

**Health, Communities, Disability Services and Domestic and Family Violence Prevention Comr**

**From:** Lindsay Hackett [REDACTED]  
**Sent:** Friday, 17 July 2020 1:33 PM  
**To:** Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee  
**Subject:** SUBMISSION - Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020  
**Categories:** Submission

The Health, Communities, Disability Services and Family Violence Prevention Committee

To Whom It May Concern,

**Re: SUBMISSION - Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020**

The Queensland Parliament should reject the advocacy by Torres Strait Islanders to have their customary practise of adoption accepted into Australian law [the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020].

The present Queensland adoption procedures as detailed in the Adoption Act 2009 must be applied to all Queenslanders as written, with the exception that Part 1, Division 2(7), of that Act is discriminatory and should be repealed. It allows Aboriginal and Torres Strait Islander customary "adoption". Adoption of any child must be dependent on adopters meeting eligibility requirements that are common for all Australians regardless of what individuals or ethnic groups may think. Children are not fodder to be given away at will or according to customs that are at variance with normal Australian practices. Adoptions are hard for good reasons. A sound, ethical process is necessary to ensure a child is legally and ethically available for adoption. Prospective parents must undergo preparation and assessment on their capacity to meet all the needs of an adopted child to uphold children's basic rights. Enshrining customary child sharing practices in a parallel law because of misplaced sympathy or "white" guilt is unacceptable.

There should be no impediment to back-dating adoptions if that might be necessary to overcome any disadvantage to present adoptees because the Torres Strait Islander practise happened in secret (and illegally under Australian law).

Introducing laws specific to particular ethnic groups is discriminatory and divisive, and must be avoided at all cost. There is no need for anything in the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 that is not enshrined already in the Adoption Act 2009, including if the Part 1, Division 2(7) section is repealed.

Yours faithfully,

Lindsay Hackett  
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