

MEDIA RELEASE



UNIVERSITY
OF TASMANIA

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ATTENTION: Chiefs of Staff, News Editors ...

TASMANIA LAW REFORM INSTITUTE

Adoption by same sex couples

Tasmania Law Reform Institute releases its fourth issues paper

The issues paper invites responses from any person or group to the matters discussed in the paper.

The paper examines the current law and practice relating to adoption generally and specifically in relation to adoption by same sex couples. National and international developments in this area are discussed. Of particular note, last year Western Australia amended its *Adoption Act* to allow lesbian and gay couples to adopt. Such adoptions are also permitted in the UK and the Netherlands and by a number of US states and Canadian provinces.

Evidence is examined which indicates that lesbian and gay men are just as capable and suitable parents as other men and women. The Family Court of Australia has also repeatedly held that sexual orientation is not in itself a criterion that negatively affects the quality of parenting. Furthermore, studies are discussed which have found that children raised by lesbian and gay couples are not affected developmentally – nor are they more likely to be sexually abused or to grow up to be lesbian or gay themselves.

Three options for reform are considered by the paper:

1. Allowing same sex couples to adopt in all circumstances; or
2. Allowing same sex couples to adopt only in circumstances of ‘known’ child adoptions (such as their partners’ child from a former relationship or donor insemination);
3. Change the qualifications for adopting couples by extending the length of the relationship for eligibility (which is currently 3 years).

The Attorney requested that the Institute undertake this law reform project in November 2002.

Responses should be made in writing to the Institute by 10 March 2003.

The issues paper can be downloaded from the Institute's web page at:

<http://www.law.utas.edu.au/reform/>

or a copy of the issues paper can be sent to any group or person, contact:

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BACKGROUND: Information on the Tasmania Law Reform Institute

The Tasmania Law Reform Institute was established on 23 July 2001 by agreement between the Government of the State of Tasmania, the University of Tasmania and The Law Society of Tasmania. The creation of the Institute was part of a Partnership Agreement between the University and the State Government signed in 2000.

The Institute is based at the Sandy Bay campus of the University of Tasmania within the Law Faculty. The Institute undertakes law reform work and research on topics proposed by the Government, the community, the University and the Institute itself.

The Institute's Director is Professor Kate Warner of the University of Tasmania. The members of the Board of the Institute are Professor Kate Warner (Chair), Professor Don Chalmers (Dean of the Faculty of Law at the University of Tasmania), The Honourable Justice AM Blow OAM (appointed by the Honourable Chief Justice of Tasmania), Paul Turner (appointed by the Attorney-General), Phillip Jackson (appointed by the Law Society) and Terese Henning (appointed by the Council of the University).

ENDS...

FURTHER INFORMATION/INTERVIEWS:

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