

C is for Control of My Own Body: Options on abortion law reform

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The final report of the Victorian Law Reform Commission (VLRC) was tabled in state parliament on 29 May, outlining three options to guide the Government in removing abortion offences from the *Crimes Act 1958*. The report was based on wide consultation and thorough research, and provides a comprehensive, evidence-based overview of current abortion legislation, policy and practice, and options for decriminalisation.

The options:

Model A gives final decision-making authority to a medical practitioner to determine whether or not an abortion is lawful, forcing a woman to continue with a pregnancy if her doctor decides she is not at risk of harm. This literally handballs regulation of abortion to medical practitioners, while ignoring women's agency in reproductive decision-making.

Model B takes a two-staged approach to regulation of abortion – a woman's decision up to 24 weeks and medically determined risk of harm to the woman after that time. This introduces different criteria in law for different stages of pregnancy and ensures an ongoing legislative focus for unrest and discontent. As we have seen in Britain, the focus will be on attempts to reduce the point at which women retain control over decision-making. Abortion post 24 weeks is extremely rare and always complex. Currently, less than 0.7 percent of abortions are carried out post 20 weeks and most of those are for reasons of foetal abnormality that could not be picked up earlier in the pregnancy. Advances in medical technology – in terms of our capacity for foetal screening at later stages of gestation – are constantly changing, making the specification of timelines impractical. These difficulties will not be resolved through differential legislation.

Model C gives final decision-making authority to the pregnant woman, with the practice of abortion then governed by the same body of legal rules that regulate other medical procedures. This is a simple and common sense approach to decriminalisation, reflecting the legal status of abortion in the ACT and Canada. Under this model, a termination of pregnancy must be performed by a medical practitioner, who must consider it ethically appropriate to perform that procedure. Instead of subjective decision-making, doctors will be bound by guidelines, ethics committees and comprehensive medical regulation of their practice.

WHW position

Women's Health West endorses Model C as it most closely reflects current practice and community standards which was the task for legislative change. It is also the only model to grant women full citizenship rights. And is also most likely to offer ongoing protection to medical practitioners not only from prosecution, but also from harassment by anti-choice protestors. Further, this option both symbolically and practically recognises that women are able to make decisions that affect their lives and those of their family.

Where to now?

The government will now draft a Bill to be put to parliament later this year where MPs will have a conscience vote.

What can you do?

At present, MPs are being inundated with letters from those opposed to the decriminalisation of abortion. This gives politicians the wrong message. Over 80% of the community support women's choice in relation to abortion. It is important therefore, that we show our support for **Model C** and remind MPs that those opposed to abortion are a small minority.

The best way to do this is to write to or email your local MP letting him or her know that you live in the electorate and that you support Model C because it most strongly reflects current practice. You might like to follow this up with a visit to let him or her know your views. Feel free to visit our website and adapt the draft letter we've made available to get you started.

How to do this?

Log onto the Women's Health Website (<http://www.whwest.org.au/>) and follow the links to send a quick email to parliament endorsing your support for Model C. Alternatively, follow the links to the ***Do your bit: Action Kit*** for information about contacting your local MP and writing letters to the editor.

Check the WHW website regularly for information and updates.