

Adoption and Children (Scotland) Bill stage 3

Briefing on Roseanna Cunningham's amendments (94 to 98)

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The Equality Network is a Scottish network of lesbian, gay, bisexual and transgender (LGBT) groups and individuals, working for LGBT equality.

We urge you to vote against Roseanna Cunningham's amendments 94 to 98.

Amendments 94 to 96 would prevent same-sex couples (whether in a civil partnership, or cohabiting) from applying to adopt a child jointly, and amendments 97 and 98 would prevent 'step-parent' adoption by the civil partner, or same-sex cohabiting partner, of a parent.

We believe that these amendments would penalise the children of same-sex couples, and would be likely to reduce the pool of prospective adopters, as well as being discriminatory on grounds of sexual orientation. We ask you to vote against the amendments for the following reasons:

- In evidence to the Education Committee at stage 1, the adoption and children's organisations, such as the British Association of Adoption and Fostering, and Barnardo's, supported the bill's provisions to allow same-sex couples to apply jointly to adopt.
- The Education Committee unanimously approved this part of the bill in their stage 1 report.
- As the Committee noted in their report, the relevant research, including research on adoptive families, has found no difference in the quality of parenting or outcome for the child, between same-sex and mixed-sex couples as parents.
- A partner in a same-sex couple can already apply to adopt, and the couple are assessed together, but only the one applicant becomes the adoptive parent. The bill will allow both partners to adopt jointly, giving the child two legal parents instead of one. This gives the child a more protective legal framework, and will help reduce any stigma that the child may be subject to.
- There are already many same-sex couples bringing up children in Scotland – in most cases one of the couple is the child's legal

parent. The bill will allow the other of the couple to step-parent adopt the child, in appropriate cases. Again this will give the child the stronger framework of two legal parents.

- It is likely that the bill, and publicity for the changes to the law, will result in more same-sex couples applying to adopt, widening the pool of prospective adopters, and helping adoption agencies match children in need of adoption to suitable families.
- There has been much publicity about the views of religious spokespeople on this issue, but the main Churches do not agree: the Roman Catholic Church gave stage 1 evidence opposing joint adoption by same-sex couples, but the Church of Scotland gave evidence in favour. We believe that the law of Scotland should be secular, and based on the facts, as well as on the principles of equality and fairness for all, rather than on the religious viewpoint of any particular Church.

The fundamental objective of this bill is to provide greater stability and security for children, and we believe that Roseanna Cunningham's amendments are not consistent with that objective.