

Submission

on the

Adoption and Other Legislation Amendment Bill 2016

to the

Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

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1. Introduction

On 14 September 2016, the Hon Shannon Fentiman, Member for Waterford and Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence introduced the *Adoption and Other Legislation Amendment Bill 2016* into the Queensland Parliament.

FamilyVoice Australia is a national Christian voice – promoting true family values for the benefit of all Australians. Our vision is to see strong families at the heart of a healthy society: where marriage is honoured, human life is respected, families can flourish, Australia’s Christian heritage is valued, and fundamental freedoms are enjoyed.

We work with people from all major Christian denominations. We engage with parliamentarians of all political persuasions and are independent of all political parties. We have full-time FamilyVoice representatives in all states.

Submissions are by 4.00pm, Tuesday 4 October 2016.

2. Terms of reference

The inquiry is to consider the *Adoption and Other Legislation Amendment Bill 2016*.

A key purpose of the Bill is to “expand who is eligible to have their name entered or remain in the expression of interest register for adoption to include same-sex couples, single persons and persons undergoing fertility treatment”.¹

3. Purpose of adoption

The Australian Institute of Health and Welfare (AIHW) provides a good summary of adoption’s functions. It states:

*Adoption is one of several options used to provide permanent care for children unable to live with their families. It is a legal process where rights and responsibilities are transferred from a child’s parents to their adoptive parents. When an adoption order is granted, the legal relationship between the child and their parents is severed. The legal rights of the adopted child become the same as they would be if the child had been born to the adoptive parents.*²

The South Carolina Department of Social Services also provides a definition of the purpose of adoption:

*The primary purpose of adoption service is to help children who would not otherwise have a nurturing family of their own to become members of a family that can give them the care, protection and opportunities essential for their healthy personal growth and development.*³

Aside from meeting the immediate needs of the child, adoption may also serve the needs of relinquishing parents who freely decide that they cannot raise a child, and the needs of well-balanced, healthy and committed couples who wish to raise a child. Importantly, the needs of the relinquishing parents and adopting parents are secondary. The primary concern in adoption is

meeting the best interests of an existing child. The child's needs must be paramount in all adoption policy discussion – a principle which is upheld in the terms of reference.

Recommendation 1

All policy discussion on adoption should be done within the framework of always acting in the best interests of the child. Needs of the parents should be considered only a secondary objective of policy formulation.

4. The best family environment for a child

The *Adoption Act 2009* states that the Act “is to be administered under the principle that the wellbeing and best interests of an adopted child, both through childhood and the rest of his or her life, are paramount.”⁴ Accordingly, an examination of social science data would be helpful to understand what is “best”.

A large body of social science research confirms the near universal belief, across times and cultures, that a married family is the best environment for raising children. Children flourish best on a range of indicators (including educational outcomes, school misbehaviour, smoking, illegal drugs, alcohol consumption, sexual activity and teen pregnancy, illegal activities and psychological outcomes) when they are raised by their biological mother and a father in a publicly committed, lifelong relationship.⁵

Children who are raised by their natural or adoptive married parents are likely to be much healthier than the children of divorced parents or the children of single parents who were never married. Evidence shows that being born into a secure marriage gives the average child great advantages in health, happiness, longevity and career success over children born into less fortunate circumstances.⁶

Divorce and unmarried child-bearing have negative effects on children's physical health and life expectancy.⁷ The health advantages of married homes remain, even after taking socioeconomic status into account.⁸

Since cohabiting couples break up more frequently than married couples divorce, the risks to children of cohabiting parents are greater.⁹ Studies show that children raised in families containing one non-biological parent are many times more likely to be abused than children raised by both biological parents.^{10,11} Australian permanent care abuse data (2009-2010) is consistent with these studies. Correlation of the abuse with family type shows step or blended families have a 570% greater rate of abuse relative to two parent intact families and that single parent families have a 470% greater rate of abuse relative to two parent intact families.¹²

5. Same-sex couples and adoption

5.1. Key issues with same-sex couple adoption

An oft-repeated argument suggests there is no difference when it comes to same-sex and male-female couples raising children. This claim, however, is not supported by the best evidence.

As recently as January 2015, a survey of more than 500 children found significant differences between same-sex parenting and male-female parenting outcomes.¹³

Dr Sotirios Sarantakos, when Associate Professor of Sociology at Charles Sturt University (Wagga Wagga, NSW), undertook several studies on heterosexual and homosexual couples. In 1996 he published a paper, "Children in three contexts", in which he explored the relationship between family environment and behaviour of primary school children living in three family contexts: married heterosexual couples, cohabiting heterosexual couples, and homosexual partners.¹⁴

The major finding of this study was that family type made a significant difference to the children's school achievements. Children in families where their biological parents were married to each other scored best of the three groups in language ability (7.7), mathematics (7.9) and sport (8.9). Children of cohabiting heterosexual couple families generally did next best in these areas (6.8, 7.0 and 8.3), while children of homosexual partners scored lowest (5.5, 5.5, 5.9). In class behaviour more children of homosexual partners were reported to be timid and reserved, unwilling to work in a team or talk about family life and holidays. In general they felt "uncomfortable when having to work with students of a sex different from the parent they lived with". Sex identity was reported by teachers to be a problem area for some children of homosexual families. Sarantakos concludes that "married couples seem to offer the best environment for a child's social and educational development".

Professor George Rekers' evidence as an expert witness has been instrumental in the success of several US court actions defending state laws excluding homosexual adoption or fostering as having a "rational basis". Rekers is Professor of Neuropsychiatry & Behavioral Science at the University of South Carolina School of Medicine.

He gave three reasons for prohibiting homosexually-behaving adults from being licensed as foster or adoptive parents. Rekers' first reason is the unique level of harmful stresses:

*The inherent nature and structure of households with a homosexually-behaving adult **uniquely endangers foster children by exposing them to a substantial level of harmful stresses** that are over and above usual stress levels in heterosexual foster homes...*

*In a household with a homosexually-behaving adult, the foster child would be exposed to additional stress with the impact of the significantly higher rates of psychological disorder (particularly affective disorders such as depression), suicidal ideation, suicide attempt, suicide completion, conduct disorder, and substance abuse in homosexually-behaving adult.*¹⁵

In just one of the dozens of studies cited, Rekers notes a 2002 research report in the *Journal of Gay and Lesbian Social Services*. "A survey of 202 gay or bisexual men in New York City [reported] 'The majority of participants reported substance use, and more than half reported the use of drugs other than alcohol.'"¹⁶ Such a stress is "completely avoidable" by prohibiting same-sex fostering or adoption.¹⁷

Rekers' second reason concerns the stability of homosexual relationships:

*Homosexual partner relationships are **significantly and substantially less stable and more short-lived** on the average compared to a marriage of a man and a woman, thereby inevitably contributing to a substantially higher rate of household transitions in foster homes with a homosexually-behaving adult.*¹⁸

Citing a US National Health and Social Life Survey, Rekers reports homosexually-behaving men had an average of three sexual partners each year – over three times the rate of men who had sexual relations with women. Women who had sexual relations with other women had a rate five times higher than those who had relations with men – two sexual partners each year. "This rate of partner turnover is substantially too unstable to provide the level of continuity of home life needed by foster [or adoptive] children."¹⁹

Notably, the findings were confirmed in a 2003 Netherlands study, a country with the least amount of stigmatisation against unconventional sexual behaviour.²⁰

Rekers' third reason concerns the need for both a male and female role model:

Homosexual foster-parent households lack a daily resident model of either a mother or a father, lack the unique contributions of either a mother or a father to childrearing, and lack a model of a husband/wife relationship which is significantly healthier, substantially more stable socially and psychologically, and is more widely approved compared to homosexual lifestyles.²¹

He argues that parents can often have years of experience and be highly skilled in parenting, but fail in critical areas. A skilled couple who emigrated from Thailand who don't know much English, for example, may not prepare adoptive children for Australian life. A loving, capable married couple who are blind "would likely pose undue disadvantage, stress, and potential inadvertent harm to foster [and adoptive] children". A denial of licence on these grounds is not arbitrary discrimination.

Similarly:

A household with a homosexually-behaving adult may contain one or two parents who are capable of many functions of parenting, but the inherent stresses, harms, relative instability, and disadvantages compared to heterosexual parents, intrinsically associated with the structure of their household justify the denial of a foster license to that home to promote the best interests of the child.²²

Rekers concludes:

The best child adjustment results from living with a married man and woman compared to other family structures. It is clearly in the best interests of foster children [and therefore adopted children] to be placed with exclusively heterosexual married couple foster families because this natural family structure inherently provides unique needed benefits and produces better child adjustment than is generally the case in households with a homosexually behaving adult.²³

Each of Professor Rekers' findings comes from a wide analysis of social science data, combined with his 30 years of clinical experience. His analysis should be read in full.

Similarly, Dale O'Leary in his book *One Man, One Woman* discusses "science, myths and same-sex parenting". He concludes:

As more persons with same-sex attraction [SSA] acquire children, society will increasingly be pressured to ignore the problems caused by same-sex parenting – just as it ignores the problems caused by divorce – and join in the pretence that that having two mommies is just the same as having a mommy and a daddy. But no matter how many people praise "family diversity", children being raised by parents with SSA will always know that it's not the same, and someday they will resent how their needs have been sacrificed for the sake of a social experiment. In a sad irony, the more that cultural elites insist that there is nothing wrong with their situation, the more these children will feel guilty about resenting it, and this guilt will lead them to conclude that there must be something wrong with them.²⁴

5.2. Male same-sex couple adoption

One of the biggest issues in allowing male same-sex couples to adopt a child is that it deprives the child of the care and love of a mother.

Mothers have a distinctive ability to understand infants and children. Mothers also excel in interpreting their children's physical and linguistic cues. Mothers are more responsive to the distinctive cries of infants. They are better able than fathers, for instance, to distinguish between a cry of hunger and a cry of pain from their baby, and better than fathers at detecting the emotions of their children by looking at their faces, postures and gestures. Adolescents report that their mothers know them better than their fathers do.

Furthermore, mothers are better able than fathers to read their children's words, deeds, and appearance to determine their emotional and physical state. This maternal sensitivity to children helps explain why mothers are superior when it comes to nurturing the young, especially infants and toddlers. Because they excel in reading their children, they are better able to provide their children with what they need—from a snack to a hug—when they are in some type of distress.²⁵

A Dean Byrd is Clinical Professor at the University of Utah School of Medicine. He found in the *Journal of Law & Family Studies*:

*The critical contributions of mothers to the healthy development of children have been long recognized. No reputable psychological theory or empirical study that denies the critical importance of mothers in the normal development of children could be found.*²⁶

5.3. Female same-sex couple adoption

Allowing female same-sex couples to adopt a child would deprive a child of the care and love of a father.

Fathers excel when it comes to discipline, play and challenging their children to embrace life's challenges. Typically, fathers engender more fear than mothers in their children because their comparatively greater physical strength and size, along with the pitch and inflection of their voice, telegraph toughness to their children. Engaging in rough physical play with dad teaches children how to deal with aggressive impulses and physical contact without losing control of their emotions. Compared to mothers, fathers are more likely to encourage their children to take up difficult tasks, to seek out novel experiences, and to endure pain and hardship without yielding. Fathers are more likely than mothers to encourage toddlers to engage in novel activities, to interact with strangers, and to be independent. As children enter adolescence, fathers are more likely to introduce children to the worlds of work, sport, and civil society.²⁷

Girls whose fathers left the family early (before age 5) were five times more likely in the US and three times more likely in New Zealand to become pregnant as a teenager compared to girls from traditional families.²⁸

Male adolescents in all types of families without a biological father (mother only, mother and stepfather, and other) were more likely to be incarcerated than teens from two-parent homes, even when demographic information was included in analyses. Youths who had never lived with their father had the highest odds of being arrested.²⁹

5.4. No-difference theory

Another popular theory regarding same-sex parenting claims that there is no notable difference between same-sex parenting and male-female parenting.

A major development in proving that a difference does exist was a study in January 2015 published in the *British Journal of Education, Society and Behavioural Science*. This study is the largest of its

type focusing on the differences in parenting between same-sex and male-female couples. It used a representative sample of 207,007 children, including 512 with same-sex parents from the US National Health Interview Survey.

The study found that emotional problems were over twice as prevalent for children with same-sex parents as for children with opposite-sex parents.³⁰ The paper also opposes a common view that children of same-sex parents are bullied more at school, resulting in emotional distress. As the paper states:

Contrary to the assumption underlying this hypothesis, children with opposite-sex parents are picked on and bullied more than those with same-sex parents.³¹

Problems experienced by children in same-sex families are, therefore, more likely to result from their family context than from external pressures such as social stigmatisation or schoolyard bullying.

The 2015 Sullins study comes after a 2013 *American College of Pediatricians* (ACP) comprehensive review of homosexual parenting research. The ACP's findings on the studies claiming favourable outcomes for homosexual parenting are damning:

Studies that appear to indicate neutral to favorable child outcomes from same-sex parenting have critical design flaws. These include non-longitudinal design, inadequate sample size, biased sample selection, lack of proper controls, failure to account for confounding variables, and perhaps most problematic - all claim to affirm the null hypothesis. Therefore, it is impossible for these studies to provide any support for the alleged safety or potential benefits to children from same-sex parenting.³²

On the other hand, ACP raised a number of concerns. These include a greater likeliness "to experience sexual confusion, engage in risky sexual experimentation, and later adopt a same-sex identity." They continue:

Violence between same-sex partners is two to three times more common than among married heterosexual couples. Same-sex partnerships are significantly more prone to dissolution than heterosexual marriages with the average same-sex relationship lasting only two to three years.

Homosexual men and women are reported to be promiscuous, with serial sex partners, even within what are loosely-termed "committed relationships."

Individuals who practice a homosexual lifestyle are more likely than heterosexuals to experience mental illness, substance abuse, suicidal tendencies and shortened life spans. Although some would claim that these dysfunctions are a result of societal pressures in America, the same dysfunctions exist at inordinately high levels among homosexuals in cultures where the practice is more widely accepted.³³

Professor Rekers' critical review of the studies on homosexual parenting up to 2002 confirms the conclusion of the *American College of Pediatricians*. Rekers found "many of the studies fail to include comparisons with comparable family groups of married and single-parent heterosexual parents". He also found the studies are typically non-random and biased in their selection of subjects and contained numerous other methodological deficiencies. Their findings were substantially overstated and unwarranted scientifically.³⁴

In summary, same-sex couple adoption is not in a child's best interests and should not be permitted. The evidence presented above shows that a child's needs are best served in a two-parent male-female marriage setting.

Recommendation 2

Since evidence shows the best environment for children to be raised is within the stability of a married man and woman relationship, the adoption process should aim (as far as is practicable and reasonable) to place children into the care of such a couple. Consequently, provision for same-sex couples should not be included within the adoption process.

6. Considerations in the event same-sex adoption is permitted

6.1. Exemption required for agencies

In the event of same-sex adoption being legalised, there will be a direct impact on faith-based adoption service providers and associated services. In Victoria, for example, Anglicare and CatholicCare are involved in the provision of adoption and permanent care services.

Examples abound of faith-based service providers in other jurisdictions whose work has been compromised by legal compulsion against their beliefs.

Wesley Mission, for example, was taken to the Equal Opportunity Division of the Administrative Decisions Tribunal (NSW) in 2008 over their refusal to accept a foster parenting application from a homosexual couple.

In its ruling, the Tribunal effectively positioned itself as an authority on religious beliefs. There was no doubt that Wesley Mission had a shared religious belief that precluded accepting a homosexual couple as foster carers. The Tribunal trampled on the religious freedom of Wesley Mission by purporting to know better than the body concerned (a) what its religion was and (b) what its doctrines were.

The Tribunal's findings that (a) the "religion" of the Wesley Mission was "Christianity" and (b) that "Christianity" has no doctrine that "'monogamous heterosexual partnership within marriage' is both the 'norm and ideal'" are extraordinary.³⁵

Thankfully the Tribunal's decision was overturned in 2009 by the NSW Administrative Decisions Tribunal Appeal Panel. The Tribunal was ordered to re-determine the case on the basis that the "religion" of the Wesley Mission was "Wesleyanism".³⁶ When the matter was considered again in 2010 by the NSW Administrative Decisions Tribunal, the complaint was finally dismissed.³⁷

Although common sense ultimately prevailed, Wesley Mission was needlessly put through a great deal of trouble and expense in the process.

The potential for conflict between statutory laws and the beliefs of service providers is obviously far from hypothetical. Indeed, in addition to this case from NSW, examples exist internationally of faith-based service providers facing legal challenges – and, in some cases, outright closure due to their beliefs.

This latter outcome has actually occurred in the United Kingdom. In 2007, the British Labour Government introduced controversial Sexual Orientation Regulations (SORs), which outlawed

discrimination regarding goods and services.³⁸ This caused an immediate issue for faith-based service providers.

Of the 11 Catholic adoption agencies then operating, 10 either closed down or were forced to abandon their religious ethos. The sole remaining agency, CatholicCare in Leeds, then fought long-running legal battles in order to remain open and comply with their beliefs.

The Catholic Church's position on the matter is clear, promoting unconditional support for the traditional family model, built upon the foundation of marriage:

*A man and a woman united in marriage, together with their children, form a family. This institution is prior to any recognition by public authority, which has an obligation to recognize it. It should be considered the normal reference point by which the different forms of family relationship are to be evaluated.*³⁹

Consequently, the Catholic Church considers other forms of family composition – including those involving adopted children – in relation to their proximity to this ideal.

The *Catechism* also states that:

*Spouses who still suffer from infertility after exhausting legitimate medical procedures ... can give expression to their generosity by adopting abandoned children or performing demanding services for others.*⁴⁰

Considered in tandem with the Catholic teaching on homosexuality, it is clear that same-sex couple adoption cannot be supported by any Catholic adoption service or related agency (whether in the UK or Victoria):

*Homosexuality refers to relations between men or between women who experience an exclusive or predominant sexual attraction toward persons of the same sex. It has taken a great variety of forms through the centuries and in different cultures. Its psychological genesis remains largely unexplained. Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, tradition has always declared that "homosexual acts are intrinsically disordered." They are contrary to the natural law. They close the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved.*⁴¹

It is worthy of note that UK service provider closures were followed by a marked decline in the number of adoptions nationally. In 2006 there were roughly 3700 adoptions, 3300 adoptions in 2009, and only 3200 in 2010 – nearly a 14 per cent fall from the 2006 figure.⁴²

Faith-based providers – especially those that already operate in other jurisdictions – might also seek to offer their services in Queensland in the future. It is imperative, therefore, that the beliefs of both current and potential service providers not exclude them from the adoption process.

Recommendation 3

If same-sex adoption is permitted, any legislation should account for faith-based concerns and exempt both current and potential future service providers from placing children with same-sex couples. Legislation should also exempt bodies from being compelled to refer or participate in instances of same-sex adoption.

6.2. Freedom of conscience for individuals

Aside from bodies corporate, there is also the question of individuals involved in the adoption process. As experience has already shown elsewhere, there will be people involved in the adoption process who hold issues of conscience (either faith-based or evidence-based) with regard to same-sex adoption.

Freedom of conscience is an important principle which has already been eroded under some aspects of Victorian law. It would be a further grave injustice to see it removed under a regime for same-sex couple adoption.

The United Kingdom provides a number of case studies which highlight this issue. One such case saw Dr Sheila Matthews, an experienced paediatrician who had worked with parents and children for 18 years, removed from an adoption board by Northamptonshire County Council due to her beliefs.

Dr Matthews had simply asked to abstain from voting on the rare occasions of applications from same-sex couples. Despite this, the Council decided that her views were incompatible with equality legislation and council policies.

A married mother of one, Dr Matthews said concerns were informed not only by her faith, but also by her professional experience:

I don't feel that placing children for adoption with same-sex couples is the best place for them. As a Christian, I don't believe it's an appropriate lifestyle and I don't believe the outcomes for children would be as good as if they were placed with heterosexual couples.⁴³

She also noted the process which had infringed her freedom of conscience:

Professionally and personally I cannot recommend placement in a same-sex household to be in the best interest of a child, despite what politicians may have legislated for...

I don't want to be put in a position of doing something I don't believe in. That is my human right. Instead I have been accused of discrimination.⁴⁴

Supporting Dr Matthews' case, Andrea Minichiello Williams, of the Christian Legal Centre, commented on the negative impact of legal compulsion:

This is a further example of how a well-respected professional who holds conscientious views on sexual practice, informed by Christian faith, is being asked to choose between her faith and her job.

Recent anti-discrimination legislation is having the opposite effect and devout Christians are suffering the consequences.⁴⁵

It is vital that any legalisation of same-sex couple adoption not exclude individuals from the adoption process – or compel them to support decisions that conflict with their conscience or evidence-based views.

Recommendation 4

If same-sex adoption is permitted, any legislation should not discriminate against professionals participating in the adoption process who have conscience or professional issues with same-sex adoption. Likewise, legislation should not compel

such individuals to refer or otherwise participate in a manner contrary to their beliefs or evidence-based professional opinion.

6.3. Input from a relinquishing parent or couple

As a matter of natural justice, regard should be had to the views and desires of a relinquishing parent or couple.

This should be a matter of common sense, but experience in other jurisdictions highlights the need for this issue to be raised.

In 2008, the Brighton and Hove Council (UK) placed a young boy into care after his mother had a mental breakdown, having suffered an abusive marriage. The boy and his mother were Catholic. The latter was attending a faith-based school and was preparing to make his first Communion.

Despite this background, the Council placed the boy into foster care – against the wishes of the mother – with a middle-aged homosexual couple. The boy was to live with them in the hotel they ran. Brighton and Hove Council, incidentally, had one of the highest same-sex couple fostering and adoption rates in Britain at that time.⁴⁶

Speaking to the media, a fellow parishioner spelled out the mother's concerns:

She knows she is unwell and cannot cope with looking after him. All she wants is for him to be raised in a regular family atmosphere, by a man and a woman.

She would prefer a Catholic couple, but if that is not possible, at least a heterosexual one. But social services have given her no choice. She cannot understand how he can be looked after by two men she's never met.

Her belief is that they could encourage him into a lifestyle that is against her religious beliefs.⁴⁷

The primacy of parents in regard to the moral and religious education of their children is stated in the International Covenant on Civil and Political Rights, to which Australia is a signatory:

The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.⁴⁸

Recommendation 5

If same-sex adoption is permitted, the right of parents to determine the religious and moral upbringing of their children should be respected, by giving due weight to the values and beliefs of relinquishing parents, when considering the placement of children.

6.4. No discrimination against potential adoptive parents

In the event that same-sex adoption is legalised, it is important that potential adoptive parents do not suffer adversely for their views.

There are cases overseas of couples being ruled ineligible to parent due to their views on homosexuality and the nature of marriage.

In Britain – in one of numerous such instances – a Christian couple who had cared for 28 children through Somerset County Council was forced to retire early from fostering. Vincent and Pauline Matherick were forced not only to retire before being struck from the register of foster parents, but also to relinquish their 11-year-old foster son to a care unit.⁴⁹

The couple – with 3 children of their own – were both ministers at the non-conformist South Chard Christian Church and Mr Matherick was serving as governor of a primary school.

Speaking publicly, Mr Matherick expressed his concern that, were a child in his care to express an interest in homosexuality, Mr Matherick would be obliged to take him to gay support group meetings:

We have never discriminated against anybody but I cannot promote homosexuality when I believe it is against the word of God. It's terrible that we've been forced into this corner.

They were saying that we had to be prepared to talk about sexuality with 11-year-olds, which I don't think is appropriate anyway, but not only that, to be prepared to explain how gay people date.⁵⁰

David Davies, Conservative MP for Monmouth, added:

It's absolutely horrendous that Christian men and women doing their bit for the community are being discriminated against because of their beliefs. I'm quite certain that social services would never dare to ask a member of any other established religion to agree to such a stance on homosexuality.⁵¹

Recommendation 6

If same-sex adoption is permitted, current and potential parents should not suffer any adverse discrimination as a result of their faith or their support for the traditional family unit based on marriage.

7. Single person adoption

As shown in section 4, the evidence clearly shows that a child does best when raised by a male-female parent relationship. However, there may be extraordinary cases where the best interests of a child are served by an adoption order being made out for one person who already has, by family or friendship, a close relationship with the child.

A single person should only be granted an adoption order for a child if the Court is satisfied that there are special circumstances justifying the making of the order. Special circumstances may include, but not be limited to, tragic circumstances such as the child becoming an orphan due to an accident. In this case a single family member who has had a close relationship with the child may be best placed to care and provide for the child.

Recommendation 7

Single person adoption should be permitted in extraordinary cases. Such cases should be restricted to instances where a child has an existing relationship with a potential adoptive parent.

8. Conclusion

The interests of the child are best served by an adoption process that considers the stable family unit – based on a married male-female couple – as the ideal.

If same-sex couples acquire the right to adopt through legislative change, it should not oblige agencies to perform such adoptions.

Neither should individuals be compelled to assist in cases in conflict with their faith or conscience.

The views and beliefs of relinquishing and potential adoptive parents must also be given due weight during the adoptive process.

9. Endnotes

¹ <https://www.parliament.qld.gov.au/work-of-committees/committees/HCDSDVFVPC/inquiries/current-inquiries/AdoptionandOLAB2016>

² Australian Institute of Health and Welfare, "Adoptions Australia 2013-2014", Child Welfare Series No. 60, 2014, <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129549876> (accessed 27 February 2015).

³ South Carolina Department of Social Services, "Adoption", What is the purpose of this service?, n.d., <https://dss.sc.gov/content/customers/adoptions/index.aspx> (accessed 27 February 2015).

⁴ *Adoption Act 2009*, s 6.

⁵ B Schneider, A Atteberry, & A Owens, *Family Matters: Family Structure and Child Outcomes*, Birmingham, Alabama Policy Institute, June 2005.

⁶ L Waite & M Gallagher, *The Case for Marriage*, New York, Doubleday, 2001.

⁷ R Angel & J Worobey, "Single Motherhood and Children's Health", *Journal of Health and Social Behavior*, 1988, vol 29, pp 38-52, <http://www.jstor.org/discover/10.2307/2137179?uid=3737536&uid=2&uid=4&sid=21103811413887> (accessed 3 March 2015).

⁸ J Mauldon, "The Effects of Marital Disruption on Children's Health", *Demography*, 1990, vol 27, pp 431-446.

⁹ D Fergusson, "Family Formation, Dissolution and Reformation", in *Proceedings of the SSRFC Symposium: New Zealand Families in the Eighties and Nineties*, Canterbury University, New Zealand, 1987, no 20, pp 15-30.

¹⁰ DEH Russell, "The Prevalence and Seriousness of Incestuous Abuse: Stepfathers vs. Biological Fathers", *Child Abuse and Neglect*, 1984, vol 8, pp 15-22.

¹¹ J Wallerstein, "The Long-Term Effects of Divorce on Children: A Review", *Journal of the American Academy of Child and Adolescent Psychiatry*, 3 May 1991, no 3, pp 358-359.

¹² FamilyVoice Australia, "Submission on Out of Home Care to the Senate Community Affairs References Committee", 31 Oct 2014, submission 37, p 4, <http://www.aph.gov.au/DocumentStore.ashx?id=a39da4d4-69db-47d6-97e9-bdb5c7b0c4f6&subId=301308>

¹³ DP Sullins, "Emotional Problems among Children with Same-Sex Parents: Difference by Definition", *British Journal of Education, Society and Behavioural Science*, 2015, vol 7, no 2, pp 99-120, <http://ssrn.com/abstract=2500537> or <http://dx.doi.org/10.2139/ssrn.2500537> (accessed 12 March 2015).

¹⁴ S Sarantakos, "Children in three contexts", *Children Australia*, 1996, vol 21, no 3.

¹⁵ G Rekers, "Review Of Research On Homosexual Parenting, Adoption, And Foster Parenting", 2004, p 2, http://www.bioeticaweb.com/wp-content/uploads/2014/07/rekers_adoption_gay.pdf, (accessed 5 March 2015).

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¹⁷ G Rekers, 2004, p 4.

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