



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON HEALTH AND COMMUNITY WELLBEING

Mr Johnathan Davis MLA (Chair), Mr James Milligan MLA (Deputy Chair), Mr Michael Pettersson MLA

Corrigendum

Inquiry into abortion and reproductive choice in the ACT

Following its report of the inquiry into abortion and reproductive choice in the ACT, the Standing Committee on Health and Community Wellbeing has released a corrigendum to the report, following correspondence from Calvary Health Care that there is no evidence that the author of Submission 1 to the inquiry was refused treatment as a result of direct advice from Calvary Public Hospital Bruce.

The corrigendum thus comprises amendments to the chapter in the report concerning Calvary Public Hospital Bruce: the exclusion of paragraphs 3.104, 3.91, 3.99, 3.102 and 3.106 as well as the following revisions:

3.98. Similarly, Calvary Public Hospital Bruce does not provide abortion care. The Committee received multiple pieces of evidence that there are limitations on the reproductive services that Calvary provides. The Chancellor of the Archdiocese of Canberra and Goulburn noted in relation to abortion, 'Calvary Health Care does not offer these services and would not choose to do so'.¹

3.99. Ms Toohey, from the ACT Human Rights Commission, told the Committee:

There are limitations on the services that Calvary provides. They are, however, also a public authority for the purposes of the Human Rights Act in the ACT. I would say that, at a minimum, that obliges them—again, I have had this discussion with them—to ensure that people understand the scope of the services that they provide and, if there are limitations on those services, that that is in the public domain, so that people are clear about what their choices are.²

3.100. The ACT Minister for Health noted:

There is not such a disconnect there between Calvary and Canberra Hospital because neither of them specifically provide surgical abortions. But with things like direct advice on post-partum contraception and contraception for people who have experienced rape and sexual assault that then cannot access the morning after pill, for example, through

¹ Dr Patrick McArdle, Chancellor of the Archdiocese of Canberra and Goulburn, *Committee Hansard*, p.46.

² Ms Karen Toohey, Discrimination, Health and Disability and Community Services Commissioner, ACT Human Rights Commission, *Committee Hansard*, p.61.

Calvary Public Hospital, we do recognise that those are things that people raise on a regular basis.³

3.103. The Committee was told of the experience of a Canberra patient who was advised by her obstetrician-gynaecologist that Calvary Public Hospital Bruce would not perform a dilation and curettage (D & C) because her medical condition was not an emergency. D&C is a procedure used to remove tissue from the uterus.⁴ In addition to post-miscarriage care, it is also a procedure used for abortion. The ACT Government's submission states that Calvary is required to provide emergency procedures.⁵

3.104. The Committee also notes the evidence from another submitter to the inquiry who accompanied a friend in need of emergency treatment following complications from a medical abortion. The submitter noted the conversation with his friend in the ambulance en route to Calvary Public Hospital Bruce:

'Will they treat us? Will they turn us away? Will they judge us? Will they provide honest and accurate advice? Will they talk about us behind our backs? Will they tell X it is her own fault for seeking a termination?'⁶

This conversation was informed by their understanding that Calvary is operated by a 'Catholic organisation with an explicitly religious mission'.⁷

3.105. This evidence together with the advice of a specialist (as cited in paragraph 3.103) demonstrates a narrative of concern throughout the community in the ACT about which reproductive health-care procedures Calvary Public Hospital Bruce may or may not provide and under which circumstances. It is the Committee's view that this unease can only be resolved if Calvary Public Hospital Bruce provides full reproductive health care.

In addition to the amendments above, references to 'Calvary Hospital' have been changed to 'Calvary Public Hospital Bruce' at: the chapter title on page 24, Recommendation 14, paragraphs 2.1, 3.44 and 3.92.



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Chair

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³ Ms Rachel Stephen-Smith, Minister for Health, Committee Hansard, p.67.

⁴ Mayo Clinic, 'Dilation and Curettage (D & C)' <https://www.mayoclinic.org/tests-procedures/dilation-and-curettage/about/pac-20384910> (accessed 23 February 2023).

⁵ ACT Government, Submission 47, p. 6.

⁶ Greg Tannahill, *Submission 2*, p. 2.

⁷ Greg Tannahill, *Submission 2*, p. 1.