

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

**Submission No:** 127  
**Submitted by:** [REDACTED]  
**Publication:** Making the submission public but withholding your name  
**Attachments:** No attachment

### Submitter Comments:

13 May 2024  
Attention: Health, Environment and Agriculture Committee  
Dear Sirs and Madams  
Please accept my submission in support of the Termination of Pregnancy (Live Births) Amendment Bill 2024. My name is [REDACTED]. I am a concerned citizen of Queensland who believes it is essential that we protect, through legislation, the life of babies born alive after a termination of pregnancy procedure ensuring they are also given appropriate medical care to ensure they have their best chance at life. Every baby born alive is an individual person with an inherent dignity and worth as a human who has inalienable rights that are enshrined by law and treaty in Australia.

Division 1 Section 11 of The Human Rights Act of Queensland (2019) states that "All individuals in Queensland have human rights. It goes on to make it quite clear that "Every person has the right to life and has the right not to be arbitrarily deprived of life." (Division 2, Section 16 Right to Life). Once a baby has been born it is an individual person and therefore is no longer one of the unborn excluded from this legislation under Part 6 Section 106. Therefore, to leave any newborn baby to die, including those born during or after a pregnancy termination procedure, is arbitrarily depriving that newborn human person of the right to life. Division 3, Section 37 (2) of the same Act states "A person must not be refused emergency medical treatment that is immediately necessary to save the person's life or to prevent serious impairment to the person." This makes it quite clear that the Queensland government and medical profession also have a duty to ensure ALL babies born alive have access to necessary health and medical services without discrimination. A fundamental responsibility of government is to protect all children according to The United Nations Convention on the Rights of the Child (UNCRC) of which Australia is a signatory to. The UNCRC is, as you will know, the main international human rights treaty on children's rights. As such the Queensland government has a duty to ensure that all children born alive after a termination of pregnancy procedure enjoy the rights set out in this treaty. I draw your attention to several sections of the UNCRC which I believe apply in this situation: \* Article 31. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision. \* Article 6 1. States Parties recognize that every child has the inherent right to life. 2. States Parties shall ensure to the maximum extent possible the survival and development of the child. \* Article 24 1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services. 2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures: (a) To diminish infant and child mortality; (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care." If the Queensland Parliament fails to pass the Termination of Pregnancy (Live Births) Amendment Bill 2024 newborn babies will continue to be left to die after surviving a termination of pregnancy procedure. Furthermore, I believe there is a risk that the Government, along with the medical professionals involved in the practice of leaving these babies to die, are at risk of contravening The Human Rights Act of Queensland (2019) and The United Nations Convention on the Rights of the Child international treaty. To eliminate this risk

and to protect the rights and dignity of these vulnerable little ones, I urge you to recommend that the Parliament pass this important legislation. Please let it be made clear, via this legislation, that any and every child born alive after a termination of pregnancy procedure has the same rights to life and to proper medical treatment as any other baby born in Queensland. Thank you for considering my submission. References: Queensland Human Rights Act 2019. Accessed 12 May 2024 from <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2019-005>. UNICEF: The complete United Nations Convention on the Rights of the Child webpage: <https://www.unicef.org.au/united-nations-convention-on-the-rights-of-the-child> Last visited 12 May 2024