



Population Health Equity
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To the Population Health Equity Branch

Comments on the proposed changes to pregnancy termination laws in Tasmania

Women's Health West (WHW) welcomes the release of the draft Reproductive Health (Access to Terminations) Bill and commends Health Minister Michelle O'Byrne on her leadership to bring laws related to termination of pregnancy into line with current clinical practice and community attitudes in Tasmania. WHW fully supports the proposed legislation and the analysis set out in the information paper relating to the draft bill.

Women's Health West is the women's health service for the western metropolitan region of Melbourne. Our services include research, health promotion, community development, training and advocacy around women's health, safety and wellbeing. Since 1994, WHW has hosted the region's largest family violence crisis support, and prevention program. These two main arms of the service place WHW in a unique position to incorporate women's experiences directly into our research, health promotion and project work, ensuring that we clarify the connections between structural oppression and individual experience.

As a feminist organisation we focus on redressing the gender and structural inequities that limit the lives of women and girls. WHW's work is underpinned by a social model of health that recognises the important influence of, and aims to improve the social, economic and political factors that determine the health, safety and wellbeing of women and their children in our region. By incorporating a gendered approach to health promotion work that focuses on women, interventions to reduce inequity and improve health outcomes will be more effective and equitable.

WHW was an essential part of the campaign to introduce the Abortion Law Reform Act in Victoria, and is heartened to see the Act used as a model in Tasmania. All women should be able to obtain accurate information about abortion; make their own decision free from coercion or pressure; and access safe, legal and affordable abortion services. This landmark piece of legislation will enable this to occur for Tasmanian women.

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WHW wishes to commend in particular:

- The clear positioning of abortion as a health issue, not a legal issue, as evident in the proposed title of the legislation, the Reproductive Health (Access to Terminations) Act. The use of the World Health Organisation's definition of reproductive health in the information paper is an important foundation for the legislation.
- The clear message that 'criminalising women and doctors for accessing and providing reproductive health services is not an acceptable position in 21st century Australia' (from the information paper).
- The inclusion of access zones in the legislation. This is not a feature of the Victorian Abortion Law Reform Act and it continues to be an issue in this state. Harassing and intimidating behaviour obstructs access to clinics through the use of fear, intimidation and the circulation of misleading and incorrect information to women as they enter a clinic. The legal remedies available in Victoria to restrict this activity are limited. Incorporating access zones into the draft Reproductive Health (Access to Terminations) Bill is an excellent way of ensuring that the safety and wellbeing of both staff and patients is not compromised.
- Reference to a broader sexual and reproductive health strategy in Tasmania that can focus on the prevention of unintended pregnancy is welcome. Changes to legislation must be accompanied by initiatives that aim to prevent unintended pregnancy. A strategy that focuses on the social determinants of sexual and reproductive health would be particularly useful in this regard, as this focus allows a multi-faceted strategy targeted to particularly vulnerable and disadvantaged groups of women.

WHW recommends that counselling should form part of good practice guidelines rather than legislation. Control over reproductive decision-making is a central requirement of women's freedom and equality; it is one of the conditions necessary for women to achieve economic and sexual self-determination, access to education, employment, health, and reproductive choice. Mandatory counselling fails to acknowledge women's ability to make decisions about their own lives, undermining individual women's mental health and wellbeing as well as the status of women in general.

It may also be worth considering how the proposed legislation could be accompanied by measures to increase access to information and services for women in Tasmania.

WHW looks forward to the enactment of Tasmania's proposed Reproductive Health Reform Bill.

Yours sincerely



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