

**INQUIRY INTO CORRECTIONAL SERVICES
LEGISLATION AMENDMENT BILL 2006**

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Telephone:
Date Received: 22/08/2006

Subject:

Summary



**THE ROYAL AUSTRALIAN COLLEGE OF GENERAL PRACTITIONERS
NSW & ACT FACULTY**

10 July 2006

Ms Amanda Fazio, MLC
Chairperson
General Purpose Standing Committee No. 3
Parliament House
Macquarie St
Sydney NSW 2000

Dear Ms Fazio

Corrective Services Legislation Amendment Bill 2006

The Royal Australian College of General Practitioners is the largest general practitioner organisation in Australia, with over 14,000 members.

The College is the national leader in setting and maintaining the highest quality standards for general practice education, training and research; and advocates for general practitioners on any issue which impacts on the quality of primary health care available to the Australian community.

I am writing on behalf of the College's NSW & ACT Faculty to express concern with the Correctional Services Legislation Amendment Bill.

The Bill seeks to prohibit detainees of correctional services facilities convicted of "serious indictable offences", from providing sperm/ova for use or storage for reproductive purposes. This is an aspect of care that is routinely offered to patients in the community who are about to undergo chemotherapy.

The faculty believes that the fact that a detainee has been convicted of serious crimes should not preclude them from accessing the same level of health care available to other Australians. The RACGP endorses the Australian Medical Association's Position Statement on the Health Care of Prisoners and Detainees, which states:

Prisoners and detainees have the same right to access, equity and quality of health care as the general population

The proposed Bill would remove an aspect of "usual care" available to certain prisoners. It thus not only denies detainees access to medical care available in the wider community, but also discriminates between detainees on the basis of "severity of crime".

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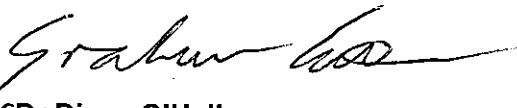


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A consequence of the Bill, therefore, would be to place doctors providing care to correctional services detainees in an ethically untenable position.

We look forward to the Committee consulting widely with medical practitioners and their representative organisations. In the meantime, on behalf of our colleagues and their patients, we urge the NSW government to reconsider this legislation.

Yours sincerely


per Dr Diana O'Halloran

Chair, NSW & ACT Faculty