



Speech by

Dr Mark Robinson

MEMBER FOR CLEVELAND

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ADOPTION BILL

Dr ROBINSON (Cleveland—LNP) (4.32 pm): I rise to speak to the Adoption Bill 2009. I note the policy objectives of the legislation are to provide for the adoption of children in Queensland and for access to information about parties to adoptions in Queensland so as to promote the wellbeing and best interests of the adopted children throughout their lives, to support efficient and accountable practice in the delivery of adoption services, and to do so in a way that complies with Australia's obligations under the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

In general terms, I support the objectives of the legislation to provide for the adoption of children in Queensland and for access to information about parties to adoptions in this state. In my view, adoption law needs to be more pliable and workable for Queensland families. Honourable members may recall me speaking about the importance of family in my maiden speech. The family is the building block of society, and strong, loving families are necessary for strong and well-balanced communities.

In my family home each of our treasured children has brought my wife and me immense joy, and we have been able to raise them in a safe, stable, established and caring environment. Other married couples for many and varied reasons may not be able to have a biological child of their own. They should not be denied the opportunity to fulfil their dreams to bring a child into their lives by way of adoption. So I support the general intent of the bill in so much as it achieves these goals.

There are some salient points to be made about adoption in Queensland and Australia. The following are excerpts from the Australian Institute of Health and Welfare's report *Adoptions Australia 2007-08*. Since the early 1970s there has been a 22-fold decrease in the number of adoptions in Australia, from 9,798 to 440 adoptions between 1971-72 and 2007-08. However, the total number of adoptions has remained relatively stable since the mid-1990s at around 400 to 600 children per year.

The overall decline in adoptions can be attributed to a fall in the number of children of Australian origin made available for adoption. In contrast, intercountry adoptions have increased overall in the last 25 years and have emerged as the dominant category of adoptions, representing 61 per cent of adoptions in 2007-08 compared with six per cent in 1982-83. In 2007-08 there were only 440 adoptions in Australia—the lowest number of adoptions recorded since 1969-70 and a 23 per cent decline from the previous year.

It is interesting to note that, of the 440 adoptions in 2000-08, 61 per cent were intercountry, 16 per cent were local and 23 per cent were known-child adoptions. Just over half of all intercountry adoptions were from China, South Korea and the Philippines. Of the children in local and intercountry adoptions, three in five had adoptive parents aged 40 years and over, and just over half were adopted into families with no other children.

The implications of these figures are significant, and I will draw on a couple of points. First, very few Queensland children are offered up for adoption each year. The low number of local adoptions is, in part, due to the government's failure over the last decade or more to make adoption a more attractive and pliable option and alternative to abortion. Secondly, due to the very low numbers of Queensland babies and children being made available for adoption, many childless married couples are waiting many years to adopt. For them, the process for adopting children can be extremely daunting and stressful, with a

mountain of forms to fill in and documentation to be supplied, followed by a long wait by the hopeful potential parents. Many have given up on their preferred option of adopting an Australian or even a Queensland child and have sought an intercountry adoption, yet for others intercountry adoption has been their preference. Some, after exhausting all options, have given up after years of trying. I believe this government is partly to blame for the situation that we find ourselves in today. So I welcome measures in this bill, and I generally support the bill in its intent to address these issues.

I would like to spend my remaining time talking about the issue of adoptive parenting. Much has been said today about this, and I try not to be repetitive. As the wellbeing of the children involved is paramount, it is therefore essential that the adoption process provide an assurance that the child is placed appropriately. The major concern that I have about the bill is that it moves away from the established norm that adoptive parents be married couples. I am concerned about the way that this bill changes the criteria for adoptive parenting from married couples to de facto cohabiting couples in a relationship for two years.

I wish to make a couple of points about this. Firstly, what statistical basis does the government use to make this dramatic change away from timeless conventional wisdom that has served our state for generations? Why is the length of relationship set at a mere two years? What research is there to show that a de facto relationship of two years is a stable enough relationship upon which to base an adoption? I am yet to hear any solid social science research from the government on this matter. Secondly, children are best served when they live in a loving family home with a mother and a father in a married relationship. Social science research attests to the importance of both a father and a mother as role models in the emotional development of healthy children.

Research in Australia has shown that marriages are five times more stable than de facto relationships. This research was done over the five-year period from 2001 to 2006. Further, children are less likely to be abused in a family home that is based on a stable and loving marriage. Child abuse is more prevalent in homes where the adults are not married. These are statistical facts and are very difficult to argue with.

The marriage commitment of a couple to each other still provides the most beneficial foundation for raising a family that includes adopted children. Although the marriage certificate in one sense is just a piece of paper and it does not make a relationship a good one, the enduring commitment that it represents contributes to the stability of the relationship.

So if growing up in a stable family environment is important to the wellbeing of the adopted child then marriage should remain the benchmark in this adoption legislation. As children are better off in a home with loving married parents, how does it then 'promote the wellbeing and best interests of the adopted children for the whole of their lives' if the foundation of marriage is removed from the act? Our children deserve the best opportunity possible for a meaningful life.

Thirdly, I ask this question: is this position discriminating against or stigmatising de facto couples? The short answer to this question, in my view, is no. I accept that some de facto couples have a strong and healthy relationship and that they would make good adoptive parents. However, with the long list of married couples in Queensland who are currently waiting for the chance to adopt a child it seems the wrong time to widen the parenting criteria to include de facto relationships.

Further, the marriage commitment is not really a huge impost on de facto couples. It is not uncommon for de facto couples to migrate their relationship status to married. During the period 2001 to 2006 almost one-third of couples who were de facto in 2001 had married by 2006. They only need to register their relationship as a marriage and exchange vows to be able to apply to be adoptive parents. The public commitment to each other for better or for worse goes some way, I believe, to strengthening a couple's relationship and resolve to make the relationship work through bad times.

However, let me say this: I remain open-minded to the future possibility that if demand for adoption outgrows the availability of married couples, long-term and stable de facto, heterosexual relationships should be considered. I remain open to that.

Fourthly, and finally, the motive for the Labor government's change from married status to de facto for adopting parenting is questionable. The change appears to be without any basis in research and to me it appears to be a potentially dangerous social experiment. Without clear and valid social science reasons for its imposition on Queenslanders, it raises the question about whether it was part of the preference deal done with the Greens who are renowned for their small 'l' liberal social views.

In summary, I oppose the widening of the criteria for parenting to include de facto couples. However, I support the overall intent of the bill to make adoption more pliable and workable for Queenslanders.