



commission for
children and young people
and child guardian

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Mr Trevor Ruthenberg MP
Chair
Health and Community Services Committee
Parliament House, George Street
BRISBANE QLD 4000



Dear Mr Ruthenberg

Thank you for your letter dated 12 June 2013 inviting me to consider the Public Health (Exclusion of Unvaccinated Children from Child Care) Amendment Bill 2013.

The Commission strongly encourages vaccination and is supportive of the Bill's intention to increase vaccination rates in Queensland. However, the Commission also considers that the ultimate decision as to whether or not a child should be vaccinated must remain with the child's parent or caregiver. If a parent or caregiver decides after careful consideration that they do not wish for their child to be vaccinated, the Commission does not consider that the child or parent/caregiver should be penalised by not being eligible for child care. Even though the power to exclude will remain at the discretion of each child care facility, families in remote communities could be particularly disadvantaged if all (or the only) available centres exercise their discretion under the proposed legislation to refuse to allow children to enrol in the centres and the families have no other close and convenient option.

In the Commission's view, in order to preserve the important parental right to make medical decisions for their children without sanction, Queensland should follow the approach being adopted in New South Wales. This approach provides a further exemption from exclusion from child care centres beyond the child having 'valid medical reasons'. Specifically, in circumstances where a parent has a conscientious objection to vaccination and provides a certification by an authorised practitioner that the practitioner has explained the benefits and risks of immunisation to the parent and informed the parent of the potential danger of not immunising, the child care centre cannot exclude the child from a child care facility.

This means that parents/caregivers are required to understand the risks and benefits fully by discussing them with a medical professional before relying on having a conscientious objection to vaccination. This will enable parents/caregivers to make this important decision without being penalised.

Should your committee require any further information please contact Ms Susan Dwyer, Principal Advisor, on (07) 3211 6991 or Susan.Dwyer@ccypcg.qld.gov.au.

Yours sincerely



Barry Salmon
**Acting Commissioner for Children and Young People
and Child Guardian**