



**Legislative Council
Standing Committee on Law and Justice**

ADOPTION BY SAME-SEX COUPLES

The Chair of the Law and Justice Committee, the Hon Christine Robertson MLC, today announced the tabling of the Committee's report into adoption by same-sex couples.

"After careful consideration of the issues, and the various views expressed to the Committee during this inquiry, the Committee has recommended that the *Adoption Act 2000* should be amended to allow same-sex couples to adopt", stated Ms Robertson. "Same-sex parents should be able to be assessed on the same terms as everyone else as to whether they are suitable to adopt a child."

Ms Robertson also stated, "In recognition of religious freedom and the important work undertaken by faith-based adoption agencies, the Committee has also recommended that an exemption from the application of the *Anti-Discrimination Act 1977* be created for faith-based adoption agencies, but that such agencies be required to refer any same-sex couples who seek their services to another agency that will assist them."

"This inquiry encompassed a range of complex issues associated with whether same-sex couples should be able to adopt children, not only 'unknown' infants and children, but also those who are already 'known' to gay and lesbian couples through existing foster care, step-parent and second-parent relationships."

Ms Robertson acknowledged that, "Just as views within the community on this issue are divided, so to were the views of the Committee members. While the Committee was unable to reach a unanimous conclusion, the views of all members are set out in the report. I am pleased to present to the House and to the Government the recommendations of the Committee on this important policy issue."

"This inquiry was challenging as it encompassed not only legal issues concerning the rights of children and those of adults with respect to anti-discrimination, but also moral and belief-based views about the best interests of children and the role of family."

"The Committee has concluded that reform to allow same-sex couples to adopt will help to ensure that the best interests of children are met by our adoption laws. It will do so by enabling legal recognition for existing parent-child relationships, by broadening the pool of applicants from which the most appropriate parents for a child are selected, and by enabling children currently fostered by same-sex couples to have that relationship permanently secured where appropriate. This reform will also address discrimination against same-sex couples and their children, removing one of the final areas of NSW law where discrimination against gay and lesbian people has been allowed to remain."

An electronic copy of the report can be obtained from the Committee's website at www.parliament.nsw.gov.au/lawandjustice. Hard copies are available on request from the Committee Secretariat on 02 9230 3509 or email lawandjustice@parliament.nsw.gov.au.

*For further comment please contact the Hon Christine Robertson MLC,
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