



Speech by

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MEMBER FOR MUDGEERABA

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ADOPTION OF CHILDREN AMENDMENT BILL

Mrs REILLY (Mudgeeraba—ALP) (6.52 p.m.): I am delighted to speak in support of the Adoption of Children Amendment Bill 2002. One of the purposes of the proposed amendments is to establish adoption application and assessment processes in Queensland that are similar to those in other states. This will enable more efficient and child focused administration of adoption services in Queensland. The bill will enable the department to better achieve the objective of the act, which is to secure the best possible placements for children requiring adoptive families.

Under the Adoption of Children Act 1964 the Department of Families is required to accept all applications made by persons who are seeking to adopt a child and enter their names on an adoption list. Queensland is the only state with adoption legislation that has this requirement. This has resulted in a large number of people being on lists and ever-increasing waiting times. In most other states the adoption authority invites people to apply in accordance with the anticipated number of children requiring adoptive families. These states have legislative or administrative capacity to moderate people's entry to the adoption process. The amendments will establish a similar system in Queensland.

No other state's or territory's legislation establishes separate lists or registers for domestic adoptions and for intercountry adoption. All other states and territories provide for a single application or expression of interest process for both domestic and intercountry adoption. This bill establishes one expression of interest register and one assessment register for domestic and intercountry adoptions. There will be one database for all couples who have expressed interest in being assessed for suitability to be prospective adoptive parents. The Department of Families will be able to search across the database to identify couples who have expressed interest in adopting a child from Queensland and couples who have expressed interest in adopting a child from overseas. The database will be able to search on a range of variables, including preferred countries, age, the length of marriage, cultural and ethnic heritage and other factors. The register will not include applicants seeking to adopt a child from Queensland who has special needs. This is because of the need to encourage people who are considering adopting a child with special needs to apply when they feel they are ready to do so, rather than require them to wait until expressions of interest are called. There are and will continue to be sufficient people to meet the placement needs of children from overseas and from Queensland who do not have particular needs.

The review of the Adoption of Children Act 1964 will consider the issue of differentiating some children from Queensland as having special needs and whether this continues to be appropriate in the contemporary context. Adoption authorities in some states either call for expressions of interest from the public as needed, as is the case in Western Australia, or accept expressions of interest from people only after they have attended information sessions which are held at intervals determined by the anticipated number of children who will be requiring adoptive placements in the future, as is done in Victoria. Other states accept expressions of interest at any time, but the expressions of interest are not applications to adopt. The adoption authority then invites people who have expressed interest to lodge an application when the authority determines that it is necessary to increase the number of applicants to meet the likely placement needs of children. That is the case in New South Wales and South Australia.

No other state's or territory's adoption legislation requires the adoption authority to have regard to the chronological order of applicants when inviting people who have expressed an interest or applied to adopt a child to be assessed for suitability to adopt a child. This bill brings Queensland's law in this

regard in line with that of other states and territories. However, for a transitional period it does retain chronological order as a determining factor for applicants who are currently on the foreign children's adoption list and will be then automatically transferred to the expression of interest register upon commencement of the amendment act. This provides for a period of adjustment for these current applicants.

In making placement decisions for domestic adoptions, only South Australia's and the Northern Territory's legislation requires some regard to be had to the order in which prospective adoptive parents appear on the register. The emphasis in all other jurisdictions is on placing a child with prospective adoptive parents who are best able to meet the child's needs, and that is not always done by just looking down the list and seeing who is next. The overriding requirement should indeed be to place children who are available for adoption with the best possible parents to meet that child's needs.

I am surprised that the opposition spokesperson, the member for Cunningham, has referred to this amendment bill as anti-adoption, as if the government were planning to remove a right of some sort.

Mr COPELAND: Madam Deputy Speaker, I rise to a point of order. I did not say that the bill was anti-adoption. I said that there were some fears amongst the community that that in fact will be the intent.

Madam DEPUTY SPEAKER (Ms Phillips): There is no point of order.

Mrs REILLY: I accept that that is a concern amongst a number of community members, particularly people who are currently on the adoption list.

I conclude by saying that adoption is not a right; it is a privilege. It is a very special privilege for parents who are able to adopt a child where there are children to be adopted. The truth is that there is no bank of orphans waiting for great parents to come along and adopt them. There is no such exhaustive list of children who are ready to be adopted in Australia. The figures relating to the number of children available for adoption have already been given by the member for Springwood.

We should in fact be rather pleased—I am glad—that we live in a society in which women are no longer forced or shamed into giving up their children for adoption, because they were ashamed to admit that they had enjoyed relations before they were married or because they were afraid of what society, their parents or their peers would think of them. There were so many reasons—financial ruin or the prospect of never being able to have a husband and a 'real' family if they had had a child out of wedlock—in the archaic, dark, dim old days which meant that women had no option but to put up children for adoption.

In the past there were many more Australian children available for adoption by couples, and they adopted for many reasons. They may have been childless or may have wanted to expand their own families and felt that they were providing in some ways a service to society by adopting an orphan, as well as gaining obvious enjoyment and deep satisfaction and providing honest and genuine love to those adoptive children. But we do not live in that kind of society any more. We live in a much better society. The truth is that there are orphans in other countries who are available to be adopted. We should not consider that as an opportunity for those who want to adopt a child to just go out and shop for a child, simply because that is a need they wish to fulfil.

No-one would appreciate the joy and honour of being a parent more than the minister, who is a mother herself, and I have considered this adoption bill in that very same light. She has proceeded with this legislation sensitively, with care and concern and a considerable amount of feeling for those people on waiting lists who would like to be able to adopt. I am in that age group of women where my friends are trying to have a child and many are finding that they are not successful. Many wish that the option of adoption was available to them. However, I do not think that any of them would want to turn back the clock 20 or 30 years where they may find themselves in this situation—that is, in their thirties or early forties finding that they cannot have their own child and thinking, 'It is okay. We can just go and adopt one.' If we asked them if they wanted to go back to those days, they would say no.

The minister, her staff and the department have worked very hard to proceed with this legislation very sensitively and with care and concern for those parents. Ultimately, the overriding care and concern must be given to the children who are available for adoption. If those numbers are very low—that is, in the order of eight or so—and there are over 300 people waiting to adopt them, we have to consider the very best parenting options for those children. With all those considerations in light, I wholeheartedly commend the bill to the House.
