should other laws relating to the death of an individual.

The Criminal Code also provides for dealing with death in the case of murder and manslaughter after a person is born, and there is no justification for removal of these matters from the Criminal Code. The fact that abortion law in Queensland is in the Criminal Code of 1899, with an addition in 2009, does not mean that it is out of date and that all reference to abortion should be removed from the Criminal Code; for it too deals with the death of an individual human being.

When conception is completed no further genetic material is added to the developing foetus. From that point on, the individual grows and develops. Life begins at conception and personhood begins with life. From conception, the foetus is a distinct individual. It is not part of the body of its mother, and while a woman may claim that she had the right to do what she wants with her body, the life in her womb is separate and distinct from her. In fact, the placenta, which supports the foetus, is not part of her, but is a product of the developing foetus.

While there are several reasons for a woman to seek an abortion, it seems that many terminations in the first fourteen weeks of pregnancy are carried out because of an unwanted pregnancy, and not because of suspected foetal abnormality. In fact, abortion is being used as contraception following consensual sex. The answer to unwanted pregnancy is not abortion, but effective sex education and effective contraception. Another answer to unwanted pregnancy is supportive counselling and support for adoption.

Every abortion leads to the death of an individual. This is a heavy price to pay and needs to be restricted to saving the life of the mother or of one or more of the other foetuses in the case when death is imminent.

In the case of a woman with psychological issues, she should be given the support which would be given to any woman with psychological issues. Pregnancy as the result of rape or incest, does not of itself justify taking the life of the innocent unborn. In the case of suspected foetal abnormality, including Downs' Syndrome, the pregnancy should continue, as in many cases, the diagnosis is not confirmed and the alternative is a live birth, with supportive palliative care, which can be of support to the parents - even if the baby does not survive.

There is a danger that the “Culture of Death” in our society - which begins with abortion - will continue to “partial birth” abortion, during which the baby is killed while it is being born, with only the head starting to emerge from the womb – so that technically it is an abortion and not a murder. Still further of concern is the proposal by Peter Singer, that, *no newborn should be considered a person until 30 days after birth and that the attending physician should kill some disabled babies on the spot.*

In 1993, ethicist **Peter Singer** shocked many Americans by suggesting that no newborn should be considered a person until 30 days after birth and that the attending physician should kill some disabled babies on the spot. Five years later, his appointment as Decamp Professor of Bio-Ethics at Princeton University ignited a firestorm of controversy, though his ideas about abortion and infanticide were hardly new. In 1979 he wrote, “Human babies are not born self-aware, or capable of grasping that they exist over time. They are not persons”; therefore, “the life of a newborn is of less value than the life of a pig, a dog, or a chimpanzee.”<sup>1</sup>

Still further is the push for euthanasia with its devaluation of human life and the risks of non-consensual death and abuse by those with a financial interest.

The change of the Law relating to abortion in Victoria and Tasmania, which binds the conscience of medical practitioners, is abhorrent. To compel a person to refer someone to another Doctor to perform an abortion (under legal sanction) is against the human rights of the individual.

All abortions, both spontaneous and induced are traumatic; and every effort must be made to save the unborn and support their mothers.

The matter of abortion should remain under the Criminal Code, with support given to women to continue unwanted pregnancies and to adopt out these children. Abortions should only be performed to save the life of the mother, or one or more of the other fetuses, in the case of imminent death. Foetuses with suspected or identified defects should be allowed to go to full term with provision of counselling and palliative care and support. Medical personnel must not be compelled to act against their conscience by being forced by legislation to refer a woman to another Doctor for an abortion.

<sup>1</sup>Peter Singer, *Practical Ethics*, 1st ed. (Cambridge: Cambridge University Press, 1979), 122–23. Quoted in <http://www.equip.org/article/peter-singers-bold-defense-of-infanticide/>