



Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Leader of the House

In reply please quote: 572305/3; 4340351

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31 MAY 2018

Mr Neil Laurie
The Clerk of Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr ~~Laurie~~ ^{Neil}

I refer to e-Petition No. 2856-18 tabled in the Legislative Assembly on 1 May 2018, requesting the House consider the wellbeing of women and their need for better options and independent support, the humanity of the unborn child and their inherent human rights and reject the removal of restraint on abortion in Queensland.

The Palaszczuk Government appreciates that this issue generates robust debate in the community with strongly held points of view.

The termination of a pregnancy in Queensland is a crime under the Criminal Code. However, section 282 of the Criminal Code provides a defence to a person performing a surgical operation or providing medical treatment. Pursuant to case law, section 282 will relieve a person from criminal responsibility where the termination of pregnancy is necessary to prevent serious danger to the woman's physical or mental health; and the termination of the pregnancy is not out of proportion to the danger intended to be averted.

In 2016, two Private Members Bills were introduced into the Queensland Legislative Assembly by the Member for Cairns, Mr Robert Pyne MP, that sought to reform the law about the termination of pregnancy; namely, the Abortion Law Reform (Woman's Right to Choose) Amendment Bill 2016, and the Health (Abortion Law Reform) Amendment Bill 2016.

On 28 February 2017, both Private Members Bills were withdrawn from the Legislative Assembly by the Member for Cairns and the Government announced that Queensland's laws in relation to the termination of pregnancy would be referred to the Queensland Law Reform Commission (QLRC) for its advice. The QLRC is an independent statutory body that makes recommendations on areas of law in need of reform and submits reports to the Attorney-General which are required to be tabled in Parliament.

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On 13 June 2017, I provided the QLRC with the Terms of Reference for its review of this important issue. As part of the Terms of Reference, the QLRC has been asked to prepare draft legislation based on its recommendations. The QLRC must deliver its final report on the outcomes of the review to me by 30 June 2018. The Terms of Reference for this review can be found on the QLRC's website at: <http://www qlrc.qld.gov.au/>.

In December 2017, the QLRC released a public consultation paper seeking the community's input on the complex issues raised in the review. This consultation has now closed.

The Palaszczuk Government intends to introduce a Bill during this term of Government that will modernise Queensland's laws relating to the termination of pregnancy. The contents of that Bill will be informed by the recommendations of the QLRC.

Yours sincerely



YVETTE D'ATH MP
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