

Submission by the **Life Office, Catholic Archdiocese of Sydney**  
to the Community Affairs Committee's inquiry into the  
**Transparent Advertising & Notification of Pregnancy Counselling Services Bill 2005**

Transparent and truthful advertising and notification is important for any counselling service, and legislation to promote such standards would normally be worthy of in-principle support. There are, however, several problems with the *Transparent Advertising & Notification of Pregnancy Counselling Services Bill 2005* (hereafter, 'the Bill') which prevent it from making any positive contribution to the health and wellbeing of Australian women and the community.

**1. The definition of a 'non-directive pregnancy counselling service' in the Bill should not include the requirement for referral to abortion.**

The Bill defines non-directive pregnancy counselling as:

***non-directive pregnancy counselling service*** means a service that offers counselling, information services, referrals and support on all three pregnancy options being  
(a) raising the child; or  
(b) adoption; or  
(c) termination of pregnancy  
and will provide referrals to termination of pregnancy services where requested. (1:3,3)

This definition of non-directive pregnancy counselling is mistaken. Non-directive counselling in general, as well as in the setting of pregnancy, is a counselling process in which clients are given the opportunity to explore feelings and clarify thoughts regarding their situation and options. This process may be supplemented by the provision of relevant and appropriately sourced information, but does not include advice and referral, especially for medical services.

Referral for medical services, like termination of pregnancy, is a function of medical practitioners, not counsellors. Where a woman does not have an established therapeutic relationship with a medical practitioner, pregnancy termination services on demand are already well advertised, accessible and readily available in Australia.

**2. The definition of a 'non-directive pregnancy counselling service' in the Bill unjustly discriminates against pregnancy counselling services which do not refer for terminations.**

The effect (and likely intention) of the definition of 'non-directive pregnancy counselling' in the Bill is to restrict the activity of counselling services who do not undertake abortion referrals. Under the Bill, only those services that provide direct information about or referrals to pregnancy termination services would be eligible for advertising or notification as 'non-directive' counselling services. (2:5) Additionally, telephone carriage service providers providing alphabetical public number directories would only include non-directive pregnancy counselling services on their 24 hour health and help call pages. (2:7)

The Bill seeks to impose restrictions only on 'pro-life' pregnancy counselling services. In doing so it ignores the experience of many women which shows that there is no reason to suppose that counselling services which refer for abortion are any more 'non-directive' than those services which do not refer for abortions. Here, I draw the Committee's attention to the book by

Australian researcher and author, Melinda Tankard Reist, *Giving Sorrow Words: Women's Stories of Grief After Abortion*.<sup>i</sup>

Counselling services which refer for terminations and counselling services which do not refer are equally capable of straying from the path of professional non-directive counselling. This Bill, however, is based upon a simplistic and biased assumption that the only services capable of providing 'non-directive pregnancy counselling' are those which refer for terminations and that services which do not refer for terminations are incapable of providing 'non-directive pregnancy counselling'

This Bill is clearly an attempt to limit the activity of pregnancy counselling services which offer genuine non-directive counselling and where it is requested, genuine support for women who wish to continue with their pregnancy.

### **3. The Bill is unable to achieve its stated objects.**

Despite its stated objects (1:4) this Bill: limits full choice for Australian women by unjustly restricting the notification and advertising of pregnancy counselling services that do not refer for abortion; does nothing positive to improve public health; and only increases the difficulties associated with obtaining advice to deal with unplanned pregnancy. The Bill limits women's choice and access to a range of pregnancy counselling services, at a time when a major in-depth study into public attitudes to abortion has found that:

- 99% of Australians believe that women contemplating an abortion should have access to counselling
- most of the community believes that a woman contemplating abortion should seek advice from more than one source, such as a health professional independent of the abortion provider, a relative or friend, or a professional counselling service, but
- 58% of the community would not know where to refer a woman for alternative support services during or after a pregnancy.<sup>ii</sup>

### **4. Summary**

Pregnancy counselling is important. Women should have free and equal information and access to a range of pregnancy counselling services. The vast majority of Australians want to see greater access to pregnancy counselling.

While services providing pregnancy counselling should be truthful about their counselling philosophy, the *Transparent Advertising & Notification of Pregnancy Counselling Services Bill 2005* promotes an incorrect understanding of non-directive counselling and unjustly discriminates against counselling services who do not refer for pregnancy termination by restricting their advertising and notification. The Bill would restrict, rather than promote, a range of transparent and professional counselling options for women.

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<sup>i</sup> Tankard Reist, Melinda. *Giving Sorrow Words: Women's Stories of Grief After Abortion*, Duffy and Snellgrove, NSW, 2000.

<sup>ii</sup> Fleming J I, Ewing S. *Give Women Choice: Australia Speaks on Abortion*, Southern Cross Bioethics Institute, 26 April 2005.