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**Submission to the Community Affairs Senate Committee Inquiry into the  
*Transparent Advertising and Notification of Pregnancy Counselling  
Services Bill 2005.***

Sexual Health & Family Planning Australia (SH&FPA) **supports the *Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005*** in its intent to ensure that Australian women have fair and reasonable access to transparent and accurate information about the range, type and values of services provided by pregnancy information counselling and support services.

**BACKGROUND**

SH&FPA is the national body for the State based family planning organisations in Australia. SH&FPA's members are leading providers of sexual and reproductive health services in this country. They provide high quality clinical, public and professional education and health promotion services. SH&FPA provides a collective voice and national leadership in sexual and reproductive health through collaboration between the state based family planning organisations. SH&FPA undertakes advocacy on relevant issues of national importance, and drives public debate on sexual and reproductive health issues.

SH&FPA agrees that best practice for providers of sexual and reproductive health services is to use unbiased, up-to-date, evidence based information and advice in dealings with clients seeking health information. SH&FPA believes that counselling should be client driven and that a counsellor should not direct or influence a client in decision-making.

**THE ISSUES**

In Australia women faced with an unplanned pregnancy have, depending on circumstances, three options – to continue the pregnancy and keep the baby, foster or adopt the baby out, or terminate the pregnancy. In Australia all of these options can be lawful. **SH&FPA supports the notion that unless the provider clearly**

**advertises otherwise, an Australian woman should expect that when she requests information on options for responding to an unplanned pregnancy from a reputable service provider, especially one that is government funded, she will be provided with accurate information on the FULL range of options that may be available to her within the law and be referred to appropriate service providers.**

SH&FPA recognises that some individuals and organisations may have personal moral, cultural or religious beliefs that lead them to object to one or more of the three options for unplanned pregnancies. SH&FPA respects the rights of these individuals and groups to hold their views.

However SH&FPA agrees that health service providers must be transparent and accountable in relation to this matter. **SH&FPA believes that if restrictions exist on the range or scope of service provision, due to a philosophical, moral or religious stance, it is fair and reasonable that this should be made clear to prospective clients before they have engaged with the service.** SH&FPA strongly believes that advertising material must not be misleading or deceptive in any way. In particular SH&FPA supports open and clear advertising which notifies potential service users of the values of the agency advertising their services, the range of options that are supported and the service's willingness or otherwise to provide referrals to services for the termination of pregnancy.

SH&FA recognises and respects that some individual health service providers may be unable or unwilling to advise or refer a client for a particular pregnancy option based on personal, rather than legal or clinical grounds. **SH&FPA considers that a person giving advice on health matters to the public is in a privileged position of trust and, unless otherwise stated, it should be expected that they shall remain neutral with regard to matters of morals.**

SH&FPA agrees that if a practitioner, worker or volunteer holds a particular belief that may impact on their clinical judgement, prevent them from giving unbiased or accurate information, restrict their referral making or risk influencing a client's decision they must declare their philosophical position to the client without delay and offer the client referral to another, suitable professional person, or agency who can provide the appropriate information, referral or service that the client seeks or wishes to explore. Because of the time dependent nature of some decisions regarding

unplanned pregnancy such a referral must be achieved as soon as possible.  
SH&FPA disagrees that it is appropriate to simply turn the client away.

**Where a health service or provider is philosophically opposed to abortion and, based on these values, cannot give a referral to a client for this procedure, SH&FPA believes they should not be providers of first-line counselling or information about unplanned pregnancy because their beliefs may influence, preclude or delay access to one of the viable options a woman may wish to explore.** It would, however be appropriate for them to offer services for women who have already decided to continue their pregnancy or where a woman is aware of their philosophical objections but chooses to access their service anyway.

**SH&FPA holds the view that all health information counselling and advice services should be required to provide properly qualified, skilled and accountable personnel who are free to deliver information and/or counselling that is responsive to clients needs.** The information, advice and/or counselling must be non-directive and particularly with regard to unplanned pregnancies personnel must be prepared to present all options within the law in an unbiased and accurate way should the caller request information, counselling or referral on the issue.

## **CONCLUSION**

**SH&FPA believes that every provider of health advice, information and/or counselling services in Australia should be accountable for the quality of their service through independent, regulatory and complaint mechanisms regardless of whether their service is user pays or free of charge, and regardless of the basis of their organisation. SH&FPA holds the view that pregnancy information, advice, support or counselling services should be at least subject to the same regulations set out in the *Trade Practices Act 1974* on truth in advertising and therefore strongly supports the *Transparent Advertising and Notification of Pregnancy Counselling Services Bill 2005*.**

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President

**SH&FPA**  
June 2006

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