

**To:**

Inquiry Secretary  
Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
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**Submission to Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee**

[abortionlawreform@parliament.qld.gov.au](mailto:abortionlawreform@parliament.qld.gov.au)

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

*Dr Caroline Harvey MBBS (1st class hon), MPM MPH FRACGP DRANZCOG*

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October 4 2016

Dear Committee,

I support the removal of abortion from Queensland's 1899 Criminal Code.

To this issue I bring my perspective as a medical practitioner of 30 years experience; currently working in aboriginal health but have through my career worked in Qld Health community womens health in Far North Qld, in General practice, in family planning services as well as 12 years as Medical Director of Family Planning Qld. I also write as a 57 year old woman, a mother of 4, now beyond my reproductive years but as other women knows the complexities of controlling 4 decades of fertility.

I am a member of:

- Public Health Association of Australia (PHAA)
- Australian Medical Association (AMA)
- Royal Australian College of General practitioners (RACGP)
- Royal Australasian College of Obstetricians and Gynaecologists (RANZCOG)
- Sexual Health Society of Queensland (SHSQ)
- Management Committee Children By Choice (CByC)
- Metro South Primary Health Network Clinical Advisory committee

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. Please refer to my previous submission to the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee regarding the Health (Abortion Law Reform) Amendment Bill for further information.

I believe your collated report from the Enquiry in August 2016 provides ample evidence to the committee.

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 recommends the specific and 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 legislation into line with current clinical abortion 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. IUIH recommends 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 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 I would also recommend the inclusion of mandatory referral to a non-conscientious objector in a timely manner for any practitioner for all women seeking an abortion ie women in non emergency situations.

**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. Women should not be subjected to this invasion of their privacy under already difficult circumstances. I strongly supports this clause with two additional recommendations. Firstly that the safe zone is extended to 150metres in line with the Tasmanian and Victorian legislation and secondly that ministerial approval is not required to approve a safe zone.

## Conclusion

I 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 as per my previous submission. 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.

While I acknowledge that this is a contentious area of health for a small number of individuals, I trust that the committee will rely on accurate balanced up to date research and evidence based information which is not misleading or emotive in this enquiry process -including that from many austere medical and community organisations. Personal opinions of a small but loud minority, however strongly held, must not be allowed to derail appropriate legislative change in democratic Queensland in 2016.

Thank you for the opportunity to make a submission to this inquiry.

Yours sincerely,

Dr Caroline Harvey

Respectfully,  
