



From the President

13 February 2018

Mr David Groth
Commission Director
Queensland Law Reform Commission
PO Box 13312
George Street Post Shop
BRISBANE QLD 4003

Via Email: LawReform.Commission@justice.qld.gov.au

Dear Mr Groth

Re: Review of termination of pregnancy laws in Queensland

Thank you for inviting The Royal Australasian College of Physicians (RACP) to provide feedback on the Queensland Law Reform Commission's (the Commission) consultation paper on the review of termination of pregnancy laws in Queensland.

The RACP is supportive of moves to reform the law to decriminalise and regulate abortion in Queensland and particularly the removal of Sections 224, 225 and 226 from the Criminal Code. This position is based upon the fact that the RACP supports uniform access to abortion services for women who do not choose to continue their pregnancy and upon evidence that criminalizing abortion does not decrease abortion but simply increases unsafe practices and the burdens of ill-health experienced by women and children in Australia and internationally.

Furthermore, the RACP believes that access to abortion services should not be open only to women whose pregnancy lies within a specified gestational range, as this may discriminate against women who experience medical illnesses that are only manifest in late gestation, who are in the most difficult of clinical circumstances and/or who lack access to maternal healthcare services. In this regard it is worthy of note that the RACP supports the availability of late term abortions when both the clinicians caring for the patient and the patient believe it to be the most appropriate decision – a position that aligns with The Royal Australian and New Zealand College of Obstetricians and Gynaecologists' (RANZCOG) *Termination of Pregnancy Statement*.¹ In addition, the RACP is also supportive of proposals to reform the

¹ The Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG), Termination of Pregnancy Statement. First developed in March 2005, reviewed in July 2016. Available online: [https://www.ranzcog.edu.au/RANZCOG_SITE/media/RANZCOG-MEDIA/Women's%20Health/Statement%20and%20guidelines/Clinical%20-%20Gynaecology/Termination-of-pregnancy-\(C-Gyn-17\)-Review-July-2016.pdf](https://www.ranzcog.edu.au/RANZCOG_SITE/media/RANZCOG-MEDIA/Women's%20Health/Statement%20and%20guidelines/Clinical%20-%20Gynaecology/Termination-of-pregnancy-(C-Gyn-17)-Review-July-2016.pdf) [Last accessed 02.02.18]

law to establish safe access zones prohibiting harassment and intimidation around hospitals and clinics that provide abortion services, as is already the case in Victoria and the ACT.

The RACP is not, however, able to provide a detailed submission to this consultation given the short timeline provided for a response. This is highly regrettable as abortion law reform has been the focus of intense public and professional debate in Australia and, as the experience in the ACT, Victoria and Queensland over the last decade has demonstrated, such reform only succeeds where there is adequate community and professional consultation.

Nevertheless, we have included below the RACP's high level position regarding termination of pregnancy as outlined in the RACP position statement titled *Sexual and Reproductive Health Care for Young People*, a copy of which is enclosed with this letter:

- Termination of pregnancy is a safe procedure for which major complications and mortality are rare whilst the evidence shows that the non-availability of termination of pregnancy services increases maternal morbidity and mortality.
- **The RACP supports uniform access to safe, legal, accessible and affordable abortion services with both medical and surgical options for women who do not choose to continue their pregnancy.**
- Women who opt for termination should be afforded confidentiality, pre- and post-termination counselling and advice on ongoing contraception, when required. These are essential components of care.
- The RACP acknowledges that some medical practitioners have a conscientious objection to termination of pregnancy. In line with guidance from the Medical Board of Australia and the Australian Medical Association, the RACP agrees that personal beliefs should not impede patient access to treatments that are legal and referrals to alternative health professionals should be provided where required.

Should you require any further information about this matter, please contact Ms Claire Celia, Senior Policy Officer, on Claire.Celia@racp.edu.au or on 0481 348 617.

Yours sincerely



Dr Catherine Yelland PSM

Enc: RACP Position Statement: Sexual and Reproductive Health Care for Young People, 2015