




Speech By  
**Joseph Kelly**

**MEMBER FOR GREENSLOPES**

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**ADOPTION AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr KELLY** (Greenslopes—ALP) (10.36 pm): I support the Adoption and Other Legislation Amendment Bill 2016. This bill was triggered by the previous legislation, which required an update. As a state and a nation we have made grave mistakes in the area of adoption which have had significant negative consequences for many people. These negative consequences are well documented and have been the subject of apologies. I was recently privileged to have a visit by Trish Large from the Adoption Loss Adult Support Service, and it reinforced for me the damage that has been done to many people. The life of pain and suffering that Trish has endured was evident, but I was very much inspired by the 48-year fight that Trish has put up for justice—not just for herself but for others—and I would like to thank Trish for sharing her story. It reinforced to me that we must be very careful about adoption legislation to ensure that we do not repeat past mistakes.

This bill does a number of things to improve our current practices and ensure that these mistakes are not repeated: improved access to information; facilitating contact between children and birth parents during an interim adoption order; requiring the Childrens Court to be satisfied that exceptional circumstances exist before including a change to a child's first name in a final adoption order; removing the offence and associated information penalty for breach of a contact statement for adoptions that occurred before June 1991; and requiring a further review after five years. I would like to focus on information sharing, as I think that is particularly important.

One of the ongoing and enduring enjoyable experiences in my life has been learning about my family history and the family history of my wife's family. My parents, sisters, brothers, uncles, aunties, cousins and grandparents have all contributed to this, as did my in-laws and family friends. I have enjoyed watching my own daughters learn about our shared history. Just tonight as we do often we got out of the lifts here on level 5 and saw the beautiful picture of Isla Gorge, and I was able to reconnect them to the history around Taroom.

**An honourable member:** Taroom, yes!

**Mr KELLY:** Absolutely! I take that interjection. That family history gives us a great sense of who we are and a sense of why we are like we are.

**An honourable member** interjected.

**Mr KELLY:** Indeed I am. However, while my family history is reasonably well documented there is a gap in my wife's family's story. One of her grandparents was adopted, and now there is no way of fulfilling that part of the story for our daughters.

I was touched by those submitters who raised similar issues that were much closer to home and much more recent—for example, the tale of the elderly mother who wanted to know about her biological grandfather before she died, purely to know who he was, know what he did with his life and know his nationality, his religion, his illnesses, his pastimes and his enjoyments. That is why the aspects of this bill to improve information sharing are so important and have my full support.

This bill also improves processes for adoption by step-parents. That is sensible and I support it. The bill expands eligibility criteria for people to go on the list to be adoptive parents to same-sex couples, single persons and persons undergoing fertility treatment. Many other speakers have covered these aspects of the bill extensively, but I will say a couple of things. In my personal experience, people undergoing fertility treatment have thought deeply about parenthood. It is also my experience that these people have tried for long periods of time and have tried many different approaches to obtain the opportunity to have children join their family. It seems to me fair and just that we extend this right to this group.

Expansion of eligibility to single people and same-sex couples has dominated the hearings and debate of this bill. I want to stress that it is only one part of this bill, albeit a very important part. The evidence suggests that, when it comes to ensuring the interests of a child are well met, a family's overall functionality is much more important than its form. I want to close by relating a couple of personal experiences to illustrate that.

I have close relatives who have what I guess you would call a blended family—a man and a woman who are not married who have three children. Two of those children are theirs together and one is from a previous relationship. Based on testimony before the committee, they would not necessarily be considered by some who gave testimony to be suitable to be adoptive parents, but I have watched them raise children from birth or accept the responsibility of raising children from a little after birth. These kids are well adjusted, high achieving and extremely fun to be around. I cannot for the life of me see why this couple, if they choose to, would not make excellent adoptive parents.

I also want to talk about another couple in my community: a same-sex couple who have two children. Those children have been at child care and school with my children, and they will probably end up at high school together. I do not have any idea whether their children are adopted or not. I have never thought to ask and I do not think many people in our community have. This family and these kids are just part of our community. They are no better or worse than any other family. They are just trying to get along and be the best possible family. Not only have I never thought to ask; my daughters have never thought to ask. This family is just like every other family in our street. They show up at junior sporting events, they are active in our P&C and they are good fun to be around. They are what I would consider to be excellent and model parents. If they made a decision that they wanted to go on the list to be eligible to adopt, I think they would make excellent adoptive parents.

We must take great care with adoption laws. The total number of children and families involved in adoptions each year is very small. Even if that number is just one, we must get it right. This bill does that and I commend it to the House.