

Health and Other Legislation Amendment Bill (No. 2) 2023

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Submitted by: Australian College of Midwives - QLD branch
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Submitter Comments:

Health and Environment Committee
Queensland Parliament
Cnr George and Alice Street
Brisbane QLD 4000

Wednesday, 20 December 2023

Dear Sir/Madam,

The Australian College of Midwives Queensland committee extends their gratitude to the government for providing open transparency in relation to recent changes to the Health and Other Legislation Amendment Bill (No 2) 2023, including the Termination of Pregnancy Act 2018. While appreciation is extended to aspects of included change, the committee would like to express strong reservations towards certain recommendations.

Part 6 Amendment of Termination of Pregnancy Act 2018. 22 Insertion of new s 6A. Medical termination by particular registered health practitioners

The Australian College of Midwives Queensland committee commends this amendment. Inclusive change to allow appropriately trained midwives to provide termination of pregnancy care, ensures women have broader access to termination of pregnancy care. Termination of pregnancy care is a fundamental human right.

12 Amendment of s 138B (Prescription of minimum nurse-to-patient and midwife-to-patient ratios)

The Australian College of Midwives Queensland committee commends this amendment. The inclusion of babies in ratios will have a broad impact on workforce, clinical outcomes, and the provision of quality maternity care.

Multiple references of the removal of the term 'woman' to be replaced with 'people'.

Midwives excel in delivering respectful maternity care to all, inclusive of all diversity. The Australian College of Midwives Queensland committee has firm reservations and strongly disagrees with the widespread removal of the word 'woman' and the proposed replacement word, 'people'.

Leaving the word 'woman' in legislation is crucial for acknowledging and safeguarding the specific rights and experiences of women. Using the specific word 'woman' establishes a legal framework that recognizes the unique challenges and needs faced by women, ensuring targeted protection against discrimination and the promotion of gender equality. Preserving the term 'woman' accurately reflects those predominantly affected by reproductive rights and erasing this word potentially erases their distinct experiences. Keeping the term 'woman' ensures targeted health care strategies, upholding a woman's agency over her own body. By removing the word woman there is a risk of diluting or missing the significant issues women face. For example, reproduction rights, workplace equality and finally the protection for gender-based violence. Using the word woman demonstrates a firm commitment by government, setting a societal precedent, acknowledging the diverse aspects of women's lives within the legal system.

Data collection relies on specific categorisations in language. Current and historical statistical data related to reproductive health, maternal healthcare, and gender-based health care, will be affected and diluted by the removal of the term 'woman' in legislation. The language change and impact may hinder the ability to understand and action the unique health care needs and challenges faced by women. Clear, precise, and consistent language ensures that reporting and collection of statistical data remains reflective and consistent. Decades of statistical data will be lost with the proposed language change, marginalising women in society.

The Australian College of Midwives Queensland committee strongly disagrees with the removal of the word 'woman' and replacing this with the term 'person'. The committee requests that the above feedback provided in relation to the changes to the Health and Other Legislation Amendment Bill (No 2) 2023, including the Termination of Pregnancy Act 2018, be considered and the word 'woman' be re-inserted before finalisation of the proposed changes.

Kind Regards



ACM QLD. Branch Chair

Michelle Warriner

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