

DR. MARK HOBART

#68

NORTH SUNSHINE SURGERY

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Parliament House  
Spring Street  
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Mr Edward O'Donohue, MLC  
Chairperson Scrutiny of Acts and Regulations Committee

Scrutiny of Acts and  
- 9 JUN 2011  
Regulations Committee

Dear Mr O'Donohue,

My name is Mark Hobart. I have been a general practitioner in my current location, a small suburban practice in North Sunshine, for over 25 years. The reason I am writing this letter is that the 2008 abortion laws have brought my practice of medicine into conflict with the laws of this state. I am unable to comply with the law as laid down in clause 8 that directs me to refer a woman to a doctor for an abortion. This is because of my beliefs and my conscience. I am hopeful that with the new government the laws will be eventually changed and clause 8 repealed and I hope that this letter may give you an insight into how this unjust law has affected me, a typical suburban GP.

The reasons I am unable to comply with clause 8 are these:-

Firstly: I am unable to refer a patient for an abortion because there is substantial evidence that abortion is harmful to the health of the mother. Studies have demonstrated an increase in suicide and depression following an abortion. Delayed consequences are the increased risk of stroke and breast cancer later in life. It is my duty as a doctor to inform patients of these risks, and on that ground advise them that it would not be in their best interests to have an abortion as far as their health is concerned. The first rule of medicine is to first do no harm, "primum non nocere".

Secondly: I am unable to refer for an abortion, because reason and logic lead me to conclude it is murder. Scientific studies have shown beyond doubt that life begins with conception. Within a few hours of the sperm penetrating the ovum a sequence of changes are able to be visualized leading eventually to mature human being. This growth from conception to adulthood is seamless and no logical line can be drawn following conception separating life from non-life. Hence my belief is that it is a denial of reality to say that the embryo is not alive. Also it is human by exclusion and by direct observation we can see that it is human in its earliest stages. It is distinct from other animals. It goes without saying this human life is innocent. In my mind there is no escaping the fact that abortion at all stages from conception is murder as it involves the taking of an innocent human life. To say it is not murder is against direct observation, reason and logic. To say it is not murder is to deny reality. Hence, if I refer for an abortion I become an accomplice to murder..

Thirdly: I am unable to refer for an abortion because it is against my religion. I am Catholic, that is, I believe in the doctrines of the Catholic Church. As I understand it anyone who assists in anyway with abortion is excommunicated from the Catholic Church. Also anyone with full knowledge of their actions and with free will who assist in abortion is committing a mortal sin and the Catholic Church teaches this person will go to hell.

I wish to give two patient histories illustrating how this law (clause 8) directly affects the welfare of mothers and their yet to be born children. The first woman was a married mother of three young children who was in the early stages of pregnancy. I had already seen her on a few occasions treating her children. She requested an abortion as she had her new job organised and also she said would have to buy a larger car if she had the baby. I said that I was sorry, but I was unable to refer her for an abortion due to my beliefs. This lady then proceeded to tell me that "half the time she wanted to

keep the baby” and then at the end of the consultation she stood up and said “You know, I am going to keep this baby” or words to that effect. She did in fact keep the baby who is now a toddler and it is a great joy each time I see him.

The second lady was brought in by her “boyfriend”. She was visually impaired and he did all the talking saying she was pregnant and couldn't look after the child. I said that I was sorry, but, I was unable to refer for an abortion due to my beliefs. The woman then spoke for the first time and said that “I don't want to have an abortion, you are the one who wants me to have it. If I can't look after the baby, I will adopt it out” or words to that effect. An argument followed between them and then they left. I did not see them again.

I often wonder what would have happened to those babies if their mothers had seen another doctor and he had referred them for an abortion.

Following the new law in 2008, I contacted my medical insurance company and I told them I was opposed to referral for an abortion and how would I stand with them. The reply was “Oh, you wouldn't do that would you?”. So I was left with in no doubt I was not covered by them. I rang the Medical Board to ask them what was the penalty for refusing to refer for an abortion and they were unable to tell me.

I rang the AMA. They advised me to put up a notice in the waiting room which they had made available for doctors who had a conscientious objection to abortion. In summary the notice said that abortion was against my beliefs and as I do not wish to cause my patients to be upset or embarrassed please do not ask me for abortion services. I thought this to be reasonable and it would go some way to protect me from breaking the law, however I later found out that this notice was no longer supported by the AMA and they had made a new one with details of abortion providers at the bottom of the notice which the patients could contact if they needed. To my mind this was also referring for abortion and obviously I was unable to comply. Also there was an attachment to the new notice which stated that if I altered this notice in any way the AMA would no longer support it. So I took the sign down.

As you can see I am left in a bind. I am a law abiding citizen, but I am unable to abide by this law and I am unable to protect myself from its effects. I encourage you to do all that you can to repeal this evil law.

Yours Sincerely

  
Dr. Mark Hobart