“Feminist Frontiers: Achieving Law Reform in the NT”
Brisbane
August 2017

A/ Professor Suzanne Belton
Overview

• NT has reformed law as of 1 July 2017
• Summary of change and improvements
• Potential threats to women’s health still contained in the law
• Advocacy and action
Is the Northern Territory a feminist frontier?

WHAT RU4 NT?

Sally Bolton Aditi Srinivas Jacqui Murdoch Nicki Petrou Robyn Wardle Suzanne Belton Belinda Davies Kezia Purick Adrienne Waters
Reproductive Autonomy

‘Reproductive autonomy is having the power to decide about and control matters related to contraceptive use, pregnancy, and childbearing. Around the world, at the community level and the individual level, social norms dictate varying degrees of women’s reproductive autonomy.’

Development and Validation of a Reproductive Autonomy Scale 2014 Studies in Family Planning

Usama D Upadhyay, Shari L Dworkin, Tracy A Weitz, Diana Greene Forster
CEDAW: Commission on the Elimination of All forms of Discrimination against Women (United Nations 1947):

“...in some circumstances, abortion will be the only way for a woman to exercise the right to decide the number and spacing of children. This is particularly the case if the woman became pregnant through rape or contraceptive failure or if family planning services are unavailable where she lives.” (Article 12)

“The Committee has also expressed concern about the limited access women have to abortion due to conscientious objections of practitioners.” (Article 12)

Endorsed by the Australian Human Rights Commission (2001)
Termination of Pregnancy Act 2017

In
- Repeals the 1974 Act
- Defines terms
- Roles of health practitioners and types
- Gestations
- Saving a woman’s life
- Conscientious objection
- Safe access zones and prohibited conduct
- Reporting and regulations
- Penalties if not qualified

Out
- Silent on minors
- Silent on locations
- Silent on counselling
- Silent on consent
- Silent on post 24 weeks
What’s new for women’s health in the NT?

- Early medical termination of pregnancy (MTOP) up to 9 weeks in public health system (Medicare and government supported)
- 36 MTOPs since 1 July (only 1 in private practice)
- Family Planning NT opened MTOP clinic
- MSI has a new clinic in Darwin charging $440 for MTOP
- Self-referral to GP and 1 doctor involved up to 14 wks
- NT specific ‘Guidelines’
- Training with GPs, pharmacists, nurses, midwives
- Protestors have moved further away from hospital entrance
- No ‘backlash’
7 Ways to win abortion law reform

• 1 AND STILL SHE PERSISTED
• 2 INTERDISCIPLINARY ACTIVE GROUP
• 3 HAVE A CLEAR GOAL AND A LIST OF DEMANDS
• 4 MAKE FRIENDS WITH JOURNALISTS AND SOCIAL MEDIA
• 5 BUILD ALLIANCES, INFILTRATE AND COOPT ORGANISATIONS
• 6 PERSONAL CONTACT WITH MEMBERS OF PARLIAMENT
• 7 PUBLICITY STUNTS
Mass media mass hysteria

Abortion akin to domestic violence, Stolen Generation: Wood

Mr Wood said pregnancy termination was contributing to a new stolen generation, and suggested it was hypocritical to pass domestic violence laws when abortion was allowed.

"Isn't that domestic violence against the unborn human? Why don't we make a fuss about that?" he said.

"We talk about stolen generations but the Territory is losing 600 to 1000 unborn Territorians each year, isn't that a stolen generation lost each year, why don't we make a fuss about that?"

The laws provide for safe access zones around clinics and hospitals, but independent Member for Blakely Terry Mills agreed with Mr Wood that it would restrict freedom of speech.

The debate has unearthed personal stories shared by politicians, including from Member for Sanderson Kate Worden who said she decided against terminating a pregnancy before it ended in miscarriage.

"I had options, a choice, and I made it, and other women should have their choice, and if that choice can be provided with more privacy and a non-invasive procedure then I support that," Ms Worden said.

Tollner rejects calls to legalise abortion pill

Northern Territory Health Minister Dave Tollner says the abortion pill RU486 is a dangerous drug and he remains to be convinced of its benefits.

Across most of Australia, pregnancies can be terminated using RU486 but Territory law bans it by specifying abortions must be carried out in hospitals.

Family planning advocates want that changed.

Mr Tollner says he's particularly worried about women in remote communities taking the pill without proper medical supervision.

"I'm concerned about people having abortions in the toilet, I'm concerned about the administration of the drug, I'm concerned that there aren't people in the Northern Territory qualified to administer the drug," he said.

He says it is up to doctors to convince him that RU486 is safe.

The Australian Medical Association says it agrees with Mr Tollner that if the drug was to be rolled out in the Territory, it would not be suitable for remote communities.

The AIHW says women who wanted to use the pill to abort at home, rather than going to hospital for surgery, would have to have access to 24-hour follow-up care in case of complications.

It says it doesn't plan to make representations to Mr Tollner to legalise RU486 because there are more important health issues facing the Territory.


Abortion stance

JILL POULSEN: A conscience vote's sadly the only way this Bill will get up

Pressured by women's groups, Territory Health Minister Natasha Fyles has today announced a conscience vote on the Bill legalising abortion. "Living in this incredible place comes at a price and for you it's access to reproductive care choices. Turns out we don't really think you deserve the same choices available to other Australian women."

The Federal Government wants to pass the Bill in the Senate. If it passes, Territory health services would stop providing abortions. Territory MPs were told it would be a conscience vote and they could vote yes or no to the Bill. No crossbench MP has ruled out a yes vote. Anyone who opposes the Bill would be required to vote against it. Those who support the Bill are expected to vote in favour. The Territory government is introducing a conscience vote in the upper house because Labor does not have the numbers to pass the Bill without crossbench support. The Bill was introduced in 2018 and is now before the Senate for a second reading. The Territory is not the only jurisdiction to have a conscience vote. Queensland, South Australia and Western Australia all have conscience votes on their laws.

PUSSY IS POWER
Feminism is not a dirty word
INTERNATIONAL WOMEN'S DAY! 2017!
GRRRL ROCK WHAT RU4?

NOV 27
HAPPY YESS
9PM - LATE

LIVE MUSIC BY
THE CRACKS
FIERCE DJs
RAD CRAFT

$10
Female representation...

- Sydney Morning Herald ‘Northern Territory government has most female representation in cabinet in Australian history’ 12 Sept 2016
What I want to see is that women in the Northern Territory having the same rights as women in every other region in Australia!

I WILL VOTE YES

ANTHONY VENES: LABOR 4 DALY

#whatIwant #4equality

#Venes4Daly
WHAT RU4 NT?

NT © DESERVE CHOICE

WHAT RU4 NT?

RU486?
What remains to be done?

• Review of law in the NT
• Analysis of data collected in the NT
• Decentralising services and placing them in primary health care
• Accessible and affordable contraception and ECP
• Linkages with counseling, social support, sexual assault, mental health and DV services
• Sexuality education for men and women and youth
• Advocacy for structural reforms that discriminate against women
Thank you for your support