

# **Submission**

**To**

**Queensland Health, Communities, Disability Services  
and Domestic and Family Violence Prevention  
Committee**

Inquiry Secretary,  
Parliament House,  
George Street,  
Brisbane Qld 4000  
Email to: <abortion.bill@parliament.qld.gov.au>

**Health (Abortion Law Reform) Amendment Bill 2016**

**By**

**Spencer Gear PhD<sup>1</sup>**

**Date: 3 October 2016**

<sup>1</sup> I am a retired counsellor and counselling manager who is currently an independent researcher, Christian minister, and freelance writer.

## **This second Queensland Bill to legalise slaughter of innocent children in the womb – through abortion – should be rejected.**

I refer to the content of this second bill to amend the abortion law in Queensland, 'Health (Abortion Law Reform) Amendment Bill 2016'.<sup>2</sup>

### **1. *Reasons already given for opposing decriminalisation of abortion in Qld***

The issues I raised in my 15-page submission to the Queensland 'Abortion Law Reform (Woman's Right to Choose) Amendment Bill 2016, the first Bill proposed by Rob Pyne MP, and that I submitted on 28 June 2016 are the same kinds of objections I have to this new Bill, along with a few additions. My previous submission was published online as submission No 455 at:

[REDACTED] (Accessed 2 October 2016).

I refer you to this submission for the detailed reasons why I oppose decriminalising abortion in Qld. In summary, the rationale includes:

### **2. *What it does to unborn children***

It means the butchering of unborn children. In my previous submission No. 455, I provided photographs that graphically compared newborn children with the unborn who were butchered in abortion but those photographs were blacked out. Were they too graphic to bear the thought of legalising this?

#### **2.1 Abortion's negative impact**

See [REDACTED] for more details on the impact of abortion. These facts include, but are not limited to:

- Fact 1: Every abortion kills an innocent human being.
- Fact 2: Every human being is a person.
- Fact 3: It is just, reasonable, and necessary for society to outlaw certain choices.
- Fact 4: The right to not be killed supersedes the right not to be pregnant.
- Fact 5: Abortion is to be condemned for similar reasons to why slavery and genocide are denounced.

<sup>2</sup> Available at:

[REDACTED]  
(Accessed 2 October 2016).

### **3. *The rights and wrongs of abortion***

#### **3.1 This Bill legalises slaying of unborn children.**

#### **3.2 Why is it wrong to kill the unborn?**

##### **3.2.1 Parliaments legislate, but God sets the boundaries of what makes abortion wrong.**

'You shall not murder' is one of the pillars of our Christian-based society. Rob Pyne MP has proposed a system of values in this legislation that is based on his relativistic ethic that human beings can start from their own reasoning and develop standards of justice to judge what is right or wrong about killing the unborn. For this legislation, there is no fixed standard of behaviour that cannot be replaced by what seems like more necessary and necessary opinion.

This proposed legislation violates a fundamental of the medical profession's Hippocratic Oath (which has a 2,000 year history) by which the medical profession affirms, 'I will maintain the utmost respect for human life from the time of conception' [The World Medical Association Declaration of Geneva (1948) Physician's Oath].<sup>3</sup>

##### **3.2.2 God's absolutes guarantee justice**

#### **4. *This will be what will happen for many Qld children if MPs CHOOSE to reject the Bill.***

You will choose the beautiful life of a newborn child over death through slaughter of the unborn!

#### **4.1 Laws omitted by 'Health (Abortion Law Reform) Amendment Bill 2016'**

These sections relate to the existing act on abortion:

- Section 224 Attempts to procure abortion<sup>4</sup>
- Section 225 The like by women with child<sup>5</sup>
- Section 226 Supplying drugs or instruments to procure abortion<sup>6</sup>

<sup>3</sup> Center for Injury Research and Policy (CIRP) 2002. Available at:

[REDACTED] (Accessed 3 October 2016).

<sup>4</sup> Queensland Consolidated Acts, Criminal Code 1899 - SECT 224. Available at:

[REDACTED] (Accessed 17 May 2016).

<sup>5</sup> Queensland Consolidated Acts, Criminal Code 1899 - SECT 225. Available at:

[REDACTED] (Accessed 17 May 2016).

**4.2. Life of the mother is protected in the existing Act.**

Section 282 Surgical operations and medical treatment<sup>7</sup>

**4.3 What are the attitudes of the Qld community?****5. *Politicians: What do Queenslanders want?***

MPs, are you listening to 'What Queenslanders Really Think About Abortion'? If you are, you would not support the decriminalisation of abortion. This is what Galaxy Research found in a randomised telephone opinion poll of 400 Queensland voters, conducted from 6 - 8 May 2016, with 13 questions. The research found that a majority of Queenslanders do not want abortion decriminalised. Here are the results:

- 55% agreed that abortion takes a human life;
- 66% agreed that the unborn is a person with rights at 20 weeks gestation;
- 84% agree that abortion harms women's health;
- 87% support a cooling off period of 2-3 days;
- 94% agreed with independent counselling for someone seeking an abortion;
- 72% opposed late term abortions past 13 weeks;
- 79% support conscientious objection to abortion;
- 85% were opposed to late term abortion past 20 weeks;
- 75% supported parental consent for abortions on minors;
- 45% opposed, 38% agreed, 17% were unsure of abortions for non-medical reasons;
- 49% opposed and 43% agreed with the decriminalisation of abortion;
- Views on the current law: 39% too restrictive, 42% about right, 11% not restrictive enough;
- There was a potential swing of 6% against pro-abortion MPs (Galaxy Research 2016:2).

**5.1 What people WANT should never be the standard.****6. *Human life begins at conception.*****7. *What drives the abortion agenda?***

<sup>6</sup> Queensland Consolidated Acts, Criminal Code 1899 - SECT 226. Available at: [REDACTED] (Accessed 17 May 2016).

<sup>7</sup> Queensland Consolidated Acts, Criminal Code 1899 - SECT 282. Available at: [REDACTED] (Accessed 19 May 2016).

Worldviews influence reality and two radically different worldviews are influencing decisions regarding abortion in Qld. Those worldviews involve (1) the value of human life from conception to natural death, and (2) the life of the mother (the adult) is more important than the life in the womb and the decision to abort is the woman's choice. Two different philosophies drive these worldviews.

## **8. *Righteousness (God's justice) exalts a nation***

Proverbs 14:34 states, 'Righteousness exalts a nation, but sin condemns any people'. God's message is straightforward regarding any State or nation.

- When a nation practises God's righteousness in national or State actions or in person-to-person relationships, the nation will be exalted in its reputation and in its impact for God and justice.
- However, if sinful government decisions are made (e.g. promoting abortion and breaking God's law against killing) and people act sinfully towards one another, the nation will be condemned.
- Should the State of Queensland legislate the killing of unborn human life, it will be exalting injustice (unrighteousness) in this State towards the unborn. It will be promoting a route to ruin for Qld.

## **9. *Additional issues raised by this new Bill***

According to *The Sydney Morning Herald* (Dumas 2016), the first Bill to decriminalise abortion, promoted by Rob Pyne MP, was rejected because 'the committee was unable to support the Bill as it failed to address a number of important policy issues and to achieve a number of its own stated objectives' (Chairwoman and Labor MP, Leanne Linard, stated)'.

Is this a normal procedure for all Bills in the Qld parliament where a Committee rejects a Bill on certain grounds and the Bill is regurgitated in another form? It sure sounds like a strong pro-abortion agenda is being pushed by the Qld Parliament.

### **9.1 Issues that should be added to the Bill**

Have you forgotten about these?

#### **9.1.1 Parental consent for underage abortion**

What did the Galaxy Research in May 2016 find? 'Three-quarters of Queensland voters (75%) believe parental consent should normally be required for girls under the age of 16 to have an abortion. Support is strongest in the 35-49 age group, with 82% agreement. Just 20% of all voters disagree' (Galaxy Research 2016:6).

Because 16 is the age of consent for sexual relations, making 16 the age of parental consent for abortion is reasonable for a just society as parents (wherever possible) should be involved in this major decision. Therefore, I consider that it should be compulsory to have parental consent for children and youth under age 16 who seek an abortion. Otherwise, you will undermine the fabric of that family's cohesion.

### **9.1.2 Compulsory independent counselling**

One of the essentials that should be added to this Bill is compulsory, independent counselling before an abortion is performed. Information about informed consent should be included in such counselling, which should not be conducted by any abortion providers as counselling in that environment could be regarded as advocacy for an abortion. The benefit of independent counselling is that it helps deal with the possibility of interference (coercion) by parents, partner or husbands and those promoting abortion services.

You should follow the South Australian example of 2003 'when the Women's and Children's Hospital in Adelaide introduced mandatory independent counselling for women before having an abortion, [and] the number of abortions over the next 12 months fell by 25% ("Advice Curbs Terminations", *Sunday Mail* - Adelaide - 25 July 2004).<sup>8</sup>

## **10. Flawed content in this Bill**

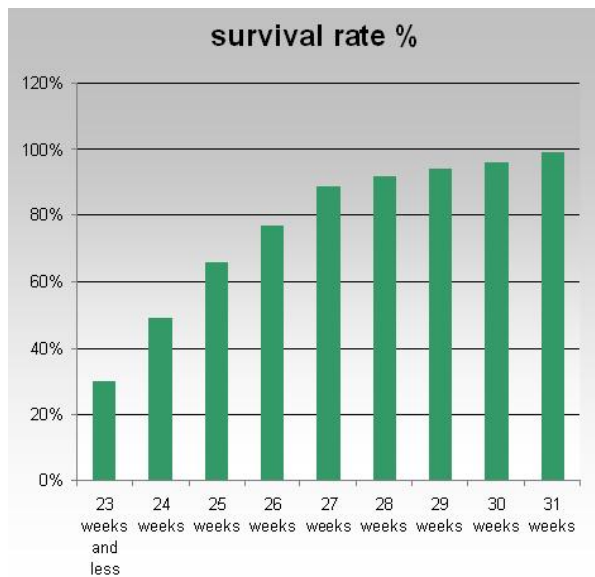
I want to raise six issues of faulty elements that need to be removed from this Bill. They are:

### **10.1 Two doctors taking coal to the Galilee Basin**

When it is stated in the Bill that two doctors are needed to sign for a late term abortion, it suggests that something fishy is going on. This is a ploy to try to convince us, the general public, that if two doctors approve abortions after 24 weeks, then that makes such abortions legitimate. There is absolutely no need for a second doctor's opinion or signature.

In August 2014, a world first Melbourne based study to determine how being born prematurely affects your adult life, has shown that premature babies born at 24-weeks gestation have a 60% chance of survival and that survival rates have never been higher.

<sup>8</sup> This was cited in Baker (2010).

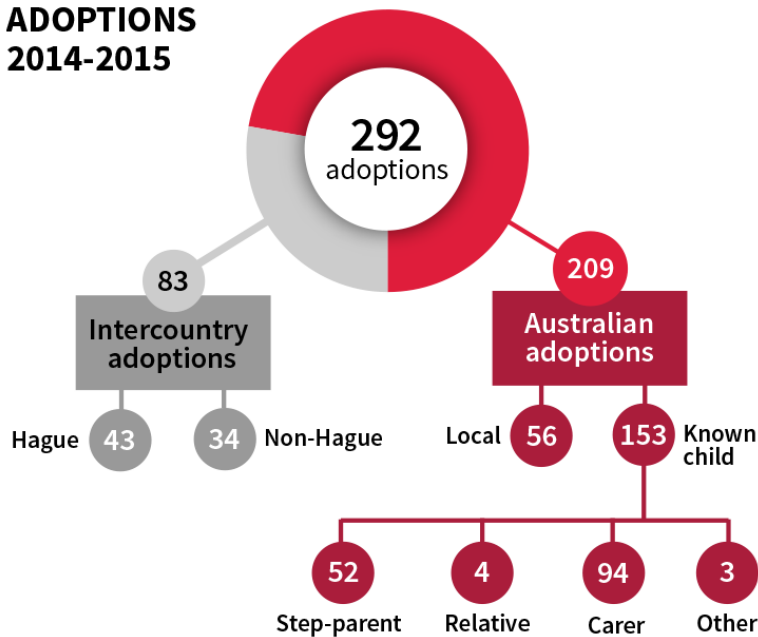


(Table source – NSW Neonatal Intensive Care Study (NICUS) data for 2001 – 2004)<sup>9</sup>

There is no need for two doctors to approve an abortion after 24 weeks. No viable new-born child ever needs to be killed to protect the mother's health when early delivery may be possible or Caesarean section is the other option.

If the birth mother does not want to keep the child, there are infertile couples waiting in line who are prepared to adopt such a child. In December 2015, *The Sydney Morning Herald* reported that 'in Australia just 292 adoptions were completed in the past financial year, a decline of 8 per cent on the previous period'. Graphically, this can be portrayed:

<sup>9</sup> L'il aussie prems foundation (2007-2016). Survival rate for premature babies (online). Available at: [REDACTED] (Accessed 2 October 2016).

**ADOPTIONS  
2014-2015**

(Preiss 2015).

Please remove this requirement for two doctors to approve an abortion after 24 weeks when it is not necessary. This will not protect viable pre-born children. It will kill them. Encourage woman to carry these pre-born children to full term, give birth, and allow the children to be available for adoption.

## 10.2 Mandatory advice on the risks of abortion

Galaxy Research (2016:5) found that 'there is widespread belief in Queensland (94%) that before having an abortion a woman should receive free independent counselling and information so that she can make a fully informed decision. Only 5% disagree'. Therefore, while it is recommended that only doctors should perform abortions, the law should require that doctors provide women with comprehensive details on the risks of abortion prior to the abortion. This should be in conjunction with independent counselling.

## 10.3 Freedom of speech eroded

With the requirement that there should be protected areas around an abortion facility and that this should be 'at least 50m at any point from the abortion facility' [3.23.2(a)], this is draconian and an assault on freedom of speech in Queensland. What other business in Australia has this kind of prohibition put on it? It is especially important that freedom of peaceful protest should be allowed around a killing facility such as an abortion clinic or hospital.

'Hundreds of farmers marched on Queensland's parliament house in Brisbane ... chanting for "fair laws for farmers"', according to *ABC News* (Gregory 2016). It's suitable for farmers to protest in downtown Brisbane, but not okay for reasonable human beings to protest against the slaughter of unborn



children. This is a travesty of justice that should be removed from the legislation. Australia's thriving democracy depends on freedom of speech.

Why is the Queensland Government violating its own 'Right to Protest' legislation? This states:

Under the [Peaceful Assembly Act 1992 \(Qld\) \(PDF\)](#) (the PAA), you have the right to hold peaceful public assemblies in Queensland.

Public assembly is any rally or demonstration held in a public place, whether or not it is held in just one place or it moves between an assembly point and another location.

A public place includes a road, a place usually open to or used by the public, or a place that is temporarily open or being used by the public.<sup>10</sup>

An environmental activist won his case, involving direct protest in Gladstone:

"Gladstone Harbour is sick, and protest action from the community has been validated today. Federal Environment Minister Burke and Queensland Environment Minister Darling, Fishery Minister Wallace, and the Premier Bligh have been slapped in the face today by the Queensland courts".

On the 9 Nov 2011 environmental activist Derec Davies boarded and stopped the controversial dredging in Gladstone Harbour. Gaining national media attention and connecting dredging impacts to the Great Barrier Reef and the activities of Queensland's coal and coal seam gas industry.

"No fine, no conviction, and the damages claim thrown out. This is an exceptional win and sends a clear signal to Minister Darling that the environment and the concerns from the community will come before industry in the eyes of the law", said Davies.<sup>11</sup>

Farmers can take their protest right to the doors of Queensland Parliament House. An environmental activist can board a dredge with legal approval, but when abortionists murder unborn human beings, Queenslanders will not be removed by 50 metres to protest against those slaughter houses. That's not only an unjust requirement in this legislation but it abrogates the democratic freedoms we have in this country. Please delete this part of the legislation.

If you pass legislation that restricts the right to protest, in light of this law of the Peaceful Assembly Act 1992, you have broken the [law of non-contradiction](#).

<sup>10</sup> Queensland Government 1995-2016. Right to protest (online). Available at:

[REDACTED] (Accessed 3 October 2016).

<sup>11</sup> Friends of the Earth Brisbane 2012. Environmental protests given green light in Queensland (online), 19 January. Available at:

[REDACTED] (Accessed 3 October 2016).

The right for peaceful protest outside an abortion provider should be our democratic right in Queensland. Why do you want to stop this from happening? Does Rob Pyne have agendas and worldviews to protect? Shame on the Qld government for allowing legislation to be presented that infringes on our right to peaceful assembly outside an abortion facility! Requiring a 50 metre distance from the facility is promoting a pro-abortion agenda and its bias.

Of course there is the need for female clients to be protected from those who might abuse, harass, or intimidate the person. Such should never be supported or encouraged. However, there should be every right in this country of freedom to be able to hand out literature, pray and engage in peaceful protests outside such commercial providers – right up to the pavement outside the facility. It is a threat to freedom of speech to have a protest free zone for 50 metres outside these kinds of commercial businesses.

I object to the Qld Parliament including a criminal provision against those who want to peacefully counter late-term abortions, but Parliament agrees to provide protection for those abortionists who kill unborn children for financial gain.

#### **10.4 Conscientious objections**

According to the Galaxy Research (2016:7), 'Eight in ten voters (79%) support conscientious objection provisions allowing doctors and nurses to opt out of having to perform abortion operations against their will'. Therefore, it is not necessary to have a conscientious objection provision added to the law. That should be automatic for us in our just society.

As for an 'emergency abortion' and the need not to allow conscientious objection, that is a furphy of an objection that the abortionists like to perpetrate. In the case of an ectopic pregnancy where an embryo is lodged in the fallopian tube, this is a situation where the embryo cannot survive and the removal of the embryo to save the life of the mother is not an abortion.

There is no ethical issue here as any doctor or nurse who objects to abortion would not be participating in the killing of an unborn human being who could go on to become a birthed child. However, if such a medical person wants to be exempted from the procedure for conscience reasons, such should be allowed automatically, with no threat to employment.

#### **10.5 Queensland's 'final solution'**

This legislation has overtones of the '[final solution](#)' (the Nazi plan to exterminate the Jews in World War 2), because it allows abortion right up until the time of birth. This is an abomination. In my last submission against abortion, in the online version of my submission, you blacked out photographs of what an aborted child looks like. Is it too gory to admit what this legislation will mean to unborn, aborted children in the latter stages of pregnancy?



(photo 26 week abortion, courtesy [AbortionNO](#))

I find what this legislation wants to authorise to be monstrous for any civilised society.

In the Galaxy Research (2016), it found that:

- 85% of Queensland voters oppose late-term abortions after 20 weeks.
- 72% oppose abortion after 13 weeks of pregnancy.
- Of the 50% who would allow abortion in the first trimester, 45% of these are opposed to abortion for financial or social reasons.
- About 98% of all abortions are for financial and social reasons.

This Queensland Galaxy Research (2016) makes it clear that the majority of Qld people do not want abortion more freely available in this state. I call on you as MPs to agree with Queenslanders and quit playing into the pro-abortionist, Emily's List, agenda.

## **10.6 Legalise abortion and watch numbers increase**

Making abortion more freely available through this kind of legislation will lead to more abortions and escalate the medical costs. The example of poker machines should be an example of what can happen.

Legalising them has led to more drastic use. Monash University's Charles Livingstone, an authority on gambling issues, told *ABC News*, Brisbane, Qld., concerning the reduction from \$10,000 to \$7,500 in the maximum amount pokie players can insert and store in machines: 'This is supposed to be a harmless entertainment. Why on earth would you need to put \$7,500 in a poker machine in a club or pub if it were genuinely merely harmless fun? The only impact of this is to make money laundering slightly more difficult, but only slightly' (Steketee 2015).

Legalising brothels is another example of what legalisation can do. It has led to more use of prostitutes. Victoria's sex industry was described in 2011 in *The Age*:

CHINESE organised crime syndicates are running multimillion-dollar prostitution rackets across Melbourne by bribing officials and exploiting abysmal regulation. The syndicates are linked to human trafficking and arrange for dozens of Asian women to travel from interstate and overseas - often on student visas - to work in brothels.

In several instances, figures linked to the illegal prostitution syndicates - including Mulgrave woman Xue Di Yan - are also licensed by the Victorian government to run legal brothels....

Victoria's illegal sex industry has enjoyed a decade of unparalleled growth due to a systemic failure by police, Consumer Affairs, the Immigration Department and local councils, which are variously hamstrung due to inadequate powers, legal loopholes and under-resourcing (McKenzie & Beck 2011).

*The Age* reported in 2015 that 'in Victoria, abortion was decriminalised in 2008. It is legal up to 24 weeks for any reason, and requires two doctors to agree after 24 weeks' (Medew 2015). How did that affect the number of late term abortions?

Scores of women are flying into Victoria to have late-term abortions each year because of prohibitive laws in other states and territories.

The demand for the controversial procedure is so great in Melbourne that the main service is flying doctors in from South Australia because there is a shortage of doctors trained and willing to do it in Victoria.

Marie Stopes International, the only private organisation that provides terminations for women 20-24 weeks pregnant in Victoria, said about 46 per cent of these procedures were done for interstate women.

The group declined to say how many it performed each year (Medew 2015).

Do you want to see Queensland's abortion facilities flooded with appointments for abortion for social and financial reasons and not for medically urgent reasons? Then go ahead and decriminalise abortion as planned in this legislation. Responsible governments should know not to do that when we know that killing the unborn is murder and that most do not seek abortion for necessitous reasons. What are the reasons? *The Sydney Morning Herald* reported:

BAD timing is the most common reason for women seeking abortions at Royal Women's Hospital [Melbourne], the first report on women using its pregnancy advisory service has found.

An analysis of 3018 women seeking terminations between October 2006 and September 2007 showed 1026, or 34 per cent, listed their primary reason as "does not want children now" or "not the right time".

- **'Bad timing' most common reason for seeking termination**
- **Most Pregnancy Advisory Service users aged 18 to 38**
- **Socially disadvantaged women contacting service later**

Another 547, or 18 per cent, said they already had enough children, 263, or 9 per cent, said they were caring for a young baby, and 339, or 11 per cent, said they were too young.

Financial, relationship or medical reasons together accounted for 19 per cent of cases, and rape for 1 per cent (Medew 2009).

That means that 92% of this sample of 12 months of 3012 cases of abortion were for non-urgent, social, convenience and non-urgent reasons. There is no reason why this kind of abortion-for-convenience situation would not be the case in Queensland with decriminalisation of abortion. Let Victoria and other states take the 'abortion tourism'. Queensland does not need to promote murder of unborn children for the sake of the mother's and/or partner's convenience.

Galaxy Research (2016:8) 'suggests a potential average swing of 6% against MPs who vote for decriminalisation of abortion'.

## 11. Conclusion

This Bill should be rejected because it murders unborn children who are human beings and has a negative impact on the mother-to-be, child, family and society. As a group of State MPs, you will be judged on how you treat all people, including those from conception to birth.

Removing abortion criminality from the law means that Queensland approves the slaying of the unborn. It is wrong (yes, immoral) to kill human beings because governments don't legislate this kind of morality. God does that. God's absolute against murder guarantees justice for Queensland. You, as Queensland MPs, need to uphold God's justice, 'You shall not murder'. Don't you understand the seriousness of what you are doing to society with the authorisation of the killing of the unborn?

To legalise abortion means Queensland prefers slaughter of a human being to the birth of a beautiful newborn child. Current laws protect unborn children from murder and offer the mother a way out in case her life is threatened.

Queenslanders in the majority oppose abortion that takes a human life (Galaxy Research 2016). Human life begins at conception, which is a medical fact. A worldview of killing human life is driving this agenda to promote abortion.

God's righteousness exalts a nation (including Queensland) and the sin of abortion would condemn Queensland MPs who legislate this sinful behaviour and those who practise abortion.

What should be added to this Bill? There needs an insertion of parental consent for underage abortion and compulsory independent counselling should be introduced for every person seeking an abortion.

The defective content in this Bill includes: The need for two doctors to approve late abortions should be removed. There should be mandatory, independent advice given to all women who present for an abortion.

Freedom of speech in our democracy is eroded when a protected area of 50 metres around an abortion facility is required. Queensland's Peaceful Assembly Act of 1992 prevents this kind of oppression. It doesn't happen with other protesters for other issues and it should not happen with those who protest outside abortion facilities.

Conscientious objection to any medical procedure automatically exists for staff. There is no need for it to be added for an 'emergency abortion'.

Queensland's alternative to a 'final solution' is advocated with abortion on demand allowed in this Bill right up until full term. This is obnoxious legislation that has a negative effect on the health of a nation.

Legalise abortion and the numbers of abortions will climb. In other jurisdictions, it has been shown that a majority of abortions are for social, convenience and financial reasons. They are not medical emergencies. Is this what you want to support – abortion for any reason?

**You support abuse of the unborn when you support abortion in this legislation. Queensland MPs will be judged by their answers to this question: 'How did you treat all people, from conception to death in old age?'**

Former surgeon general of the United States, C Everett Koop MD, wrote:

**'Protection of the life of the mother as an excuse for an abortion is a smoke screen. In my 36 years of pediatric surgery, I have never known of one instance where the child had to be aborted to save the mother's life. If toward the end of the pregnancy complications arise that threaten the mother's health, the doctor will induce labor or perform a Caesarean section. His intention is to save the life of both the mother and the baby. The baby's life is never willfully destroyed because the mother's life is in danger'**  
(*Moody Monthly*, May 1980)

## 12. Works consulted

Baker, A 2010. No consensus to change Queensland abortion law, but strong support for safeguards for women. *On Line Opinion* (online), 5 November. Available at:

[REDACTED] (Accessed 2 October 2016).

Dumas, D 2016. Queensland abortion law bill rejected, but reform is still an 'open question'. *The Sydney Morning Herald* (online), 30 August. Available at:

[REDACTED] (Accessed 2 October 2016).

Galaxy Research 2016. 'What Queenslanders really think about abortion' (online), May. Available at:

[REDACTED] (Accessed 2 October 2016).

Gregory, K 2016. Queensland farmers march on Parliament House protesting land clearing legislation. *ABC News, Brisbane, Qld* (online), 4 August. Available at:

[REDACTED] (Accessed 3 October 2016).

McKenzie, N & Beck, M 2011. The secret world of Melbourne's sex trade. *The Age* (online), 5 March. Available at:

[REDACTED] (Accessed 3 October 2016).

Medew, J 2009. Report reveals abortion reasons. *The Sydney Morning Herald* (online), 19 January. Available at:

[REDACTED] (Accessed 3 October 2016).

Medew, J 2015. 'Abortion tourism' brings scores of women to Victoria for late terminations, *The Age* (online), 26 October. Available at:

[REDACTED] [ml](#) (Accessed 3 October 2016).

Preiss, B 2015. Adoption rates slump, Australians wait years to adopt overseas children. *The Sydney Morning Herald* (online), 17 December. Available at:

[REDACTED] (Accessed 2 October 2016).

Steketee, M 2015. Gambling pays off ... for Australian governments. *ABC News, Brisbane, Qld* (online), 17 July. Available at:

[REDACTED] Accessed 3 October 2016).

THE END