



Speech by

GORDON NUTTALL

MEMBER FOR SANDGATE

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CHILD PROTECTION BILL

Mr NUTTALL (Sandgate—ALP) (4.22 p.m.): The one thing that I think really irks most members in this Parliament is people lecturing them. I do not mind participating in a debate, but I take great offence at people lecturing me. I take great offence at the approach of the honourable member for Caboolture in particular to this Bill.

The honourable member has made a number of, in my view, rash comments regarding open-ended clauses in the Bill. His simple answer is: we will support the Opposition. If the honourable member believes that this legislation should be taken back and redrafted, he has the opportunity both as an individual and on behalf of his party to put up his own amendments to this Bill to show us what he would do to make this Bill better than he sees it currently.

The simple and easy answer for the honourable member for Caboolture and the other members of One Nation is to tag onto the back of the National and Liberal Parties. If they think that this legislation is so bad, they should bring in their own legislation. They are willing to bring in a private member's Bill to amend the Weapons Act and they are willing to bring in a private member's Bill and come back and have a second shot at citizens' initiated referendums. This Bill, in my view, is far more important than either of those pieces of legislation. Why have they not put up a private member's Bill before today in relation to this matter?

Ms Bligh: They are too lazy.

Mr NUTTALL: The simple reason is, as my colleagues on this side of the House are saying, firstly, they are too lazy; secondly, they are incompetent; and, thirdly, they simply have not read this legislation.

Mr FELDMAN: I rise to a point of order. I find the comments of the member for Sandgate highly offensive. If he is talking about a Bill that needs appropriation, we cannot put it up. He should know that.

Mr NUTTALL: I did not refer to any individual in those comments.

If we look at this Bill, we see that it is called the Child Protection Bill. In this debate, a number of people on the opposite side of the House have focused on punishment of kids, not on the protection of kids. This is about the protection of young people in our society. It is not about whether we can or cannot smack our children. Let me say to the honourable members on the opposite side of the House that if they want to smack their kids they can. We are not going to stop them from smacking their kids, and this legislation is not going to stop them from smacking their kids if they think they are being naughty. They can bring up their children in the way they see fit but, by crikey, if they step over the line the law of the land will step in, as it should.

Any legislation which enhances the welfare and the protection of children should be supported by all members of this Parliament. I commend the Minister and her department and anyone else who has been involved in bringing this legislation before the Parliament today. At the end of the day, when this legislation is passed, it will be in the best interests of all children in this State. Those of us who are parents know that. I have to say that I have been blessed with three wonderful children. Being a parent brings a great amount of joy to those of us who are fortunate enough to be in that position. Children can give us lots of love and lots of enjoyment. In my view, the family unit is one of the mainstays of our

society. Having said all that, I am looking forward to the day when I will become a grandparent, but my children tell me that I will have to wait for some time yet!

One of the responsibilities of being a parent is the caring for and the nurturing of the child. All of us here are appalled when we see and when we hear about children being mistreated. The Bill that is before us today is about changing that. It is about saying, "Look, we are going to take those children into care. We are going to look after those children." However, the Bill also talks about the family unit, and I will come to that a little bit later on. In my view, anyone who mistreats children, particularly adults, commits an act of betrayal of trust that children place in adults. It behoves all of us to ensure that we, as a civilised society, do everything that we possibly can to ensure that children are brought up in a loving and caring way.

There are a number of key principles in the Bill, and I will not cover a lot of the things that have already been said in this debate. One of the things that the Bill does say is that the primary responsibility for raising a child rests with the family. This is not about some so-called Labor conspiracy, as has been suggested by those on the other side. The Labor Party does not want to go out and take children away from their families and put them in protective custody. In relation to raising a child, the Bill goes on to say that the preferred way to help people who are having difficulties is by providing support to the family. That is what this is all about. That is what the legislation is trying to do and that is what the department is trying to do.

We have heard time and time again about the United Nations Convention on the Rights of the Child. If honourable members care to get in touch with the Parliamentary Library, they can get a copy of this United Nations convention. There is nothing in that convention about some form of conspiracy theory that we as Australians should not abide by.

Mr Braddy: It is all in invisible ink.

Mr NUTTALL: Honourable members should sit down and read the convention; I do not know what the drama is. In his contribution, the honourable member for Ashgrove commented on the convention and what he termed the four Ps—participation, protection, prevention and provision of assistance for children and their basic needs. This convention that we are talking about was actually ratified on 17 December 1990, and it came into force here in Australia on 16 January 1991.

The Commonwealth Joint Standing Committee on Treaties recommended to the Commonwealth Parliament that the convention should be implemented in such a way that the parents and the family unit are supported. That is what the committee said and that is the main thrust of what we as a society believe in.

Some of the key principles of the Child Protection Bill before us today are that every child has a right to protection from harm and that the welfare and the best interests of the child are paramount. There is nothing sinister or untoward in the principles of the legislation.

The Child Protection Bill demonstrates a preference for working in a cooperative manner with families to protect children. Clause 57 sets out that before the court makes an order for the protection of a child a family meeting must be held to consider ways to meet the child's needs. If the application for an order is to be contested, a court ordered prehearing conference must be held. A family meeting would be similar to a family group conference. Simply, this legislation says that if a course of action has been undertaken whereby a child may be removed from its parents there will be a family meeting. There are guidelines and safety nets to ensure that all people involved in the situation are taken into account and that all care is taken.

As the honourable member for Western Downs said in his contribution, it does not take long for constituents to start visiting new members of Parliament with various concerns relating to children and the rights of children. Issues relating to children and Family Court matters are probably the most disturbing things constituents come to us with. It is difficult to deal with those issues; I know that people working in this field have an extremely difficult task. Sure, mistakes are made—no-one denies that—but the Bill before us today tries to provide as many safety nets as possible to ensure that all parties are looked after.

This Bill aims to provide a legislative framework for the protection of children while recognising that to do so effectively means balancing the competing rights and interests of those involved in the process. It is important to remember that this legislation is not simply about taking children away from their families. This legislation tries to say that if we have a problem with children and their families we will sit down with the family unit and try to work it through and, wherever possible, ensure that the family unit is maintained.

I believe that this Bill is one of the most important pieces of legislation we have had to debate in this Parliament. I commend the Minister, her office, her department and all of the other people involved in putting this legislation together. Nothing in this society is as important or as cherished as are our children.