

**Dr Fiona Elaine Mack's submission to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee regarding the Health (Abortion Law Reform) Amendment Bill**

I am a General Practitioner who has worked in the area of Sexual and Reproductive Health for 25 years. Within my practice I care for women in the areas of contraception, menstrual management, menopause, fertility counselling, antenatal and pregnancy care and inevitably, unplanned pregnancy. Sometimes (50% of the time) a woman will choose to end an unplanned pregnancy. Until Mifepristone became available in Australia in 2011, I had to send this last group of women to an external abortion clinic. I was unable to help them. However, now that I am a Registered Prescriber of Mifepristone I am able to care for them by providing a Medical Termination of Pregnancy (MTOP).

I support the removal of abortion laws from the Queensland Criminal Code and believe that all women should have access to safe and legal abortion regardless of race, geographical location, gestational stage of pregnancy, or financial situation, and it should not be restricted to those whose life is in danger.

I support efforts to reduce the unplanned pregnancy rate in Australia, including expanding access to contraceptive methods (particularly Long-Acting Reversible Contraceptive methods).

**Key submission points**

I strongly support the passing of the *Abortion Law Reform (Woman's Right to Choose) Amendment Bill 2016* to decriminalise abortion in Queensland.

I support the Health (Abortion Law Reform) Amendment Bill **only in conjunction with** the Abortion Law Reform (Woman's Right to Choose) Amendment Bill. I urge the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee to **recommend that both bills regarding abortion are debated and voted on together.**

**Outlined below are my responses to each proposed clause**

- **only a doctor may perform an abortion:** a person who is not a doctor (or a registered nurse administering a drug to perform an abortion under the direction of a doctor) would commit an offence.

I support this clause.

- **a woman does not commit an offence by performing, consenting to or assisting in an abortion on herself.**

I support this clause but strongly recommend the complete decriminalisation of abortion in Queensland to remove the risk of prosecution for medical professionals, women and anyone supporting a woman; and bring our current legal principles into step with current termination practices.

- **an abortion on a woman who is more than 24 weeks pregnant** may be performed only if two doctors reasonably believe the continuation of the woman's pregnancy would involve greater risk of injury to the physical or mental health of the woman than if the pregnancy were terminated.

I recommend no gestational limits imposed in legislation. However, I would support the introduction of the Victorian model: legal to 24 weeks on request and legal post-24 weeks with two doctors' approval.

- **conscientious objection** no-one is under a duty to perform or assist in performing an abortion; however a doctor has a duty of care to perform an abortion if it is necessary to save a woman's life or prevent serious physical injury. Also, a registered nurse has a duty to assist in such circumstances.

I support this clause but recommend the inclusion of mandatory referral to a non-conscientious objector in a timely manner. I would also support a publicly available register of conscientious objectors.

- **patient protection or 'safe zones'** a protected zone of at least 50 metres must be declared around an abortion facility; certain behavior, e.g. harassment and intimidation, is prohibited within a protected zone. Publishing images of a person entering, leaving or trying to enter or leave an abortion facility is prohibited.

I support this clause with two recommendations. Firstly that the safe zone is extended to 150 metres in line with the Tasmanian and Victorian legislation and secondly that ministerial approval is not required to approve a safe zone.

## Conclusion

I urge the committee to support the *The Abortion Law Reform (Woman's Right to Choose) Amendment Bill 2016* by repealing of sections 224, 225 and 226 of the Queensland Criminal Code. Therefore, I support the Health (Abortion Law Reform) Amendment Bill **only in conjunction with** the Abortion Law Reform (Woman's Right to Choose) Amendment Bill.

I acknowledge that this is a very contentious area of health. Nevertheless I urge the committee to not place undue merit to value-based or religious opinions in this enquiry. I encourage the committee to rely only on accurate up to date evidence based information, which is not misleading or emotive in this enquiry process.

Yours sincerely,

Dr Fiona Mack

1st October 2016

