



Speech by

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MEMBER FOR KAWANA

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ADOPTION BILL

Mr BLEIJIE (Kawana—LNP) (4.04 pm): I rise to speak to the Adoption Bill 2009. After putting this bill on the backburner or, as the Minister for Child Safety and Minister for Sport called it, in the too-hard basket, this bill is finally before parliament. The drafting of this bill commenced way back in 2002 and is only just now before parliament, some seven years later. But then again, what can I say? Delay is what this government is all about. The Adoption Bill 2009 is being drafted to repeal and replace the Adoption Act 1964 and amends the Births, Deaths and Marriages Registration Act 2003 and the Child Protection Act 1999. The bill provides for the adoption of children in Queensland and provides for access to information about relevant parties to adoptions throughout Queensland. The bill will bring Queensland into alignment with the rest of the country in relation to adoption reform.

This bill has come about as a review of the Adoption Act 1964. The review of this act commenced in 2002. The government sat on the bill for six years and then on 14 July 2008 the Premier and the then minister for child safety announced the government's proposal for significant reform of the Queensland adoption laws through the release of the *Future adoption laws for Queensland: policy paper*. On the same day the Premier and the then minister for child safety also announced that the laws would be reviewed to allow for the unconditional release of identifying information through the *Balancing privacy and access: adoption consultation paper 2008*.

The release of identifying information was not included in the initial review of the act in 2002 and was only released to the public on 14 July 2008 and submissions were allowed for a period of only two months. For such a significant reform of the Queensland adoption laws, especially concerning privacy issues, the government did not allow the public much time to respond to the new proposals. In the minister's second reading speech he said that the government engaged extensively with the community in developing reforms. Two months is not extensive when it comes to the issue of privacy concerning parties to adoption, especially when this government sat on the bill for seven years.

This government brags about and purports to be all about reform but then drags its feet when it comes to the actual process of reform. When significant issues arise the government reacts and then tries to rush things through the parliament without dealing with the real issues. This bill deals with a very delicate topic that requires a great deal of consideration and empathy, but why has the government neglected to introduce this bill for the past seven years? The Minister for Child Safety and Minister for Sport answered this question in his second reading speech when he said—

The Bligh government has taken this issue out of the too-hard basket and is delivering fair laws to those people affected by adoption.

The too-hard basket—that is what the government does with the livelihood of the children of Queensland: it puts it in the too-hard basket. That is called neglect. The Labor government has neglected to bring about reform when it needed to. It has neglected the children of Queensland and put them into the too-hard basket.

This comes right back to this government's DNA: debt, neglect and arrogance. A constituent recently wrote to me expressing his view on the Adoption Bill and put it very simply—

I was further dismayed to read the correspondence ... drafted by bureaucrats who reduce these most important human issues to an administrative process. From this letter it appears it was far easier to retain the status quo than to amend laws which continue to be so morally and ethically indefensible.

The correspondence the constituent refers to is a letter dated 26 April 2002 from Rob Whiddon, the chief of staff at the time of the then Premier and minister for trade, to Ms Arthur, Secretary, Origins Inc., which the shadow minister for child safety and shadow minister for sport tabled in this parliament on 4 August 2009. Instead of dealing with the fraudulent objections, the government tries to sweep them under the carpet and look to reform by putting in place an administrative process. This government is all about sweeping things under the carpet and then appearing to be about reform.

The Adoption Bill will introduce adoption laws that will allow the department of child safety to make an application to the court to remove the consent of birth parents in the adoption process which will allow for the forced adoption of several children who are in long-term foster care. With the high levels of staff turnover and overworked and excessive case loads of our Child Safety staff, the question really must be asked: are the staff of the department of child safety really best positioned to be making such judgements and decisions as to who is a fit and proper parent when the department has minimal early intervention processes to judge whether the parents of children in foster care have been given enough support to correct the situation?

This government should look at prevention at an early age, not merely removal at an early age. The bill provides that this act is to be administered under the principle that the wellbeing and best interests of an adopted child, both through childhood and through the rest of his or her life, are paramount. Once again the Labor government has reacted to the lack of preventive action, and this is another desperate attempt by the Bligh government to implement a bandaid solution by removing children from their homes without the consent of the birth parents, rather than looking at the core issues involved in the need for such harsh situations and solutions. This government needs to look at the wellbeing and the best interests of a child, both through childhood and through the rest of his or her life, and look at preventing any need for removal of a child from his or her home in the first place. However, the Bligh government will probably put that also in the too-hard basket.

In his second reading speech the minister made mention of the government's One Chance at Childhood initiative. This initiative was not mentioned in the bill or the explanatory notes, nor was it mentioned as part of his consultation process. This government is not dedicated to a solution by way of prevention but continues to react and take the easy road of removal. Certainly there is a need for removal in some instances where there is abuse and a real threat to the child's welfare and safety, but we really need to look at the preventive options to try to ensure that does not happen in the first place.

As a community we need to realise that there is a great need for help for families in the area of child welfare and safety, and the government should look to reform its prevention programs. The government has announced that support and counselling will be provided to people who will be affected by any change in the law. This is an admission by the government that the legislation will impact on those parties to adoptions that occurred prior to 1991. As someone said to me, this is like calling the fire brigade before you set the fire. What support will the government provide for those children who were removed from their families as a result of this government's One Chance at Childhood initiative when they grow up? Surely prevention is better than removal. This is a bandaid solution that aims at dealing with the consequences well down the track.

Another deficiency in this bill is that de facto couples who have been in a committed relationship for at least two years will be eligible to adopt, but step-parents face a waiting period of three years after marriage. A step-parent would have courted the birth parent and gotten to know the child prior to marriage and then during the early years of marriage. Clearly this government does not think through things in a practical manner.

It has been stated that the bill represents what is in the best interests of the child. In my personal view, what is in the best interests of the child is to be adopted by a loving married couple. This bill allows de facto couples to adopt after being in a relationship for a period of two years. Statistically, on the comparative stability of marriage and de facto relationships in Australia, the research indicates that marriages are 5.53 times more stable than de facto relationships over a five-year period. I believe that the test to prove de facto relationships is fraught with danger and open to all sorts of loopholes. While the LNP will support the bill, there are several issues that the government simply has not dealt with but rather has put back in the too-hard basket.