



Speech by

**Dr PETER PRENZLER**

**MEMBER FOR LOCKYER**

---

Hansard 4 March 1999

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

**Dr PRENZLER** (Lockyer—ONP) (4.28 p.m.): Part of the preamble to the Hague Convention on Protection and Cooperation in Respect of Intercountry Adoption reads as follows—

"Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding ..."

If this Parliament were to comply literally with the requirements of the convention, we would need to repeal all of the family destructive legislation enacted over the past 25 or so years by both State and Federal Governments. It is no coincidence that family breakdown in Australia over the past 25 years has coincided with the implementation of many family destructive policies and theories, such as embracing global economics, no-fault divorce, National Competition Policy and so on.

The preamble to the convention also says that each State should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family of origin. Again, a literal interpretation of this preamble would require the Government to do everything possible to ensure that families remain together by providing full and adequate employment, as we know that unemployment and financial problems are great contributing factors to marital break-up. If the volume of complaints over the years is anything to go by, the Family Court may also be unlawful under this treaty. If ever there was an institution antagonistic to families and the welfare of children it would have to be the Family Court.

Reading further into the preamble, we find that the convention aims to prevent the abduction and sale of and trafficking in children. As far as I am aware, there has not been any trafficking in children in Queensland for quite a while, and for the life of me I cannot see how this convention will prevent the kidnapping of children either in Queensland or anywhere else.

This is always the case with United Nations treaties. They are invariably signed by Federal politicians and implemented by their State colleagues without any amendment and with no regard to the relevance or applicability of the treaty to the Australian situation. If the United Nations really wants to stop the child slave trade and child abuse, it should draft a treaty to prevent the sale of any products produced with forced child labour. The United Nations and all the do-gooders should leave Australian families and parents alone and instead concentrate on all of the foreign countries plagued by child slavery and child abuse.

The Bill states that adoption is dependent on non-contravention of any State or Federal laws. However, given the fact that our courts are increasingly of the view that legal obligations incurred through international treaties override domestic laws, any refusal by a Government to facilitate an adoption because of State or Federal laws may result in legal action against that Government. Therefore, this convention may threaten the integrity of our immigration laws.

Article 4 seems to empower the State to facilitate adoption, regardless of whether this would terminate the lawful relationship between the child and his or her family of origin. Gaining the child's consent before adoption is not even required. Does this mean that the Queensland Government could in theory take a child from his or her legal family against his or her wish and then adopt the child

overseas? If that is so, this convention is merely substituting one form of kidnapping and trade in children for another.

Article 40 states that no reservation to the convention shall be permitted. This is typical of the arrogance and uncompromising nature of the United Nations and other international bodies. People have had enough of the obsequious attitude of our State and Federal politicians, who implement treaties by the dozen in defiance of the institution of Parliament.

Interestingly, in America, unlike Australia, there are many politicians who view the growing power and influence of the United Nations with distrust and apprehension. Several Bills have been introduced into the American legislature to stop United Nations treaties overriding American domestic law and to restrict the influence of the United Nations in general. The American Sovereignty Restoration Act 1997, introduced by Republican Ron Paul on 20 March 1997 and co-sponsored by 14 other members, is a good example. The Bill sought to withdraw America from the United Nations completely. A number of other Bills have been introduced by other American representatives to restrict US involvement in United Nations activities. It is time that Australian politicians ceased to blindly implement United Nations policies without the consent and knowledge of the Australian people.

In conclusion, I thank the members for Ferny Grove and Kurwongbah for their comments, and I reassure them that we in One Nation certainly agree that children's rights are the paramount issue in this debate. We wish only to point out that openly embracing United Nations conventions can also result in the imposition of some unwanted conditions on our own people.

---