

## Termination of Pregnancy (Live Births) Amendment Bill 2024

**Submission No:** 115  
**Submitted by:** [REDACTED]  
**Publication:** Making the submission public but withholding your name  
**Attachments:** No attachment

### Submitter Comments:

Queensland babies that are born alive as a result of a termination of pregnancy procedure currently do not have a legal right to medical care, unlike those born in states including New South Wales and South Australia. This lack of fundamental legal protection is occurring despite Australia's human rights obligations under Article 3 of the Universal Declaration of Human Rights, Article 24 of the Convention on the Rights of the Child and Article 12 of the International Covenant on Economic, Social, and Cultural Rights. All Queenslanders deserve to be protected by these international human rights treaties, irrespective of their age and each person must be properly treated and cared for, including the right to access health services and to receive protection from cruel, inhuman or degrading treatment. Medical professionals have a statutory duty of care towards babies born alive as a result of a termination procedure in NSW and SA, but not in QLD. This duty "to provide medical care and treatment to a person born as a result of a termination... no different than the duty owed to provide medical care and treatment to a person born other than as a result of a termination" as stated in S11 (3) Abortion Law Reform Act 2019 (New South Wales) is also necessary in Queensland law. Not only will this keep Queensland in line with other Australian jurisdictions, but it will also ensure that basic human rights are upheld. Babies born alive after a termination procedure have a fundamental right to care and to be treated without discrimination like all other newborns and it is vital that the Qld Live Births Bill is passed to codify these changes. Thank you.