

Ladies and gentlemen of the committee, I would like to invite you to come on a trip with me in my Time Machine to Brisbane in 1899. As time-travellers we will be invisible, inaudible but not insubstantial to the Brisbane residents of 1899. While we will be able to observe their comings and goings freely, please be careful not to touch them. We do not want to terrify some unfortunate with the touch of an invisible hand, nor do we want to risk contact with any of the rather nasty infections or infestations common in this era.

For your comfort, stay close to our vehicle which has a convenient toilet facility. There will not be sewage here until 1911 and an outhouse is not very pleasant even when the nightsoil men have emptied the can the night before.

You will notice great difference between the city of 1899 and of today. Gentlemen wear suits and homburg hats and ladies long skirts, long-sleeved blouses and large hats. You will see horse-drawn trams and buses. Horse buses will keep running well into the 20th Century and the Metropolitan Tramway and Investment Co. first electrified its tram from Woolloongabba to Victoria Bridge in 1897.

You will also see posters advertising meetings of 'Billites' and 'Anti-Billites', those in favour of Federation and opposing, it is a hot topic this year. There are also many recruiting posters for the Boer War along with ads for patent medicines and popular entertainments.

Our tour will start at Queen Street, where you will see the city's only electric street-lights and the newly electrified trams, as well as the many horse-drawn vehicles. We will not see any motor cars, Ford will not sell his first car until 1903. There are heavy carts and drays delivering goods, light sulkies with 2 or 3 passengers, the occasional man riding a horse or one of the new 'safety bicycles' with pneumatic tyres as well as lots of pedestrians.

Do be careful where you step when crossing the road, all those horse-drawn vehicles mean a lot of manure.

At 216 Queen Street we will see the GPO which is one of three public buildings with electric lighting. Although most roads have gas streetlights and shops, offices and homes are lit by gas lamps supplied by the Brisbane Gas Company, the GPO has telegraph as well as mail services and this year has renovated the building to allow the employment 12 women telephonists during daylight hours to operate the expanding 24 hour telephone network.

Near the GPO we will see Moses Ward's Dentist and Chemist Shop. On the shelves we can see bottles of laudanum [tincture of opium] and the weaker paregoric, but the

new Bayer Aspirin may not be in stock yet. Other products may be EPP's Cocoa made by James Epps and Co Ltd Homeopathic Chemists London, Dr All's Nursery Hair Lotion [for thoroughly cleansing children's heads from all impurities] , Beecham's Pills, Lydia Pinkham's Vegetable Compound and possibly Madame Drunette's Lunar Pills or Dr Peter's French Renovating Pills.

It would be exciting to be able to watch the 1st Queensland Cavalry Contingent parade along Queen Street, before they board ship on their way to the Boer War. Unfortunately the crowds of spectators cheering them on are too much for us. We could, if you like go down to the wharf later on and watch their horses being loaded on to the SS Cornwall.

Next on our tour will be Central Station with its long distance and suburban steam trains. The most recent service is the line to Enoggera. For passengers who want to go further afield than the few suburbs with rail services, the possibilities are limited. Trains go to Ipswich, Warrick, Charleville and north to Yandina, but past these points one has to rely on Cobb and Co Coaches. For long distance coastal travel, such as from Brisbane to Mr Pyne's electorate of Cairns, one would need to embark on a steam ship.

From there we will go to see the 'Normal School' on the corner of Edward and Adelaide Streets. This is a model primary school run by the Department of Public Instruction which is responsible for the provision of free secular primary education. Here some well trained teachers give demonstration lessons to visiting pupil-teachers. Teachers are trained in the pupil-teacher system some starting as young as 14. Women make up about half of teachers but rarely promoted to Principal. Children aspiring to secondary education, if unable to afford the fees, will have to sit for the Scholarship examination for Grammar School, or gain entrance to the Brisbane Technical College Grammar School program.

Then we go to look at the Brisbane Hospital at the Quarries now known as Herston, the same site of today's Royal Brisbane and Womens Hospital. Nurses have been trained here since 1888 and are accommodated in the Lady Lamington Home for Nurses during their training. Of course our inspection will be from outside only, as there are patients here suffering from infectious diseases such as typhoid, cholera, enteritis, diphtheria, scarlet fever, whooping cough, T B , measles, rheumatic fever for which effective immunisations are not available. Children fade away with atrophy or debility or suddenly with teething convulsions. Men are admitted with the serious injuries common to manual labour or falls from horses.

Surgery is performed using chloroform, the latest anaesthetic and carbolic acid is the commonly used antiseptic. Surgeons wash their hands with carbolic soap, since convinced that disease was caused by germs by Heinrich Koch in the 1890's. In spite of the best efforts of doctors [only one of whom is a woman] and nurses, the average life expectancy of men is 49.5 while women survive to 55.8 years. There is the Lady Bowen lying-in hospital at Spring Hill and there the maternal mortality rate, if similar to Victoria, is 6 per 1000 live births.

On a lighter note, if we had more time we could watch a performance at the Theatre Royal where there is a variety show running . Signor Benvenuti's orchestra will

accompany acrobats, tableaux, dances, ballads and comic songs. They might even perform the hits of the year, My Wild Irish Rose or Scott Joplin's Maple Leaf Rag. Performers include Miss Daphne Howe, Ethel Rose, Florence Jarman, Messrs Bottger, Cowan and Andrews along with Mr George Hooper prestidigitator.

Our second last stop is the Government Printer's Office which apart from printing all legislation, Hansard, and all the forms required for the various departments, provides Parliament House with electricity. It has a large engine room with steam engines running generators that power its printing presses and electric lights and the electric lights in Parliament House. Even Government House will have to make do with gas light well into the next century.

Our final stop will be Parliament House itself. You will notice that all those hurrying down the corridors and in the two chambers are men. Women can neither vote or stand for election. Indeed they have only recently achieved the legal power to control their own property with the passing of the 1890 Married Women's Property Act. They will not be able to take part in the 1899 Referendum on Federation, will gain the vote for the first time under the Commonwealth Franchise Act 1902 and in Queensland elections in 1905. Of course there is a vigorous movement struggling for votes for women with inspiring women like Emma Miller heading the Womans Equal Franchise Association. Petions were presented to Parliament in 1896, but progress was slow.

Here in Parliament House we will hear the Speaker announce that he has received messages from His Excellency the Lieutenant Governor assenting, in the name of Her Majesty, to an Act to Establish a Code of Criminal Law. This, along with the Criminal Code itself was drafted by Sir Samuel Griffith the Chief Justice, who wrote to the Attorney-General in 1897 sending a draft of a bill to establish the Code completing the task he had commenced in 1893. Griffith also contributed largely to the Draft Constitution and drafted the Judiciary act that set up the High Court of which he was the first Chief Justice. As brilliant as he was Griffith's Criminal Code was a product of his time. It imposed the death penalty for murder which was abolished in 1922 and imprisonment for consensual male homosexual acts described as 'buggery' or 'gross indecency'. These offences were finally abolished in 1990 with the amendments to Ss208 and 209 which also changed 'buggery' to anal intercourse.

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Welcome back Ladies and Gentlemen. I hope your visit to 1899 Brisbane has assisted you to consider the issues raised by the Abortion Law Reform [Women's Right to Choose] Amendment Bill 2016. The terms of reference for this inquiry are very similar to those considered by the Victorian Law Reform Commission in its 2008 " Law of Abortion Final Report". Therefore this Report is highly relevant in considering the terms of reference, as are the submissions by experts such as Prof. Carolyn De Costa, Children By Choice.

1. The existing practices in Queensland concerning termination of pregnancy by medical practitioners are vastly different from those of 1899, with safe medical termination using Mifepristone and Misoprostol instead of Madame Drunette's Lunar Pills or Dr Peter's French Renovating Pills. Safe surgical termination method is by

means of gentle suction with modern anaesthetics and antibiotics instead of chloroform and dilation and curettage. Of course few women could afford a proper surgery in 1899 and most resorted to backyard unqualified abortionists who used means such as flushing the uterus with water and other dubious techniques with obvious risk. Worse still were the desperate women who use everything from large altar candles to coat hangers on themselves.

2. The existing legal principles that govern termination practices in Queensland which come from R v Bayliss and Cullen 1986 still depend upon doctors having to make judgements about comparative risks to women's lives. They were framed when only surgical termination was available and were further thrown into uncertainty in the early days of medical termination by the 2009-2010 case in Cairns and very recently by the case of Q a 12 year old, where Justice McMeakin effectively over-ruled Qld Health guidelines.

3. the need to modernise and clarify the law [without altering current clinical practice], to reflect current community attitudes and expectations is urgent. As we saw the law comes from an entirely different time, with vastly different social attitudes. Current valid surveys show that a healthy majority favour removing this medical matter from the criminal law.

4. legislative and regulatory arrangements in other Australian jurisdictions including regulating terminations based on gestational periods as very well covered in the Victorian Report. The problem of setting gestational limits is that some foetal defects are not detectable until after the limit set in some states legislation. It is a matter that should be decided by the woman and her doctors as foetal testing and monitoring evolves.

5. provision of counselling and support services for women is already provided by termination services, sexual health clinics, women's health services and most women do not want or need counselling. Mandatory counselling or referral to counselling is not recommended by the Victorian Report.

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Ladies and Gentlemen with the benefit of expert submissions and your experience of time travel I trust that you will agree with me that I have demonstrated why Ss 224, 225 and 226 should be removed from the Queensland Criminal Code.

It's Not 1899 and Abortion Should Not Be a Crime.

Judy Andrews