

Local

Church head in abortion debate

Julie-Anne Davies

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ANGLICAN Archbishop of Melbourne Philip Freier has made a last-minute intervention in Victoria's abortion debate, joining the growing clamour for the proposed laws to be amended to allow doctors and nurses with a conscientious objection to opt out of referring women to another health service for treatment.

With a vote on Victoria's proposed abortion law reform bill expected today, after an all-night parliamentary sitting, Dr Freier told The Australian the state Government's original intention -- to decriminalise abortion while preserving the status quo in the practical medical and social management of terminations -- had been undermined.

``The balance has swung away from that original intention when in this key area we have doctors and nurses potentially being put in a compromised position," Dr Freier said.

``The legislation could have been better framed so these people with genuine concerns have some capacity to follow their conscience."

Dr Freier also raised concerns about the other issue that could scupper the bill: late-term abortion.

Under the provisions proposed in the bill, women will continue to be allowed to have a termination at any point during their pregnancy as long as two doctors consent.

``Many people are left with very uneasy feelings about whether this is going to lead to abortion on demand up to full term because the criteria by which the two doctors can decide whether to abort or not is still too vague," Dr Freier said.

He raised the issue last night at the opening of the synod of the Anglican Church in Melbourne. The archbishop's public comments, his first in the abortion debate, are at odds with new legal advice sent to MPs from human rights lawyer Julian Burnside QC.

Mr Burnside has challenged the Catholic lobby's widely cited legal advice, first revealed in The Australian, that the proposed reforms would be in breach of Victoria's Charter of Human Rights.

Mr Burnside argues that any law involving abortion is not subject to the charter's provisions. He says the Catholic church objected at the time the charter was drawn up to abortion becoming a matter for the courts.

``It is now the church which has objected most strongly to the fact that the conscientious objection provision in the abortion legislation is excluded from consideration," he says.

Mr Burnside also argues that the controversy around the conscientious objection clause is a furphy because a doctor with a conscientious objection has only to refer a woman seeking a termination to a public hospital or independent pregnancy advisory service.

Contrary to the Catholic lobby's argument, the bill does not require that the doctor name another doctor whose views on abortion are known to him or her.

``In this way, the doctor may act in accordance with their conscience while at the same time engaging in an uncomplicated effective referral," Mr Burnside says.