

Timely Topics: A woman's right to choose and abortion law reform

Newspaper articles

Right to choose abortion wins strong support

The Sydney Morning Herald, October 5, 2009

Adele Horin

Australians in general, and Queenslanders in particular, hold liberal views on abortion, yet politicians' fear of small religious minorities appears to have stymied decriminalisation of the procedure in some states, a study shows.

A clear majority of Australians, 57 per cent, support women's right to obtain an abortion readily when they want one. One-third supports abortion in special circumstances and only 4 per cent opposes abortion outright. The findings, from the Australian Election Study, are based on polling 1873 electors at the 2007 federal election. They reveal how Australians' attitudes have become much more liberal since the same questions were put to voters 20 years earlier, when only 38 per cent agreed with women's unfettered right to abortion.

Queenslanders are even more pro-choice than Australians as a whole, and the residents of Brisbane, with 63 per cent support for unrestricted access to abortion, are the most liberal in the country.

Key message: majority of Australians support the right to choice

The impending trial of a young Queensland woman for allegedly illegally aborting her pregnancy has no precedent in Australia:

RU486 abortion trial without precedent in Australian court

[The Australian](#), June 28, 2010

Jamie Walker

The finding that there is no precedent of a trial of a woman for aborting her own pregnancy reinforces how intensely the prosecution of Tegan Leach and her partner, Sergie Brennan, both of Cairns, will be watched.

The case is due to return to the District Court next month, with Ms Leach charged with attempting to procure an abortion under a 111-year-old provision of the Queensland criminal code, carrying a maximum of seven years' jail. Mr Brennan is charged with supplying drugs to procure an abortion. Both have been committed to stand trial.

Key message: unprecedented trial to go ahead in Cairns on October 12, 2010

Recent journal articles in an Australian context

Views and practices of induced abortion among Australian Fellows and specialist trainees of the Royal Australian and New Zealand College of Obstetricians and Gynaecologists.

[de Costa CM](#), [Russell DB](#), [Carrette M](#).

[Medical Journal of Australia](#) 2010 Jul 5; 193(1):13-6.

Abstract

OBJECTIVE: To determine the opinions and current practice of obstetricians and gynaecologists and trainees in the specialty with regard to induced abortion. **DESIGN, SETTING AND PARTICIPANTS:** A voluntary, anonymous survey of Australian Fellows and specialist trainees of the Royal Australian and New Zealand College of Obstetricians and Gynaecologists was conducted between 23 June and 31 July 2009 using an email invitation to proceed to an online questionnaire. **MAIN OUTCOME MEASURES:** Attitudes to abortion; self-reported usual practice of induced abortion. **RESULTS:** Of 1498 Fellows and trainees invited to complete the questionnaire, 740 (49%) did so. Of these respondents, 632 (85%) stated that they did not hold religious or conscientious views that would make them totally opposed to abortion; 463 of these (73%) reported performing abortion as part of their personal practice, with 204 (44%) doing so only for severe fetal abnormality or serious maternal medical conditions. 108 respondents reported holding views that made them totally opposed to abortion - 60 (56%) opposed it in any situation at all and 48 (44%) opposed it with limited exceptions. Of those opposed, 34 (32%) added comment that they perform abortion for severe fetal abnormality or serious maternal medical conditions, and a further 17 (16%) commented that they refer women requesting abortion in these circumstances to colleagues. Of the respondents not opposed to abortion, 89% supported the availability of induced abortion within the public health system, and half felt that national availability of mifepristone would modify their practice of induced abortion. **CONCLUSIONS:** There was broad support among responding specialist obstetricians and gynaecologists and trainees for the availability of induced abortion in Australia. This study highlights the difficulties of accurately reporting a wide range of views on a contentious issue.

Key message: 85% of respondents to a Royal Australian and New Zealand College of Obstetricians and Gynaecologists survey indicated that they did not hold any personal views that would make them opposed to abortion.

Australian attitudes to early and late abortion.

[de Crespigny LJ](#), [Wilkinson DJ](#), [Douglas T](#), [Textor M](#), [Savulescu J](#).

[Medical Journal of Australia](#) 2010 Jul 5; 193(1):9-12.

Abstract

OBJECTIVE: To investigate community attitudes to abortion, including views on whether doctors should face sanctions for performing late abortion in a range of clinical and social situations. **DESIGN, SETTING AND PARTICIPANTS:** An anonymous online survey of 1050 Australians aged 18 years or older (stratified by sex, age and location) using contextualised questions, conducted between 28 and 31 July 2008. **MAIN OUTCOME MEASURES:** Attitudes to abortion, particularly after 24 weeks' gestation. **RESULTS:** Our study showed a high level of support for access to early abortion; 87% of respondents indicated that abortion should be lawful in the first trimester (61% unconditionally and 26% depending on the circumstances). In most of the clinical and social circumstances described in our survey, a majority of respondents indicated that doctors should not face professional sanctions for

performing abortion after 24 weeks' gestation. CONCLUSIONS: Our data show that a majority of Australians support laws which enable women to access abortion services after 24 weeks' gestation, and that support varies depending on circumstances. Simple yes/no polls may give a misleading picture of public opinion.

Key message: the numbers opposed to abortion outright are fewer than 15% of Australians that participated in an online survey in July 2008 (n=1050)

Reasons women give for abortion: a review of the literature.

[Kirkman M](#), [Rowe H](#), [Hardiman A](#), [Mallett S](#), [Rosenthal D](#).
[Archives of Women's Mental Health](#). 2009 Dec; 12(6):365-78.

Abstract

The aim was to identify from empirical research that used quantitative or qualitative methods the reasons women give for having an abortion. A search was conducted of peer-reviewed, English language publications indexed in eight computerized databases with publication date 1996-2008, using keywords 'abortion' and 'reason' (Medline: 'induced abortion' OR 'termination of pregnancy' OR 'elective abortion' and 'reason'). Inclusion criteria were empirical research on humans that identified women's reasons for undergoing an abortion, conducted in 'high-income' countries. 19 eligible papers were found. Despite variation in methods of generating, collecting, and analysing reasons, and the inadequacy of methodological detail in some papers, all contributed to a consistent picture of the reasons women give for having an abortion, with three main categories ('Woman-focused', 'Other-focused', and 'Material') identified. Ambivalence was often evident in women's awareness of reasons for continuing the pregnancy, but abortion was chosen because continuing with the pregnancy was assessed as having adverse effects on the life of the woman and significant others. Women's reasons were complex and contingent, taking into account their own needs, a sense of responsibility to existing children and the potential child, and the contribution of significant others, including the genetic father.

Key message: 3 categories of reasons

- woman focused reason- most common of these- wrong timing, yes to a baby, but not now
- other-focussed reason- partner, other children, potential child
- material reason- usually financial or housing limitations

Book review

Title: *Never, Ever, Again*

ISBN: 9781921555510

Author(s): [Caroline de Costa](#)

Synopsis

The tragic stories that are the history of abortion in Queensland have long been hidden in the police gazettes and inquest records of the state government archives. In *Never Ever Again*, Caroline de Costa unearths many of these records to show exactly what abortion meant for Australian women before the landmark Menhennitt judgment in Victoria and other legal cases opened the way for law reformers and enlightened doctors to provide safe accessible abortion. Although abortion law has been reformed or decriminalised in many Australian states and territories, it remains a crime in Queensland, New South Wales and other states – with ongoing detrimental effects for women. Not the least of these effects is the charging of a young Cairns woman with procuring her own abortion, almost certainly the only time

such a charge has ever been brought in Australia. Caroline de Costa argues strongly for the need for abortion law reform right across the country – so that the tragedies of the past and the tragedy of the present can never occur again.

Factsheets and Web links

FPQ Abortion Resources

Abortion FAQs

This document has recently been updated and contains the latest research and new references. It is available online at www.fpq.com.au/pdf/AbortionFAQ.pdf

FPQ's Position Statements

Abortion: www.fpq.com.au/pdf/media/PS_Abortion.pdf

Decriminalisation of Abortion in Queensland:
www.fpq.com.au/pdf/media/Ps_AbortionLR.pdf

Abortion in Queensland conference, held October 2008, Final report

www.fpq.com.au/pdf/AbortionFinalReport.pdf

On 17 October 2008 the *Abortion in Queensland* Conference was held at the University of Queensland. The event was a joint initiative of Children by Choice, Family Planning Queensland, Dr Caroline de Costa of James Cook University Department of Obstetrics and Gynaecology, and Dr Darren Russell of Sexual Health in Cairns. *Abortion in Queensland* examined and discussed the current situation of abortion access, provision, policy and law in Queensland today.

Others- factsheets available to download

www.childrenbychoice.org.au/

Children by Choice is committed to providing unbiased information on all unplanned pregnancy options.

www.mariestopes.org.au/our-services/women/abortion-a-pregnancy-termination-faqs

Marie Stopes International Australia provides sexual and reproductive healthcare offering the highest quality of care in family planning and sexual health. In Australia, we provide sexual health help and advice through our licensed and accredited centres in the ACT, NSW, Queensland, Victoria and Western Australia.