

**30 June 2016**

**To:** The Health, Communities, Disability Services and Domestic  
and Family Violence Prevention Committee

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**Supporting submission re:**

Abortion Law Reform (Women's Right to Choose) Amendment Bill 2016 and Inquiry into  
laws governing termination of pregnancy in Queensland

**From:** Ms Kate Chapple, TC Beirne School of Law, The University of Queensland

I write in full support of the submission of my colleague, Professor Heather Douglas of The University of Queensland, dated 26 June 2016. I am the senior writer for the National Domestic and Family Violence bench book, a resource being developed within The University of Queensland TC Beirne School of Law (and led by Professor Douglas) in collaboration with the Australasian Institute of Judicial Administration and Commonwealth Attorney-General's Department for Australian judges in the management of domestic and family violence related proceedings.

Australian legislatures have demonstrated significant will in recent years to address the discrimination, diminishment and harm experienced by women who are victims of domestic and family violence, the hallmark of which is a male perpetrator's exercise of coercion and control over the female victim (most often their current or former partner) through a range of behaviours – physical and non-physical – that induce fear and injury. This legislation enables women who have the support available to them to regain control of their lives and wellbeing. Similarly, the proposed Bill, if enacted, will allow Queensland women to regain control over their reproductive choices.

I make the following brief points:

- Recent cases – Teagan Leach and the Q case underline the fact that current approach has serious implications
- Absurdity of current situation with 15k terminations of pregnancy (TOP) each year, almost all of which are "illegal"
- Near ubiquitous practice of manufactured severe mental illness as an indication – paternalistic and infantilising approach to women
- A sane woman is unable to make an informed decision to proceed to termination of pregnancy, even in circumstances where the state has offered her advanced and in some cases risky prenatal diagnosis for disabling conditions, but then denies her rights to participate in reproductive decision making
- No fear of increased TOPs with decriminalisation – in fact the literature if anything suggests TOP rates higher in jurisdictions where it is illegal. Canada has no TOP laws; and one of the lowest incidences in an analogous high income country.
- The vast majority of Queenslanders support / want law reform in this area. Current code completely out of date, with legal wording from the mid-19th century.