

Inquiry into Human Rights (Children Born Alive Protection) Bill 2022

Canberra Hearing – 8 June 2023

Questions on Notice from Senator the Hon Matthew Canavan

Answers due COB 21 June 2023

Dr Jared Watts

Board Member and Non-Executive Director, Royal Australian and New Zealand College of Obstetricians and Gynaecologists

Question

Senator CANAVAN: Can you provide a copy of those [RANZCOG draft national guidelines on abortion care] to the committee?

Dr Watts: We could take that on notice.

Answer

Attached below.

1. Background

In March 2023, the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG; the College) lodged a submission to the Senate Community Affairs Committee regarding the Inquiry into the Human Rights (Children Born Alive Protection) Bill 2022 (the Bill). RANZCOG Board Director, Dr Jared Watts, and RANZCOG Independent Board Director, Ms Julie Hamblin, attended the Public Hearing on 8 June 2023. The College's position on abortion is that it should be available and accessible to all women and girls. The proposed Bill would impose additional legal duties and obligations on health care providers performing abortion, by prescribing how abortions should be managed.

Legislative changes in Australia and New Zealand are a strong impetus for the College to provide consistent evidence-based guidance on abortion care. Abortion is a medical procedure to end a pregnancy that involves use of medicines or surgery to remove the embryo or foetus and placenta from the uterus. Women and girls in Australia and Aotearoa New Zealand can self-refer to abortion services, and in most jurisdictions an abortion no longer needs the agreement of two registered health professionals.

RANZCOG is developing a bi-national evidence-based clinical practice guideline on abortion, for use by registered health professionals providing abortion advice and care across Australia and New Zealand, including RANZCOG members. Development of the draft guideline is central to RANZCOG's commitment to achieving excellence and equity in women's health.

2. Draft RANZCOG Guideline on Abortion Care

Deciding to end a pregnancy is a personal choice, and discussions with a registered health professional will help understand any associated risks with the available procedures and help the women and girls make an informed decision. The RANZCOG evidence-based clinical guideline on abortion (draft guideline) has:

- Aim: to provide registered health professionals and women and girls with guidance on the provision of medical and surgical abortion with recommended standards that ensure medical care is safe and effective.
- Target audience: registered health professionals providing advice and care relating to women and girls considering abortion.
- Values: available evidence reviewed by expert medical practitioners and applied to the local context relating to services provided in Australia and New Zealand, and current legislation.
- Timelines: publication by end-2023, contingent to the deliberations as expected.

An established guideline development group of expert medical practitioners (guideline developers) advises the College on development of the draft guideline. The guideline developers are mostly abortion care providers practicing in urban, rural and remote parts of Australia, and urban and regional locations in Aotearoa New Zealand. An existing guideline published by the New Zealand Ministry of Health on Abortion ([2020](#)) provides the basis for the RANZCOG bi-national guideline.

The broad scope of the draft guideline addresses the reported gaps in clinical practice and provides a sound basis to support woman-centred health care. The scope of the guideline includes:

- Physical, social, and psychological support for women and girls, including routine testing for women and girls considering abortion;
- Medical Abortion, including optimal treatment regimens for early medical abortion (with Therapeutic Goods Administration (TGA) approved indications);

- Surgical abortion, including optimal treatment regimens, techniques, guidance in relation to feticide and approved indications for infection management;
- Management of complications, including failed abortion;
- Post abortion care, covering routine follow up and post-abortion contraception;
- Summary of the jurisdictional requirements/variation across all jurisdictions in Australia and New Zealand.

The management of abortion can involve a range of complex clinical and ethical decisions in many different clinical, social and personal contexts. RANZCOG believes that guidance in relation to these decisions is best provided in a detailed clinical guideline that can cover the broad range of considerations that need to be accommodated. Legislating a statutory duty to treat children born alive, as is proposed in this Bill, is not an appropriate way to guide good clinical practice in this area, particularly when the proposed legislation also carries the risk of criminal liability on the part of health practitioners performing abortion. It is RANZCOG's view that the Bill, if passed, would further reduce access to abortion in Australia by generating fear and uncertainty about legal liability, without contributing to any improvement in clinical practice in relation to abortion.