Speech by

Hon. BRIAN LITTLEPROUD

MEMBER FOR WESTERN DOWNS

Hansard 10 March 1999

CHILD PROTECTION BILL

Hon. B. G. LITTLEPROUD (Western Downs—NPA) (2.56 p.m.): In rising to speak to the Child Protection Bill 1999, I wish to address three issues. Firstly, a member does not have to be in his or her electorate office for very long before realising that there are some very tragic cases in the community. My experience has gone beyond that because for approximately four years I was the shadow Minister for Family Services. People who had an axe to grind and were not getting the satisfaction that they thought they deserved from the department would contact the shadow Minister's office or electorate secretary. Therefore, the very worst cases came to my attention. I pretty quickly learnt that people can gild the lily a little and one should always listen to the other side of an argument. I hope that the department recognised that I was fair enough to always ensure that I was given a briefing on the various complaints that came forward from aggrieved people. I was also aware of various needs in this particular field.

As well as supporting the department's ability to intervene directly from time to time, I note that this legislation will support families in a proactive manner. We must do all we can to be pro-family and to support the family unit, especially those family units that face difficulties. Of course, that responsibility does not rest only with the Department of Families. Similar responsibilities rest with departments such as the Education Department. For example, when I was the Education Minister in the late eighties, I introduced human relationship education, which was aimed at generating a better understanding of how one should treat one's fellow man. It was pretty obvious that many parents did not have great parenting skills and that they lacked the capacity to instil in their children the right attitudes for a harmonious society.

When I was shadow Minister, I became aware that the case load of many of the people working for the department was enormous. It worried me greatly that many young people who worked for the department were suffering from burnout. I was supportive of Kev Lingard who, as Minister for Family Services, tried to put more emphasis on the role that community groups could play, thus allowing the department to play a lesser role.

My mind goes back to a series of meetings held around Queensland at which the member for Indooroopilly, the member for Crows Nest and I were speaking about law and order issues. At Strathpine a member of the community said that one of our weaknesses is the fact that we have lost the tribal factor. He explained that people living in small, close-knit communities care for their own. In a State as vast as Queensland, officers of the Department of Families are perceived as being remote. That man suggested that we could strengthen our support services by delivering them through community groups. He used the word "tribal" in the sense of looking after not only one's own generation but also the younger and older generations.

Part of the thrust of the Borbidge Government was to try to strengthen those ties. Support services were already in place in the form of family support centres, church groups and other community organisations. It is lamentable that the churches have not been as proactive as they probably should have been in looking after their flocks. That is perhaps the fault of the parishioners who have turned away from religion. Certainly, we have lost our huge network of parish support. It is extremely difficult for a huge department spread over a vast State such as Queensland to offer the degree of compassion and local support that is sometimes necessary.

I felt sorry for those young departmental officers who went out into parts of Queensland with which they were not familiar and where there was a different style of life. They faced an enormous workload spread over a number of towns. After serving in those places for anywhere between 8 and 12 months, they found that they were burning out; the job was too big. Sadly, we could not solve the problems out there. It takes two to tango and, all too often, the families were not prepared to put in sufficient effort to overcome the crisis. If with this legislation we will do more to be proactive and to be supportive of families before problems arise, I will support it.

I turn to the International Convention on the Rights of the Child. Last week in this House I heard the Minister discussing the legislation on international adoptions. Some members of the One Nation Party were very critical of the International Convention on the Rights of the Child. I can understand why that was the case. I mentioned earlier that the member for Indooroopilly, the member for Crows Nest and I travelled around Queensland speaking about law and order issues. One of the issues raised was that we no longer have the right to punish our children.

Government members interjected.

Mr LITTLEPROUD: Instead of getting on their high horse, honourable members opposite should let me finish. Invariably, people would say, "It's all because of that convention." The member for Indooroopilly advised those people that, if they look very closely at the Criminal Code, they would see that it is possible, if done appropriately, to guide children onto the right track. Sadly, there was a feeling that that was not the case. When speaking at public meetings, Mr Beanland went to no end of trouble to try to allay those fears. However, some people with their own agenda—and I am not referring to departmental officers—emphasised certain aspects of the convention rather than recognising the good points and taking the document as a whole.

Mr Schwarten: Teachers have never been able to hit kids, either. It's never been legal to hit kids.

Mr LITTLEPROUD: The member and I are from the same background in education and we understand that the closer the punishment is in time to when the crime is committed, the better is its effect. Sometimes the punishment is too far removed and, in the meantime, a child gains some sort of notoriety.

I put it to the Minister that some people did not use properly the International Convention on the Rights of the Child and the Declaration on the Rights of the Child. That is where the mood out there came from, and it needs to be put down. There are lots of good things in that declaration. The previous speaker spoke about the rights of children in detention or in care. I think it is terrific that those rights exist. However, we have to be careful that some people with their own agendas do not cite selected parts of the convention and create misconceptions.

As honourable members would know, we are not living in a perfect world. Some of the cases brought to my electorate office have not worked out the way I thought they should have. For example, in one case a parent was most upset because we could not resolve a situation. Yesterday I read the Scrutiny of Legislation Committee's latest Alert Digest. That committee has been corresponding with the Minister on this piece of legislation. The digest states—

> "The committee
>
> notes the examples of 'unavoidable accidents and life circumstances' given by the Minister are playground accidents, road trauma and child illnesses; and
>
> seeks clarification from the Minister as to the position of parents where the harm to the child arises in circumstances such as incest or rape committed by a family friend/member or
>
> other person associated with the parents in circumstances where the parents had no forewarning that the incident/s may occur."

I wish to deal with the first part of the Minister's response, which stated—

> "If a child is harmed by a person other than a parent, in circumstances which could not have been foreseen by the parent, the application of the Child Protection Bill will depend upon the parents' response to the matter."

This will be a new piece of legislation. The current piece of legislation created a problem in the case that I am about to cite. The case involved a teenage daughter who, as we know, can become rebellious. This young girl came under the influence of some unsavoury people and moved out of the household. The police were involved and they advised me and officers from the Department of Families that the girl was in some sort of moral danger. Try as we might to consider the parents' wishes to bring the child home or at least out of harm, the Minister's officers were limited under the Act in what they could do. The police were also limited under the current legislation.

If the Minister is saying that this piece of legislation will take great note of what the parents would like, I would be totally supportive of it. In the case I mentioned, the answer given was, "The girl is 15. If she goes home, she'll probably run away again. We can't do much about it." Understandably, the parents who came to see me were pretty upset. They knew that the girl was in moral danger. She was living in the house of a woman of ill repute and seemed to be associated with a male much older than she was. It was pretty obvious what was happening. The parents were beside themselves, yet under the existing Act the departmental officers and I, as a member of Parliament, could not find a solution. The police also were frustrated. If we had been able to overcome that situation and take her away from that influence and give her some support, the parents would probably have been satisfied. I had a pretty hollow feeling when I could not solve the problem.

Mr Fouras: You're on the wrong tram in the wrong city.

Mr LITTLEPROUD: I am not on the wrong tram.

Mr Fouras: You're in the wrong city.

Mr LITTLEPROUD: I am not on the wrong tram or in the wrong city. I have personal experience in these issues. This case was brought to my office. I was appalled by the way in which the parents were let down by us, the legislators. Having said that——

Mr Fouras interjected.

Mr LITTLEPROUD: The former Speaker of this House has prompted me to say some other things. There is lots of confusion out there. Government members have been coming up with all sorts of social programs, for example, the recognition of homosexual couples and their property rights. Those are the sorts of issues that are confusing kids. They do not know whether they are Arthur or Martha. They are so confused that they do not know where they are going. It makes it all the more difficult for some officers in the department who are trying to put things straight when other members on the honourable member's side of politics are proposing things that are anti-family.

Having said that, we are supportive of the Bill. I hope the Minister takes note of the need to make sure that this legislation is watertight so that the parents wishes are taken into account when they know that their child is at risk.

———