



Speech by

Mr J. HEGARTY

MEMBER FOR REDLANDS

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

Mr HEGARTY (Redlands—NPA) (4.38 p.m.): I take the opportunity presented by this debate to bring to the attention of the House a deplorable situation affecting a constituent of mine that relates to adoption. My constituent, who is a young woman in her early twenties with children of her own, underwent an adoption process in the early 1990s. I understand that a person aged between 16 and 18 years is able to utilise a window of opportunity—this does not apply if they are younger than 16—and agree to adoption even in spite of lack of consent of the natural parent.

My constituent, and I presume several other people in that category, were advised recently that they were no longer legally adopted. Honourable members can understand the trauma that that would cause a person who thought that they would bear their adoptive parents' name and then be told that that is no longer the case.

I understand that the Department of Families, Youth and Community Care is doing what it can to address that anomaly. The situation arose as a result of a criminal act committed by a member of that department— a public servant whose action invalidated the adoption. But that still does not help the people who have actually been adopted and are now placed in the position in which they have to change certificates—birth certificates, marriage certificates of their own, as well as their children's birth certificates, because the adopted name went on those as well. There could be a whole raft of situations in which they have been known by their new adoptive name.

I believe that it is up to the Minister to do something about this, and I do not mean just providing the financial assistance to reissue those relevant certificates. I think there is a strong case here for the Minister either to legislate or do something—provide a moratorium—so that those people who were caught up in that net of irregularities that occurred some time since the early 1990s are able to maintain the status that they have chosen by becoming an adoptee, maintain their new adoptive name and in general give them the status that we are trying to provide in this Bill.

Here in our own country we did not get it right. We all make mistakes, but we should not make victims out of people who, through no fault of their own, have been caught up in an unfortunate situation. I will be writing to the Minister in due course, giving her specific details of the case of my constituent and her sister. No doubt the Minister is aware of many other instances of people who are unfortunate victims of this situation.

I realise that the Minister was not the responsible Minister at the time that this occurred, and I presume it has been brought to her attention only in recent months. However, now that she is armed with this information, I call upon her to take the necessary steps to rectify this anomaly so that these people do not have to change their name by deed poll, which I understand is the only option currently available to them. Some people may not want the stigma, if I may use that word, of changing their name by deed poll. Not everybody takes that step, but many people take the step of becoming adopted and being included in an adoptive family.

Of course, this situation has now put those people in a very invidious position. It could put a great strain on families. It could put a strain on the harmonious relationship that adoptees may have with any natural children in that particular family because they may no longer consider themselves part of that family. I will be writing to the Minister and asking her to rectify this very serious anomaly as speedily as possible so that those people do not have to resort to changing their name by deed poll.

Mr KNUTH (Burdekin—IND) (4.43 p.m.): I support the Adoption of Children (Hague Convention on Intercountry Adoption) Amendment Bill. However, I raise some concerns about the possible adoption of children by same sex couples. Same sex couples will not give children a stable and safe upbringing. They will not ensure their wellbeing. For the record, I strongly object to adoption by same sex couples.

I recommend to the House that a clause be added to this Bill that exempts the adoption of intercountry children by same sex couples. This will help to ensure that children are not adopted for the purpose of paedophilia or for any other immoral reason. I raise these issues because of the possibility of marriages of same sex couples being recognised by law in the future in this State.
