



## TRANSCRIPT

### DAN FLYNN ON THE POLITICAL SPOT TUESDAY 15<sup>TH</sup> MARCH 2016

**Lyle Shelton:** Welcome again to another edition of the Political Spot. My name's Lyle Shelton from the Australian Christian Lobby where we discuss issues relating to politics and culture, and it's great to have your company once again. Well joining me today is the Australian Christian Lobby's Victorian Director Dan Flynn who's been on the program many times before. Dan welcome to the Political Spot today.

**Dan Flynn:** Thanks Lyle.

**Lyle Shelton:** Now I should say that the reason we've asked Dan to join us is to discuss something which is coming up in the Victorian parliament in the next month or two and it's called the Infant Viability Bill 2015. Now this relates to this very sensitive issue of abortion but it's an initiative that been put forward by Dr Rachel Carling-Jenkins, Democratic Labour Party member of the Victorian upper house and Dan you're very much involved in this campaign. It's something ACL's very passionate about but Dan could you just tell us where this is up to? It was announced last year at the March for the Babies but how's the progress going now on this bill?

**Dan Flynn:** The bill Lyle will be read for the first time, there'll be an exposure draft tabled this month and the debate and the votes will be made. It's a private member's business and there's been time set aside for that vote.

**Lyle Shelton:** But Dan just before we go too much further into that process, what do we mean by 'infant viability'? I mean I think if you use that term we'd all agree that infants who are viable should be allowed to live. Why is there a need for a bill entitled 'infant viability'?

**Dan Flynn:** Lyle as your listeners would be aware abortion in Victoria is legal right up until the time of birth and it's also the scientific community that'll tell us that a pre-born baby at twenty weeks is viable so they can be delivered very prematurely in hospital and you know they can be given appropriate neo-natal care and healthy lives.

**Lyle Shelton:** So we've all seen children born at this sort of twenty week period and they put them into humidity cribs, give them a lot of nurture and these kids grow up to live really healthy lives so in one part of the hospital they're being cared and looked after but in another part of the hospital they can potentially be being aborted under the Victorian abortion laws.

**Dan Flynn:** That's absolutely correct Lyle and people who would describe themselves as pro-choice feel a level of discomfort at a certain point in the development of that pre-born child so clearly we are pro-life from conception but the purpose of this bill is to address that point in time at which most of the community would feel that abortion at this stage is unacceptable and polling across the nation that's been undertaken by Emily's Voice indicate that support for abortion post-20 weeks is as low as twenty per cent, so eighty per cent of Australians based on very rigorous surveys oppose abortion.

**Lyle Shelton:** This is fascinating Dan because it's assumed in the media that the abortion issue is settled, it's settled in politics and in culture and everyone supports the so-called right to choose but what this survey is showing is that it's not settled. There's a high degree of common ground between those of us who consider ourselves pro-life and those who are pro-choice particularly after this 20-week window, this 20-week I guess part of the gestation of a baby.

**Dan Flynn:** That is right Lyle and I think policy-makers are really bound to act on that common ground to survey and find in various states across the country that there's eighty per cent opposition to abortion post-20 weeks. That's a significant majority that should be acted upon and that's what we're seeking to do here in Victoria.

**Lyle Shelton:** Now Dan we're not saying though that by supporting a bill for infant viability beyond twenty weeks that abortion is okay even prior to that. I mean there's huge ethical issues associated with abortion full stop, isn't there?

**Dan Flynn:** A hundred per cent agree with that Lyle and it's a case of the pro-life movement generally that life is precious and sacred from the time of conception. What we're trying to do here though in the area of legislation is to work with what is the majority opinion, bringing into the tent those who are pro-choice but have a sense of abhorrence about abortion at this stage of development, so in no way concedes that abortion is acceptable prior to twenty weeks. It's just simply that this bill doesn't address that.

**Lyle Shelton:** Now Dan we hear a lot too, and I guess this is a really important concern, what if a woman's life, the mother's life, is in danger? Does this bill then make it illegal for a woman to have a pregnancy termination if her life is in danger?

**Dan Flynn:** This bill does address the question of a medical emergency. So if there's a medical emergency and for some reason post-20 weeks the child being present within the mother's womb is a threat to the mother, the bill provides provisions whereby that baby be delivered alive. So we are seeking to address a wrongful clinical practice that would seek to abort that baby. If the baby's a problem inside the mother then deliver the baby alive and endeavour to keep it alive through proper neo-natal care and the risk to the mother has been removed.

**Lyle Shelton:** So what your saying is you're providing every opportunity medically to save both the life of the baby and the mother so without putting the mother's life in jeopardy, you're giving the baby a chance to live as well although the baby may end up not making it through the birth process.

**Dan Flynn:** That is correct.

**Lyle Shelton:** I'm talking with Dan Flynn, the Victorian director of the Australian Christian Lobby about a new bill that is before the Victorian parliament called the Infant Viability Bill 2015. We'll be back to take this up further after the break.

I'm back now with Dan Flynn on the Political Spot. Thanks for your company. Dan we were talking before the break about provisions in the Infant Viability Bill about medical emergencies for the mother's life. What happens though if this bill is passed in the Victorian parliament and abortion does occur post-20 weeks? Does that woman then become a criminal as a result of this legislation should it be successful?

**Dan Flynn:** Absolutely not Lyle. This bill is very women-centred, women-focused. In fact the bill opens with provisions that indicate that a woman who is post-20 weeks pregnant, distressed physically or mentally, must be referred for the appropriate support be it housing, accommodation, mental health or other appropriate referral services. In line with that women's focus, the bill is explicit in that it doesn't criminalise a woman who was involved in an abortion.

**Lyle Shelton:** So where does the letter of the law come down on the doctor who performs an abortion?

**Dan Flynn:** Yes there are offence provisions in the legislation for a medical practitioner who performs an abortion post-20 weeks and for the operator of a hospital within which an abortion is conducted. So there are penalty provisions and this bill does seek to change clinical practice which is currently happening in Victorian hospitals.

**Lyle Shelton:** Has there been any reaction from doctors' groups about this proposed legislation?

**Dan Flynn:** Can I say Lyle I have spoken to GPs, I have spoken to experts in gynaecology and they welcome the bill. They welcome the clarity, they are supportive that a child who is viable will be given an opportunity to live even in a case of a medical emergency and it's a common view expressed from the medical profession that I've been speaking to that there are no circumstances where it's necessary to kill a late-term pre-born child in order to save a mother's life. Simply delivering that child will enable the mother to be free of that pregnancy as it were and there are two patients being treated.

**Lyle Shelton:** Dan I remember very vividly in the twelve or so months after the law reform in Victoria occurred over abortion back in about 2008 I think where abortion was legalised right up until birth as you said at the start of this interview. I remember the media reporting within twelve months that there had been a spike in late-term abortions being conducted in Victoria in hospitals. Have you got any idea of what numbers of abortions are occurring at this late stage post-20 weeks? I know it wouldn't be a huge number but they certainly did spike according to media reports in the aftermath of that law changing.

**Dan Flynn:** Lyle the amount of abortions that are post-20 weeks that the government is advising us of through public hospitals, there are approximately 400, and these figures have been consistent over the last three or four years, 400 late-term abortions and 200 of those abortions are for psycho-social reasons.

**Lyle Shelton:** Just explain that for our listeners.

**Dan Flynn:** Well where a situation is where a mother says I don't want this baby, I can't afford it, it's affecting my mental health, where there's nothing wrong with the pre-born baby. So 200 of those 400 late-term abortions are clearly in relation to perfectly healthy babies and this bill will address those numbers.

**Lyle Shelton:** Wow. We have thousands of couples who are unable to conceive who would dearly love the opportunity to adopt one of these babies and care for them. That's extraordinary Dan. And then the other 200 babies have some sort of disability. Now again this goes to what we as a society think about the disabled if we're prepared to terminate the life of a pre-born child because of a disability.

**Dan Flynn:** Look, disability is a completely unsatisfactory reason for an abortion. Down Syndrome would be the most common factor picked up at an ultrasound around the twenty-week mark and sometimes earlier. Certainly in Victoria we don't see Down Syndrome children walking around. I understand that at least eighty per cent of Down Syndrome pre-born children are aborted and it's the acceptable and begged appropriate thing to do and that's an absolute affront to disabled people and one only has to look at the strapper for the winner of the

Melbourne Cup Steven Payne to see what a great contribution Down Syndrome people make to society.

**Lyle Shelton:** That's right. I remember that Dan. I mean his story I think just touched the heart of the nation to see this joyful strapper who obviously had this disability but the joy and love coming from Steven's life warmed the heart of all of us and yet these are the people who are routinely killed in the womb through, often through late-term abortion post-20 weeks. It's a tragedy.

**Dan Flynn:** That's correct. We'll be hearing more from Steven Payne. He's the king of Moomba, Melbourne's festival here in March. It's great that he's been profiled in that way along with his sister Michelle and the reality is that that family's a very pro-life family and they radiate a message that every pre-born child matters and I think the timing of the bill couldn't come at a better time.

**Lyle Shelton:** That's fantastic. Look I get the feeling Dan that the work that Dr Carling-Jenkins and the campaigners like yourself is doing really is on the verge of some really cutting-edge culture-changing work which is desperately needed to cut through I guess the utilitarian approach we've had to the unborn and very sadly over the last couple of generations. Dan what are the chances of this getting through the Victorian parliament? I mean we've really got to look at the hard political reality here.

**Dan Flynn:** Lyle the chances of this getting through the upper house are very respectable. This will be a conscience vote and the ALP government has indicated that this will be a conscience vote. So the numbers in the upper house are forty MPs are looking within the zone of achievability. It's going to be close so every effort ought to be made by those you know who can identify their upper house members and each Victorian has five upper house members you know in terms of contacting them. There's a big petition campaign on at the moment Lyle in our office in Victoria. Daily we are receiving hand written petitions in the old style that's acceptable in Victoria and those petitions will be delivered to upper house MPs to table in the legislative council.

**Lyle Shelton:** Dan our time is up but just quickly, where can people get a hold of those petitions if they want to support this campaign?

**Dan Flynn:** They can go to two websites. Obviously the Australian Christian Lobby website.

**Lyle Shelton:** [Acl.org.au](http://acl.org.au)

**Dan Flynn:** [Acl.org.au](http://acl.org.au). Also [infantviability.org.au](http://infantviability.org.au) will have those petitions as well. These petitions can be downloaded, printed off, completed and returned hard copy to the address at the footer of those petitions and we are seeking to have all of those petitions in by the end of March.

**Lyle Shelton:** Well Dan you and Dr Carling-Jenkins and the team down there are doing a fantastic job bringing this to the attention of the public and bringing us into the political focus. We wish you all the best in it and I'm sure we'll continue to follow this issue on the Political Spot going into the future. Dan Flynn thank you very much for your time today.

**Dan Flynn:** My pleasure. Thank you Lyle.