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12th August 2019

Submission to:

the NSW Legislative Council's Standing Committee on Social Issues on

The Reproductive Health Care Reform Bill 2019

In Response to the amended Bill to be brought before the NSW Legislative Council we make the following points for the Committee's consideration:-

Preliminary

We are very saddened and upset at the lack of due diligence and considerations of Parliamentary procedure and principles of democratic process exhibited by the sponsors/promoters of this Bill. Any such drastic changes to any other piece of Legislation would have been subjected to rigorous review and been open for public representations to be made for several months. We ask that this committee review the timetable for the passage of this Bill to presentation and debate in the NSW Legislative Council for such process to be followed.

Background

1. We have been involved with support and counselling of women in crisis pregnancies and with women who are suffering post abortion grief as an organisation for over 30 years. Members of our organisation and associated organisations and groups, both staff and volunteers, have spoken to some 3,000+ women considering an abortion and some significant number of women grieving the decision to abort a child. We have an association with professionals from diverse areas who assist in their areas of expertise. Medical doctors, GP's and Obstetricians, Lawyers, Psychologists, trained and qualified counsellors and financial advisers amongst them.

2. Of the 3,000+ women we have spoken to some 600 or more have decided to accept our assistance and continued with their pregnancies and delivered healthy, happy babies.

These mothers often still contact us thanking us for such assistance and for the lives of their children. Some of these have been in very extreme difficulty due to the situation they had found themselves in when they became pregnant; financially, legally, medically and domestically. Our staff and associates have aided them and given assistance to overcome the obstacles all without financial gain or any cost to these mothers.

3. Of all those we have counselled and offered aid over this time (3,000+) there are some very telling common themes given for their uncertainty of continuing the pregnancy and considerations for abortion. Overwhelmingly they have told us “They have NO Choice!” Given the rhetoric around demands for abortion being about a woman’s choice, I find this both interesting and appalling. Their reasons for feeling this are also very common. They don’t feel they have support from significant “others” in their lives. Husbands, boyfriends, parents, friends etc. If they did they would not be considering the abortion. Quite commonly and disturbingly they in fact have been pressured and coerced by the significant others to have the abortion.

4. Most of the women we have seen and counselled and referred onto other professionals for assistance who are suffering grief after an abortion also report that they were coerced into the abortion they did not want. Some of these women were threatened with violence and/or abandonment if they didn’t conform to the coercion and have an abortion. These women also often suffer from nightmares, depression, suicidal ideation, self destructive behaviours such as drug and alcohol abuse and from the relationships breakdown anyway.

5. We had some of these women testify at NSW Parliament House at a briefing session on 21st June 2017 organised by a coalition of groups opposed to the so called “safe access” zone Bill sponsored by Penny Sharp and Trevor Khan MLC’s. Most of them agreed to videos being done and several of these were passed onto the NSW Attorney General Mark Speakman, who we met with in early August that year. Unfortunately very few members of the NSW Parliament attended that briefing.

Our Submission

This Bill fails the women of NSW on several very important aspects and ignores modern medical science in favour of an ideology espoused by a radical element in society. In doing so it ignores the principles of law in a democratic society and enshrines in law an act of violence in what amounts to an abuse of fundamental rights.

1. It ignores the United Nations Universal Declaration of Human Rights and the Convention on the Rights of the Child supported by Australia. If the most basic of rights, the right to life, is ignored then no other rights are safe from redefinition or rejection. In 21st century Australia there are as many as 80,000 to 100,000 unborn children aborted each year and an estimated 35,000 of them in NSW. If this is the best we can offer mothers and their babies we have failed miserably.

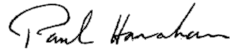
2. The current provisions in the NSW Criminal Code relating to abortion, Sections 82, 83 & 84 provide protections for mothers and their unborn children against unscrupulous doctors and should be maintained in their current form. The notion that doctors are fearful of prosecution and avoid referral for or involvement in abortion are ludicrous given that only one doctor (Suman Sood in Fairfield in 2006) has been prosecuted in the last 40 years in NSW under these laws. This was an undisputed case of malpractice by a doctor with a record of unprofessional conduct.

3. The current provisions provide women and their unborn children protection against coercion from their significant others. Husbands, boyfriends, parents etc. This is an area which needs to be attended to and abortion providers held accountable. Many women suffer forced abortions due to coercion and threats of violence and/or abandonment. The notion that “forced pregnancy” is an issue when there is little or no evidence of such and though there is extensive evidence of coercion in abortion, abortion providers are happy to ignore it and proceed because of vested interests. The current laws have the powers to hold them and those who provide the coercion to account.
4. The provisions in the Bill relating to informed consent are lacking in clarity and in the ability to be enforced. There is no requirement of a formal nature. There is no detail as to what constitutes such information to be necessarily provided. There is no requirement that a separate provider be consulted to provide such information.
5. The provisions relating to counselling likewise are lacking in force. There is no obligation for a separate qualified counsellor to be involved. There is no obligation to report such to the health authority or to the minister. There is no provision as to what constitutes such counselling.
6. The amendments requiring reporting on sex selective abortion in 12 months are again subject to the scruples of the abortion provider who has a vested interest. This is unsatisfactory and is a token gesture at best and at worst an obfuscatory design into this Bill to avoid the issue.
7. There are no provisions for the almost certain cases of “born alive” babies who survive abortion. These are neo natal infants who are fully able to survive given the right levels of care. Late term abortions over 50 years have had “survivors” and some of them travel the world and speak of their experience. In Victoria there are recorded cases since their laws similar to this Bill were introduced in 2008. Some 350 cases in fact. Yet this problem was dismissed in the haste to push a bad law through an uninformed parliament.
8. There is ample evidence of harm to women who have undergone an abortion from jurisdictions all around the world. Physical, Psychological and emotional. What provisions will be made to ensure these problems and consequences are made known to women and their partners seeking an abortion?
9. What provisions will be made to ensure this legislation isn’t an open invitation to abortion for any reason or no reason? We already have 35,000 abortions in NSW each year and many are for reasons of sex selection and other spurious motives. We rely on self regulation from those with the vested interests in providing abortions now and this new Bill will only make it more accessible and available for such cases without fear of prosecution.
10. Given the growing and ample body of evidence in relation to foetal pain why are there no provisions to provide anaesthesia to the unborn child about to suffer a cruel and horrible death? Why aren’t mothers made aware of this? Any other operation on a child in utero provides for the child to be anaesthetised.

We at Family Life International Australia Ltd. call on you the Legislative Council Committee on Social Issues to defer the debate and investigate the many issues that have been conveniently and negligently ignored in the promotion and passage of this Bill through the Legislative Assembly. The NSW Attorney General voted against this Bill in the other place

not because he was opposed to abortion, but because he said it was a very poorly drafted Bill. If the Highest legal officer in NSW can say that in his address on this Bill why has it not already been referred to a Committee for investigation into the many problems we and others have identified and at the very least redrafted if not rejected out of hand by our lawmakers? We urge you to give this your most serious consideration.

Yours Sincerely

A handwritten signature in blue ink that reads "Paul Hanrahan". The signature is written in a cursive style with a large initial 'P'.

Paul Hanrahan

Executive Director