

General

**Rights Act not best for unborn: lawyer**

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Enshrining human rights in legislation could pave the way for late-term abortions by handing courts the power to decide cases regardless of ethical or moral considerations, a Perth law expert has warned.

Murdoch University law lecturer Augusto Zimmermann claimed a human rights Act, once touted by Attorney-General Jim McGinty and now being explored at a Federal level, would hand an alarming amount of power to judges, who were unelected and "popularly unaccountable".

Speaking at a Right to Life Association function, Dr Zimmermann claimed if such legislation was introduced in WA, judges could use it to find legal grounds to invalidate all legal restrictions to abortion.

He said they could do this by expanding their interpretation of the right to liberty, combined with a notion that a right to life only existed once a person was born.

In WA, women can only have an abortion later than 20 weeks into a pregnancy if a panel of medical specialists believes the health of the foetus or mother is in danger.

Dr Zimmermann suggested such interpretations could be broad.

He did not have faith that putting a provision in place to prevent the erosion of abortion restrictions would work.

"The problem is that even the intention of the drafters doesn't need to be followed," he said.

. these people have no . "These sorts of promises are empty promises . authority to impose their points of view on judges."

Once made, a controversial court decision to overrule restrictions could not be easily reversed, Dr Zimmerman said.

The divisive right to life debate was revived last September by religious groups who feared a human rights Act would fail to protect rights of an unborn child.