



11 November 2014

The Hon. Michael Baird
Premier
By email: office@premier.nsw.gov.au

Dear Premier

Crimes Amendment (Zoe's Law) Bill (No 2) 2013

1. We refer to our correspondence dated 30 October 2013 in relation to the Crimes Amendment (Zoe's Law) Bill (No 2) 2013 (Bill).
2. Women's Legal Services NSW maintains a strong opposition to the passage of the Bill. Additionally we do not believe that any of the amendments made to the Bill during passage through the Legislative Assembly reduce the risk of unintended consequences for access to abortion services.
3. We acknowledge the tremendous sadness and grief that accompanies the loss of a pregnancy, particularly in the later stages of gestation. However, we believe that this is not a sufficient or appropriate reason to alter the definition of legal personhood. Harm to or destruction of a foetus is always an injury to the pregnant woman. To resile from this and recognise the independent rights of a foetus in certain circumstances carries a clear risk of eroding access to abortion services.
4. Our work brings us into contact with many women who tell us that domestic violence both commences and escalates during pregnancy. Some of these women choose to terminate a pregnancy to avoid having a child with a violent partner, both to make it easier to end their relationship with the perpetrator and to avoid putting children at risk in the future.
5. We are concerned that the introduction of foetal personhood may undermine access to abortion services and force women to continue with unwanted pregnancies, which may then keep them in contact with violent partners.¹
6. We are writing to you and to all members of the Legislative Council to ask you to respect the human rights of pregnant women. We urge members of the Legislative Council to vote against the Bill.

¹ See further Roberts SCM et al, "Risk of violence from the man involved in the pregnancy after receiving or being denied an abortion", *BMC Medicine* (2014) 12:144, <http://www.biomedcentral.com/content/pdf/s12916-014-0144-z.pdf> (accessed 10 November 2014).



If you would like to discuss this further, please contact me or Carolyn Jones, Senior Solicitor on 8745 6900.

Yours faithfully,
Women's Legal Services NSW

Philippa Davis
A/Principal Solicitor

CC: Attorney General
Members Legislative Council