



Speech by

**BILL FELDMAN**

**MEMBER FOR CABOOLTURE**

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### CHILD PROTECTION BILL

**Mr FELDMAN** (Caboolture—ONP) (4.09 p.m.): I, too, share the thoughts of the member for Ashgrove in relation to the protection of children. It is of paramount importance to all honourable members, especially those from One Nation. The biggest issue in creating legislation to protect children is finding the balance between protecting those who really require help—that is, giving rights to children who need them in order to get them out of a dangerous situation—and giving rights to children who will abuse those very rights at the expense of the parents trying to do the right thing by their children.

Over the years, children have been given too many rights and far too few responsibilities. We have allowed our society to become excuse makers for our children's behaviour. They have become more and more undisciplined and unruly. The reasons are many. I find the Labor Party's stance on this issue ironic. The Minister for Families is a contradiction of the highest order. She is constantly preaching about the protection of children, yet she aids in the cover-up of the Labor Party's shameful shredding of documents revealing child abuse. She supports same-sex families and seemingly every other form of attack on the family unit. Labor members spend so much time acting as sycophants to minority groups and civil libertarians that they cannot seem to focus on fixing the problem at its core. Instead, they simply continually mend it after the fact. Is it any wonder that we approach this legislation with great trepidation? When will they wake up and realise that their party's continual endeavours to remove traditional Christian principles from society and replace them with utopian human rights contribute to societal breakdown and support the type of environment in which children can be abused?

I take on board the comment of the member for Kurwongbah that we cannot legislate morals. Indeed, we cannot. But we should not be introducing legislation that removes the ability of parents to impart them. As mentioned by the member for Ashgrove, it is a part of parents' duties to impart morals and good values to their children. I am not greater than God, but I will acknowledge and honour His word in this House, and so should every other member; they pray the same prayer that I do each morning in this Assembly that they will give countenance to God's word and the teachings of Jesus Christ as they deliberate on the legislation that comes before this House. All honourable members should appreciate that every piece of God's word is useful for teaching, preaching, correcting and rebuking. Also, members should note with some trepidation that, if they remove those principles, they will have a lot to answer for when they meet Him.

This Bill raises some serious questions. It is based on an international convention into which Queenslanders had no input, and its definitions are ambiguous and too open to interpretation. For example, I note with interest clause 123(2), which mentions the corporal punishment of children whilst in care. It states—

"... techniques for managing the child's behaviour must not include corporal punishment or punishment that humiliates, frightens or threatens the child in a way that is likely to cause emotional harm."

What constitutes "emotional harm"? I heard the Minister say earlier that a court will decide that. The trouble is that the authorised officer must make that determination in the first instance and then bring the matter to court. So he decides initially what he thinks constitutes emotional harm. How does one determine what causes emotional harm? Who determines whether an action has caused emotional harm? How would this work if the child were placed into a caring environment with a carer's own children

who receive normal parental Christian discipline, for example, as per section 280 of the Criminal Code? Would the protected child not feel an outcast from that family or feel uncared for if they, too, did not receive that normal family punishment?

There are some members who perhaps may have felt the sting of a Christian Brothers strap at some stage. I do not think they would classify that as some sort of abuse. I grew up in a nice, loving, Christian family home. I, too, felt the occasional sting of the strap, but it certainly did not alter the way I cared about my parents. It did not alter the fact that I never felt abused in any way, shape or form.

**Mr Reeves:** Is this a lecture or a speech?

**Mr FELDMAN:** It is probably both. Perhaps the member should listen. I also felt the nice tangy taste of Sunlight soap when I brought home the odd word that I should not have brought home.

**Mr Schwarten:** It didn't stop you swearing.

**Mr FELDMAN:** It certainly did.

Would the protected child not feel an outcast from that family or feel uncared for if it, too, did not receive that normal family punishment? What if the child merely did not like discipline at all and did not want to conform? Would this clause allow a child to manipulate the system? There are many such clauses in this Bill which are simply too open to interpretation and which require much greater clarification.

**An Opposition member:** Verbal diarrhoea.

**Mr FELDMAN:** Does the honourable member feel that his parents were abusive? Did they ever hit the honourable member—maybe tap him on the backside when he was a youngster? I imagine they would have and yet he is now in this House calling that treatment abuse. I would never stoop so low as to say that my mother or father were abusive in any way, shape or form in respect of the discipline that I received.

Under Chapter 5, Regulation of Care, I note with interest that children are to be provided with material needs—schooling, recreation, dental, medical and therapeutic services, just to name a few. Does the Government intend to supply enough financial support to the carers of these children to ensure that this level and standard of care can and will be carried out? How much money will it cost? Where will it come from? Will this be another strain on our already overburdened welfare system? This was highlighted by the member for Indooroopilly, who asked the same question: where and how much will this cost the taxpayers of this State?

I wish to mention the Minister's response to the Scrutiny of Legislation Committee, as published in the Alert Digest No. 2 of 1999. The Scrutiny of Legislation Committee mentions the failure of the Bill to expose the legal liability of people who make false accusations. The Minister's response states—

"... making of reports which are known to the notifier to be false is, in the experience of the DFYCC, a fairly rare occurrence. In the overall interests of children, sanctions against persons making dishonest complaints are not emphasised because to do so would have the effect of dissuading many honest notifiers who were (though needlessly) anxious about the possibility of prosecution if their concern proved unfounded. This would have the effect of reducing the likelihood of concerns about children being reported by the public."

The Alert Digest goes on to note—

"However, the comment is made that the 'issues raised by the Committee about the making of allegations which are knowingly false, are worthy of further consideration'. Information will be sought from other jurisdictions in this regard"—

and the Minister may wish to make some further comment. Mine must be one of the only electorates in this State where people have felt that false accusations have been made against them. I note with concern that I have had numerous calls about regressive or "oppressive" memory therapy, and there are people now in jail because of this piece of legislation. What is "abuse" to an alleged expert in psychoanalysis?

The Scrutiny of Legislation Committee does mention the fact that there is a failure in the Bill to expose the legal liability of people who make false accusations, and I look forward to the Minister's response about how that anomaly can be fixed up. I fail to see how this can be the case and how, if it were the case, allowing it would cause any harm. It may in fact encourage people to ensure that they have some substance to their allegations prior to making them, which would surely be a good thing to encourage in any situation.

This Bill is full of unclarified statements based on civil liberties, utopian rubbish and the United Nations convention, which does not think to mention the responsibilities of children. We are increasingly becoming a society where parents are afraid to discipline their children for fear of being sued or imprisoned for child abuse. I have a letter addressed to Mr Beattie from a minister in Maryborough, which states—

"Juvenile crime statistics for Queensland should shock any thinking person. There were 44,766 crimes committed by juveniles. We can all see that as a problem but, what is the root cause of the problem?"

For many years officers of the Dept. of Family, Youth and Community Services have deemed it their duty to stop parents disciplining their own children. Rebellious children have used these officers to make themselves above punishment for minor crimes and offensive behaviour at home, at school and out in the community.

As a result of this interference by the DFYCS officers, Queensland has created this new uncontrollable super brat. These super brats become so anti social that they are often taken from the homes where they received too little discipline (because of DFYCS interference) and placed in institutions which are training centres for our future hard core criminals.

If we do not address the problems created by some really crazy and queer people who have responsible positions in DFYCS, Queensland will surf on this juvenile crime wave for fifty years.

The bible says we must take the rod of corrections to our children. Most parents are wise enough to use such force as is necessary. They seldom go overboard. Many DFYCS officers are young theorists without practical experience"—

in the raising of children. The letter continues—

"If we investigated the crime wave we would find most repeat offenders are the ones who have been in the care of DFYCS officers. We must stop DFYCS academics interpreting the law to say a smack on the bottom is assault and a child confined to his/her room has been deprived of liberty."

The Bill also encourages child abuse to be swept under the carpet, rather than to be seen and learned from by the community. Children are precious and should be protected at all costs, but we must make sure that in doing so we do not allow disruptive children to abuse the system or good parents to be falsely accused and have little power to prove otherwise. Have no doubt, we strongly support the protection of children and we support anything that helps create an environment in which children can live safely. We believe in attacking the problem at the core and encouraging a society in which child abuse will be very, very minimal.

The coalition is intent on bringing amendments before this House, and we will be supporting those amendments. I really think that the Bill itself should be taken back and rewritten so that it takes into account the parents and not just the child. We will be supporting the amendments to be moved by the coalition.

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