

FAMILY PLANNING NSW

ABORTION POLICY



POLICY STATEMENT

Family Planning NSW respects and accedes to the rights of women to have autonomy to control and decide freely on all matters related to their reproductive and sexual health.

Family Planning NSW believes that doctors, nurses, pharmacists and other qualified practitioners, and women themselves, should not be criminalised by performing or choosing to have a medical or surgical abortion.

Family Planning NSW supports the International Planned Parenthood Federation (IPPF) policy on abortion and is committed to working for the elimination of unsafe abortion and for increasing access to safe and affordable abortions in a non-judgmental environment.

SCOPE

All Family Planning NSW.

POLICY DETAILS

Family Planning NSW recognises

- that the health status of women is enhanced when safe and reliable methods of fertility regulation, including contraception and abortion, are readily available;
- that a supportive legal environment is necessary for women to be able to exercise their reproductive rights including access to safe abortion services;
- that access to abortion services in NSW is inequitable. Women who are socially, economically and geographically disadvantaged face greater barriers to accessing an abortion than women with financial means living in a city;

Family Planning NSW recognises

- that women have the right to safe, legal, affordable, high quality medical services and evidence-based information when considering their pregnancy options;

- that abortion is a medical service and should be regulated under health care legislation and not criminal statutes; Family Planning NSW supports the removal of abortion from NSW criminal law;
- that all women should have access to medical and surgical abortion;
- that pre and post-abortion counselling, education, information and a broad range of contraceptive methods should be available for the prevention of further unplanned pregnancies;
- that abortion services should be provided within a broader reproductive health policy and service framework and should be available to women in conditions that recognise the woman's right to make decisions about her pregnancy options free of discrimination, coercion and violence;
- that access to abortion services should be equitable bearing in mind cost, geographical considerations, social and economic disadvantage, and service availability;
- that the full range of safe and effective contraceptive methods should be readily available in Australia including emergency contraception. Family Planning NSW believes that provision of a wide range of contraceptive options enables individuals to select the method which most suits them and best meets their needs;
- that abortion services should remain within the Medicare Benefits Schedule and that rebates should be adequate to reimburse women for the cost of the abortion procedure.

Family Planning NSW is committed to

- the promotion and provision of reproductive and sexual health information that meets the needs of all people, including people with low literacy and people from culturally and linguistically diverse backgrounds;
- providing the full range of safe, effective, affordable methods of contraception for the prevention of unplanned pregnancies;
- providing accurate information relating to pregnancy options and to providing clinical referrals to services;

- conducting research into new and effective methods of contraception, abortion service provision, and other reproductive and sexual health issues;
- advocating for the removal of abortion from the NSW Crimes Act;
- achieving equity of access to abortion for all women who need it.

Statement of Principle

Abortion is a difficult decision but it is an option women have sought throughout history, often in the face of grave risks, to gain control over their lives and ensure that they are in a position to care adequately for themselves and the children they bear. Family Planning NSW believes that abortion should be removed from the NSW Crimes Act and should be managed as any other medical procedure. This is in accordance with its policy that accepts and accedes to a woman’s decision to choose whether or not she continues with a pregnancy.

Status of abortion in Australia

Many people believe that abortion on demand is legal in Australia. While there are provisions that allow legal abortions in some circumstances in all States and Territories, the conditions that need to be met in order for abortion to be lawful are often quite restrictive. Moreover, abortion is still within the criminal code in New South Wales, which means that in these States, abortion is a criminal offence on the part of the health care provider – and the woman – unless certain conditions are satisfied. This is despite the right to choose being widely accepted in the community.

Abortion law reform

Family Planning NSW supports a law reform commission inquiry into the legal status of abortion in this state, with a view to clarifying the law and removing abortion from the Criminal Code.

Abortion remains a crime under NSW law, but the courts have ruled doctors can perform abortions if they believe they are necessary to preserve a woman’s life, or physical and mental health (which is broadly interpreted on economic, social or medical grounds).

The fact that abortion remains in the NSW Crimes Act means that there can be ongoing challenges to the legal precedent that allows a woman to obtain an abortion and this is a potential risk to both women seeking abortions and health professionals providing them.

The aim of abortion law reform is not to increase the rate of abortions, but to modernise the law so that it is clear, widely understood and in line with community standards.

Family Planning NSW believes that abortion should be legal, safe and accessible to all women to safeguard women’s health and women’s basic human rights to safety and security of the person.

REFERENCE

Parliament of Australia. Research Paper 1 1998-99. Available at https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp9899/99rp01. [Online, updated August 1998]. Accessed on January 2019.

Children by Choice website. Australian abortion law and practice. Available at <https://www.childrenbychoice.org.au/factsandfigures/australianabortionlawandpractice>. [Online, updated January 2019]. Accessed on January 2019.