

Senate Standing Committee on Community Affairs, Legislation Committee

24 February 2023

Comments on the Human Rights (Children Born Alive Protection) Bill 2022

This is not America. Senator Canavan's [Human Rights \(Children Born Alive Protection\) Bill 2022](#) is an echo of the desperate and deadly politics of denying women's reproductive freedom and rights to safe medical care that occurs in some parts of the United States. It has no place in our country.

There is no evidence-based argument to place additional legal burdens on the medical management of the rare circumstances to which the bill attends. This bill neither protects the health of the woman, nor brings any compassionate benefit to the foetus. Since life cannot be sustained outside the womb before 22-24 weeks, suggesting that such a foetus can be 'protected' alive is entirely inappropriate. Pregnancies terminated after this point are rare and typically occur precisely because of life-threatening conditions that will also prevent the survival of the foetus.

Remarkably, the bill proposes to override state and territory health legislation in a dramatic manner which runs entirely contrary to existing state and territory law and policy on this issue, without the slightest consultation about potential legal impacts.

This bill seems to have no prospect of success in the current Parliament, and the proponent of it surely knows that. The apparent purposes of the bill should be called out for what they are: an exercise on value signalling, one might guess connected with goals of fundraising and building supporter mailing lists. The Senator is quite entitled to present a bill as part of such a course of action, but the valuable and limited attention of the Senate and its committees should not be taken up with assisting such an exercise.

We note that the bill has been referred to the Community Affairs legislation committee for examination. We propose that this Bill not consume any more time than absolutely necessary.

There are many far more pressing issues facing our nation's public health system and women's and children's health, including family violence, alcohol harm, obesity, physical inactivity, dementia, heart disease, conditions in remote communities, or the one in six Australian children growing up in poverty. If the Committee has time to dedicate to policy agendas such as these – that would actually have a beneficial impact on women's lives – PHAA would be happy to brief the committee.

Yours Sincerely,



Terry Slevin
Chief Executive Officer