



Speech by

## John-Paul Langbroek

**MEMBER FOR SURFERS PARADISE**

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### **ADOPTION OF CHILDREN AMENDMENT REGULATION (NO. 1) 2007**

**Mr LANGBROEK** (Surfers Paradise—Lib) (9.03 pm): I am pleased to support my coalition colleagues and the member for Currumbin in supporting this motion against the Adoption of Children Amendment Regulation (No. 1) 2007 recently introduced by this government. This subordinate legislation ratifies a new schedule of fees relating to the adoption of children under sections 15, 15A, 16 and 28A of the Adoption of Children Act 1964. The fees listed at schedule 1 of the regulation range from \$60 for application and expression of interest fees up to \$3,500 for assessment fees for parents wishing to adopt overseas children. I note that there is a new postplacement supervision fee introduced for the Intercountry Adoption Program of \$1,500. As other members have pointed out tonight, these amounts add up to \$5,060.

It has been sold here tonight by members opposite as though people wishing to adopt should consider themselves lucky—lucky that they do not live in New South Wales or Western Australia or Victoria, ignoring the fact that these are actually increases of 250 per cent. It is like a *Monty Python* sketch: you should consider yourselves lucky, because if you were in another place you would be a lot worse off. As I understand it, the then minister in 2002, the member for Mount Gravatt, said that these increases would be indexed to CPI increases. Clearly, the government has gone back on those promises.

As the member for Currumbin stated, the new fee schedule represents a 250 per cent price spike for families wanting to adopt children, yet we have members in here spruiking that it is a fair and reasonable increase because it will still be subsidising costs that the government is incurring. In fact, the member for Redcliffe was able to somehow find some sort of redemption because the application fee of \$50 payable by a person seeking identifying information about an adopted person or birth parent will be removed. So on the one hand the government can introduce a \$1,500 fee but take away a \$50 fee! Once again, just like in *Monty Python*, those people should consider themselves lucky!

One in six Australian couples will experience difficulties conceiving a child. Many of them will turn to modern medicine to help them conceive or will turn to adoption. Unfortunately, this regulation makes it harder for families to have children. As we have heard already, these people obviously pay a lot of money, and increasing the fees will mean that eventually, at some stage, some people will find it too hard. Therefore, the regulation will foster an anti-adoption culture in Queensland where couples are discouraged from adopting in Queensland, Australia and overseas.

The decision to adopt has become a big burden on would-be parents. Adopting a child can take up to seven years and cost couples in excess of \$40,000. That is obviously a huge cost for families financially and emotionally. Adopting a child has become such a long and expensive process that many simply give up. Obviously this is heartbreaking for couples, but it means one less family for a child in need of a mum and dad. While it is vital that Queensland maintains a high-quality adoption system, it should not burden couples with unnecessary red tape and expenses. This regulation puts intercountry adoption out of reach for many couples who already find themselves substantially out of pocket trying to complete their family.

Many of my constituents in Surfers Paradise are staunch advocates for adoption, particularly intercountry adoption. John and Kathy Kruger adopted their four-year-old child, Katelin, from China in

2004. The Benowa couple tried for eight years to have a baby before turning to adoption. Once a decision was made, it took nearly four years and more than \$25,000 for them to realise their dream of becoming parents. Now with a happy, healthy young girl, they are doing it all again in the hope that they can give Katelin a little brother or sister. They say the cost and time delay are worth it, but for many families the process is too painful and too costly. John and Kathy contacted me recently, and I put them in contact with the member for Currumbin. They told me that the fee increases for intercountry adoption will have a negative impact on them and other adoptive parents which will have a flow-on effect on children desperately seeking families. I may come back to some of the things that they wrote to me about in their original email, but time may defeat me.

The argument that the cost increase is nominal given the overall cost in adopting a child from overseas does not justify the spike in adoption fees instated by this Labor government. It is an insensitive argument by this government to suggest that couples who want a child badly enough will fork out the extra cost. It smacks of an opportunistic charge that is not justified by concomitant increases in adoption costs for the government. If the increased fees were spent on improving and expediting the process, couples might be willing to shoulder the cost. However, couples are waiting for years to adopt their children. Another Gold Coast family has been waiting to adopt for three years now, and they face another two years on the waiting list before their baby arrives. Clearly the extra money in fees is not being invested in delivering a more user-friendly system. In fact, the regulatory impact statement relating to the subordinate legislation states as much on page 6 of the report, where it states—

The proposed fee increases represent a clear financial benefit to the Queensland Government.

I say to the Minister for Child Safety that adopting parents are not a cash cow for the state government. Although I appreciate that costs must necessarily be raised to meet inflation, the new schedule 1 fees applying to the Adoption of Children Act far exceed the current increases in the CPI. That is why I will not support the Adoption of Children Amendment Regulation.

This subordinate legislation unfairly discriminates against couples wanting to adopt children from overseas countries. I note in section 3 of the schedule that there is a significant discrepancy between the expression of interest and assessment fees for prospective adopters of non-resident or overseas children compared and those that apply for Australian children. To illustrate that point, I refer members to the schedule, which shows that the assessment fee for a child is \$487.30. For non-residents, which the principal regulation defines as a child resident in a country outside the Commonwealth and territories of the Commonwealth—that is, any overseas born child—the same assessment fee costs \$3,500. That is a significant disparity and one that gives weight to the argument that the regulation is discriminatory to prospective adoptive parents of overseas children.

Furthermore, the reality is that the current trends show that the majority of prospective parents will be sluggish with the higher costs associated with overseas adoption by virtue of the fact that there has been a downturn in the number of domestic adoptions—a point mentioned by other speakers tonight. The 16th annual Australian Institute of Health and Welfare *Adoptions Australia* report shows that children born overseas account for about three-quarters of all adoptions in Australia. To put that into perspective, in 2005-06, 576 babies were adopted in Australia, of whom 421 were born overseas. Whilst logistically intercountry adoptions are far more complex than domestic adoptions, it does not justify a 250 per cent increase in costs. As Kathy Kruger aptly put it, 'This increase is morally wrong.'

It takes a special person to open one's home, arms and heart to non-biological children. Unfortunately, as one intercountry adoption advocate stated, there are very few Brad and Angelinas and Madonnas out there. Intercountry adoptions are often a last resort for authorities seeking to give orphan children a home. The Hague Convention on Intercountry Adoption states that transnational adoption may offer the advantage of a permanent family to a child and endorses intercountry adoption as a means of providing children who will not find a family in their own country with a permanent home and a loving family.

By undertaking to adopt one of these children, Queensland families are helping to reduce the number of children who will grow up in orphanages, often of a Third World standard, without the love and support of a family. Rather than supporting prospective parents, the Labor government in Queensland offers people a disincentive to explore the responsibility of international adoption. The roll-on effect of this is that many overseas children waiting to be adopted will never find a family. This is not embellished scaremongering; this is a very real consequence of this regulation, which is why the Queensland coalition refuses to support it.

Children are a virtue of family. For many people, including me, there is no greater joy than watching your children grow up. My first-born daughter will graduate from high school this week and I can tell members that I will be very proud of her at her valedictory dinner on Friday night. Watching my children grow up has been one of the most amazing experiences of my life. I feel sorry for people who are unable to share such an experience. To think that many couples will forgo the wonderful experience of parenthood because of the many barriers, including fee increases put up by this government, is a sad indictment on this government. For the reasons that my coalition colleagues and I have outlined, I will not support the government's legislation, but will support the motion moved by the member for Currumbin.