

## **THE PATCHWORK QUILT OF AUSTRALIAN ABORTION LAW**

**Julie Hamblin**

Abortion law in Australia has evolved in a piecemeal and uncoordinated way over many decades, with each State and Territory adopting a different regulatory approach. While most States and Territories have legislation that permits abortion to be carried out lawfully in certain circumstances, New South Wales and Queensland still have criminal offences covering abortion that date back more than a century, and recent efforts to have these offences repealed have so far been unsuccessful.

Even in the States and Territories where abortion law reform has taken place, legal obstacles to access remain. Some jurisdictions have retained the requirement that a doctor certify whether the abortion is appropriate, and many have a “two tier” system of regulation that imposes different legal requirements depending on gestational age. Others still require all abortions to be carried out in licensed medical facilities, despite the fact that medical abortion can now be provided safely and cost-effectively outside a clinic setting.

The result is complex patchwork of laws governing abortion across Australia, with enormous variation in the criteria for lawful abortion based on geography alone. A consistent and coherent approach to the legal regulation of abortion, free from the threat of criminal liability, is a necessary foundation for making abortion accessible and affordable for all Australian women.