

Inquiry into Health Insurance Amendment (Medicare Funding for Certain Types of Abortions) Bill 2013

Submission

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In this submission I will consider the terms of reference to the inquiry and raise several concerns the bill raises for public policy.

Comments regarding the terms of reference

1. Abortion for sex selection is unacceptable to me as it is to others with whom I have discussed the issue. For this reason, I don't think that any legislation is needed to prevent abortions to select either male or female fetuses. This is a strong cultural value in Australia and the wide spread acceptance of the child that is born regardless of sex is sufficient to prevent most of the abortions that so worry Senator Madigan.
2. There are so few mid-trimester abortions in Australia that I doubt if any community of people in Australia is using sex selection abortions in great numbers. If Senator Madigan is concerned about Chinese people, surely the one child policy in the People's Republic is the reason for female fetuses being aborted in China, as it seems to be the reason that so many girl babies are living in orphanages. The desire for a male child is easily achieved by couples living in Australia who have a daughter first by having a second, third or higher order child to ensure a son. It is an insult to Chinese-Australians to suggest that they might abort female fetuses here as some couples have done in China. In some countries girls are discriminated against in part because the dowry system means that the families of girls must provide payment to a potential groom as well as lose the income or labour of the young woman. While wealthy people might abort a female fetus after the birth of several girls, poor people may starve or otherwise kill baby girls.

The reported abuse of children in Australia does not seem to be linked to gender of the child, but to other issues in the family. In addition there is no statistical imbalance between the number of males between birth and five, which would suggest the kind of systemic discrimination that threatens the lives of girls in some countries. Child welfare is strongly regulated and any evidence of systemic abuse of girls would have been noticed.

As even Senator Madigan observes, statistics about abortion are difficult to obtain, as are the reasons for any medical procedure. Perhaps the committee *has* received evidence of individual abortions on the grounds of sex-selection, but the fact that there have been no 'shock horror' news reports and that Senator Madigan did not provide evidence of even one case suggests that this bill is unnecessary.

3. There is no way to know the reasons for Medicare funded abortions, so the attempt to create a moral panic about 'family balancing' seems inappropriate. While it is likely that many couples prefer to have children of both sexes, they are as likely to

want a girl after having several boys as the other way around, so this possibility is not a case of discrimination against women. The regulation of such abortions sounds a lot like an attempt to prevent something that cause a moral concern, not an attempt to prevent discrimination.

4. I would be happy for Australia to send more money to United Nations campaigns to raise the status of women in many countries. Education for girls, better health care and fair pay for women would be powerful indications that national governments value girls as much as boys and contribute to the end to sex-selection abortions. I also support more funding both domestically and internationally for support for women and children who have suffered domestic violence, sexual violence and malnutrition at the hands of family members. A 'Valuing Women' aid program would do more to support the United Nations agencies than a small regulation in Australia.

5. I am suspicious of the 'concerns' of the medical associations in first world countries that seems to demonise women in particular ethnic groups. I suggest that committee members attempt to discover the evidence of sex-selection abortions they present and the level of community education the medical associations provide to reduce sex-selection abortions.

Public Policy Concerns

The proposed bill is an attack on the core principle of the Medicare Schedule. There should be no interference in the payment of legal medical procedures other than to assure medical effectiveness or cost effectiveness of the procedure. Senator Madigan's bill looks like an intervention based on moral indignation dressed up in international clothing. The legal regulation of abortion is a State matter. During the past fifteen or so years States have been removing abortion from the criminal code and thus regulating it like any medical procedure. I know that Senator Madigan deplores this move as much as I applaud it. Regardless of our different views, however, an attempt to regulate abortion via the funding regulations is an attack on federalism. To remove the funding of a legal procedure would be an example of the Commonwealth intruding on State affairs.

Even if the Senate was willing to stir up a fight with the States, I want to consider the implementation of the ban on funding sex-selection abortions. How would the Health Commission know when an abortion should be funded? Would women have to sign a statutory declaration that the abortion was not for sex-selection? Would the doctor have to countersign? Would the forms be turned into Medicare offices? How would they be recorded in a record system with not space of reasons? Would abortion thus be treated differently to all other legal medical procedures and thus open to further bills to defund abortions for other 'suspect' reasons? If all medical procedures are treated the same, would the Health Commission have to establish a data-base for the reasons for all medical procedures? The complexity and the cost of such a system of recording reasons for all medical procedures is mind-boggling. I would rather the Commonwealth paid for a few sex-selection abortions and still had the money for education or support for those with disabilities and their carers.

If the bill is a 'feel good' move on the part of a man opposed to abortion, why not simply propose a resolution supporting the United Nations work to end discrimination against women, especially the work to end abortions of female fetuses because they are not male.