

ACT MINISTERIAL ADVISORY COUNCIL ON WOMEN

SENATE COMMUNITY AFFAIRS LEGISLATION COMMITTEE

Inquiry into

Therapeutic Goods Amendment

(Repeal of Ministerial responsibility for approval of RU486) Bill 2005

SUBMISSION:

Australian Capital Territory Ministerial Advisory Council on Women

Summary:

The ACT Ministerial Advisory Council on Women believes that the Therapeutic Goods Administration is the appropriate body to make determinations as to the availability of RU486 in Australia.

Official Statement of the ACT Ministerial Advisory Council on Women:

The following statement was adopted by the Council on December 21 2005, as the Council's official position in relation to the current inquiry.

The Ministerial Advisory Council on Women believes that every woman has the right to choose whether or not to continue a pregnancy and that all women have a right to access a full range of safe, reliable and affordable termination services, both medical and surgical.

Abortion has been decriminalized in the ACT and is covered by the *Health Act 1993*. The Council therefore considers it legislatively unwarranted, as well as deleterious to the ongoing health and safety of women, for access to new termination options to be determined on anything other than grounds of safety and efficacy.

The Council believes that determinations about the safety and efficacy of pregnancy termination options should be made in the same way as for all other medical interventions, that is, by appropriately qualified scientific and medical bodies, and notes the Statement of The Royal Australian and New Zealand College of Obstetrics and Gynaecologists in relation to the use of RU486.

Safety determination is a scientific matter, requiring specific expertise and should be made in accordance with available evidence. In the case of pharmaceuticals, which includes RU486, the appropriate decision-making body is the Therapeutic Goods Administration.

Background information is attached.

Hilary Russell,
Chair
ACT Ministerial Advisory Council on Women

January 2006

Background information:

The ACT Ministerial Advisory Council on Women:

The ACT Ministerial Advisory Council on Women provides strategic advice to the ACT Government on issues affecting women in the ACT. It also provides a link between the Minister for Women and women in the ACT community.

The work of the Council reflects the six objectives of *The ACT Women's Plan* (available at <http://www.women.act.gov.au/functions/actwomensplan.pdf>). Through consultation with women, women's groups and community organisations in the ACT, the Council monitors the progress of achievements towards the objectives of the Plan.

The Council has 12 members who are appointed for 3 years.

Reproductive Freedoms:

The Beijing Declaration and Platform for action, adopted at the United Nations Fourth World Conference on Women, states:

Good health is essential to leading a productive and fulfilling life, and the right of all women to control all aspects of their health, in particular their own fertility, is basic to their empowerment.

(Part C: Women and Health, para 92)

Consistent with this, the ACT Ministerial Council on Women believes that a woman's right to choose whether or not to continue a pregnancy is necessary both for her good health and well being, and for her personal freedom and autonomy.

Abortion Law in the ACT:

The ACT is the only jurisdiction in Australia to have decriminalised abortion.

In 2002, all references to abortion were removed from the *Crimes Act*, and the *Health Regulation (Maternal Health Information) Act 1998*, which dictated cooling off periods, prescribed information and reporting requirements, was repealed.

Abortion is now dealt with under Part 5A of the *Health Act 1993*. This section defines abortion, who may perform an abortion and where an abortion may be performed.

The policy considerations surrounding access to abortion in the ACT have been resolved, and the Council supports the current arrangements.