

Hazel Lees

To the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee - submission on the [Abortion Law Reform \(Women's Right to Choose\) Amendment Bill 2016](#) which you are currently considering:

I have no specialist medical or legal knowledge and therefore will comment on social justice and human rights aspects of the Bill.

I live in Cairns and was present in the Cairns District Court in 2009 when a young Cairns woman was charged with procuring her own miscarriage by using imported drugs. Her partner was charged with supplying the drugs. They were acquitted on the grounds that the drug used was not a substance noxious to the mother as required under the current legislation. However the trial focussed my attention on the injustices of Queensland's current legislation regarding abortion.

The Cairns couple charged as above had made what appeared to me to be a reasonable decision to end their pregnancy in its early stages because they were not ready to start a family. For this their personal lives were exposed cruelly in the glare of the local and national media spotlight. The Queensland legislation on abortion was also exposed in the media, and I heard numerous people commenting that they had been unaware that abortion was illegal in Queensland.

I am aware that following the Cairns case, Section 282 of the Queensland Criminal Code was amended to relieve a person of criminal responsibility for performing surgical or medical treatment on an unborn child to preserve the mother's life. However all sections of the Queensland Criminal Code that deal with abortion including Sections 224, 225 and 226 are a product of nineteenth century morality and norms. Women and men of Queensland should not be bound by the laws emanating from the social norms of over 100 years ago.

Surveys of current opinion in Queensland have indicated that a large majority of the population is in favour of reform of abortion law. I have observed that whenever the Cairns

Pro Choice group has tested public opinion in the Cairns area by means of street stalls and letter writing campaigns the overwhelming response has been in favour of decriminalising abortion. In my opinion matters to do with abortion should be removed from the Criminal Code and sections 224-226 should be scrapped. Women should have the right to choose what happens to their bodies. Choosing abortion should be the decision of women, their partners and their doctors, with non-judgemental, expert counselling and support provided. Abortion is a traumatic experience for women and should be conducted in private and without fear of any adverse consequences from harsh, out of date laws.

I am in favour of Queensland adopting laws similar to the relevant laws of Victoria where abortion is no longer a crime under the *Abortion Law Reform Act 2008*. I believe Victoria's laws are in accord with current community attitudes and expectations. This includes the regulation of terminations based on gestational periods, although it should be noted that 99% of abortions in Australia are performed in the first 12 weeks of pregnancy.

It is important to note that fears that decriminalising abortion would lead to an increase in abortion are unfounded. Where abortion has been decriminalised in Australia and around the world the rate of abortion has not increased.

It is time to decriminalise abortion in Queensland.

Yours faithfully

Hazel Jane Lees