



Speech by

Hon. Margaret Keech

MEMBER FOR ALBERT

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ADOPTION OF CHILDREN AMENDMENT REGULATION (NO. 1) 2007

Hon. MM KEECH (Albert—ALP) (Minister for Child Safety and Minister for Women) (9.24 pm): I thank all members for their contributions tonight, particularly government members: the members for Kurwongbah, Redcliffe, Gaven and Cook. I thank them for their sensible contributions to the debate this evening. Government members will not be supporting the disallowance motion. We do support the Adoption of Children Amendment Regulation 2007.

This evening's debate has been strong on emotion and that is certainly understandable. When it comes to the adoption of children, all members can share their own personal stories. Every single member in this House has a heart for children, whether it is their own children or the children of adoptive or prospective adoptive parents. Sadly, the opposition's contribution has been very poor when it comes to research, a knowledge of the act and, particularly, an understanding of the Hague Convention and the requirements that countries impose on Queensland and our adoptive parents.

This issue is highly sensitive and highly emotional. I have been very pleased to meet with a range of stakeholders and many of the adoption groups. I have been very impressed indeed with their level of proactive engagement with government and, in particular, the level of support that they provide to parents. Because of the important work that they do in raising these children, the government recognises how generous and loving they are in seeking to open their hearts and their homes to children in need.

This evening the opposition's argument is based on the false premise that the government is cold and heartless in raising these fees. Nothing could be further from the truth. When one considers that the subsidisation of the fees will continue at the very high level of 70 per cent, there is strong evidence of the government's consideration of the expensive processes involved in adoption, and in particular I refer to intercountry adoptions given that there are far fewer local adoptions.

There are two reasons for the low number of local adoptions and the lower fees involved. Local adoptions are roughly divided into two groups. There are step-parents who adopt the child of their partner, and single mothers—they may be backpackers or students—who decide to put their child up for adoption. Given that the Queensland government places a priority on Queensland children, it is not unreasonable to expect that there would be a limitation on fee increases at the local level.

I do not shy away from the fact that there is an increase in intercountry adoption fees. The fees have increased to \$5,063 for a completed adoption process for intercountry adoptions. In 2006-07 the actual cost to the department was \$2.78 million and the revenue gathered was a mere 4.8 per cent of that cost. Increasing the fees to \$5,063 will ensure that we continue to subsidise prospective parents as they undergo intercountry adoptions.

I believe that the argument provided by the opposition this evening has actually missed the point. Prospective adoptive parents, who are very happy indeed with their loving children, raised with me a core issue that is above and beyond that of cost. Certainly cost is an issue. We are all aware of the rising cost of living thanks to the Howard government's oversight of six interest rate increases in a row, and rises in petrol and food prices every single day. Every family is being exposed to higher and higher costs. I

recognise that the additional cost for prospective adoptive parents is something that they need to consider when they are deciding on bringing a new child into their family.

There is an issue that goes beyond cost and it comes from the discussions I have had with the stakeholders, and that is the issue of access to children. We have loving families who really sincerely want to adopt children. They want to do it with all their heart but the challenge and the tragedy, both for the government and for the families, is that we simply cannot get access to countries that are willing to allow their children to be adopted. The restrictions on access for governments make it very difficult indeed. It is a very complex issue requiring involvement from agencies, both nationally and overseas.

The member for Kurwongbah very succinctly expressed the issues involved. We rely on the federal government to negotiate with countries so that we can access their adoption schemes to give Queensland couples more options. I put on record the strong working relationship that we have with the federal government. I always believe, unlike those opposite, in giving credit where credit is due. We do have a good working relationship and I would like to see in years to come a national scheme where instead of the rivalry between states, where states are actually fighting each other to get access to a particular country, we could work together as a country in gaining access to more countries for adoption.

Unfortunately, when the federal government does attempt to negotiate, frequently these negotiations are not successful through no fault of the federal government. Some countries say to Australia a very clear, 'No, thank you. We do not want you coming anywhere near our children.' Recently I had the opportunity to speak to an allied health practitioner who had recently visited Vietnam. She visited a wonderful orphanage run by religious sisters where there are huge numbers of children waiting to be adopted. My question to her was, 'Why can't Queensland families adopt those children in Vietnam?' The simple fact is that they are not a signatory to the Hague Convention and Australia does not have a bilateral agreement. In Australia we have very strong Vietnamese communities and I believe it would be wonderful to be able to welcome those very needy children from the orphanages into our Queensland homes.

The other issue that parents have told me about is the huge waiting times which have increased in overseas countries. In the past the waiting times used to be as short as nine months. Now the average waiting time is between 18 months and two years. This is after the prospective adoptive parents have finalised all their paperwork here in Queensland. For example, in relation to Ethiopia, the file may wait in Australia for up to two years before it can be sent to Ethiopia due to the quota system. This is after it has already been progressed through the Queensland system. The file might then wait in Ethiopia for up to two more years before a placement is made. So a family has to wait four to five years after the file has been approved by Adoption Services Queensland—a very lengthy waiting period indeed.

The other area that members on the opposite side fail to recognise is the strong criteria that needs to be followed by Queensland couples seeking to adopt. For example, in Columbia, because families have to meet the criteria which stipulates they must have a family connection to that country, it is just about impossible for any country to comply. Other countries stipulate that prospective parents must come from a certain religious background or that they must spend a designated amount of time in the child's home country before they will be allowed to adopt.

Costs are one issue, I recognise that, but it is only a very small part of ensuring that a couple's dream of welcoming a new child into their family can be realised. The government is doing its bit, but we have to ensure that we work with the federal government, through the Hague Convention, to attract more countries to work with us.

As I said, we will continue to subsidise the cost of intercountry adoptions to the tune of 70 per cent of the cost of the program. For every intercountry adoption finalised in 2006-07, the department will have spent around \$17,000. The fees have not been considered for more than five years and it was very timely indeed to review the fees. The member for Burnett, in his usual style of presentation, said that couples are going to other states. If they go to New South Wales they will be paying almost double; if they go to South Australia it is \$8,500; and if they go to Victoria and the Northern Territory it is roughly \$6,600. If they are going to other states they will certainly pay a lot more than they will here in Queensland.

It is of concern that there are very few countries indeed that are allowing Queensland couples access to their registers. In fact, the only countries in the last year that we have been successful in having children adopted from is India, the Philippines, China, Ethiopia, South Korea, Taiwan and Thailand. I welcome the opportunity to work more strongly with the federal government—a Rudd Labor government come 24 November—to ensure that we have more countries open to us.

The other important issue is that on receiving the regulatory impact statement and listening to the stakeholders we were able to recognise the unfairness of imposing the proposed \$1,500 postplacement supervision fee retrospectively and I have given an assurance that that will not happen. This postplacement supervision fee requires that for 12 months after the child returns to the parents' home they need to be supervised. Often there are up to four visits. It is a very expensive exercise. In the past, the Queensland government has provided that free of charge. Now it is time to impose a reasonable \$1,500 postplacement supervision fee. However, we will continue to ensure that those couples who are already in

the process are exempted from the fee. This means that 252 couples out of the 843 couples who are currently being progressed through the intercountry adoption process will not be required to pay the \$1,500 at the time that they take custody of their child for adoption.

The hardship provisions were not referred to in the opposition's discussion. Queensland does have a hardship provision and the member for Currumbin only had to read part 6 section 29(1) of the act to inform herself. This hardship provision allows for waiver of fees by the chief executive if she is satisfied that payment of the fee by the person would impose unjustifiable hardship.

The other important issue that was raised by stakeholders, and about which I agree totally, was in relation to the opening and closing of the expressions of interest register. I do not support a register being opened for a very short period of time. The register opened in July 2006 and closed in July 2007. It remained closed until 29 October 2007 and we propose that it remain open for two years. However, I have given a commitment in meetings with the stakeholders that I will consider the merits of a register which remains open permanently. I think this will give prospective adoptive parents a lot more confidence to decide upon their own issues in regard to families and when they may like to consider putting their names down on the register. I did say to the stakeholders that in the review of the adoption act no changes to this provision would be made without full consultation with them.

The other area that the stakeholders raised during the RIS process was the review of fees by the department to the adoption contract workers. I thank the member for Cook for his contribution regarding this issue. These adoption contract workers are qualified social workers and psychologists who carry out the very complex task of assessing the suitability of applicants to be adoptive parents. These fees have not been reviewed since 2002. I have given the stakeholders my commitment that we will consider a review of those fees.

In conclusion, I say that the Adoption of Children Amendment Regulation (No. 1) 2007 sets the fees for adoption at a reasonable and affordable level, given the understanding that it is expensive to raise children and that, in particular, it is very expensive for both the government and the parents who travel to and from a country for overseas adoption. At the same time, we will ensure that the government is absolutely committed to these families by ensuring that we continue the 70 per cent subsidisation of their fees.

In commending the regulation to the House and opposing the motion that the regulation be disallowed, I wish to thank the staff of my department, in particular the staff of Adoption Services Queensland. They do an absolutely amazing job. All the feedback from the stakeholders indicates that they are very pleased with the level of service that Adoption Services Queensland provides to parents. In fact, I will close with a comment from the regulatory impact statement by someone about the excellent work of Adoption Services Queensland—'The service is the best team we have ever experienced.' I fully support this. I oppose the motion that the regulation be disallowed.