

**Gay & Lesbian Rights Lobby (NSW) Inc.**

The Hon Bronwyn Bishop MP  
Chairman  
Standing Committee on Family and Human Services  
Parliament House  
Canberra ACT 2600

Dear Madam Chairman

**Inquiry into Adoption of Children from Overseas**

The Gay Lesbian Rights Lobby welcomes the current inquiry into adoption of children from overseas. It is vital that the Commonwealth Government assist in promoting overseas adoptions for suitable parents.

It is therefore imperative that the Government commit to not re-introduce the proposed legislation seeking to prevent same-sex couples from adopting children from overseas. In addition to entrenching the Government's discriminatory perspective on notions of the family and sexuality, this legislation violates Australia's human rights obligations.

As you are aware, the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, ratified by Australia in 1998, establishes safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect to his or her fundamental rights. Australia is also a party to the UN Convention on the Rights of the Child which states, in Article 2(2), that "State Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians or family members".

Refusing to recognise the overseas adoption of a child by both parents based on their sexuality is not in the best interests of the child. In fact, it is likely to have a direct negative impact on the child. Documented research demonstrates that there is absolutely no negative correlation between parenting ability and sexual orientation. The proper focus should be on whether the person is suitable to meet and promote the child's best interest and not on stereotypes and assumptions about homosexuality and marital status.

One such denigrating stereotype was propagated by Mr Ruddock during his Second Reading speech in support of the introduced Bill, namely that "In the view of the majority of Australians, children, including adopted children, should have the opportunity, all other things being equal, to be raised by a mother and a father". This statement does nothing to promote the best interests of children all over Australia who every day are nurtured and raised by gay and lesbian parents.

Matters of the eligibility and suitability of individuals to adopt children, including from overseas, have traditionally been made and should remain matters of states and territories, to be determined on individual assessments and the best interests of the child.

Thank you for the opportunity to make this submission. We are, of course, available to attend any hearings held by the Committee if the Committee would find that of benefit.

Yours sincerely

David Scamell  
Co-convenor  
Gay and Lesbian Rights Lobby