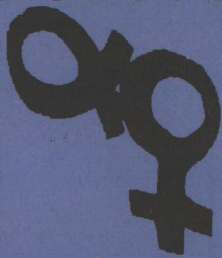


WOMENS ABORTION ACTION CAMPAIGN

# RIGHT TO CHOOSE

A Women's  
Health Action  
Magazine



ISSN:0311-8754

Dear supporters,

Welcome to the first newsletter of a very tumultuous year!

Long-term supporters will recognise the title as WAAC's original magazine- "Right To Choose" We have recommissioned it in recognition of the huge amount of activity we have to report.

## MUST READ FEATURE-

For your information we have included (p 2-6) WAAC's breakdown of the outcomes and further implications of Western Australia's ACTS AMENDMENT BILL (ABORTION) 1998.

## OUTCOME OF THE W.A. ABORTION DEBATE: BREAKTHROUGH OR BREAKDOWN?

In mid-February 1998, Drs Victor Chan and Hoh Peng Lee were brought before the Western Australian courts in relation to an abortion operation they performed in November 1996. The charges were the result of an exhaustive witch hunt by the WA Director of Public Prosecutions, whose initial investigation was aimed at indicting the woman who had undergone the operation. At the time of the doctors court appearance, ALP politician-Cheryl Davenport MLC, came forward expressing a wish to 'clarify' the law on abortion in WA.

Pressure from activists resulted in Davenport proposing a partial repeal bill to the WA Legislative Council. This bill was carried by a majority of 22 to 11 in mid March. An overwhelming show of support for a woman's right to choose - it was rightly seen as a victory for WA women and abortion rights supporters across Australia.

However...in the course of the bill's subsequent progression through both houses of Parliament, a great many changes were made. The result of these trade-offs has been a highly compromised piece of legislation. A *Reform* Bill not A Repeal Bill, and in it's final form it continues to single out abortion for special notice in the Criminal Code and in the WA Health Act. Details follow on page 2 of this newsletter, but highlights include the creation of a process wherein the involvement of two doctors is required in the decision to terminate a pregnancy. - and the reduction of access for women under 16 and for women who require a late-term abortion.

Overall, the final version of the Davenport Bill has resulted in *less* access to abortion, making definitions more all-encompassing (the incorporation of chemical abortion) and placing hitherto unmentioned aspects of abortion (counselling, referral, possibly even the provision of information) within the jurisdiction of the Criminal Code.

In terms of women's jurisdiction over their own reproduction, this development can be seen as a massive set back, rather than the great leap forward.

Outstanding issues for WAAC, outside those engendered by the bill itself, is the fact that John McKechnie QC- WA DPP, has made no commitment to the withdrawal of charges against Drs. Chan and Lee. To our knowledge there has been no political pressure on the DPP to do this, and he has asserted that as the doctors were charged under the provisions of the previous legislation, there is therefore no reason to withdraw the charges.

The corollary of his determination is that the 'evidence' (i.e. the woman's foetal products) in the case will be held at least until the hearings, which begin November 25-27 of this year. This is highly ironic when you consider that the woman had made the request to keep the foetal products in order to give them reverential burial in accordance with her beliefs.

**In the light of this, WAAC demands the withdrawal of charges against Drs Chan and Lee, and the return of the foetal products.** We further demand that the WA Government compensate both doctors and the woman concerned via an ex-gratia payment for the harassment, intimidation and trauma to which they have been subjected by the State. We urge our supporters to write to the following persons urging that the above demands be acceded to.

WA State Premier  
Hon. Richard Court  
24th Floor  
197 St. Georges Terrace  
Perth WA 6000  
Fax 08 9322 1213

Director of Public  
Prosecutions  
John McKechnie QC  
Level 17  
Westralia Square  
141 St. Georges Terrace  
Perth WA 6000  
Fax 08 9264 1777



# A CRITICAL ANALYSIS:

## WESTERN AUSTRALIA'S ACTS AMENDMENT BILL (ABORTION) 1998

### Western Australia's new restrictive abortion laws: reinforcing the power of the medical profession and the state over women's bodies and lives

(NB: we are going to the trouble of reproducing the full text of the old provisions in the *WA Criminal Code* which related to abortion and the full text of the provisions in the Davenport Bill which have been added to the Criminal Code and to the *WA Health Act 1911* so that you, our readers, can fully understand the implications of the Davenport Bill. This is important not only for WA women but for all Australian women. We have found, as we have written this; that we keep finding new layers of meaning/implications in the Davenport Bill. Therefore, this analysis will be built upon in future issues of our newsletter and we welcome input and pieces of analysis from our readers for future issues of our newsletter.)

#### What is the final version of the Davenport Bill?

In its final form, the Davenport Bill proposes new Sections 199 and 259 of the *WA Criminal Code* which will relate to abortion. The old Sections 199, 200, 201 and 259 (all of which related to abortion, but Section 259 was a more general provision and only partially and specifically related to abortion) have been repealed.

Old sections 199, 200 and 201 of the *WA Criminal Code* were as follows:

#### Attempts to procure abortion

199. Any person who with intent to procure the miscarriage of a woman, whether she is or is not with child, unlawfully administers to her or causes her to take any poison or other noxious thing, or uses any force of any kind, or uses any other means whatever, is guilty of a crime, and is liable to imprisonment for 14 years.

#### The like by women with child

200. Any woman who, with intent to procure her own miscarriage, whether she is or is not with child, unlawfully administers to herself any poison or other noxious thing, or uses any force of any kind, or uses any other means whatever, or permits any such thing or means to be administered or used to her, is guilty of a crime, and is liable to imprisonment for 7 years.

#### Supplying drugs or instruments to procure abortion

201. Any person who unlawfully supplies to or procures for any person any thing whatever, knowing that it is intended to be unlawfully used to procure the miscarriage of a woman, whether she is or is not with child, is guilty of a misdemeanour, and is liable to imprisonment for 3 years.

New Section 199 is as follows:

#### Abortion

199. (1) It is unlawful to perform an abortion unless-

(a) the abortion is performed by a medical practitioner in good faith and with reasonable care and skill; and

(b) the performance of the abortion is **justified** (our emphasis) under Section 334 of the Health Act 1911.

(2) A person who unlawfully performs an abortion is guilty of an offence- penalty \$50,000.

(3) Subject to Section 259, if a person who is not a medical practitioner performs an abortion that person is guilty of a crime and is liable to imprisonment for 5 years.

(4) In this section -"medical practitioner" has the same meaning as it has in the Health Act 1911;

(5) A reference in this section to performing an abortion includes a reference to -

(a) attempting to perform an abortion; and

(b) doing any act (our emphasis) with intent to procure an abortion, whether or not the woman concerned is pregnant.



# A CRITICAL ANALYSIS: CONTINUED

New Section 199 of WA Criminal Code in part recognises the reality of the practice of abortion law in all states and territories. As can be seen by comparing the repealed provisions and the new provision-199, created in their place- one of the key differences is the fact that no longer in WA can women be charged under the criminal statutes for 'unlawfully administering to herself any poison or other noxious thing.....'

Whilst this is a gain for women in WA, when one considers that *no woman has ever been charged* in any state or territory for having an abortion the repeal of this provision is merely a recognition of the reality of the practice of the law on abortion in Australia.

**New Section 199 of the WA Criminal Code is in effect a bolster to the power of the medical profession over women's bodies and lives.....**

Given that the new Section 199 of the WA Criminal Code specifies that a lawful abortion must be performed by a medical practitioner, this closes off the option for nurse practitioners such as midwives to learn how to perform abortions. It is a very clear bolster to the power of the medical profession over the abortion operation and over the bodies and lives of WA women. There are echoes of the takeover of midwifery by doctors late last century in this new section in the *WA Criminal Code*.

It is also noteworthy that the Section requires an abortion to be "**justified**", a word which so far has not appeared in any state/territory Crimes Act or Criminal Code in relation to abortion. WAAC believes that this addition does not augur well for WA women.

**New Section 199 also creates possibility for referral agencies and other services to be brought under the ambit of the Criminal Code.**

The fifth sub-section of proposed new Section 199 of the Criminal Code specifies: "a reference in this section to performing an abortion include a reference to

- (a) attempting to perform an abortion; and
- (b) doing **any act** (our emphasis) with intent to procure an abortion".

Can't you just see the anti-abortionists sitting around working out what those two little words "any act" can mean and, thereby, open up further ways they can attack WA women's access to abortion.

Could "any act" mean publishing a pamphlet about where you can get an abortion?

If yes, does this mean that any such pamphlet would have to be authorised by a "medical practitioner" given the consequential amendments proposed also by Davenport's Bill to the *WA Health Act 1911*? Could "any act" mean even the publishing of a political campaigning leaflet about abortion in WA? Only time will tell.....

**What does proposed new Section 259 say?**

The proposed new Section 259 of the WA Criminal Code reads as follows:

## **Surgical and medical treatment**

**259. A person** (our emphasis) is not criminally responsible for administering, in good faith and with reasonable care and skill, surgical or medical treatment -

- (a) to another person for that other person's benefit; or
- (b) to an unborn child for the preservation of the mother's life,

if the administration of the treatment is reasonable, having regard to the patient's state at the time and to all the circumstances of the case.

The key differences between old Section 259 and new Section 259 is in the layout (in the old version it was as one paragraph) and in the use of the word "administering" rather than "performing"; the use of the words "surgical or medical treatment" rather than "a surgical operation"; and the use of the words "to an unborn child" rather than "upon an unborn child".

When one considers that medical technology has advanced to the point where surgery can now be performed on a foetus whilst *in utero* the actual meaning of proposed new Section 259 may not be as intended.

For example, can't you just imagine an anti-abortion activist sitting there thinking about how the words "surgical or medical treatment....to an unborn child" means just that, that is, performing surgery on a foetus to save the foetus at the expense of the woman possibly.



# A CRITICAL ANALYSIS: CONTINUED

And even though those words are followed by the words "for the preservation of the mother's life", to an anti-abortion activist who wants to stop abortions being performed at all costs, proposed new Section 259 provides them with the opportunities they so ardently seek .

Then, contradictorily, because proposed new Section 259 talks of "a person" not "a medical practitioner" it possibly offers a defence to anyone who "administers...surgical or medical treatment to an unborn child for the preservation of the mother's life"/performs an abortion, provided "administering" also means "performing".

If you're finding our analysis above and Section 259 confusing overall, join the club. WA politicians need to explain what it means or what they think it means. Maintenance of Section 259 appears to be in contradiction of the new Section 199, yet, we understand that it was never an option for Section 259 (in either its old or new form) to be repealed. The obvious question is why?

## **Davenport Bill also consists of consequential amendments to the WA Health Act 1911 - massive regulation and continued singling out of the abortion operation**

Davenport's Bill also proposed consequential amendments to the WA Health Act 1911 (by creating a Section 334 with a multiplicity of sub-sections) to outline the circumstances in which an abortion is "justified" (there's that word again!) Key provisions in the consequential amendments are:

### **"Any act..."**

\* the provision specifying that "a reference ...to performing an abortion includes a reference to....doing any act with intent to procure an abortion" is replicated in the Health Act . Given that those who oppose abortion will have a particular view about what "any act" means, what were WA politicians thinking of when they passed this provision?

### **A "justifiable" abortion...**

\* sub-section 3 of proposed new Section 334 to the WA Health Act 1911 outlines four circumstances wherein an abortion is "justified" being:

"the woman concerned has given informed consent;  
or

the woman concerned will suffer serious personal, family or social consequences if the abortion is not performed;

or serious danger to the physical or mental health of the woman concerned will result if the abortion is not performed; or

the pregnancy of the woman concerned is causing serious danger to her physical or mental health".

Note the persistent use of the word "serious";

### **Informed consent**

\* sub-section 5 of new Section 334 to the WA Health Act 1911 defines what "informed consent" means and, just to give you an indication of the level of scrutiny women's decision making will be subject to we insert it in its entirety:

5. In this section -

"informed consent" means consent freely given by the women where -

(a) a medical practitioner has properly, appropriately and adequately provided her with counselling about the medical risk of termination of pregnancy and of carrying a pregnancy to term";

(b) a medical practitioner has offered her the opportunity of referral to appropriate and adequate counselling about matters relating to termination of pregnancy and carrying a pregnancy to term; and

(c) a medical practitioner has informed her that appropriate and adequate counselling will be available to her should she wish it upon termination of pregnancy or after carrying the pregnancy to term.

We can already hear the arguments which can be created over the meaning of the words "properly, appropriately and adequately"!

Of great concern to us in Women's Abortion Action Campaign (WAAC) is the fact that the 'informed consent' provision constantly refers to the comparison between 'termination of pregnancy' and 'carrying a pregnancy to term'. This implies that women's judgement cannot be trusted. Instead we need to have explained to us, not just the risks and complications of the operation we have chosen to undergo, but rather our heads are to be forcibly filled with comparative data which, of course, must be provided "properly, appropriately and adequately".



# A CRITICAL ANALYSIS: CONTINUED

## Creation of a two-doctor hurdle...

\* of great concern is the fact that sub-section 6 of proposed new Section 334 to the WA Health Act 1911 specifies that "a reference in sub-section

(5) [that is, the sub-section above which defines "informed consent"] to a medical practitioner does not include a reference to:

- (a) the medical practitioner who performs the abortion; nor
- (b) any medical practitioner who assists in the performance of the abortion".

**To put it in plain language, this is the introduction of a two doctor hurdle for all WA women who are trying to access abortion services.**

First, presumably, they will have to go to a local GP or a family planning doctor who is required by sub-section (5) to "properly, appropriately and adequately" explain various things and then, and only then, can you actually get to go to a clinic! OR, OR, OR clinics will have to employ a second/third doctor who sees the women when they first arrive at the clinic (and who must fulfil the requirements of sub-section (5) of new Section 334 of the WA Health Act 1911) and who does not perform the abortion and does not assist in the operation. Either way it will involve more costs and time for each WA woman who wants an abortion.

If it is implemented in such a way that it becomes the task of GP's to "properly, appropriately and adequately" explain various things to each woman seeking a termination, there may be a huge problem. Many GP's are completely unfamiliar with the actual risks and complications of an abortion operation to say nothing of those who are out-and-out anti-abortion.

This may well mean that abortion providers and allied health professionals in WA will need to establish their own training programme for GP's so that they can ensure this information is conveyed to women in a genuine information-sharing manner and not in a way that will scare women.

WAAC also has great concerns about this provision as it will place pressures on the Medicare system that it could well do without.

WA women will now be required to not only claim from Medicare the item number for termination of pregnancy - they will also need to claim for their visit to a GP who will "properly, appropriately and adequately" -explain various things as set out by sub-section (5). This will provide an avenue for attack against abortion as a refundable item under our universal health care system, Medicare, in the guise of 'we can't have these additional costs added to Medicare'.

A further implication of this provision is that the WA parliament believes that abortion providing doctors cannot be trusted to provide the risks and complications information!

Imagine if you were having an operation like a tonsillectomy, and it was required that the doctor who explains the risks and complications of the operation (up against the comparative data of no tonsillectomy) has to be different from the doctor who does the tonsillectomy! If this was implemented across all surgical procedures you can imagine the strain put on not only Medicare but also on doctors. Why has the abortion operation been singled out in this way in the *WA Health Act 1911*?

## Upper limit of 20 weeks of pregnancy and Ministerial approval of late term abortion facilities...

\* The most vicious parts of the consequential amendments to the *WA Health Act 1911* are kept to the end, the first being those contained in sub-section (7) which restricts "justifiable" abortions to the 20th week of pregnancy and, after that, two medical practitioners out of a panel of six have to approve a termination and it can only be if the woman or the foetus "has a severe medical condition"; of equal concern is the fact that performance of a late term abortion, if approved as above, can only be done "in a facility approved by the Minister for the purposes of this section". Ministerial approval of late term abortion facilities (rather than simply complying with any other day surgery legislation for example) should prove to be a minefield, especially if the Minister is known to be opposed to abortion!

Custodial parent of under 16's has to be informed and "given the opportunity to participate in counselling and in consultations....as to whether the abortion is to be performed"...



# A CRITICAL ANALYSIS: CONTINUED

\* the second part of the consequential amendments to the WA Health Act are those which place restrictions on access for under 16 year olds. This sub-section reads as follows:

(8) For the purposes of this section -

(a) subject to subsection (11), a woman who is a dependant minor shall not be regarded as having given informed consent unless a custodial parent of the woman has been informed that the performance of an abortion is being considered and has been given the opportunity to participate in a counselling process and in consultations between the woman and her medical practitioner as to

**whether the abortion is to be performed** (our emphasis).

(b) a woman is a dependant minor if she has not reached the age of 16 years and is being supported by a custodial parent or parent; and

(c) a reference to a parent includes a reference to a legal guardian.

**This amounts to parental permission being required.**

Further, can you see a lot of young women opening up with a counsellor if mum or dad is present? Some under 16's will be alright about this but a lot won't. Why is it that WA politicians have it in so much for young people?

The polities must have been feeling a bit uncomfortable after they discussed the above provision so the next one was created just to assuage their guilty consciences! It permits a dependant minor to "apply to the Children's Court for an order that....a custodial parent...should not be given the information and opportunity" referred to above.

Now can't you see all those 15 year old women who are seeking an abortion rushing to the WA Children's Court to get an order so that they don't have to tell their parents/legal guardian!

## Concluding comments

As you can see from the above, the Davenport Bill in its new form has indeed "clarified" the law on abortion in WA, BUT it has also created prohibitions on access which were not there before and it has created even more opportunities than there were before for anti-abortionists to attack WA women's access to abortion.

It is of note that politicians who started out saying they were "pro-choice" moved amendments to include the restrictive provisions in the Bill (the 20 week upper limit and the under 16's provision). The question remains why did they do the dirty work of the anti-abortion forces? There are a number of WA politicians who have a lot of explaining to do.

Already the anti-abortion groups in Western Australia would have their legal people poring over the new version of the Davenport Bill seeking to find clauses to exploit so to further restrict access. And haven't the WA polities handed them a lot of opportunities with the use of words like "any act" or "properly, appropriately and adequately" or "justified".

Anti-abortion politician from WA, Phillip Pental (an Independent) is quoted in the Sydney Morning Herald on 22/5/98 as saying "over time, the legislation would become a framework to implement greater restrictions".

Abortion rights activists in every other state and territory will need to be ever vigilant now to ensure that versions of the Davenport Bill are not introduced.

We in Women's Abortion Action Campaign feel that a lot more discussion and debate needs to occur so that we can fully understand the implications of the final version of the Davenport Bill. We feel it important to let our supporters know that this Bill is being hailed by some as "the most liberal laws on abortion in Australia".

**We cannot agree that imposing prohibitions on access for late term abortion and for under 16's and the creation of a two doctor hurdle can be described in any shape or form as a 'liberalisation'.**

Don't hesitate to write to us if you disagree with our analysis or if you have further points you feel are worth raising in regard to this bill. Our contact details are contained on the back page.

Written by Vanessa Bosnjak, Margaret Kirkby, Leah Mason and Jenny Ryde.



## WAAC- NOW MORE THAN EVER!

In the wake of the backward step taken in WA, it seems that WAAC's founding demands are as relevant today as they were when WAAC began in August of 1972. Our demands then and now are:

- \*That abortion is a woman's right to choose;
- \*free, safe, abortion on demand;
- \*free, safe, contraception on demand;
- \*the repeal of all abortion laws; and
- \*no forced sterilisation.

The conservative direction taken by the self-proclaimed "pro-choice" politicians in WA clearly demonstrates that there is a need for a greater articulation of what we mean by the above demands.

The statements and activities of both the politicians and the media, clearly shows that neither had any understanding of the phrase "Abortion on Demand". WAAC feels very strongly, that now is the time to defend and extend, not to compromise or amend our demands. It is important to recognise the dangerously misrepresented precedent that has been set in WA, to reassert and reaffirm our convictions, else women's access to abortion will be dragged back in other states and territories.

## ALL THINGS CONSIDERED, WAAC NEEDS YOU!

**WAAC seeks to better utilise it's supporters.**

The recent events in Western Australia have highlighted the need for renewed support on the issues that are involved in 'the abortion debate'. As a response to this, the Women's Abortion Action Campaign is seeking to refine and re-energise itself- to better address the political manoeuvring which threatens to set regressive limits on the conditions under which abortion can take place. Concerns about the ability of WAAC to respond to media enquiries, Anti-choice attacks, political trade-offs such as the Harradine-Telstra deal, have brought into focus the need for a more 'organised' system.

By making it easier for supporters to assist us, we develop a standing network of resources and support which can be mobilised at any time.

To this end, several ideas and issues were discussed at a recent Strategising Meeting, held as WAAC's contribution to the Abortion Rights Network of Australia (ARNA) National Weekend of Action (24-26th of April) Held as a gesture of solidarity with the WA Women, the issues of effective campaigning were very much in the forefront of our minds. All who attended were concerned that the current WAAC structure could not make use of the, sometimes limited, time people can volunteer.

The view was expressed that many of our supporters would like to help more but are unable to attend the twice-monthly, night time, meetings. To address this, it seemed useful to reassess WAAC's structure, a suggestion was made as follows:

That a series of working parties be set up to involve our supporters in the following areas-

- Media and Publicity
- Activists to respond to the anti-abortion attacks against women and abortion providers
- Public education and community development
- Publication of WAAC's Newsletter and/or reviving our magazine "Right to Choose"
- Coalition work with the Abortion Rights Coalition (NSW)
- Administration
- Fundraising
- Finances
- Monitoring of standards of care in clinics

Other suggestions are welcome, and we will be collecting comment on the idea of restructure and on the issues raised in the questionnaire until end-Sept, 1998. In the last quarter of 1998, we will be asking for your comment on a draft restructure, based to a large degree on the information you give us.

As a loosely organised collective, WAAC has achieved a great deal. We feel that by restructuring to better utilise the interest and availability of abortion rights supporters, we can be an even more effective body. What follows is a questionnaire devised out of the WAAC Strategising Meeting. It covers several areas and it is aimed at getting an accurate idea of supporter priorities, interest and availability.

Please send or fax your responses to us at the above numbers. Or come to our next meeting at 7.00pm on the 13th of July  
Sydney University-SRC Office- (Level 1  
Wentworth Building) City Road



## House Keeping Matters-

### Women's Liberation House is on the move....Again!

Some of our supporters will be aware that the owners of the building in which Women's Liberation House is renting space, that is, Lesbian Space Incorporated, have resolved to sell the building. Whilst the actual selling process is still getting underway, we feel an urgency to relocate so that we can, hopefully, have a permanent home and re-establish a proper working office.

We haven't really recovered from the forced move from Palace Street (due to the accidental fire there in June last year) and, now, we have to find a new place as soon as possible. Those unpacked boxes will remain so for some time it seems and we will have to continue to limp along with some of us in WAAC having large parts of our houses taken over by WAAC material!

In the meantime, we will be maintaining the above phone/fax number so that you can contact us as necessary and, as soon as we have a new address we will inform you as quickly as possible. In reality, we anticipate that it will take until the end of July to have found a new place and moved there, so it is likely that one more mail out will occur with us still being at Bedford Street. We will also be seeking assistance from you our supporters to assist us with the move or in assisting us in setting up a new office once we have moved.

At a meeting of the groups which operate from Women's Liberation House, (Lesbian Line, Women Incest Survivors Network and WAAC) - we were sad to hear that Adelaide and Laura from Lesbian Line (two of a collective of three!), are quite exhausted by the thought of having to relocate again.

Adelaide and Laura, feel regretfully- that this is the end of the road for Lesbian Line. Given that Lesbian Line has been running for over 20 years as the first ever counselling and support service set up by lesbians for lesbians, if no interest is shown in Lesbian Line by others in the lesbian rights movement, then this will be a turning point in the Sydney Women's Liberation Movement.

In essence, once we move out of Bedford Street- Women's Liberation House will have just WAAC and Women Incest Survivors Network (WISN) under its umbrella. We are hopeful that we can find premises in which Sydney Women's Liberation Newsletter can be accommodated with us but, as we all know, rents are exceedingly high in Sydney.

If any of our supporters is aware of a property which a local council may own and which community groups may be able to rent, please let us know as soon as possible. Or, if you know of someone who may be willing to rent a two bedroom house to Women's Liberation House for a below-market rent, please contact us as soon as possible.

Likewise, if you know of another community organisation which has excess space in their building and is willing to rent that excess space to another community organisation, contact us as soon as possible. We are already investigating leads of information but nothing promising has come on our horizon. We'll keep you informed. In the meantime it is best to contact us by phone or fax on the number given in our contacts section(back page).

### WAAC needs helpers now.....

We know there is a high level of skill and knowledge amongst our supporters. It is obvious, with the turn of events in WA that a lot of work needs to be done if we are to reassert a strong and uncompromising campaign for the view that abortion is a woman's right to choose. In the next month or so, we will be needing help to set up and organise a new space for Women's Liberation House and WAAC-

To this end we would like to suggest a few ways that you could lend us a hand .

\*Assisting in sorting out existing materials and files, currently residing in WAAC activists homes

\*Assistance in finding new premises

\*help with setting up a working office once new premises are found

\*help with maintaining our financial records/bill paying/ obtaining quotes, etc.

\*investigating fundraising ideas

\*collecting press clippings about abortion and women's health issues

\* anything else!? We are open to suggestions!



# Women's Abortion Action Campaign

Phone/Fax; 61-2-9569-3819

Mail address: PO Box A2233 Sydney South NSW 2000

Meetings held: 2nd and 4th Monday of every month. Contact Margaret

## Important

### Dates-

**13th July--7pm**  
WAAC Meets Syd. Uni  
SRC

**27th July-7pm**  
WAAC Meets Syd. Uni  
SRC

## A note for historians, librarians and archivists..... Re.Right to Choose

*Right to Choose* was first published by Women's Abortion Action Campaign in a newspaper format from August 1973 to March 1980 (issues number 1-20) and, then, in an A4 magazine format as a women's health action magazine between Summer 1980-81 and Spring 1992 (issues number 21 to issue number 33). It has not been published since the Spring 1992 issue. We have resolved to recommission our publication due to the breadth of work we are undertaking and the need to report back to our supporters. For consistency we have continued utilising issue numbers and this issue of *Right to Choose* (in a newsletter format) is issue number 34.

*Right to Choose* (ISSN: 0311-8754)

## Other Abortion Rights Organisations

### Abortion Rights Coalition

The Abortion Rights Coalition(NSW) is a coalition of abortion rights activist groups, such as Women's Abortion Action Campaign, abortion providers in NSW, representatives of organisations such as the Family Planning Association(NSW); The Humanist Society of NSW; Women's Electoral Lobby(NSW); the NSW Council for Civil Liberties; community legal centres; generalist women's health centres; other community organisations and individuals, with the aim of liaison between member organisations.

At times the Abortion Rights Coalition(NSW) has been very active, such as in 1988, when there were a number of consecutive attacks against access to abortion via the NSW Parliament. At other times it is dormant. The structure is maintained so that concerted action can be coordinated when the need arises.

**Contact-** ARC(NSW)  
PO Box 437  
Paddington NSW 2021

### Abortion Rights Network of Australia(ARNA)

ARNA was founded in December 1992, at a national meeting of abortion rights activists, convened by the Sydney-based group Women's Abortion Action Campaign.

ARNA is an autonomous network of groups and individuals in each state and territory who are working for, and who support women's right to choose abortion. ARNA is the peak organisation for state-based abortion rights groups.

The Aims of ARNA are;

- \* to facilitate/undertake formal networking and information-sharing and liaison between state-based and international abortion rights groups.
- \* to ensure Australia's adherence to international covenants which promote women's abortion rights.
- \* to co-ordinate national responses on abortion rights (including defence and repeal).

**Contact:** for membership enquiries write to ARNA  
PO Box A2233  
Sydney South NSW 2000 or  
Ph/fax (02) 61-2-95693819

This edition of "Right To Choose" was written and compiled by Vanessa Bosnjak, Margaret Kirkby, Leah Mason & Jenny Ryde.

Additional work by Kathie Ardzejewska, Jenny Crothers & Emma Keene



# STOP PRESS!

## History of the Abortion

### Reform Struggle- A.L.R.A.

A.L.R.A was formed in Sydney, after a meeting of concerned citizens on the 7th of November 1967.

It was called the Abortion Law Reform Association because *reform* was thought to be progressive then. The first committee was constituted mostly of Humanists, of which I was a member.

We worked long and hard, sifting events happening at that time, and by 1971 ALRA had become **Abortion Law REPEAL Association**. It was shown even then, that reform would not serve the aims of women in their struggle for freedom.

All other Australian states adopted the stance of Repeal All Abortion Laws, and everyone concerned with the fight agreed to this.

Now, after 32 years of fighting and hoping that **Repeal** would eventually-I am terribly frustrated by the acceptance of *Reform* in WA and to rub salt in my wounds, this reform is hailed as a *great victory*.

### VICTORY NOTHING!

I'd rather have the present situation in NSW and Victoria, than the schmozzle that has unfolded in WA. My advice to other states is -

Wait and see what mischief has been perpetrated upon women seeking abortion, through the handicapping of clinics and the medical profession...

Then ask for REPEAL.

Vicki Potempa-

ALRA NSW

(last active founding member)

As we go to print, new information indicates that there is great concern amongst general practitioners in Perth about the meaning of the new abortion laws in WA.

We understand GP's have been making inquiries of Perth abortion providers, expressing concern that they may become liable for prosecution under the new laws if they haven't "adequately" provided risks and complications information. This information is not covered specifically in the sub-section of the WA Health Act which refers to informed consent. (See our analysis on pages 2-5 for greater detail.) The result of which is that these GP's have expressed reservations about referring women onto the clinics.

We further understand that at least one abortion provider has been telling the Perth GP's to not worry about the new laws- that it is the abortion provider who is liable not the GP. We wish we could feel as confident as this abortion provider appears to be. It is our belief (based on the highly interpretative nature of the WA legislation) that this is erroneous advice to provide to GP's. Where one scapegoat cannot be used another will be found- as it proved in the investigation that sparked this change.

All of this is of great concern. Firstly, the fact that GP's are so concerned indicates that the clarification of the new laws on abortion in WA has not been as straight forward as some in WA have been presenting it. Our second concern about this interaction is that it indicates a disastrous potential for lack of understanding and, indeed, even a lack of trust between these two sectors of the medical profession in WA.

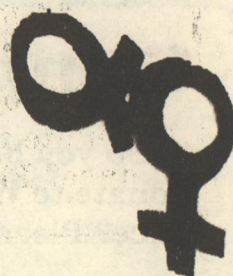
**If efforts are not made immediately, to develop workable and well defined protocols, there will be an unlooked for but very effective barrier to women seeking abortion in WA.** GP's will not refer their patients, on the off chance that they will be prosecuted as part of a 'rebound' from the pursuit of a case against an abortion provider. Abortion providers, because they have been effectively disbarred from the counselling process, may find it financially risky to operate on a patient who may or may not have been "properly, appropriately, and adequately" informed. Realistically, it will be women who will suffer the consequences not the doctors.

**Throughout this debate in Western Australia, the voices of WA women have been unheard. What was the effect on WA women when they heard of the threat by abortion providers to cease performing the operation if the laws were not changed? What sort of coverage will the teething problems of the new laws get? If you have any family or friends in WA who have had problems in accessing abortion over the past few months or in the near future please contact us in Women's Abortion Action Campaign. We will do what we can to make sure that these voices are heard and whilst we can't make any promises (we're a volunteer organisation that relies on donations) ...we will do whatever we can to assist WA women in continuing to access safe abortion providers- even if it means assisting women to go interstate to do so.**



# WOMENS ABORTION ACTION CAMPAIGN

## Supporter Questionnaire



Organisation \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

Please tick the appropriate box or boxes

Are you?

Under 18  18-24  25-34  35-54  55+

### 1. How did you become aware of WAAC?

- signed up at International Women's Day
- signed up at other WAAC stall
- rang Waac
- friend
- ex-Bessies
- ex Control/Darling St/Everywoman's
- ex-WAAC
- Other

### 2. Why are you on the WAAC contact list?(tick as many as you wish, double tick the most important)

- want information on campaign to repeal abortion laws
- want information on reproductive health issues
- want information on women's health issues in general
- want to support WAAC's Campaigns
- want to know about upcoming events
- other

### 3. Are you able to help do any of these things? Please indicate how frequently you could- Where R=Rarely, S=Sometimes, F=Frequently, N=Not

- R\_ S\_ F\_ N\_ letterboxing
- R\_ S\_ F\_ N\_ writing letters to media, politicians, personalities
- R\_ S\_ F\_ N\_ organise demonstrations/protests
- R\_ S\_ F\_ N\_ produce newsletters
- R\_ S\_ F\_ N\_ mailout newsletters
- R\_ S\_ F\_ N\_ staff WAAC Stalls
- R\_ S\_ F\_ N\_ write articles
- R\_ S\_ F\_ N\_ put up posters
- R\_ S\_ F\_ N\_ liaison with abortion providers & women's health centres
- R\_ S\_ F\_ N\_ distribute WAAC materials
- R\_ S\_ F\_ N\_ filing and archiving
- R\_ S\_ F\_ N\_ organise fundraisers(eg dinner, garage sales, raffles)
- R\_ S\_ F\_ N\_ translating(which languages?) \_\_\_\_\_



# Supporter Questionnaire cont.

4. Do you have any other skills or resources which you are willing to donate to WAAC? eg. desktop publishing, public speaking, database maintenance? Please specify \_\_\_\_\_

5. Are you interested in coming to WAAC meetings?  Yes  No

If not, why not? (Tick as many as you like)

- not available on Monday nights
- too busy
- problems with childcare
- don't like going out at night
- Newtown is too far from home
- don't like meetings
- Other(Please specify)

6. Would you like to be contacted about events held by WAAC?

Yes  No

If yes, please tick- how?

- phone
- fax
- email
- mail

7. How would you like to receive WAAC newsletters?

- phone
- fax
- email
- mail

Please mail questionnaire back to:  
Women's Abortion Action Campaign (WAAC)  
PO Box A2233  
Sydney South NSW 2000

or to our fax number:

61-2-9569-3819