



Speech by

Mr T. SULLIVAN

MEMBER FOR CHERMSIDE

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

Mr SULLIVAN (ChermSIDE—ALP) (3.46 p.m.): I rise to support the Adoption of Children (Hague Convention on Intercountry Adoption) Amendment Bill currently before the House. Most members have heard anecdotal stories concerning the abduction and sale of and trafficking in children from one country to another. It is the aim of the Hague Convention to provide minimum standards to ensure that those types of practices will not occur.

There is substantial evidence over a number of years of unacceptable practices concerning intercountry adoption of children because of a lack of proper international protocols and guidelines on this issue. Over a period of years in the early 1990s, an international working group worked on this convention and more than 30 countries became signatories to it. It was only recently, in July 1997, that Australian community services Ministers unanimously ratified the convention and decided to incorporate it into their own legislation.

The convention tries to establish basic safeguards. I use the word "tries" because, as we know, in any convention there is no particular legal force. There is no policing; there is only the moral persuasion of the agreeing countries to enforce the established regulations or conventions. Basically, this Hague Convention sets out minimum standards. We should note that the Australian and Queensland practices of adoption currently exceed the minimum standards— standards such as basic communication between the two countries on all aspects of the adoption and only permitting intercountry adoptions where both countries agree that the prospective adoptive parents are suitable. Two very important principles are that the adoption placement is in the best interests of the child and, of course, that there must be no financial gain.

The sensationalist stories we have sometimes heard on 60 Minutes type programs have perhaps portrayed the negative aspects of some intercountry adoptions, whereas people in this field regard more than 70% of such adoptions as successful and as having been carried out in a proper way, with due process. I note that it has taken almost 10 years for this convention to be established, but it shows that Governments are keen to secure the safety and wellbeing of children who are adopted from one country to another. I thank former Ministers from both sides of this House who have contributed over time to bringing about this Bill.

There are a relatively small number of children who are adopted into Queensland from overseas, but the small number does not mean that we should not give our utmost attention to this particular practice. I have a personal interest in this, because there are three beautiful children in our neighbourhood with whom my children play who were adopted from a north-eastern European country. I know that there are significant difficulties associated with overseas adoption and that the adopting family I know went through tremendous trauma within Queensland. They suffered setback and disappointment at the outcome of adoptive processes within this State. I also know that those three children are a vital part of our local community. I will not go into the details of their background, but what I can say is that those three children and their adoptive family have benefited from the adoption. I believe that their adoption has been in the best interests of the children.

This raises a very important principle and, in some ways, I have disagreed with present and former Government policies in this regard. There seems to have been within the family services area a

tendency to make allowances in many regards for the birth family from which the child came. It could be that the child was born into a country where there is great social unrest, where there are very poor health standards or where there is absolute poverty in the area, or it could be war torn, or it could be a society where there is political and religious intolerance and abuse. The principle of saying that it is best for the child to remain within that family is sometimes hard to justify. On many occasions these children have been abandoned, and in many cases they have been condemned to an early grave. I hope that, in assessing the suitability of a child as being ready for adoption, we take a fairly balanced viewpoint as to that child's future in their birth family or in their birth country as against their possibilities within the adoptive country.

It has also appeared to me that, under some of our Australian practices within certain agencies, adoptive families are supposed to be almost near perfect. I would suggest that we need to be a bit more tolerant of the type of family into which a child is being adopted. Many families of members in this Chamber might not satisfy the needs of certain adoptive agencies. What I am calling for is a balance. I do not want to see children being used as a trading product. I do not want to see children being the object of affection that can be bought, sold or traded as some commodity. However, I believe that, in considering the long-term future of a child, we have to take into account the social and family context from which they have come and to which they are going.

I know that this whole issue is extremely complex. In dealing with people's lives, one has an extremely delicate balance between the rights of the child and the birth family or the society from which the child is coming and the society or family into which the child is being adopted. It is a difficult and delicate process. I thank those from many nations who have drafted the convention. I thank those from various Australian departments of family services and Ministers from all shades of the political spectrum who have brought this to fruition. I support the Bill before the House.
