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“I’m not in favour of gay couples seeking to adopt children because I question whether that is the right start in life. We should not see children as trophies.

Children in my judgement, and I think it’s the judgement of almost everyone including single parents, are best brought up where you have two natural parents in a stable relationship. There’s no question about that. What we know from the evidence is that, generally speaking, that stability is more likely to occur where the parents are married than where they are not.”¹

The Rt Hon Jack Straw MP, on the *Today* programme, 4 November 1998

In 1995 Essex Social Services rejected a request to adopt a child from millionaire homosexual businessmen Barrie Drewitt and Tony Barlow.²

Four years later in December 1999 a surrogate mother bore twins for the same two men who had paid £200,000 to a Los Angeles gay surrogate agency. Both men had provided sperm used to fertilise donor eggs in a laboratory. The embryos were then implanted in the surrogate mother’s womb. It is a biological fact that a child can only have one father, but a US court decided that the twins each had two fathers. This was despite the fact that DNA testing had revealed which was the true father of each twin. The birth certificates were amended accordingly.

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The Bishop of Southwark responded by saying:

“It’s adults designing children for the benefit of adults. We are producing a generation of children mixed up and insecure, not because they are wanting for nothing in a material sense, but because they are totally confused about their identity, because family life is in turmoil.”³

According to press reports, the millionaire gay couple now plan to have yet another child.⁴

When Jack Straw, the then Home Secretary, was asked on the *Today* programme whether he was in favour of gay adoption, he said he was not because “we should not see children as trophies”. He argued that children are not trophies. They are not to be ‘awarded’ to homosexual couples merely to enhance the status of homosexuality.

Some homosexuals – male and female – may genuinely want children. But this desire, however strongly felt, does not constitute a right to have children. The desires of adults must not determine the decisions made about placing children for adoption.

More positively, Jack Straw argued that the best interests of children demand a mother and a father in a stable relationship. This is most likely to occur in marriage.

The best interests of children

Until very recently the general assumption has been that marriage is the ideal environment for raising children. So children awaiting placement for adoption, just as much as other children, deserve the best, the ideal: to be brought up by a married couple.

Under UK law only married couples or single people can adopt children. Whilst adoption by single people is not the norm, it can have a place particularly when a child has been abused or suffered disruption from multiple foster placements.

Adoption by homosexual couples remains illegal. But social services and the courts are using the vehicle of single person adoption to get round the law. Children have been placed for adoption with a single person, in the full knowledge that that person is cohabiting with someone of the same sex.

Gay rights groups and sympathetic researchers claim that the best interests of the child may mean placing the child with homosexuals. For example: “[T]he evidence to date suggests that home environments provided by gay and lesbian parents are as likely as those provided by heterosexual parents to support and to enable children’s psychosocial growth.”⁵

In 1999 this view found support from Dame Butler-Sloss, President of the Family Division of the High Court.⁶ But as long ago as 1991, British Agencies for Adoption and Fostering (BAAF) made clear their support for adoption by homosexuals.⁷

Today several social services departments in England are actively recruiting homosexuals to adopt and foster children.⁸ Indeed, support for homosexual adoption is now unquestioned in social work orthodoxy.

A radical change from current practice

Support for homosexual adoption may be unquestioned within social work, but such placements seem to be rare in practice.

Every year around 4,000 children are adopted. Most of these are adoptions of children who are looked after by a local authority. In 2000/2001 there were 3,100 adoptions of children from care.⁹

The evidence is that the overwhelming majority of adoption placements from care are still with married couples. In a recent study published by BAAF using 1998/99 data from 80 per cent of local authorities it was found that 95 per cent of children were placed with married parents, with five per cent placed with single parents.¹⁰

When the Government announced its plans to review the adoption

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law, official sources downplayed claims that the new Adoption Bill would make it easier for homosexuals to adopt. Subsequent newspaper reports on the announcement quoted a 1998 study which found that only three adoptions in that year were by homosexuals.¹¹

Although adoption by homosexual couples may be rare, fostering by homosexuals is more common.

Official statistics show that for all the high public profile surrounding gay rights, there are remarkably few homosexual couples. The Labour Force Survey of autumn 1999 reported that 0.2 per cent of households in Great Britain are composed of people who consider themselves to be a 'same-sex couple'.¹²

Moreover though homosexual adoption is not particularly questioned within social work, it certainly is outside. Even those who are liberal on gay rights balk at the prospect of adoption by homosexuals. There is a deep unease amongst the public.

British Social Attitudes last asked the public their views on homosexual adoption in 1993. They found that 74 per cent of the public oppose adoption by lesbians and 84 per cent oppose adoption by male homosexuals.¹³

Whatever the level of public disapproval or the actual number of homosexual adoptions which take place every year, one thing is clear: Homosexual adoption and fostering represents a massive change in public policy.

Homosexual adoption profoundly challenges the globally held assumption that children need a mother *and* a father. As Patricia Morgan points out: "If the development of children born into lesbian mother homes is demonstrably normal, then this challenges the need for fathers, and questions whether a male and female parent are at all necessary or desirable for children's development." In the same way adoption by male homosexuals challenges the need for mothers.

The Judaeo-Christian ethic

Homosexual adoption is radically opposed to the Judaeo-Christian family ethic which views marriage as the only right context for sexual relations and the procreation of children.¹⁴

The Genesis account states “For this reason a man shall leave his father and mother and be united to his wife, and they will become one flesh.”¹⁵ Parenthood is male and female. Children need male and female role models. The fifth of the Ten Commandments enshrines this.¹⁶

In Christian understanding, children are not possessions but a gift from God. There is no ‘right’ to have children. To “Be fruitful and multiply”¹⁷ is the normal expectation of marriage, though it is recognised that not all married couples can have children.

Having children is one of the three purposes of marriage universally recognised by all Christian Churches.¹⁸

Procreation is tied to marriage. Children are not to be spawned in random relations, but begotten in arrangements in which their parents are bound to their offspring by the ties of law as well as nature.¹⁹ The intention is for parents to be as committed to the nurture of their children as they are committed to each other as husband and wife.

The Western legal tradition

Adoption is not a modern idea. Historically where adoption has been codified in law it has usually been for the purposes of the adopter, not the adoptee. No doubt in practice many less formal arrangements were made. In Graeco-Roman times adoption law was related to the need for a male heir. Adoption also occurred in Babylonian, Hindu, Egyptian and Chinese cultures. Elizabeth Cole and Kathryn Donley conclude that in early history:

“...the primary purpose of adoption was to serve adult interests rather than child interests. If a child benefited it was a secondary gain. Certainly the concept of the ‘best interests of the child’ was not paramount, if indeed it

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was given any weight at all. Most European countries, with the exception of England, built their law upon the Roman and later Napoleonic codes.”²⁰

The issue of inheritance still dominated in the Napoleonic law which included the requirement that the adopter be aged over 50 and be sterile.

In England inheritance was a secondary consideration. The issue of inheritance was addressed in the 1926 Adoption of Children Act and subsequently in the 1969 Act.²¹ It was only addressed because it was for the benefit of the adoptee, not because of the issue of continuing the family line. In the USA the legal tradition followed the practice in England²² which was not based on the formal Graeco-Roman model of adoption.

Prior to the 1926 Act adoptions were informally carried out between families. As Brenda Hoggett (now Lady Justice Hale) states :

“There was no regulation of adoption placement and the adoption order did little more than give legal sanction to the de facto transfer which had already been agreed. The court’s role was limited to checking that the birth parents had indeed agreed and that the child’s welfare did not suffer.”²³

In the debates leading up to the 1926 Act many of the Christian voluntary agencies were cautious about more state involvement in adoption. The adoption of babies dominated adoption until the 1970s.

The role of Christian agencies in adoption and fostering remained strong until local authorities were *required*, rather than just permitted, to establish adoption services in 1975.²⁴ In tandem with this fewer babies were given up for adoption as single parenthood become more socially acceptable and abortion more widely available.

As Stephen Cretney points out

“Traditionally adoption services were provided by voluntary agencies – often with a religious inspiration – but the Children Act 1975 imposed on every local authority a duty to establish and maintain a comprehensive adoption service...”²⁵

“Until 1982 there was nothing to stop private individuals (such as doctors or the matrons of maternity homes) from arranging adoption placements; but it is now a criminal offence for anyone other than an adoption agency to make arrangements for the adoption of a child or to place a child for adoption.”²⁶

Today adoption agencies are deemed in the legislation to be either a local authority or a Government approved adoption society. All adoptions except those by relatives must go through an adoption agency.

The Christian stake in adoption and fostering

Christian involvement in adoption and fostering is rooted in some central Christian beliefs. Adoption is a theological concept central to the Bible.²⁷ The Apostle Paul would have been well aware of Roman Adoption Law with its primary function to guard the line of inheritance. In deliberate contrast to this Paul argues that all Christian believers, male *and female*, are adopted as sons into God’s family.²⁸ Believers so adopted have the full rights as sons.²⁹ Paul taught that this adoption is made possible only by Christ’s sacrifice of himself on the cross in our place, as the substitute for our sins. As Christ said: “Greater love hath no man than this, that a man lay down his life for his friends”.³⁰

Christians are to show this same love towards their neighbours because they themselves are beneficiaries of God’s love in being adopted as sons. This is a very strong motivation to care for children in need, particularly for those who have no parents.

The New Testament commends caring for orphans and widows as “pure and faultless” religion.³¹ In the 18th and 19th centuries Christians set up many orphanages. The diaries of the itinerant evangelists John Wesley and George Whitefield are peppered with references to the setting up and maintenance of orphanages.

Commenting on efforts in the nineteenth century to help the destitute, John Stroud made the following observation:

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“Today, we are so used to calling upon the government to deal with this or that problem that it is surprising to realise that for a large part of Victoria’s reign, nearly half of it, there was strong opposition to Government ‘interference’ with any part of social life. Nor did action come from the churches, as organised bodies. Action came first from individuals, usually members of the churches, usually members of the evangelical wings.”³²

The most prominent such individual was Dr. Barnardo. Although he is best known for his children’s homes, it is less well known that he enthusiastically set up what were known as ‘boarding-out’ schemes. These pioneered the shift away from residential child care. The ‘boarded-out’ children were placed with carefully chosen foster parents and they stayed with that family until leaving home for work or to get married, just as the natural children of the family.³³ As Dr. Barnardo said in 1904:

“Still, although our families [children’s homes] are so good... there is something better – boarding-out, because it gives them the natural instead of the artificial, and then it gives the family instead of the institution. ‘He setteth the solitary in families,’ [Psalm 68:6] and we cannot do better than imitate the Divine order and let every child who can be brought up in a family be so brought up, and give it family life, and family love...”³⁴

Christian agencies back homosexual adoption

Even today most of the large charities involved with adoption and fostering have Christian roots. This is the case with Barnardo’s, the Children’s Society and NCH Action for Children whose respective theological roots are evangelical, Church of England and Methodist.

Despite this all of these Christian charities now embrace homosexual adoption.

In 1994 Barnardo’s changed their trust deed so that the requirement for children to be brought up only in the Protestant faith in accordance with the Bible was replaced by a weaker wording.³⁵

NCH Action for Children was founded in 1869 by a Methodist Minister. The organisation now states “Both our Methodist roots and over 130 years of work inform our values as a charity. We are committed to equality and diversity, to social justice and to helping every child and young person to reach their unique potential”.³⁶

In 1993 the Methodist Conference passed contradictory motions affirming Church teaching that sex was only for marriage, but also affirming the ministry of lesbians and gay men within the Church.³⁷

Barnardo’s and NCH had both accepted homosexual adoption by 1990.³⁸ At that time the Children’s Society maintained that homosexual adoption was inconsistent with its Christian trust deed.

The policy changed in 1999 without the agreement of the Charity’s Patrons, the Archbishops of Canterbury and York, and despite the fact that the society only placed 16 children a year for adoption or fostering. The Society even cited the 1998 Lambeth Conference resolution in support of their action. But whilst it is true that the resolution affirms that all are “loved by God” whatever their sexuality, the resolution also affirms that:

- Homosexual practice is incompatible with the Bible;
- Christians can experience same-sex attraction and that the Church should seek sensitively to minister to such people;
- For those not called to marriage sexual abstinence is the right course; and that same-sex unions are to be rejected.

Only the evangelical and the large Roman Catholic agencies now resist homosexual fostering and adoption.

Secular values and social work

If the Christian adoption agencies have been pushed into political correctness, even more so have social work departments. Adoption itself has been stigmatised.

It is now widely accepted that over “the past 20 years or so, there has

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been a negative culture in social work in relation to adoption...”.³⁹ The Prime Minister himself has argued that “too often in the past adoption has been seen as a last resort”.⁴⁰

It is a hopeful sign that the Government acknowledges that the care system has not been a good parent to the children for whom it has been providing substitute care.⁴¹ Under six per cent of looked after children were adopted in 2000/2001.⁴² This figure is lamentably low.

It is ironic that though social workers may strongly disagree about the value of adoption, they are completely united on the ‘right’ of homosexual couples to be able to adopt children. Fortunately such secular political correctness has not as yet been fully put into practice. When it comes to adoption the overwhelming majority of placements are with married couples.

Things may not stay this way if influential people within adoption and fostering achieve their goal of giving unmarried couples the right to adopt. In BAAF’s own study of adoption placements 95 per cent of the children were placed with married couples. Despite this BAAF argue that “in the light of the major alteration in patterns of family life in the UK since the 1960s” it is time to reconsider the legal ban on unmarried couples jointly adopting.⁴³

In the present *Adoption and Children Bill* BAAF are lobbying for homosexual couples “in a stable union” to be able to adopt.⁴⁴ They argue that assessment for adoption placements must focus on the “strength and stability of the relationship between the two adults as a critical factor...”.⁴⁵

Susanna Cheal, Chief Executive of the charity *Who Cares? Trust*, puts it another way: “It does not really matter what the configuration of people is. It is the quality of the relationship with the prospective parents that matters.”⁴⁶ To assert that “It does not really matter what the configuration of people is” is a claim of colossal proportions.

As Patricia Morgan points out

“This amounts to more than a matter of simple tolerating ‘diversity’, since human history, anthropology and, above all, biology, provide us with no precedents for a ‘family’ with two men or two women at its nucleus. To avoid discrimination, the law must now undo handicaps present in nature...”

The ‘pick and mix family’ where any configuration of adults will do is also a flagrant rejection of the very Judaeo-Christian beliefs which pioneered adoption and fostering in the UK.

Children as trophies?

Social work’s stated concern is to act in the best interests of the child. Most concerned with adoption placements would admit that ultimately that question should be decided by the evidence.

To go against the evidence would be to make children the subject of their adopter’s interests and not their own. They could indeed become ‘trophies’.

Patricia Morgan has looked at the evidence in meticulous detail. She has produced what is the most comprehensive review of research on same-sex parenting ever published in Europe.

The evidence is very clear for any who wish to consider it.

Colin Hart
Director, The Christian Institute
December 2001

Endnotes:

- ¹ *The Independent*, 5 November 1998; *The Herald*, 5 November 1998
- ² *The Daily Telegraph*, 28 October 1999
- ³ *Reuters News Service*, 28 October 1999
- ⁴ E.g.: *Daily Telegraph*, 1 June 2000
- ⁵ Patterson, C J and Redding, R E, 'Lesbian and Gay Families with Children: Implications of Social Science Research for Policy', *Journal of Social Issues*, 52(3), 1996, page 43
- ⁶ *The Independent*, 16 October 1999
- ⁷ See *BAAF Adoption and Fostering News*, January/February 1991
- ⁸ Newham Social Services advertised for fosterers in *The Pink Paper* 5 October 2001. In April 2000 Newcastle Social Services placed an advertisement for potential gay adopters in the gay section of a regional magazine; Rotherham Social Services advertised for potential homosexual foster parents: see *The Daily Telegraph* 21 September 1996
- ⁹ House of Commons, Hansard, 6 November 2001, col. 230 wa
- ¹⁰ *Surveying Adoption : A comprehensive analysis of local authority adoptions 1998/1999*, BAAF, 2000
- ¹¹ *The Sunday Times*, 23 April 2000; *The Express*, 24 April 2000; *The Mirror*, 24 April 2000
- ¹² House of Commons, Hansard, 11 May 2000, col. 471 wa (Cohabiting with same-sex refers to same sex couples and not siblings or platonic friends)
- ¹³ Jowell, R et al, *British Social Attitudes (The 11th Report)*, Dartmouth Publishing, 1994, page 196
- ¹⁴ See Leviticus 18:22; Romans 1:26-27; Matthew 5:27-28; 1 Corinthians 6:9
- ¹⁵ Genesis 2:24 (NIV)
- ¹⁶ Exodus 20:12
- ¹⁷ Genesis 1:28 (AV)
- ¹⁸ The others being the mutual society, help and comfort of man and wife and as a remedy against sin.
- ¹⁹ Arkes, H, 'Homosexuality and the Law' in Wolfe, C (Ed.) *Homosexuality and American Public Life*, Spence, 1999, page 177
- ²⁰ Cole, E and Donley, K S, 'History, Values and Placement Policy Issues in Adoption' in Brodzinsky, D M and Schechter, M D (Eds.) *The Psychology of Adoption*, Oxford University Press, 1990, page 274
- ²¹ *Ibid*, pages 274-275

²² *Ibid*, page 274

²³ Hoggett, B, 'Adoption Law: an Overview' in Bean, P (Ed.) *Adoption- Essays in Social Policy, Law and Sociology*, Tavistock Publications, 1984, page 132

²⁴ Holman B, *The Corporate Parent- Manchester Children's Department 1948-1971*, National Institute for Social Work, 1996, pages 11, 12, 96. The 1948 Children Act established children's departments in every local authority. Their essential role was not as a provider of adoption services, but to monitor the child's welfare between being placed initially with his prospective adoptive parents and an adoption order being made by the court. The departments performed this role with a fairly light touch. In addition, the courts often appointed the Children's Officer as the guardian ad litem (independent supervisor) who would assess the suitability of the adoption and provide a court report before the adoption order was made.

²⁵ Cretney, S, *Elements of Family Law*, Sweet & Maxwell, 1992, page 230

²⁶ *Ibid*, page 233

²⁷ In the Old Testament there was no provision for adoption to continue the family line. Other means were provided, including the duty on a man to take his brother's widow as his own wife where his brother had died childless. See Deuteronomy 25 and Lyall, F, 'Roman Law in the Writings of Paul – Adoption', *Journal of Biblical Literature*, 88, 1969, page 459

The concept of adoption is present in the Old Testament in two ways. First Israel is adopted as God's first born. (Isaiah 1:2, Jeremiah 3:19, Hosea 11:1). The prophets later made clear that Israel was God's first born. Second, the Jewish people understood that God adopted King David's line as anointed Royal sons and heirs. So strong is this adoption that Psalm 2 speaks of David being "begotten".

²⁸ All believers – male and female – are sons of God. There is neither Jew nor Greek, slave nor free, male nor female. All are heirs according to promise. See Galatians 3:26-29

²⁹ The crucial distinction between Roman law and the Judeo-Christian tradition is central to the Apostle Paul's theological arguments. In the Jewish custom adoption meant conferring the benefits of the family on the adoptee. The enjoyment of the rights began immediately. The adoptee was treated as a son, not a slave. In the same way Christian believers are adopted by God with the "full rights as sons". In the Passover the first born son of every Egyptian family died, but the households of the Israelites were spared from

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death by the blood of the lamb. The whole of Israel was God's first born son (Exodus 4:22). The New Testament makes clear that Christ was the lamb of God (John 1:36, 1 Corinthians 5:7, Revelation chapters 14-21). Christ's sacrifice of himself on the cross is compared by Paul to be like redeeming someone from slavery to sonship. See Galatians 4:5. The same word for adoption – *huiothesia* – is also used in Ephesians 1:5 and Romans 8:23. So strong is this adopted bond that Galatians 4:6 teaches that Christian believers cry out in their hearts "Abba", the Aramaic word for "Daddy".

³⁰ John 15:13 (AV)

³¹ James 1:27 (NIV)

³² Stroud, J, *Thirteen Penny Stamps, The Story of the Church of England Children's Society (Waifs and Strays) from 1881 to the 1970s*, Hodder and Stoughton, 1971, page 8

³³ Mrs. Barnardo and Marchant, J, *The Memoirs of the late Dr. Barnardo*, Hodder and Stoughton, 1907, page 185-203

³⁴ *Ibid*, page 196

³⁵ Oakes, G, *Christianity and Barnardos, Memorandum & Articles of Association* (private paper). The original requirement that children "be brought up...only in the Protestant faith according to the text and doctrine of the Holy Scriptures..." by 1994 had become "[the] promotion among children and young people of the knowledge of the Christian faith or the faith in which they were brought up...having regard to (the Association's) Protestant history and its Christian inspiration..."

³⁶ See <http://www.nch.org.uk/aboutnch/index.asp?filename=\flatfiles\aboutnch/methodist.html> as at 25 November 2001

³⁷ See *The Guardian*, 30 June 1993

³⁸ Letter from the Director of operations of the NCH to The Christian Institute, 5 November 1990; Letter from the Director of Child Care of Barnardo's to The Christian Institute, 30 October 1990

³⁹ House of Commons, Hansard, Adoption and Children Bill Special Standing Committee, Third Sitting, 21 November 2001 (morning), col. 133

⁴⁰ *The Guardian*, 8 July 2000

⁴¹ House of Commons, Hansard, Adoption and Children Bill Special Standing Committee, Third Sitting, 21 November 2001 (morning), col. 130

⁴² House of Commons, Hansard, 6 November 2001, col. 230 wa

⁴³ BAAF *Memorandum of Evidence to the House of Commons Select Committee on the Adoption and Children Bill*, BAAF, 27 April 2001

- ⁴⁴ House of Commons, Hansard, Adoption and Children Bill Special Standing Committee, Second Sitting, 20 November 2001, col. 40
- ⁴⁵ *Loc cit*
- ⁴⁶ House of Commons, Hansard, Adoption and Children Bill Special Standing Committee, Third Sitting, 21 November 2001 (morning), col. 160