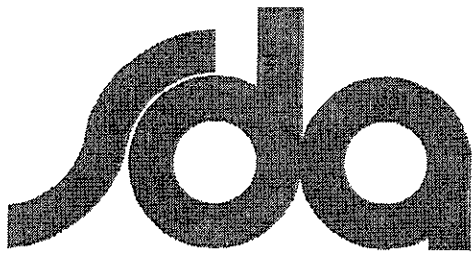


ABORTION LAW INQUIRY



SUBMISSION BY

*SHOP, DISTRIBUTIVE & ALLIED EMPLOYEES'
ASSOCIATION*

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1. Introduction

The Shop, Distributive and Allied Employees' Association (SDA), is an organization of employees registered under the Workplace Relations Act.

It has over 50,000 members in Victoria and over 220,000 members nation-wide.

It covers employees in the retail, fast food, distribution and related industries, and has been a registered organization since May 1908.

2. Our Interest in the Inquiry

The SDA is concerned to protect and promote human and trade union rights because these are central to the successful work of the organization.

Without the free exercise of human and trade union rights, the SDA could not perform its valuable work of protecting and improving the wages, the working conditions, the job security, the health and safety at work, and the retirement benefits of its members.

Where human rights are threatened, the SDA seeks to intervene in order to ensure freedom, democracy, justice, peace and security are maintained.

3. The Right to Life

The fundamental human right, the pre-supposition of every other right, is the right to life itself.

Where this fundamental right is questioned or threatened, or disregarded, every other human and trade union right can be called into question.

The SDA supports the right to life of each human person from conception to natural death.

Any limitation or exclusion of the right to life at any point in the natural life cycle of the human person threatens further restrictions on the right to life at other stages of the life cycle, and threatens other human rights as well.

Science teaches us that human life commences at conception. From that point, there is a process of continuous growth and development of the new and unique human person that was formed at conception. This new human person is neither the father, or the mother, or some "tissue" inside the mother – it is a new human person who has all the human rights that are natural to a human person, including the right to life. The embryo in the womb is not a potential human person, but a human person with potential.

4. Abortion

Abortion is the deliberate destruction of a human life. There is not and can never be a right to have an abortion.

Since it destroys human life, abortion is a serious and immoral act. That is why it has been a serious offence under the Victorian Crimes Act for many years.

Clearly, abortion should not be de-criminalised. It should remain a serious criminal offence under Victorian law, and this law should be enforced with justice in order to protect innocent human life, and to maintain due respect for the sanctity of human life.

5. Discussion Questions

The Victorian Law Reform Commission has raised a series of questions to be addressed in submissions such as this one.

However, most of these questions are based on the presumption that abortion will continue to be freely practiced. They seek to determine how abortion might continue in the future.

For this reason, these questions will not be directly dealt with in this Submission.

However, a number of points should be made: -

- (a) It is clearly of great value that every citizen in Victoria, including an expecting mother, a biological father and all other persons who may be involved in the termination of a pregnancy, be as well-informed as possible on the nature, development and rights of the embryo in the womb. Therefore, all measures that seek to inform people of the facts are of intrinsic value and should be

promoted. This includes the use of ultra-sound images of the embryo in the womb and other techniques that bring modern science to bear on the status of the unborn human person.

- (b) No human person should ever be denied the right to life because it is not "wanted". Many reasons are advanced as to why a new baby is not "wanted" - the financial plight of the parent(s), the career aspirations of the mother, the physical or mental deformity of the embryo, etc.

Every human person should be wanted. If, for some reason, the biological parents of the embryo are unable or unwilling to care for and raise a child, the capacity exists in the rest of society to ensure that a new-born baby will receive all the love, care, affection and attention to ensure a good upbringing.

Our Australian society has never been as well-off as it is today. On any measure of income, wealth and well-being, we have reached a higher level than ever before. To argue that we do not have the capacity to raise each human person that is conceived is simply absurd. We may lack the love and generosity to do it but we certainly do not lack the means.

- [c] The policy objective of the law in Victoria should be to place the value and dignity of human life at the highest possible level, and to ensure that this is respected and observed by all members of the community.
- (d) The law in Victoria should also ensure that every citizen is protected in the event that he/she refuses to consent or participate in any act that violates the right to life of any human person, including but not limited to the illegal act of abortion.
- (e) There should be more and better programs of practical assistance to pregnant women to help them through a pregnancy whenever they need or request such assistance.

Social policy should ensure that each woman has a real and practical alternative whenever she contemplates having an abortion.

It should also ensure that the father of an unborn human person acknowledges and carries out his responsibilities towards the pregnant woman and his unborn child.

6. Summary

No society can flourish if it permits the wanton destruction of human life at any stage between conception and natural death.

The law in Victoria should protect human life at all stages and promote a society where care and respect for others ensures that the dignity of each human person is recognized and respected at all times.

