

Termination of Pregnancy (Live Births) Amendment Bill 2024

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Submitted by: [REDACTED]
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Submission re QLD Live Births Bill

I am writing in support of the Qld Live Births Bill introduced to Parliament by MP Robbie Katter. As the law currently stands, Queensland babies that are born alive as a result of a termination of pregnancy procedure do not have a legal right to medical care, unlike those born in other states including New South Wales and South Australia. This is totally wrong and inconsistent with Australia's obligations ratified under international human rights law, including 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. It is imperative that these basic human rights are adhered to in relation to all Queenslanders.

There are also important ethical considerations to be made in, that Queenslanders, whether newborn or old, must be properly treated and cared for, including the right to access health services and to receive protection from cruel, inhuman or degrading treatment. Babies born alive after a termination procedure have a fundamental right to care and to be treated equally like all other newborns - without discrimination.

Aside from their ethical obligations, Doctors also have a duty of care - already enshrined in New South Wales and South Australian legislation "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." S11 (3) Abortion Law Reform Act 2019 (New South Wales) A similar provision is necessary in Queensland to clearly define this duty in law.

Since Queensland Health has already adopted guidelines for the care of babies born alive following termination procedures, it is vital that the Qld Live Births Bill is passed to codify these changes. Not only will this keep Queensland in line with other Australian jurisdictions but it will also ensure that basic human rights are upheld in our State.

Thank you.

