

# **COALITION FOR WOMEN'S RIGHT TO CHOOSE**

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## **Submission to the Community Affairs Legislation Committee of the Australian Senate re the Transparent Advertising and Notification of Pregnancy Counselling Bill 2005.**

The Coalition for Women's Right To Choose is a broad grouping of South Australian women and men who support women's right to safe, affordable contraception and abortion services. Our members include people from all the major political parties, health and community workers, unionists, professionals, academics, business people and concerned women and men in the community generally. The Coalition for Women's Right To Choose supports and defends women's right to birth control, including access to safe, affordable contraception and abortion.

We note that the Senate, on the recommendation of the Selection of Bills Committee, has referred the provisions of the above Bill to the Committee for inquiry and report by 17 August 2006. We understand that the reason for referral of the Bill provided in the Selection of Bills proposal is to examine the adequacy of the legislation in improving regulation of pregnancy counselling, and ensure the counselling provided by Government-funded pregnancy counselling services is objective, non-directive, and includes information on all three pregnancy options.

We write to support the Transparent Advertising and Notification of Pregnancy Counselling Bill 2005, which will provide better regulation of pregnancy counselling services that advertise in the Health and Help pages of every telephone directory in Australia. We believe that the Federal Government has a duty of care to ensure the services it funds meet established standards of quality. State and Territory governments have the additional responsibility to ensure that Federal funded programs delivered in their State meet accepted professional standards of best practice. In South Australia women seek assistance from their General Practitioner, community health centres, women's health services and hospitals and also from the pregnancy help organisations that are listed in telephone directories.

For some time, it has been a matter of concern to the Coalition for Women's Right To Choose that women seeking information and assistance with an unplanned pregnancy have no guarantee that the counselling and information offered will be unbiased and accurate. During the past year, members of the Coalition for Women's Right To Choose have learned with concern of reports that distressed women who approached pregnancy help services such as Birthline,\* Pregnancy Counselling Australia, Pregnancy Help Line, and Abortion Grief Counselling have not received non-directive support, and have been confused and upset at not receiving information about all available pregnancy options including accurate and appropriate information about services providing termination of pregnancy. We are aware that these agencies are members of the Australian Federation of Pregnancy Support Services (AFPSS), which has a service charter of not referring for pregnancy termination and does not provide women with accurate up-to-date information about

all of their options. Many of these services have unadvertised links to religious and Right to Life advocacy organisations.

Such telephone services are advertised in the Health and Help pages of all South Australian telephone directories as 24-hour pregnancy support services. They are staffed by volunteers who do not have accredited professional qualifications in counselling, psychology or social work, and hence have no professional accountability. Some agency volunteers have been known to make unsolicited, judgmental comments and often give incorrect and misleading advice and information to women who are seeking unbiased counselling and referrals with regard to their unplanned pregnancy. It is a matter of considerable concern that these agencies are funded by the Federal Government and received a significant increase in funding from the Federal Government in late 2005.

In regulating the advertising of pregnancy counselling services, the Bill requires that all such services advertise in a clearly transparent manner. This includes informing potential callers/clients that a service does not refer for termination of pregnancy. The Bill goes further in requiring that a telephone service provider can only list non-directive counselling services on its 24-hour Health and Help pages. It is these pages that women often turn to for information when first faced with an unplanned pregnancy. Women from rural and remote areas often access such services to ensure confidentiality, so the reliability of the information provided is essential.

The Coalition for Women's Right To Choose has heard directly from a young woman living in rural South Australia who visited her local general practitioner, and did not get the information she required to make an informed decision about her pregnancy. Subsequently she telephoned a counselling service that was advertised in the telephone directory as a pregnancy counselling service: "Birthline". The answers given to her specific questions about long term health and fertility effects, and effects upon her relationship with her partner, led the woman to believe that an abortion was not an option. Other information given by "Birthline" emphasised the financial assistance offered by the government and child-care facilities. Eventually she obtained telephone access to a specialist clinic through directory assistance, and this led to her awareness that the information given by Birthline was not correct. The woman felt she had been misled, misinformed and pressured in to making a decision by a biased ("directive") telephone advice line.

There are other women, not just in regional South Australia, who do not receive from their General Practitioner the information they require to make an informed choice about whether or not to continue with an unplanned pregnancy. It is a fact that there are a number of GPs, opposed to abortion, who do not consider that they have a duty to direct their patients to the services they need. In such circumstances, women are likely to telephone a pregnancy counselling service such as those listed in the telephone directory. This means that there is a strong probability that they will be pressured and manipulated into making an uninformed decision based on inaccurate advice. This in turn, may result in women having unwanted children. Such an outcome is undesirable for both mother and child.

Misleading information about how and where to access a termination of pregnancy or how to get a referral to an appropriate service can and does result in unnecessary stress for women. Delays in accessing this procedure increase the risk to a woman's health, as the procedure is safest when performed early in pregnancy. In addition, such delays can have unnecessary and undesirable consequences for the woman, including increased risk of medical complications and increased expense of the procedure. A forced continuation of unplanned and unwanted pregnancy to term can

have significant short and long term economic and social costs, not only for the woman herself, but also for the community. Forcing a woman to continue with an unplanned, unwanted pregnancy is not in the best interests of the woman, her unborn child or family.

While General Practitioners can be held professionally accountable to the Medical Board, directive pregnancy help agencies can currently continue to cause distress and harm to women without being held accountable for the consequences. Section 8 of the Bill addresses this by ensuring that organisations found to have been deceptive in their advertising, or misleading women who contact them when seeking advice or information on all pregnancy options, will not receive funding until the organisation is compliant with the Act.

The Coalition for Women's Right To Choose strongly supports the intent and provisions of the Bill. This Bill aims to ensure that women faced with an unwanted and unplanned pregnancy are fully informed about the nature of the service they are contacting by telephone or visiting. Given that no contraceptive that is 100 percent effective, many women will have to make this decision. Women who are considering abortion as an option and those who have an abortion do not make the decision lightly. They do not need others to make decisions about their health and wellbeing. Women need to be able to make their own informed decision, which means that they need easy and early access to correct information about all options, including abortion. They do not need the decision to be pre-determined on their behalf by those in positions of influence or power. Under such difficult and stressful circumstances, they should not be bullied, deceived, manipulated or harassed in any way.

This Bill addresses the essential issue of informed consent, and the important principle of transparency in advertising, to minimise the difficulties associated with obtaining objective and non-directive pregnancy advice. The outcome of the passage of this Bill will be a considerable improvement in public health.

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\* Birthline was established by Right to Life in South Australia in the early 1970's. According to their President (2003), they "never refer for abortion" [www.fol.org.au/magazines/docs/focus-sa-200309.pdf](http://www.fol.org.au/magazines/docs/focus-sa-200309.pdf) despite the organisation indicating in the 2006 Health and Help pages that "all options are discussed". The other agencies listed do not state that all options are discussed.