




Speech By
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MEMBER FOR GREGORY

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TERMINATION OF PREGNANCY BILL

 **Mr MILLAR** (Gregory—LNP) (3.49 pm): I rise to make a contribution to this debate fully aware that the Termination of Pregnancy Bill is one of the most controversial pieces of legislation ever brought into this parliament. As members of this Legislative Assembly, we owe it to all Queenslanders to show that we can debate such a serious issue in a respectful way, with both sides being heard fairly and fully. Not to listen is to be disingenuous. As the elected members of this Legislative Assembly we have two fundamental and coexisting duties: to represent the views of our constituents in this parliament and to carry out our responsibilities as legislators, the law-makers of Queensland. After deep deliberation, it is my firm belief that voting in support of the Termination of Pregnancy Bill would be an abrogation of both duties.

The responsibilities we take on as legislators are grave. The laws we make in this House have real effects on our fellow Queenslanders. When we examine proposed legislation, every single one of us should be thinking about the quality of the legislation and the foreseeable effects of the proposed laws in the real world. Key questions we should all consider include: what are the existing laws; do the existing laws create such a bad effect that there is a clear case for change; is the proposed bill the best way to bring about such change; will the proposed law create bad outcomes itself; will it disadvantage some Queenslanders or remove their rights; will it place an unfair burden on some Queenslanders; and are the proposed laws open to abuse? I have asked myself these questions with regard to this bill and I have concluded that, in a purely legislative sense, the Termination of Pregnancy Bill fails every hurdle.

Firstly, let us look at the existing laws and whether they have such negative consequences that there is a pressing case for change. Terminations supervised by doctors and carried out for medical reasons are entirely legal under the existing Queensland law. As the member for Nanango and Opposition Leader said yesterday, more than 14,000 terminations are performed in Queensland each and every year. We are not seeing women and their doctors being charged by police or prosecuted in our courts. I sincerely cannot see the pressing case for a new bill in this area of law.

Any legislation in this space affects both the creation and the ending of human lives. It must genuinely seek to balance the rights of women with the rights of the unborn baby. This makes it the sort of issue where any reasonable person can appreciate the arguments on both sides. The existing laws do seem to achieve a balance. However, there is probably a case for strengthening the protections for doctors and patients. Having said that, I must consider if the Termination of Pregnancy Bill is the best way to achieve that protection, and the short answer is no. We can better protect both doctors and patients by making an amendment to the Criminal Code so that it becomes an offence to harass or intimidate anyone seeking medical care or providing legal medical treatments. Such an amendment would achieve the same outcome without the unwanted consequences of this proposed legislation.

As I see it, the laws proposed in this bill create some extremely bad outcomes. I am not overstating it in saying that if this bill passes there will be suffering because of it. I ask all my fellow legislators to consider that with an open mind. Allowing abortions for social reasons for the length of a

pregnancy appals me. In the media this week there have been calls to strengthen the charges that can be brought against a driver who causes an accident that, by injury to an expectant mother or through causing her death, kills her unborn baby. All of us can relate to why people would support such an argument. The record for the youngest surviving premature baby is 21 weeks. Certainly, babies born at 28 weeks normally survive in these days of advanced neonatal care.

With today's advanced medical imaging providing moving, 3D colour scans, expecting parents see their unborn babies with such clarity it is almost scary. It is a good scary. Scary because that same medical imaging can diagnose medical issues affecting our baby and we as parents then have a very difficult decision to make. This is no different in Queensland than in every other state, but this type of decision is very different than deciding to end the life of a healthy and viable unborn baby for social circumstances. To support that as a legislator means I am not seeking to balance the rights of both key parties—that is, the mother and the baby.

Let us move on to consider the next issue: does this proposed legislation create loopholes? As legislators, we all support the fight against domestic violence in a non-partisan way. This is a crime where women are overwhelmingly the victims and men are overwhelmingly the perpetrators. Sadly, there have been reports in the media of men who have deliberately assaulted their partner because she was inconveniently pregnant and his goal was to induce a miscarriage. Even more sadly, this is not rare. Domestic violence counsellors will tell you this happens to women in our state often enough to be a familiar scenario in their work. Under this legislation, this evil can be carried out with no risk of any legal consequence for the man. He can just march her off to the GP and the problem is solved. This is the ugly reality we are discussing when we talk about abortion by coercion. There is no framework in this legislation to prevent this happening.

This bill makes another kind of abortion by coercion likely, one that will affect young Queenslanders. I am a father of daughters and I am very conscious of the risks young women face as they discover their sexuality at the very time they are most vulnerable to peer pressure and most prickly about parental involvement in their lives. Every parent hopes that, if their daughter should have to face a teen pregnancy, the daughter knows that her parents will support her in seeking the best outcome. This legislation will allow our teenagers to make an impulsive decision to terminate, with possibly only their boyfriend or best friend the wiser. Certainly, if they are over 16, their parents may never know so their parents will not be able to provide the support their teenager will desperately need. Having been a teenage boy myself, I have met plenty of callous teenage males. This legislation may empower them because they will say, 'She can just get an abortion.'

This will also place an onerous burden on one group of Queenslanders: the medical profession. The burden for approving and carrying out a termination of pregnancy will rest solely with them as an individual. There is no counsellor or other specialist to share this burden. This is not just unwise; it is also unfair. Some doctors will feel this is not what they signed up for when they took the Hippocratic Oath. One of the first principles in the Hippocratic Oath is do no harm. Nor do I agree with mandating that medical professionals, be they doctors, midwives or nurses, must carry out abortions if they have a conscientious objection to the process.

For all these reasons, in a purely legislative sense I cannot support this bill. My second fundamental duty in this parliament is to represent the views of my constituents in the wonderful electorate that is Gregory. I am always highly conscious of the privilege and honour they have given me as their elected representative and I will always ensure that I take their views and feedback into consideration. They are rarely wrong. In the case of the Termination of Pregnancy Bill, the overwhelming majority of constituents who have contacted my office and me have asked me to vote against the bill and so I will do so.

Finally, the LNP party room has a longstanding convention of granting its members a conscience vote on proposed legislation affecting the creation or ending of life. The convention takes account of the deep emotional and spiritual issues such legislation brings up.

It is this conscience vote that makes my personal views relevant. I personally—at a very deep level—do not agree with legalising abortion without a medical reason either up to or after 22 weeks. I believe we can do better by both the mother and baby.