

Environment and Public Affairs Committee

Subject: FW: Response re Petition No. 144 Post 20 week abortions
Attachments: Matthew Swinbourn and Members of the Standing Committee on Environment and Public Affairs April 2020.pdf

From: Dwight Randall Life Ministries
Sent: Wednesday, 8 April 2020 5:30 PM
To: Environment and Public Affairs Committee <env@parliament.wa.gov.au>
Subject: Response re Petition No. 144 Post 20 week abortions

Dear Hon Matthew Swinbourn and Members of the Standing Committee on Environment and Public Affairs

Please find attached the Coalition for the Defence of Human Life's response to your request for a submission relating to Petition No. 144 dealing with post-20 week abortions in Western Australia.

Earlier today I posted a paper letter with identical content.

Thank you for considering our submission.

Yours sincerely,

Dwight Randall, President
Coalition for the Defence of Human Life



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40 Days for Life

Association for Reformed Political Action

Australian Christian Lobby

Australian Christians

Australian Family Association

Christian Reformed Churches

Endeavour Forum

FamilyVoice Australia

Helpers of God's Precious Infants

Life Ministries Inc.

Medicine With Morality

National Civic Council

Pregnancy Assistance

Westminster Presbyterian Church

Wednesday, 8 April 2020

Legislative Council Committee Office
4 Harvest Terrace
West Perth WA 6005

Dear Hon Matthew Swinbourn and Members of the Standing Committee on Environment and Public Affairs

Thank you for your letter dated 12 March 2020 concerning petition No. 144 relating to post-20 week abortions, tabled by Hon Nick Goiran MLC. We appreciate your invitation to provide a written submission relating to the matters raised in our petition.

You write, "The Committee notes that the subject matter of this petition is substantially similar to that of previous petitions". You continue, "Having noted the substantially similar subject matter between this petition and the above petitions, the Committee requests that your submission include only those matters that have not previously been dealt with during enquiries regarding the above petitions."

With respect, we question whether the Committee's assertion that our petitions have dealt with "substantially similar subject matter" is accurate. While each of the Coalition for the Defence of Human Life's petitions have centred around the subject of abortion, there are many different aspects to this subject (hence the protracted debate spanning several months on matters relating to the implementation of abortion laws in the WA Parliament in 1998).

The Coalition's petitions, among the largest presented in the Parliament in recent times (one contained over 8,000 signatures, and the most recent over 6,000 signatures) have focused on several different matters of vital concern to the thousands of Western Australians.

The latest petition, which the Standing Committee has written about, is entitled **Petition in relation to post 20 week abortions**. It deals in part with annual reports on all Western Australian abortions. These reports were prepared for the financial years of 2014/15 and 2015/16, but the current Health Minister has ordered the discontinuance of this reporting regime. For this reason, the Coalition's petition reads:

- Your petitioners therefore request **an inquiry into post-20 week abortions performed in Western Australia with a view to (i) reinstating a robust accountability mechanism with Ministerial oversight.**

Good governance should always be open and transparent.

In response to your letter concerning how the Coalition for the Defence of Human Life might assist the Standing Committee on Environment and Public Affairs:

1. ***We urge the Committee to inquire into post-20 week abortions in WA with a view to reinstating the annual reporting regime.***

Furthermore, the Coalition's petition calls for ending discrimination against unborn children with disabilities. The petition reads:

- Abortions at or after 20 weeks of pregnancy have been approved for discriminatory reasons, namely that the unborn child has a physical or intellectual disability, including disabilities compatible with a long and happy life.

It requests:

- an inquiry into post-20 week abortions performed in Western Australia with a view to ... ending discrimination against the unborn child ...

The relevant legislation states S334 (7) of the Health Act 1911:

- If at least 20 weeks of the woman's pregnancy have been completed when the abortion is performed, the performance of the abortion *is not justified unless* — (a) 2 medical practitioners who are members of a panel of at least 6 medical practitioners appointed by the Minister for the purposes of this section have agreed that the mother, or the unborn child, has a *severe medical condition* that, in the clinical judgment of those 2 medical practitioners, justifies the procedure; and (b) the abortion is performed in a facility approved by the Minister for the purposes of this section (emphasis ours).

Hansard on page 2482 of 6 May 1998 records the intent behind the term "severe medical condition". Dr Hames, MLA, reassured the Assembly that:

- the 10 or so abortions that are carried out each year post-20 weeks' gestation relate to severe medical conditions that *almost inevitably are incompatible with life* (emphasis ours).

Dr Hames assumed that post-20-week abortions at KEMH would remain around 10 per year after the legislation passed because he intended the legislation to apply primarily to babies with terminal conditions.

But this has not been the case. Between 1999 and 2018 there have been 945 cases, or approximately 50 per year.

<https://ww2.health.wa.gov.au/~media/Files/Corporate/Reports%20and%20publications/Abortion/PDF/Induced-Abortions-WA-2016-2018.pdf>

This figure is 5 times higher than the estimate given in 1998. That is because, at least in part, children with disabilities compatible with life have been aborted in significant numbers.

Thousands of Coalition for the Defence of Human Life supporters who signed the recent petition are deeply concerned about abortions that are occurring based on grounds of disability discrimination, and they want action taken to bring the killing of these children, who otherwise could have led happy lives, to an end.

In response to your letter concerning how the Coalition for the Defence of Human Life might assist the Standing Committee on Environment and Public Affairs:

2. ***We urge the Standing Committee on Environment and Public Affairs to initiate an inquiry into the conduct of post-20-week abortions and to do everything in the Committee's power to end discrimination against unborn children with disabilities.***

For the sake of the precious lives of some unborn children, we urge you to act on these two matters.

Yours sincerely

Dwight Randall,
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