

Submission
No 193

INQUIRY INTO ADOPTION BY SAME SEX COUPLES

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Date received: 13/02/2009

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SUBMISSION

Inquiry into adoption by same sex couples

Thank you for the opportunity to make a submission into this important inquiry.

As in any question of the adoption of children, the welfare of the children must be of paramount importance. Since the legal recognition of same sex relationships is a recent development, it would seem that adoption of children by such couples represents a major social experiment.

For several decades now, our society, like all western societies, has witnessed the increasing incidence of family breakdown. Yet, it has only been in relatively recent years that the negative effects of divorce and separation on children have been recognised. It is now known that many children suffer from a missing father, for example, long into their adulthood. It is also known that children of divorce and separation are more likely to divorce or separate themselves. A major study released in Britain by leading charity, the Children's Society, entitled "*A Good Childhood*" shows that children of separated parents are 50 percent more likely to do poorly at school, be unpopular with other children and suffer from behavioural difficulties, anxiety and depression. This study has called for mothers to have the right to three years away from work after a birth and for 'a radical shift away from the excessively individualistic ethos which now prevails..'

This kind of information was not available when divorce began to be more readily available in Australia.

Now we face a new phenomenon, that of two women or two men in sexual relationships seeking to adopt children. In some cases, no doubt, the children are the biological children of one of the partners in the relationship. That means that the original marriage or de facto heterosexual relationship

has broken down, either by divorce or separation, with all the attendant emotional upheaval that entails, both for the adults as well as the children.

Other researchers argue that "most parents negotiate a divorce settlement, decide on custody arrangements, and go their separate ways. Unfortunately, many of them stay intensely angry with one another." (See *The Unexpected Legacy of Divorce: A 25 Year Landmark Study* by Judith Wallerstein, Julia Lewis and Sandra Blakeslee) For children caught in the crossfire, and deprived of one parent, the effect can be quite devastating and life long. Research shows that children in this situation are best cared for by grandparents or other close relatives.

In his important book, *Fatherless America*, author and researcher David Blankenhorn challenges the ideas that (a) fatherhood is a gender based role; (b) men in general and fathers are part of the problem and (c) social progress depends on a transformation of fatherhood based on gender role convergence. To those who would adopt the Marxist interpretation of the family through the eradication of gender, he answers: "*..fatherlessness is a societal hole..the core irony is...if having a father fosters anger in children, having no father fosters greater anger. If fathers generate tension and ambivalence in children that is hard to resolve fatherlessness generates cynicism and confusion that is much harder to resolve. If paternal authority is problematic abdication of paternal authority is tragic...the consequences of undomesticated masculinity are – mistrust violence and nihilism.*"

To place the child permanently by adoption in the care of one parent and the same sex partner of that parent is to wade out into deep and uncharted waters.

For other same sex partners, their desire for a child may be satisfied through a surrogacy arrangement or IVF treatment. It would be reasonable to expect in such cases, that one partner would still be a biological parent. However, since the same sex relationship is, by its very nature, sterile, the question needs to be asked and answered: whose rights, ie the adults' or the child's, are paramount in this case

A further consideration, before allowing adoption in these cases, must be the stability or otherwise of the same sex relationship. It is known, for example, that co-habiting parents are more likely than married couples to split up. It is also known that many divorces are followed by a series of relationships, often short-lived, as parents struggle with their own hurts, disappointments and emotional baggage.

While it is often claimed that same sex relationships can be as stable as marriages, is there any hard evidence of this? One study in the US some years ago was abandoned because the researchers were unable to find any same sex couples who remained faithful to each other for more than five years. There is anecdotal evidence in Australia that it is the same here. It may very well be that same sex couples may, for mutual convenience, cohabit for many years, but if they are unfaithful to each other during those years,

what effect does that infidelity have on adopted children? These questions need answers. If it means that those children, in adulthood, have to struggle with their emotional upheavals, and have great difficulty in establishing trusting, long lasting relationships themselves, then society needs to pause and reconsider.

Knowing that children do best when living with a mother and a father who are married to each other in a life long commitment, then surely that is the situation we should be seeking for all children and that is where our resources should be directed.

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