




Speech By  
**Ann Leahy**

**MEMBER FOR WARREGO**

---

Record of Proceedings, 17 October 2018

### **TERMINATION OF PREGNANCY BILL**

 **Ms LEAHY** (Warrego—LNP) (2.28 pm): I rise to contribute to the debate on the Termination of Pregnancy Bill. Before talking in detail about the bill, I would like to place on record my congratulations to the Duke and Duchess of Sussex, who are visiting Australia, on their announcement that they are expecting their first child.

Returning to the bill, I have taken the time to consider the legislation, the views of my electorate and the LNP party policy position. LNP members have a conscience vote on this issue so they may determine, on the basis of their personal beliefs, experience and input from their constituencies, how they wish to vote on this legislation. I do not support this legislation and will be voting against this bill and any proposed amendments.

It is proposed in this legislation that a medical practitioner be allowed to perform a lawful termination on demand during the first 22 weeks of pregnancy. After 22 weeks of pregnancy, if the medical practitioner considers that the termination should be performed and has consulted with another medical practitioner who also agrees, that termination should be performed. This bill legalises abortion on demand and legalises abortion to birth.

Like many of those opposing the bill, I have grave concerns as to the 22-week gestation on-demand threshold, the lawful potential for late-gestation terminations for undefined social reasons, the lack of true and complete conscientious objection for medical professionals, and the potential unconstitutionality of the safe access zone provisions. It is my view that this is poor legislation that proposes to radically overhaul the law in Queensland. As the opposition leader, Deb Frecklington, said in this House, this is a badly crafted bill and she is correct, I believe, in this interpretation. I, too, do not believe abortion should be available on demand and this bill has been badly crafted from the beginning.

There were abhorrent bills presented in the previous parliament by the former member for Cairns. The Labor government then referred this matter to the Queensland Law Reform Commission and it did so to keep this issue out of the public arena during the 2017 state election campaign. This is not about a more workable framework for our health professionals or, for that matter, improving services to families in regional or isolated areas. This bill, unfortunately, is about ideology—and, unfortunately, that ideology seeks to divide and turn us against each other.

As we heard from the shadow Attorney-General and member for Toowoomba South, the law relating to abortion has deep and significant roots in the common law and statutory framework over the centuries. The adoption of anti-abortion statutory measures from the mid-19th century was a natural progression of the long common law history regulating abortion in this state. We saw this in 1986 when the District Court Judge McGuire held that abortion is lawful in Queensland where it is carried out to prevent serious danger to a woman's physical and mental health from the continuance of the pregnancy. Judge McGuire added that 'there is no legal justification for abortion on demand'. This decision remains the current legal basis for exemption from criminal liability for procuring an abortion in Queensland.

We know that there are approximately 14,000 abortions performed in Queensland every year—in complete accordance with the common law’s interpretation of the Queensland Criminal Code. Many of these abortions are conducted in connection with severe foetal abnormalities and which lawfully seek to preserve the mental health of the mother. This is the legal framework on which laws relating to the termination of pregnancy stand today.

No-one in this House would hold the view that a woman should run the risk of going to jail for having an abortion. It is not right for supporters of this bill to say that this is just about decriminalising abortion in Queensland. It is not. No convictions have ever been recorded in Queensland of a woman, even though there have been thousands of abortions performed every year. As I and other speakers have already outlined, abortions are conducted lawfully in Queensland every year. Safe termination of pregnancy is available now.

One has to question: why is this Labor government progressing down such a radical path when the legal framework is in place that works and there is no evidence of this legal framework delivering perverse outcomes in the form of convictions? The answer is that it is all about ideology. It is not about fact. It is not about compassion. It is not about concern for unborn babies who are unable to defend themselves.

I have had many people in my electorate contact me in relation to this legislation. Interestingly, many of these constituents are women. I have spoken to many of them personally, as this is a sensitive and highly personal issue for many of my constituents, and I have the greatest respect for their views. They are women from different ages and women from different backgrounds. There are also men from different ages and different backgrounds who are greatly concerned by this legislation. Despite their differences in backgrounds, gender, age and locations, the view that my constituents have expressed has been overwhelmingly consistent. They have requested that I vote no against this legislation. I can say to my constituents that it is clearly my intention to vote no to the Termination of Pregnancy Bill.

I also wish to reaffirm the position of the LNP membership, the grassroots members of the LNP party who have repeatedly debated abortion laws—and I think I have probably heard debates on the abortion issue for some 20 years. They have concluded that there is no reason to change these laws. Like the shadow Attorney-General and member for Toowoomba South, I also reaffirm the position of the parliamentary wing of the LNP who committed prior to the 2017 election that they would not amend abortion laws in Queensland. I will continue to stay strong to this commitment to the people of Queensland, the LNP and the people of my electorate of Warrego who have taken the time to contact me through my electorate office or personally with their views on this bill, and I greatly appreciate their input.

There is one organisation, however, that I feel needs to be raised during this debate. I find it very disappointing that this organisation is a registered not-for-profit organisation in this country. The organisation originated as an American political action committee that aims to help elect pro-choice Democratic female candidates to office. Accordingly, the *Washington Examiner* named Emily’s List as one of America’s most influential pro-choice political action committees.

This organisation is a political network in Australia and it supports women candidates seeking election to political office. Emily’s List Australia was inspired by Emily’s List America with similar goals to that in the United States—that is, supporting women into office who are pro choice.

The Australian website for Emily’s List provides information about how the organisation supports its candidates through early money and direct donations—and support they do. The Electoral Commission of Queensland’s electronic disclosure system records donations made to political parties and candidates in Queensland, which I am sure we all know a lot about. I have had the public data searched—

**Ms BOYD:** Mr Deputy Speaker, I rise to a point of order in relation to relevance. Emily’s List was not a submitter to this process. There is no reference to them in any capacity in the long title of the bill. I seek your direction in terms of relevance.

**Mr DEPUTY SPEAKER** (Mr Stevens): Thank you, member for Pine Rivers. I will take some advice from the Clerk. In relation to the issue of relevance, please, member, keep the matters that you are referring to towards the bill. I think the matters are relevant.

**Ms LEAHY:** Thank you, Mr Deputy Speaker. It is quite clear that Emily’s List support the termination of pregnancy legislation, and they have donated to the Labor Party in Queensland. In fact, there were four donations made on 6 November and they specifically donate to support political candidates who are pro choice.

Let us have a look at what the Emily's List members around Australia did and how similar the campaigns that have been going on around Australia are to this legislation in Queensland. Emily's List members around Australia have been involved in campaigns to spearhead the passage of abortion law reform in the ACT and in the Northern Territory and the decriminalisation of abortion in Victoria; to create buffer zones around reproductive health clinics in Tasmania and Victoria; and to prevent protestors from intimidating or harassing people entering clinics. That sounds exactly like the legislation here in this parliament.

It is simple: those who are pro choice join Emily's List, who then fundraise for them on the proviso that those candidates when they are elected as members of parliament will pursue the pro-choice agenda. I know of no other organisation that operates as a not-for-profit in this country for the purpose of killing unborn babies who are unable to defend themselves. It is appalling that this organisation is able to operate as a not-for-profit. I believe that this status should not be afforded to Emily's List.