

Submission to **The Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee**

Subject **The Health (Abortion Law Reform) Amendment Act 2016**

Submission by Colin James Apelt

Address

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I note that it is acknowledged that many submissions made to the Committee's former inquiry on abortion law are relevant to this Bill and that the Committee will consider those submissions during its examination of this Bill. It is therefore not necessary to re-submit the same information or opinions to this inquiry. I merely record that I did make a submission (Number 1181) to that former inquiry in which I stated that I am totally opposed to any change to the law in Queensland that proposes to remove Abortion from the Queensland Criminal Code, thereby removing all legal restrictions with respect to abortion. The following submission that objects to specific matters in the proposed **"The Health (Abortion Law Reform) Amendment Act 2016"** in no way alters that previously stated total opposition.

1. Concerning Division 2

Division 2 Abortion generally

22 Duty to perform or assist in abortion

Clause 22 sub-section (1) "No one is under a duty (by contract or other legal requirement) to perform or assist in performing an abortion."

Clause 22 sub-section (2) "A person is entitled to refuse to assist in performing an abortion."

Submission on Clause 22 sub-section (2) The proposed wording is too vague.

The protection of a person's right not to be involved in any aspect of an abortion procedure must be guaranteed. It is submitted that the wording of this sub-section should be strengthened to read; *"A person is entitled to refuse to assist in performing an abortion or in any matters relating to an abortion procedure. Such person shall not be required to state any reason for such refusal."*

Clause 22 sub-section (3) "However, a doctor has a duty to perform, and a registered nurse has a duty to assist a doctor in the performance of, an abortion on a woman in an emergency if the abortion is necessary to save the life of, or to prevent a serious physical injury to, the woman.

Submission on Clause 22 sub-section (3) The proposed wording is too open and vague. It is submitted that the wording should be changed to read; *"However, a doctor has a duty to perform, and a registered nurse has a duty to assist a doctor in the performance of, an abortion on a woman in an emergency if the abortion is necessary to save the life of the woman."*

2. Concerning Division 3

Division 3 Patient protection

23 Declarations for abortion facility

Clause 23 sub-section (2) "An area declared to be protected under sub-section (1) must be --

(a) at least 50m at any point from the abortion facility”

Submission on Clause 22 sub-section (2) (a) It is submitted that the extent of 50m is far too large, that it would involve an unacceptable restriction on the freedom of movement and that it should be no larger than 10m.

24 Prohibited behaviour in relation to abortion facility

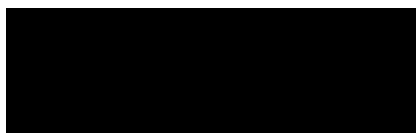
Clause 24 sub-section (2) “In this section –

prohibited behaviour, in relation to an abortion facility, means –

- (b) an act that can be seen or heard by a person during the protected period for the facility, and intended to stop the person from –
 - (i) entering the facility; or
 - (ii) having or performing an abortion in the facility; or
- (c) a protest, by any means, during the protected period for the facility relating to the performance of abortions in the facility.

Submission on Clause 24 sub-section (2) It is submitted that Clause 24 involves an unacceptable restriction to the freedom of speech and that the whole of Clause 24 should be deleted.

Submission by



Colin James Apelt

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