



Speech by

**HARRY BLACK**

**MEMBER FOR WHITSUNDAY**

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Hansard 4 March 1999

**ADOPTION OF CHILDREN (HAGUE CONVENTION ON INTERCOUNTRY ADOPTION) AMENDMENT  
BILL**

**Mr BLACK** (Whitsunday—ONP) (3.53 p.m.): Today we are discussing the merits or otherwise of this adoption of children amendment Bill 1998, which is based on the Hague Convention on intercountry adoption. I would like to examine the issue of international treaties and their impact on domestic law in greater detail.

This convention derives from the United Nations Convention on the Rights of the Child. The modification of our laws to satisfy various international agreements is an area of great concern to me and many of my constituents. While some ideas and concepts of the United Nations are sound, many are not. Many United Nations treaties are not applicable to Australia, as we are a civilised, developed country and, thankfully, we do not yet suffer from many of the problems afflicting other countries, although times are changing.

Regardless of the circumstances, these treaties are signed anyway, and our domestic laws are changed. Almost without exception, these treaties are ratified without any amendments and without the knowledge and approval of the Australian people. This Bill is yet another example of our domestic laws being changed to comply with another international treaty: the United Nations Convention on the Rights of the Child. The convention emancipates children from parental authority within the home and invests them with rights that can be enforced against their parents, with the State as the final arbiter. For example, the practice of corporal punishment in schools and in the home, which is appropriate in certain circumstances, may be illegal under this treaty. While such a treaty may be applicable to many Third World countries using forced child labour, it is, quite arguably, not relevant to Australia. The Australian people should never have been committed to this treaty without their knowledge and consent.

A good family will provide the best care possible for children, and a healthy society will produce healthy, functional families. It is only in recent times that child abuse has increased in Australia, and this has been caused by unemployment, family disintegration, drug abuse and moral decay—things that no Australian Government has yet been able to stop. If the decay of Australian society continues, the abuse of children will continue, and no law or United Nations treaty will stop it.

As is the case with most United Nations treaties, the object of the rights of the child treaty is not to protect the rights of the children but to increase the power and influence of the United Nations itself. If the United Nations was really concerned about the welfare of families and children, then it would draft a treaty against economic rationalism, which has caused much unemployment and damage in Australia over the last 25 years.

Has the Government consulted on this Bill with the public and informed the public that our Queensland laws will be modified to comply with an international treaty that most of us have never heard of, let alone read? It seems to be compulsory for Labor and coalition politicians to support the United Nations, United Nations treaties and anything the United Nations says or does. In fact, it is difficult in Australia to find any politician who will criticise the United Nations at all.

It is a frightening thought, but more and more of our laws and regulations are made overseas by unelected international bureaucrats in various world bodies, of which the United Nations is but one. It is even more frightening to realise that our judicial system is increasingly drawing its inspirations from

the plethora of international agreements to which we have been committed by the Federal Executive Government in Canberra. Bilateral and multilateral treaties and agreements continue to be signed as we speak, and we generally become aware of their effects only after the fact. As the volume of treaties increases and international law gains momentum, we can look forward to nothing but greater domination of Australian law by international law.

The Scrutiny of Legislation Committee is rightly concerned that this and other legislation, derived from international treaties or imposed on the States by Canberra, tends to undermine the institution of Parliament. As State law is increasingly developed externally by the Federal Government or international bodies, the day may come when people will question the necessity of maintaining a State Government at all.

One Nation does not support the Federal Government signing international treaties without the knowledge and consent of the Australian people. One Nation does not support the modification of Queensland law merely to comply with international treaties or conventions without the knowledge and consent of the people of Queensland. Therefore, we will oppose this Bill.

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