

# Submission Health (Abortion Law Reform) Amendment Bill 2016

With regards to the proposed reform I would appreciate consideration of following points in relation to proposed reform points.

- **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.

Data collection for this procedure, as with any procedure, should be mandatory.

Distinctions made also between miscarriage and abortion for accurate reporting.

Two doctors to make rigorous diagnosis according to template of strict guidelines.

Annual auditing of this procedure, as with other pregnancy procedures ie; cesarean/hysterectomy/induction especially since it is Medicare funded.

Evidence of alternative outcomes provided, ie; psychological referral if comorbidity with depression.

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

This would be open to abuse - as it does not specify gestational age if the woman were to perform an abortion on herself.

It contradicts previous point, which allows for only a doctor or registered nurse to perform an abortion.

An self abortion would not be subject to rigorous scrutiny of establishing whether an abortion is warranted under auspices of the woman's well being.

- **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

What constitutes 'physical or mental health of the woman' because currently if a pregnancy interferes with holiday plans is basis enough for allowing for an abortion. Stricter guidelines are required for allowing the procedure because as we know, the ongoing mental health for the woman is at greater risk. Has the woman a history of mental illness, will an abortion increase this? Is adoption a better alternative? Have 3 doctors arrived at the same opinion?

"...the relative risk of mental health problems among young women in New Zealand, Australia, and Norway appears to be slightly but significantly higher if they report one or more abortions than if they report no abortions, delivering a baby, or no pregnancies."

Abortion and Mental Health Evaluating the Evidence Brenda Major University of California, Santa Barbara Mark Appelbaum University of California, San Diego Linda Beckman Alliant International University, Los Angeles Mary Ann Dutton Georgetown University Medical Center Nancy Felipe Russo Arizona State University Carolyn West University of Washington, Tacoma American Psychologist 2009

- **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.

What constitutes “saving a woman’s life”. Is this including her mental state in which the woman may cause herself physical harm?

If it is the doctor’s professional opinion that the pregnancy will not have adverse effects on the woman’s life or physical state will this same doctor who refuses the procedure be held to account?

If it is the nurse’s professional opinion that the pregnancy will not have adverse effects on the woman’s life or physical state will this same nurse who refuses the procedure be held to account?

- **patient protection or ‘safe zones’**: a protected zone of at least 50 metres must be declared around an abortion facility; certain behaviour, 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.

On what basis is the 50 metre zone?

Freedom to choose and act in a democracy must also allow for those who feel the moral and ethical obligation to stand in protest in any form anywhere in Australia.

This clause compromises this right for all Australians who exercise their right as activists for any cause.

If this clause handbrakes the rights of all Australians who would be acting for those who need defending.

A handwritten signature in black ink, appearing to be 'Mary', followed by a horizontal line.Four lines of text that have been completely redacted with black boxes.