

# Submission to Senate Inquiry

## Re. Transparent Advertising in Pregnancy Counselling and Notification of Services Act 2005

### By Helpers of God's Precious Infants

#### About the Helpers

The Helpers of God's Precious Infants (the Helpers) is a pro-life association which promotes the dignity of human life. We conduct our apostolate outside abortion centres. We have three aims: to publicly witness to the dignity of human life; to pray for all those involved in the abortion holocaust; to offer practical advice and assistance to any woman who is facing a difficult pregnancy. We always act within the law; we do not threaten, intimidate, photograph or harass anyone.

#### Summary

This Bill is ideologically motivated and should be rejected for the sake of the common good.

The Bill could affect the Helpers both directly and indirectly. We may be required to include on our pamphlets the prescribed wording of S 6(1). We may be required to include this wording on any other circular, notice, etc., that we send out, even if it is sent only to our supporters. It portrays us as misleading and lacking in transparency.

#### Effect of the Proposed Bill

The Bill relies upon the assumptions of radical feminism. It seeks to shape society according to the dictates of this particular ideology.

Sen. Stott-Despoja, the author of the Bill, is on record in the Senate revealing that she would like to shape Australia's laws "through the prism of women's rights, particularly women's reproductive rights ...." That is standard feminist code for abortion on demand. The majority of women do not describe themselves as feminists; the vast majority of men, needless to say, also reject this ideology. Therefore, the Bill is not in the interests of the majority of the community.

The assumptions of contemporary radical feminism are that abortion is good for women; that it empowers them by freeing them from childrearing, which is seen as a burden. Anyone who opposes abortion is seen as the enemy from whom women must be defended.

The Bill is designed to alienate and marginalise anyone who is pro-life. It generally implies that pregnancy counselling provided by a pro-lifer is necessarily deceptive and misleading. The further implication is that only someone who is pro-abortion (or 'pro-choice', as they like to call themselves) can give impartial and honest advice. The use of the term "full choice" in S. 4(b) implies that pro-lifers are somehow "anti-choice." This type of terminology should be reserved for polemical arguments, and has no place in government legislation.

The Bill relies on the feminist assumptions that anyone in favour of killing a child before birth is "pro-choice" and honest. Anyone against this practice is characterised as "anti-choice" and dishonest. The Bill would enshrine this type of

perverse thinking into the Law of the Commonwealth. Needless to say, the majority of Australians would not go along with these shrill and extremist demands of feminism.

The Bill is part of a step by step approach to drive pro-life speech to the margins of society. The author of the Bill is on record advocating a buffer zone around abortion centres to restrict the efforts of pro-lifers like the Helpers who offer to help pregnant women. Anyone who has the interests of women at heart would not object to them receiving help from us.

By marginalizing pro-life pregnancy counselling, it is reasonable to expect that there will be more business for the abortion centres, more profits for abortionists and an increase in the number of abortions, leading to further detriments to women's health.

Although it is aimed at pregnancy counselling centres, the definitions included in S. 3 of the Bill are so broad that it could also encompass the Helpers' work. Part of our work can be considered as an informal type of pregnancy counselling. Under the proposed Bill, we could be defined as a 'pregnancy counselling service' since we provide '...advice or information services to women and their support persons regarding options in relation to pregnancy, childbirth or termination of pregnancy.'

Under S. 3, the definition of "*advertise, advertising and advertising material ...* includes ... a pamphlet." Therefore, a Helper handing out a pamphlet outside an abortion centre could be in breach of the Act if the pamphlet does not contain the prescribed wording of S 6(1) (hereinafter called 'the disclaimer'). There is no need to treat the general public like idiots. It is obvious to anyone what we are doing. Since we are standing right outside the abortion centre where the unborn children are killed, it hardly necessary for us to direct anyone to it.

This 'advertising' need not even be directed at the public. It "... includes every form of advertisement or notice, whether to the public or not ..." Thus, even a private circular or catalogue, sent to our supporters, would need to include the disclaimer. Consequently, the proposed Bill seeks to protect the public from private publications of pro-life groups; this is unnecessary and is an unwarranted intrusion into the private correspondence of pro-life groups.

#### The Bill Fails to Meet its own Objectives

Under S. 4 (a) the Bill seeks to "prohibit misleading and deceptive notification and advertising of pregnancy counselling services ..." This assumes that pro-life pregnancy counselling is misleading and deceptive. Helpers do not wilfully mislead or deceive anyone. It is our goal to provide factual information about abortion as well as the several alternatives to it. Our information is factually correct; if anyone could prove that it is not, using sound scientific data, we would be obliged to change it. No one has ever tried to do this.

The information we give out includes diagrams of the development of the baby in the womb, the negative effects of abortion and the type of person who is most likely to suffer from Post Abortion Syndrome. This is exactly the type of information that any woman undergoing an abortion would be required to see in order to give her informed consent. If this information was withheld from a woman prior to an abortion, she would be in a position to sue the abortionist. If any of the information on our pamphlet is incorrect, we will gladly correct it. We invite this Senate Committee to review our pamphlet and point out any errors, with reference to verifiable sources.

S. 4 (b) seeks to “promote transparency and full choice in the notification and advertising of pregnancy counselling services ....” The Bill does nothing to promote transparency or full choice for women. Many women tell us that they had to have an abortion because they had no choice; the Bill does not address this situation.

It is the abortionists who are misleading and deceptive in their advertising and counselling. They are the ones who lack transparency. Examine their behaviour. In the ACT, an abortionist boasted that she was ignoring the provisions of the Osborne Bill that required her to show a pregnant woman photos of her unborn child. Abortionists always oppose any such measure; this is an obvious example of a lack of transparency. It assumes that women are better off not knowing about some things. An act which is touted as ‘empowering’ women is therefore built upon their disempowerment.

Furthermore, Sydney abortionist Suman Sood was charged with Medicare fraud for bulk-billing her patients and charging them a fee. Abortionist Geoff Brodie admitted in the media that they are all doing this. Defrauding the public health system is not seen as a blight on the abortion business; instead, Sen. Stott-Despoja would like us all to think that it is the pro-lifers who are dishonest.

The Bill fails to meet the objective of improving public health (S. 4(c)). The Act does nothing to improve public health. Public health could be improved by reducing the number of abortions; this Bill is likely to increase the number of abortions.

For this provision to make sense, one would have to assume that it is detrimental to a woman’s health to advise her against having an abortion. Even by feminist standards, this is stretching the imagination. It is not as if it is difficult to obtain an abortion. Sen. Stott-Despoja herself admitted that there are 90,000 abortions a year in Australia. The Senate should be asking her why she thinks we need more.

S. 4(d) aims to “minimise the difficulties associated with obtaining advice to deal with unplanned pregnancy.” Sen. Stott-Despoja has failed to provide any evidence to the Senate that there is a problem in this regard. As we have pointed out previously, the Bill is based upon feminist imaginings. This Bill is in reality designed to protect abortionists from losing their “clientele” to pro-life counselling.

Most people in the community are unable to identify an organisation that provides help for a woman in a crisis pregnancy. In a study released about 18 months ago, most people nominated the Red Cross as such an organisation. This would indicate that there is a need to raise the profile of pro-life pregnancy counselling, not push it further to the margins of society, as this Bill would do.

The Bill is itself misleading and deceptive. Its definition of “termination of pregnancy” (S. 3), refers simply to the “surgical or medical termination of a pregnancy.” What Sen. Stott-Despoja really means here is killing a child before birth. If that is what she means, then she should be transparent enough to say so.

The natural way to terminate a pregnancy is with the safe birth of the child. A more accurate definition of abortion would be the deliberate and direct killing of a child, either before, during or shortly after birth, whether by poisoning, surgical instruments or malicious neglect.

### The Bill Contravenes the Principles of Freedom of Speech

Under S. 6(1), we would have to include the following statement ("or a like statement") on our pamphlets: "This service does not provide referrals for terminations of pregnancy." This contravenes the basis of freedom of speech: the right to say something and the right not to say something.

### The Bill Treats Pro-Lifers as a Menace to Society

The Bill reflects the radical feminist perspective that pro-lifers are a menace to society and need to be regulated by special laws that pertain only to them.

The Bill does nothing to address the dishonesty of abortionists. A pamphlet from the Fertility Control Clinic in East Melbourne describes abortion as "removing the lining of the uterus by suction." There is no mention of a "baby" or even a "fetus." There is no mention that something is killed. Compare this to testimony given in court. In a court case in the United States (Planned Parenthood v Doyle), abortionist Dennis Christensen testified: "For abortions before 14 weeks ... I ... use suction curettage [in which] the physician ... dilates the cervix and removes the embryo or fetus and the other products of conception, either whole or in parts, through the cervix into the vagina using a suction tube or syringe. In some cases, a part of the fetus may be removed while another part remains in the uterus and may be 'living.'" Such a description would no doubt put many women off having an abortion; that is why abortionists fail to mention it.

The Bill fosters the idea that pro-lifers who use scientific studies to warn of the dangers of abortion are being dishonest.

- We can show that 28 out of 38 published studies indicate an elevated risk of breast cancer following an induced abortion. Abortionists go to great lengths to deny these scientific findings.
- At least 49 published studies have demonstrated a statistically significant increase in premature births or low birth weight risk in women with prior induced abortions. Abortionists' literature never mentions this.
- The Fergusson Study from New Zealand showed that a woman who has had an abortion is more likely to suffer mental health problems. This is the best study of its kind in the world. The National Institutes of Health in the US have admitted that they do not have a comparable study. Abortionists still refuse to disclose this information to women.
- Abortionists are still claiming that abortion is safer than childbirth. Yet a study from Finland using the medical records of thousands of women showed that a woman who has had an abortion is roughly four times more likely to die in the next 12 months compared to a woman who has given birth. Once again, abortionists do not feel obliged to mention this scientific study.

All of this shows the patent dishonesty of abortionists. If they will not accept scientific studies, what will they accept? Instead of dealing with the problem of dishonest abortionists, the Bill seeks to paint pro-lifers as dishonest.

Under S. 6(3) of the Bill, omitting the disclaimer in S. 6(1) is defined as "misleading or deceptive to the public." This is the only criteria for honesty specified in this Bill. Once again, the Bill turns a blind eye to the conduct of abortionists and singles out pro-lifers, accusing them of dishonesty.

### The Bill Exceeds the Provisions of the Trade Practices Act

One of the justifications for the Bill is that it will bring non-profit groups (i.e., pro-life groups) into line with the practice of abortion centres, which are governed by the Trade Practices Act. However, this Bill goes much further than the Trade Practices Act.

The Trade Practices Act does not require any business to advertise that it does not provide certain services.

There are many practices that the Helpers do not recommend, such as IVF, contraception, sterilization and female genital mutilation. The Bill would not require us to mention these; only that we do not "refer" for abortions. Clearly, it is nonsense to require an organisation to list all the things that it does not do.

In requiring us to include the disclaimer on our publications, the Bill would imply that we are entitled to "refer" for an abortion. This is itself misleading. A referral is something that is within the scope of qualified medical staff.

#### The Bill Hijacks the Term "Non-directive Counselling"

The Bill narrows the definition of "non-directive counselling" to exclude counselling that does not "refer" for abortion (S. 3). That is not what is typically understood by the term "non-directive counselling."

The goal of non-directive counselling is to allow the woman to explore her feelings about her present situation. The Bill would use the good reputation acquired over many years by non-directive counselling services and use it to further the feminist agenda.

It is the aim of the Helpers to empower a pregnant woman to accept the life within her. We do not provide non-directive counselling. We believe that there is meaning and purpose to human life and we try to direct people to find that meaning and purpose. We do not see the killing of the unborn as a sign of empowerment or freedom.

#### The Bill would Exclude Pro-Life Pregnancy Counselling from the Help Section of the White Pages Directory

Under S. 7 of the Bill, pro-life pregnancy counselling would be excluded from the help section of the White Pages.

The heading of S. 7 is itself misleading and deceptive. It describes itself as "Requirement for telephone service providers to list a non-directive pregnancy counselling service." In fact, the White Pages in Melbourne already lists a non-directive pregnancy counselling service (as defined by the Bill) by listing the Fertility Control Clinic.

The real purpose of the Bill is to exclude pro-lifers. This section should be renamed, "Requirement for telephone service providers to exclude pro-life pregnancy counselling." Once again, Sen. Stott-Despoja is engaging in the very lack of transparency that she finds so objectionable among pro-lifers.

Of all the organisations listed in the Help and Support Services section, the Fertility Control Clinic is the only privately owned, profit making business. The rest are all non-profit organisations or government agencies. The Fertility Control Clinic is not required to disclose its profit-making motives; it can simply hide behind the euphemism of "pro-choice," a term that is misleading and deceptive to the public.

#### It is Not Necessary for a Woman to have a Referral for an Abortion

Abortion centres openly advertise that referrals are not necessary. A woman can go there without a referral from her GP and have an abortion. The Bill overlooks this simple fact and almost blames pro-lifers for a lack of abortions.

The Bill assumes that a woman can find a number in the phone book and contact the organisation that advertises there. Any woman who can do that can look elsewhere in the phone book and find the number for an abortion centre. They do not exactly hide themselves away.

The Bill is relying on the notion that a woman who can find a number and ring it is incapable of distinguishing the type of service that the organisation provides. This is patronising to women.

An organisation that does not "refer" a woman for an abortion is not preventing her from having the abortion. If she really wants the abortion or needs the abortion she has many other avenues that she can follow.

### Conclusion

The Bill would coerce organisations into giving out the location of abortion centres. An organisation that does not do this would be excluded from the Health and Help Section of the White Pages (S. 7).

In this way, the Bill seeks to regulate the conduct of pro-lifers. It goes without saying that pro-lifers never get to regulate the conduct of abortionists. In their arrogance, abortionists think it is in the interest of the public for the conduct of pro-lifers to be regulated by the abortionists.

The reason for this is that abortionists never really feel comfortable about abortion. They keep asking for more and more special privileges for themselves and more and more restrictions on those who oppose abortion. No amount of restrictions on pro-lifers will ever be enough for abortionists. They will always ask for more. This Bill is just one more step along the way.

Leslie Cannold, the spokeswoman for Reproductive Choice Australia, has stated that "neither the Government and pro-life supporters believe pregnant women are entitled to truth in advertising and informed consent." As pointed out above, pro-lifers are all in favour of truth in advertising and informed consent. It is the likes of Ms. Cannold that would hide from women the adverse effects of abortion, as revealed in scientific studies, and the nature of the child in the womb, as revealed by modern technology.

Abortion has been sold to women as an act of empowerment or choice or a human right. Now, pro-life pregnancy counselling is being labelled as dishonest. This is just another tactic of the pro-abortionists to push their agenda on the public. In this case, they are calling for the co-operation of the Australian Parliament in the form of this Bill.

If the members of the Senate and the House of Representatives wish to govern this country for the common good, they should reject these shrill demands from radical feminists.

### Recommendation

That the Senate should abandon this proposed Bill.

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On behalf of the Helpers of God's Precious Infants  
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