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Lesbian and gay foster care and adoption A brief UK history

Stephen Hicks presents a history of foster care and adoption by lesbians and gay men in the UK since 1988. He reviews key research, policy, law and debates about lesbian and gay carers and discusses key changes and developments in this field of practice. The article discusses a number of common arguments that surface in debates about this topic, including the idea that the children of lesbians and gay men will suffer psychosocial damage or develop problematic gender and sexual identity. In addition, the author critiques the notion that children do best in 'natural' two-parent, heterosexual families and that lesbian or gay carers should not be considered or should be used only as a 'last resort'. Although the number of approved lesbian and gay carers has been increasing and there has been a range of positive changes in this field, it is argued that a series of homophobic ideas remain a key feature of this debate. The article asks how much things have changed since 1988 and what social work can do to contribute to an anti-homophobic practice.

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Key words: lesbians, gay men, foster care, adoption, sexuality, social work

Introduction

The adoption or fostering of children by lesbians and gay men is now firmly established in some regions of the UK. Several local authorities have a small number of approved lesbian or gay carers on their books, and the total number of lesbians and gay men caring for fostered or adopted children has been gradually rising since the 1980s. Although the actual number of such carers is not known, there are now at least two national support groups in the UK and a growing body of autobiographical evidence from lesbian and gay foster and adoptive parents and their children (Hicks and McDermott, 1999; Saffron, 2001; Alderson, 2004). In addition, some UK agencies are beginning to openly address this area of practice and issue guidance for social workers (Romaine/BAAF, 2003; Manchester City

Council/Children, Families & Social Care, 2004).

Fostering law and policy in England, Wales and Northern Ireland now operate an equality position that rejects discrimination on the basis of an applicant's sexuality (National Foster Care Association, 1999a, 1999b; Department of Health, 2002). In Scotland, however, unrelated, unmarried adults of the same sex who live together cannot foster due to the Fostering of Children (Scotland) Regulations 1996. Adoption in England and Wales is governed by national standards (Department of Health, 2001) and by the Adoption and Children Act 2002. This Act allows unmarried couples, including lesbians and gay men, to adopt jointly. In Northern Ireland and in Scotland, however, only married couples are able jointly to adopt.

Although some of these changes can be regarded as positive, the story of lesbian and gay foster care and adoption in the UK is not a straightforwardly successful one. There has been, and continues to be, evidence that some lesbian and gay applicants are rejected outright on the basis of their sexuality (Hicks and McDermott, 1999) and it is also clear that right-wing moral opposition to all forms of gay parenting (Morgan, 2002) has influenced debates such as those which took place in the Houses of Parliament over the Adoption and Children Act 2002. In addition, there are still hostile press reports that suggest gay or lesbian carers are exploiting children, making a 'mockery' of family life or are unable to provide children with correct gender and sexual identity roles. The *Daily Express* piece, 'Scandal of the Gay Dads: how could couple be allowed to adopt three little children?', for example, was a front-page headline story (Baron, 2004).

Finally, even where lesbians and gay men are accepted as potential foster carers or adopters, they will still encounter a whole range of heteronormative ideas.

'Heteronormativity' has been defined

as a situation in which heterosexuality is taken to be:

the elemental form of human association, as the very model of inter-gender relations, as the indivisible basis of all community, and as the means of reproduction without which society wouldn't exist. (Warner, 1993, p xxi)

These ideas manifest themselves in and through the practices of fostering and adoption work. This means that lesbian and gay applicants' assessments are far from straightforward, there may be problems at panel level and they may face lengthy delays in waiting for children to be placed. Much of this is because notions of family, kinship and parenting are governed by a dominant and hetero-normative account that insists upon the superior 'nature' of the two-parent, heterosexual model.

I have been researching lesbian and gay foster care and adoption since 1991 when, while studying for a Diploma and Masters in Social Work, I first contacted and met with members of the Lesbian & Gay Foster & Adoptive Parents Network (LAGFAPN). At that time, my interest in the debate had been sparked by my reading of Jane Skeates and Dorian Jabri's pioneering publication (Skeates and Jabri, 1988), by Pratibha Parmar's important short film for the Channel 4 'Out on Tuesday' series (Parmar, 1989) and also by my involvement in challenging paragraph 16 of the consultation paper on family placement practice under the Children Act 1989, which had stated that ' "equal rights" and "gay rights" policies have no place in fostering services' (Department of Health, 1990, para 16).

I went on to co-organise a national conference for lesbian and gay carers in Manchester in 1994, was a founder member of the Northern Support Group established that same year and subsequently became a link foster carer. In addition, I have written a number of pieces based upon my own research in this field (Hicks, 1993, 1996, 1997, 1998, 2000, 2003, 2005a, b, c; Hicks and McDermott, 1999). Here, then, I wish to give an account of the recent history of

lesbian and gay foster care and adoption in the UK. I intend to ask how things have changed, whether they have changed for the better and, crucially, whether they have changed much at all, taking the year 1988 as my starting point. This is a brief history, not a straightforward 'factual' history but rather a history of ideas, practices and events. There are many others who would probably write a very different version and I hope to provoke further debate about this important but little researched topic.

A history of lesbian and gay foster care and adoption in the UK since 1988

The late 1980s

The year 1988 was something of a 'watershed' in the UK history of lesbian and gay foster care and adoption for a number of reasons. Although a few lesbians and gay men had been successful in their fostering or adoption applications, many of them had not 'come out' about their sexuality and so the practice was largely hidden from view (see, for example, Brennan, 1994). In 1988, however, Skeates and Jabri produced their report on fostering and adoption by lesbians and gay men, the first ever UK publication to deal with this issue (Skeates and Jabri, 1988).

In brief, Skeates and Jabri argued that opposition to lesbian and gay foster care and adoption was founded upon a number of stereotypical and discriminatory assumptions. They suggested that, for many, the categories 'lesbian' and 'gay' were associated with gender deviance and the idea that children would be subject to various forms of social-psychological trauma and abuse. Skeates and Jabri opposed such ideas by challenging the assumptions behind them and by quoting Metropolitan Police figures on the sexual assault of children which showed that '96 per cent of all such attacks are perpetrated by heterosexual men against children within their own households' (Skeates and Jabri, 1988, p 23). Nevertheless, they also suggested that such discriminatory ideas about lesbians and gay men were present within social welfare organisations. This was responsible for the outright rejection of many fostering and adoption applicants

on the basis of their sexuality alone.

The small group of lesbian and gay respondents who featured in the study comprised 11 white and two black people, none of whom were disabled. Most of the individuals were 'out' as gay or lesbian when they applied but three were not. Skeates and Jabri found that those who were open about their sexuality did not receive positive responses from agencies in the main and most respondents reported some prejudicial attitudes. Of those who had been successful, a disproportionate number had been allocated a disabled child (Skeates and Jabri, 1988, p 56). This was seen by some as sending out the message of 'second-class children for second-class carers' (Parmar, 1989). The London boroughs in Skeates and Jabri's study reported on attempts to develop equal opportunities policies for lesbians and gay men, but there were just two known lesbian carers on their books in total. Finally, the authors argued for the equal treatment of all foster care and adoption applicants and for challenging the discrimination faced by lesbians and gay men (Skeates and Jabri, 1988, pp 74–5).

Although Skeates and Jabri's report was a positive intervention into the debate, 1988 was also the year that Section 28 of the Local Government Act 1987/88 was made law in the UK, remaining on the statute in Scotland until 2000 and in England and Wales until 2003. This piece of legislation was instituted by Margaret Thatcher's Conservative Government and it stated that local authorities should not 'promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship' (Smith, 1994, p 183).

Section 28 was the first time in UK law that lesbian and gay families had been specifically mentioned. Their being labelled 'pretend' rather than 'real' was an attempt to legalise discrimination against such families, but it also had the reverse effect of galvanising many lesbians and gay men, including parents, to 'come out' openly and join public demonstrations and other efforts to oppose the Section. This was a difficult time in the history of lesbian and gay foster care and adoption as Section 28 made many agen-

cies nervous about such carers, but also allowed the justification of homophobic ideas and practices among those social workers and others who were already opposed to gay parenting.

Nevertheless, part of the response to Section 28 among lesbians and gay men who were interested in foster care or adoption was a coming together to campaign on this issue and to support one another. Late 1988 saw the formation of the national Lesbian & Gay Foster & Adoptive Parents Network (LAGFAPN), based in London, which organised the first conference for such carers in 1989 (Clarke, 1991). LAGFAPN was established in order that lesbians and gay men interested in fostering or adopting could support one another, but also to campaign for the right to be treated fairly and openly by social welfare agencies and others. Some LAGFAPN members had been directly involved in the production of the Skeates and Jabri report and also participated in Pratibha Parmar's groundbreaking film (Parmar, 1989).

Parmar's film featured Dorian Jabri stating that, although lesbian and gay foster care and adoption had been going on for some time, the issue of sexuality was often hidden or denied, a position of 'tacit acceptance'. Jon Elderton and Don Smart talked about the kinds of 'institutional prejudice' they had faced as gay men in being rejected by some agencies, and overall the film argued for the right of lesbian and gay applicants to be assessed like anyone else. Professor Derek Russell Davies at Bristol University dismissed the myth that lesbians or gay men would be likely to sexually abuse children. Judith Weeks and Pat Romans, a lesbian couple who had cared for over 50 children since the early 1970s, reported that they had been expected to take mainly disabled children and they repeated the assertion that they felt like 'second-class carers for second-class kids'. Like the Skeates and Jabri report, the film noted there were very few black lesbian or gay applicants coming forward, and this was seen as due to institutional racism as well as homophobia. Babs, the birth mother of Eddie, also talked very positively in the film about the respite care provided to her

by Marion and Sylvia, a lesbian couple. Finally the film made the point that lesbian and gay foster carers and adopters should be able and supported to declare their sexuality openly in the future.

The early 1990s

During the early 1990s, lesbians and gay men who were interested or involved in foster care or adoption reported a very different set of concerns from those of today. Many did not, or had not, come out as openly gay or lesbian when approaching agencies because there was a great fear that they would be rejected on the basis of their sexuality (Hicks, 1993, 1996). There was also a justifiable fear of media exposure or intrusion as some gay carers had been hounded by the press (Hicks and McDermott, 1999). In addition, articles such as the *Sunday Express* exposé, 'Stop This Outrage', argued that children were 'being handed over to homosexual couples . . . despite expert advice that the youngsters may grow up to become sexually deviant themselves' (*Sunday Express*, 1990, p 1).

Lesbians and gay men who had been successful in gaining approval from agencies also reported that they did not have children placed with them, were expected to take disabled children or to provide only short-term fostering and respite care (Hicks, 1993, 1996). Adoption was rare at this time, although there were occasional examples, and this was largely because agencies were far less likely to consider placing younger children with lesbians or gay men or because their panels refused to consider such applications (Hicks, 1998).

In 1990, the Government published a consultation paper on family placement under the Children Act 1989 (Department of Health, 1990). In relation to foster care, this paper specifically addressed sexuality but argued that it would be:

wrong arbitrarily to exclude any particular groups of people from consideration. But the chosen way of life of some adults may mean that they would not be able to provide a suitable environment for the care and nurture of a child. No one has a 'right' to be a foster parent. 'Equal rights'

and 'gay rights' policies have no place in fostering services. (Department of Health, 1990, para 16)

Many lesbian, gay and childcare organisations and individuals protested against paragraph 16, and the 'gay rights' phrase was eventually removed from the subsequent published guidance on family placement (Department of Health, 1991). However, the 'chosen way of life' statement remained and continued to allow some social workers to interpret a lesbian or gay sexuality as inappropriate for foster care (Hicks, 1998).

It was at the time of paragraph 16 that the Positive Parenting Campaign was established in Manchester. Positive Parenting was set up to support and campaign on behalf of lesbian and gay foster carers and adopters, and the organisation went on to work alongside local authorities, particularly Manchester City Council, to provide training and advice on these issues. Examples of Positive Parenting's work during the 1990s included television appearances such as the BBC's 'Heart of the Matter' series, working with Manchester to produce a leaflet welcoming applications by lesbians and gay men, providing training for social workers and organising a national conference and open evenings.

The early 1990s also saw the publication of some important articles relating to lesbian and gay foster care and adoption. Helen Cosis Brown published two papers in this journal that examined ways in which social workers could go about assessing lesbian and gay applicants both thoroughly and fairly (Brown, 1991, 1992). She argued that many social workers felt particularly anxious about working with lesbian and gay carers, sometimes because management did not support them or because they were aware of wider antagonism expressed about this topic, but also because some did not themselves support the 'rights' of lesbians and gay men to be considered.

Brown argued that the rights of children to good-quality placements and the rights of lesbians and gay men to be fairly assessed and considered were not incompatible because many lesbians and gay

men were indeed capable of proving excellent foster or adoptive homes. However, Brown also pointed out that social workers needed to become more aware of the stigmatisation of lesbians and gay men, and to avail themselves of relevant research that demonstrated gay parenting did not have adverse effects upon child development (for example, Golombok *et al*, 1983). Brown therefore noted that there should be no reason 'to exclude a potential group of carers on the grounds of their sexual orientation' (Brown, 1991, p 15).

She went on to advise social workers to avoid stereotypes about lesbians and gay men, be those either negative or indeed positive, and outlined a number of important areas that any assessment of a lesbian or gay applicant ought to consider (Brown, 1991, p 16). Brown emphasised that lesbians and gay men should be offered a fair but adequate assessment, and she made the important point that:

no adult rights – whosoever they are – have a place in fostering and adoption . . . children have the right to good placements – adults do not have the right to those children. (Brown, 1991, p 13)

In a later piece, she also made the point that 'the subjects of gender, sex and sexuality need to be firmly and permanently placed within the assessment process' for all applicants, not just lesbians or gay men (Brown, 1992, p 30). These were important articles because some social workers had felt they could not ask lesbian or gay applicants questions about sexual identity or sexuality for fear of being seen as 'discriminatory'. Brown's work provided areas to think about when assessing lesbians and gay men, but also required social workers to think through the ways that they assessed sexual and gender identities with all applicants.

The debate about the suitability of gay or lesbian carers also surfaced in the social work press of the time. Janet Clarke's piece argued that lesbians and gay men were 'an enormous pool of potential resources for fostering and adoption' but that social work agencies were operating 'with the notion that really

'normal' families are best' (Clarke, 1991, p 16). *Community Care* also ran a debate between Richard Whitfield, the Chair of the National Family Trust, and Don Smart, a gay foster carer. Whitfield suggested that consideration of lesbian or gay carers actually promoted an adult 'cause' over 'children's rights to and psychosocial need for both a father and a mother' and he went on to make the case that children have a 'natural' need for 'role models from each gender' within the home. For this reason – one that I will later discuss in terms of the very limiting views of gender and 'gender-acquisition' it presents – Whitfield argued that discrimination against lesbian and gay carer applicants was 'entirely appropriate' (Whitfield, 1991, p 16). It is interesting to note two 'classic' objections in Whitfield's argument: he suggested that gay parenting represented an adult and political 'cause' whereas two-parent, heterosexual parenting was 'natural', and he also inferred that lesbians and gay men would transmit inappropriate gender and sexual identity roles to children.

Don Smart's reply argued that discrimination on the basis of sexuality alone was unfair and that carers should be judged on their ability to meet the stated needs of children. Don and his partner, Jon, had cared for a boy with Down's Syndrome but their subsequent adoption applications were turned down by various agencies. They were also expected to undergo psychiatric testing, something which heterosexual applicants did not have to do. Jon commented:

People say that we would make good parents but we are not given the chance to try. How come? (Smart, 1991, p 17)

In 1992, LAGFAPN sent out a questionnaire to its members asking them about their experiences. This was written up as an advice sheet for lesbians and gay men and was sent out to enquirers by the National Foster Care Association (NFCA). Looking back at this leaflet now, it is interesting to note the concerns of lesbian and gay carers in 1992/93. Although all recommended being open about sexuality from the start, they also

advised 'shopping around' to find agencies that were receptive to lesbian and gay applicants. Many felt that they had to educate their own social workers on lesbian and gay lives and also advised others not to let sexuality dominate the assessment to the exclusion of all else. At that time there were still very few gay or lesbian adopters and most respondents felt that longer-term and permanent placements were rarely sanctioned. Most recommended joining a support group, if possible, as many had experienced their application as a long and drawn-out process. While this may be true of many foster care and adoption applications, lesbians and gay men felt that their sexuality caused additional delay (LAGFAPN, no date/1993).

The mid-1990s

The year 1992 also saw the Conservative Government publish a consultation paper on adoption law which argued that:

The security and stability which adopted children need are still more likely to be provided by parents who have made a publicly recognised commitment to their relationship and who have legal responsibilities towards each other.

However, it did not:

propose any changes to the law relating to single applicants, including lesbians and gay men. There are examples of extremely successful adoptions, particularly of older children and children with disabilities, by single adopters. (Department of Health and Welsh Office, 1992, pp 49–50)

The Junior Health Minister, Tim Yeo, repeated the arguments used previously in relation to fostering, saying that '... equal rights and gay rights have no place whatsoever in adoption work' (*Community Care*, 1993, p 2). The subsequent White Paper made no recommendations to change the law regarding sexuality and adoption, but issued 'a strong presumption in favour of adoption by married couples', with the proviso that there might be 'a small number of other exceptional

circumstances where adoption by a single person may be sensible' (Department of Health *et al*, 1993, p 9). This recommendation upheld the position under the Adoption Act 1976 that lesbians and gay men were able to adopt but only as 'single people' in the eyes of the law. It also reinforced the view that lesbian and gay placements should be used only as a last resort (Hicks, 1996). However, the adoption White Paper did not progress any further due to the prioritisation of other issues and the eventual change in government.

The second national conference for lesbian and gay foster carers and adopters took place in 1994 in Manchester and it was from this event that the Northern Support Group (covering Greater Manchester, Merseyside, Lancashire, Yorkshire and around) was established. This group was established partly because the numbers of lesbians and gay men involved in foster care and adoption was growing, but was also a response to the need for regional groups outside of London. During that same year, however, it was reported in the national press that The Children's Society was operating a policy that rejected all applications by gay or lesbian foster carers (Pilkington, 1994). Gay and lesbian workers within The Children's Society had decided to participate in a press leak in order to expose and challenge this policy, and some even left the organisation in protest (Pallot, 1994). The Children's Society did eventually reconsider this policy in favour of equality of opportunity for all applicants but this did not happen until 1999.

In 1996, the Positive Parenting Campaign held a national conference on lesbian and gay foster care and adoption for social workers and other social welfare agencies at Manchester Town Hall. At about this time, I also published two articles, based upon an analysis of interviews carried out with lesbian and gay applicants, which reported rejection or discriminatory statements about sexuality by social work agencies (Hicks, 1996, 1997). Applicants felt that the assessing social workers knew very little about lesbian or gay lives or, in some cases, avoided discussion of their sexual-

ity altogether. Social workers were concerned about the gender role models that lesbians or gay men would provide and, in some cases, there was a suspicion that gay men, in particular, might sexually abuse children (Hicks, 1996). Overall, lesbian and gay applications were subject to tougher forms of scrutiny than others, something that was confirmed in other research of the time. In the US, for example, lesbian and gay applicants were 'scrutinised more carefully and . . . held to a higher standard than . . . their heterosexual counterparts' (Ricketts and Achtenberg, 1990, p 104).

I argued that there was no basis for the idea that a lesbian or gay sexuality posed a 'risk' to the care of children and that, in my view, ideas about problematic gender roles or social development were actually about maintaining and promoting traditional views of both the family and the roles of men and women. I also suggested that social work assessments that focused on sexuality to the exclusion of all else, or those which avoided questions of sexuality, were equally dangerous. This was because neither was able to place the proper discussion of lesbian and gay issues within the context of an adequate assessment of childcare abilities. As one applicant noted:

*I don't think the social worker handled the issues to do with our sexuality well . . . she wanted to be so non-discriminating that she just treated us like she would a heterosexual couple . . . and on one level that was good because she focused on child care, but we also needed to talk about the specifics of being **lesbian** adopters, and there are many issues we all needed to think through.* (Hicks, 1997, p 34)

During the mid-1990s, work was also being done to promote UK national standards on foster care and adoption (eventually published as Department of Health, 2001, 2002) all of which emphasised equality of opportunity for all applicants, regardless of their sexuality. However, the new Labour Government also published its Green Paper, *Supporting Families*, which argued that 'marriage is still the

surest foundation for raising children and remains the choice of the majority of people in Britain' (Home Office, 1998, p 4). In my view, this is one example of the ways in which 'New Labour' promoted a dominant discourse that supported heteronormative ideas about the family but also introduced a range of other measures which expanded the possibilities for lesbian and gay parenting. Such contradictory messages were also a feature of the 1980s (Brown, 1998) and remain central to this debate today.

Members of the Positive Parenting Campaign, LAGFAPN and the Northern Support Group came together during the mid-1990s to oversee the production of the book on lesbian and gay fostering and adoption that I co-edited with Janet McDermott (Hicks and McDermott, 1999). This project sprang from a desire among group members to tell their stories in their own words, to provide evidence of the possibility and successes of lesbian and gay foster care and adoption, to raise awareness of the issue and even to educate social workers and other childcare professionals. The book was partly made possible by the greater numbers of lesbian and gay carers. We published stories by 27 adults caring for 40 children and young people, whereas Skeates and Jabri (1988) had included just 13 adults, some of whom did not have children placed.

Looking back at the book's themes now, it is worthwhile noting the concerns raised by the contributors in the late 1990s. Many of them had been influenced by their own professional work within children's and other caring organisations, but also had derived inspiration from a greater public awareness of lesbian and gay foster care and adoption and an increased likelihood, in some quarters at least, that agencies would be prepared to consider them fairly. The contributors emphasised their commitment to foster care and adoption as a first choice, rather than as a second-best route to parenting. However, it was notable that the gay men also talked about barriers they faced due to the public perception that men are not, or should not, be the carers of children and that gay men posed a sexual risk. On the other hand, by 1999 there were one or

two examples of gay men who had been successful in their applications to adopt, something that had not even seemed possible in the 1980s. Interestingly, the gay men also noted that it was from within their own 'community' that they sometimes faced the most hostility or opposition to the idea of parenting.

We were pleased to be able to include contributions by a number of black lesbians and gay men, and this indicated that lesbian and gay foster carers and adopters were becoming more diverse and also that black applicants were more likely to come forward. However, our contributors talked about forms of institutional racism that they had faced, and we argued that there was a danger of social work:

adopting rigid and stereotypical definitions of communities, cultures and religions that are actually diverse and continually changing . . . Social workers should not use narrow and racist definitions of what is acceptable in order to discriminate against black lesbian and gay carers. (Hicks and McDermott, 1999, p 154)

In one example, social workers had used a very narrow and rigid definition of 'the Hindu community' in order to reject a lesbian couple, one Asian and one white, who had been assessed as able to meet the stated needs of a sibling group of seven Asian girls. The authority in question justified this by claiming that a lesbian relationship 'is not recognised in the Hindu faith' (Hicks, 1998, p 365).

The book's contributors were involved in the full range of care options, from link or respite foster care through to permanent placements including adoption. This was also a significant and positive change from the 1980s when short-term care was dominant. Some of those lesbians and gay men who felt they were made to prove themselves in the 1980s by doing short-term and respite care had also themselves progressed to longer-term placements.

One significant feature of the narratives was that many talked about the gender concerns raised by social workers and/or panels. Whether lesbians and gay

men have been expected, or allowed, to care for either boys or girls has been an area in which there has been great anxiety, inconsistency and some limiting and traditional views about gender roles. Gay men, for example, felt they were met with suspicion if they asked to care for boys or with opprobrium if they asked to care for girls. In addition, most lesbian and gay applicants were routinely asked whether they knew members of the opposite sex and how they would ensure that their children came into contact with a range of both men and women. In some examples, panels applied their own traditional ideas about men and women to lesbians and gay men, being concerned, for example, that gay men would not be able to do the laundry (Hicks, 2000).

In my view, many of these ideas rest upon very limited views of gender and sexuality that assume that men and women perform essentially distinct roles. Lesbians and gay men are assumed to be gender 'deviants', trapped within their gender so much that they cannot perform tasks usually associated with the opposite sex, or to have no contact with the opposite sex. In addition, these concerns seem to rest on very limited ideas about how children learn about gender (Golombok and Fivush, 1994) and betray an anxiety to ensure that children are 'properly gendered'. This is an area that I have discussed elsewhere (Hicks, 2000) and I do not believe that these ideas have changed very much over the years.

A 2003 court judgement in Manchester, for example, approved the view of a children's guardian and a psychologist that a boy needed both a male and female 'role model' at home, thus ruling out a lesbian couple who were being considered for the placement and, by extension, all lesbians and gay men (personal communication from Assistant Director, Manchester Social Services). Judith Butler has critiqued this viewpoint, arguing that it rests on the belief that:

culture itself requires that a man and a woman produce a child and that the child have this dual point of reference for its own initiation into the symbolic order, where the symbolic order consists of a set

of rules that order and support our sense of reality and cultural intelligibility.
(Butler, 2002, p 29)

All of the carers in our book were open about their sexuality and recommended this from the start of the application process, and this is certainly a major change. Lesbian and gay applicants are now far more likely to be open about their sexuality with social work agencies, social workers are more likely to expect this and applicants also expect it to be taken seriously. In addition, the lesbian and gay carers talked about how complicated being 'out', in fact, is since this involves a constant and sometimes difficult process of deciding how and when to tell social workers, children, birth families, schools, relatives and so on.

Another major change from the 1980s was the much greater experience of actually having children in placement, sometimes for a number of years. Many of the dilemmas raised were about how to care for children and deal with placement difficulties, as opposed to the question of whether such placements were actually possible. Contributors highlighted the need for support, talking about the crucial role of national support groups, their own support networks and also social workers. However, social work support was seen as something of a lottery, with positive and negative experiences being reported. Many felt that some social workers were unsure about lesbian or gay lives, about how to assess them adequately and, while outright rejection was less common than in the 1980s, it was still a possibility (Hicks and McDermott, 1999). Thus, although there was much to celebrate in terms of successes, the social welfare agency response was patchy.

The year 2000 and beyond

In the year 2000, Lottery funding helped the Northern Support Group to run a third national conference in Manchester. Most delegates had moved on from the 'Is lesbian and gay foster care and adoption possible?' question to consider many of the day-to-day post-placement issues affecting those caring for children. How-

ever, there were also a number of delegates who had not yet approached agencies and were still very fearful of the potential response. This was an important reminder that there is still much work to be done and that lesbians and gay men are still affected by the many negative attitudes about gay parenting that pervade our society.

Looking back at the conference report (Hicks and Walker, 2002), some key issues were raised. Delegates recognised the need to 'shop around' for agencies to approach, stating that while some were known for their positive approach, others clearly were not. Some agencies were known by delegates to reject gay or lesbian applicants and some had been told by social workers that panels would not consider them favourably or at all. Of those who had been assessed by social workers, there were vastly different experiences – some good, some bad. Gay men, in particular, felt there was still a lot of prejudice against the idea of their caring for children.

The year 2000 also saw the launch of the national 'Pink Parents UK' organisation, the relaunch of the National Foster Care Association as 'Fostering Network', the Network's *All About Fostering* publication which aimed to attract more foster carers and featured a lesbian couple (Fostering Network, 2000), and Henrietta Bond's article, 'Double dealing', which featured some national support group members (Bond, 2000). Bond's piece argued that the reasons behind the small numbers of lesbian and gay carers were far subtler than simple outright 'bans' by agencies. Helen Cosis Brown argued that social work assessments were still over- or underplaying sexuality, and I emphasised that social workers displayed great concern about the idea of male and female 'role models'. The lesbian and gay couples interviewed also talked about the need for great tenacity in the face of prejudice, delays by agencies and the need for more support groups.

In the last two years, a number of other important events have added to the debate about lesbian and gay foster care and adoption. The parliamentary debates over the Adoption and Children Act 2002

focused quite a lot of attention on lesbians and gay men. In many ways this debate demonstrated that some ideas haven't changed very much: some argued that adoptions by lesbian and gay couples should be outlawed, some that it was supportable only as a last resort, some that the married heterosexual couple is always best for children, some that lesbians and gay men made good carers only in particular circumstances, such as for children with disabilities, and some that lesbians and gay men are 'just like' heterosexuals and so should not be treated any differently. Lord Alli's speech in the Lords, for example, supported gay adoption but still argued that 'married couples should have priority over unmarried couples' and 'unmarried couples should have priority over gay couples' (House of Lords debate on Adoption and Children Bill, 16 October 2002, col 874). This heteronormative argument was a consistent feature of the debate.

The focus in the Houses of Parliament upon whether gay and lesbian couples should be allowed to adopt jointly also seemed to overshadow the fact that lesbians and gay men had been adopting for a number of years. Several lesbian and gay adopters reported public confusion, with the assumption that adoption by lesbians and gay men had not been possible prior to the Adoption and Children Act 2002, when in fact the question was about whether unmarried *couples* should be allowed to jointly adopt. This very point was raised by Lord Hunt of Kings Heath, who pointed out that:

The debate is not about gay adoption: gay men and lesbians can already adopt . . . A recent book, entitled 'Lesbian and Gay Fostering and Adoption', tells the stories of 17 households, comprising 27 adults caring for 40 children or young people through fostering or adoption . . . I say that from that book comes some anecdotal evidence that gay adopters might be willing to take on particularly challenging children. (House of Lords debate on Adoption and Children Bill, 16 October 2002, col 907)

During the 1990s, a number of prominent

family sociologists had recognised the important contribution that lesbians and gay men had been making to redefining ideas about kinship, intimacy and parenting (Weston, 1991; Stacey, 1996). These 'do-it-yourself family' approaches were termed 'everyday social experiments' by Anthony Giddens (1992, p 8), and there has been recognition that lesbians and gay men have helped to redefine contemporary ideas about the family (Williams, 2004). In 2001, important publications gave space to the issue of foster care and adoption by lesbians and gay men (Saffron, 2001; Weeks *et al*, 2001). For example, the UK Families of Choice project noted that openly gay or lesbian parenting 'is relatively recent, and marks a radical change in the relationship between non-heterosexuals and child care' (Weeks *et al*, 2001, p 159), and also that, since the mid-1980s, 'the issue of fostering and adoption by openly non-heterosexual people has gained a much greater public profile' (Weeks *et al*, 2001, p 167).

On the other hand, right-wing opposition to lesbian and gay foster care and adoption was mobilised through organisations like the Christian Institute (Christian Institute, 2002a, 2002b). It funded publications which argued that gay and lesbian parenting was damaging to children. Patricia Morgan's book, for example, claimed 'homosexual adoption is now unquestioned in social work orthodoxy' (Morgan, 2002, p 9) and that children should not be placed with lesbian or gay carers because they would suffer stigma and/or psychosocial or sexual damage. In addition, the Christian Institute funded campaigns to oppose the recognition of gay and lesbian adopters in the Adoption and Children Act 2002, and sent a paper to all UK foster care and adoption panels that argued the children of lesbians and gay men are stigmatised and more likely to become gay (Holloway, 2002). Even though most of the claims made by these authors can be easily disputed (Hicks, 2003, 2005a), their arguments cannot be so easily dismissed as they draw upon and reinforce homophobic ideas about gay parenting held by many, including some social work pro-

professionals. In that sense, I argue that the approval of gay and lesbian adoption is far from a 'social work orthodoxy' (Hicks, 1998, 2000).

So what's changed since 1988?

This article began life as a talk given at the fourth national conference for lesbian and gay carers, held in Sheffield in 2003. I hope it has demonstrated that there have been many changes in the field of lesbian and gay foster care and adoption in the UK since 1988. There is a move towards 'equality' for all carers, summed up in the new competency model of assessment, as well as policy and law. There are now greater numbers of lesbians and gay men applying, gaining approval and having children placed in their care, although this tends to be concentrated in certain inner city or progressive authorities. There is also a greater diversity among lesbian and gay applicants, with more black people coming forward. In addition, support groups have grown and developed, as have many web-based groups and discussion forums. In the future, it will be important to see what research has to tell us about the placement experiences of the children and also what those children have to say as their own accounts begin to emerge.

There are now more long-term placements, including some adoptions by gay men as well as lesbians, and most applicants are now likely to be open about their sexuality from the start. Indeed, some authorities now expect and welcome this, recognising that openness and clear boundaries about sexuality issues are in fact good qualities for any foster or adoptive carer. Some agencies now ask lesbian and gay carers or support/campaigning groups to provide training or advice. In Manchester, for example, the Positive Parenting Campaign has worked with the city to organise some training for social workers and has published an advice leaflet for lesbians and gay men (Hicks and Positive Parenting Campaign, 2003). In addition, Manchester Social Services has produced guidance for social workers (Manchester City Council/Children, Families & Social Care, 2004), as has the British Association for Adop-

tion and Fostering (Romaine/BAAF, 2003). Although these are isolated examples, progressive practice has also been developing in Bradford, Sheffield, Calderdale, Merseyside and some inner-London boroughs, but the national picture is still very patchy.

Although an equality position has been adopted in law and guidance, there is still a need to move on from 'sameness' models, which argue that lesbian and gay carers are 'just like' heterosexuals, towards acknowledging the different experiences that being a lesbian or gay foster carer or adopter brings. Lesbians and gay men are less defensive about this now and do not feel so bound to argue a 'no differences' position. However, there are many situations in which this does occur and this is because an 'implicit heteronormative presumption' governs discourse on lesbian and gay parenting (Stacey and Biblarz, 2001, p 160). Lesbian and gay carers themselves now feel more able to talk about issues like the potential bullying of children or how to 'come out' to schools, birth parents and so on.

This also impacts on social work and the assessment process and it is important to remember that assessing lesbians and gay men is not just 'the same' as assessing heterosexuals. There are areas particular to living as a gay or lesbian family in the UK that need consideration and discussion. Perhaps as lesbian and gay carers have gained more experience, they feel less need to argue they are simply 'just as good as heterosexual carers' and, instead, can point to their differences. Developing new ideas about family and kinship practices in everyday life is an important example of this from which many others might learn. In addition, social workers are beginning to understand that many lesbians and gay men are skilled at dealing with prejudice and discrimination in positive ways and that such skills are important attributes for foster carers and adopters that can be passed on to children.

In comparison to the late 1980s, there is now a wealth of writing and research on these issues. In addition to narratives by lesbian and gay foster carers and

adopters (Hicks and McDermott, 1999), there are now stories by children and young people who have grown up with lesbian and gay parents (Kaeser and Gillespie, 1999; Howey and Samuels, 2000; Saffron, 2001; Snow, 2004). Other research indicates that sexuality is no determinant of parenting ability (Golombok, 2000; Mallon, 2000; Brooks and Goldberg, 2001), but there are still many indicators of homophobic ideas and practices among social work professionals (Ryan, 2000; Ben-Ari, 2001; Brooks and Goldberg, 2001).

The first ever survey of gay adoption in the US showed that 1.6 per cent of all placements are now made with self-identified lesbians or gay men and that 37.7 per cent of agencies had made such a placement (Brodzinsky *et al*, 2002, p 14). However, 15 per cent of respondents said their agencies had rejected lesbian or gay applicants. The authors found that public agencies, those who dealt with 'special needs' children or international adoptions, and female workers were all more likely to be positive about gay or lesbian applicants. Private or Christian-based agencies, those who dealt with younger children, and male workers were all more negative (Brodzinsky *et al*, 2002, pp 16–17).

In the UK, national standards as well as practice guidance from BAAF and Fostering Network all operate an equality position that opposes rejection of applicants on the basis of their sexuality (National Foster Care Association, 1999a, 1999b; Fostering Network, 2000; Department of Health, 2001, 2002; Romaine/BAAF, 2003). However, lesbian and gay applicants report a patchy response from foster care and adoption agencies as well as many examples of both institutional and individual discrimination by some social workers (Hicks and McDermott, 1999). This highlights a pressing need for pre- and post-qualifying social work training to examine ideas about lesbians and gay men and for a more critical approach to theories of 'sexuality' within the social work profession (Hicks, 2005b).

The standard 'myths' about lesbian and gay parents persist today but they take different forms to those of the 1980s. In the *Daily Express* piece, for example,

the language used suggests that the gay couple in question 'exploited a legal loophole to adopt three small children' and that the children are being harmed rather than protected (Baron, 2004, p 1). Despite the fact that the gay couple in question have been together for 21 years, have fostered the three children 'from a broken home' for some time, reunited the girls with their brother who was formerly placed elsewhere and, in fact, do not see themselves as 'crusaders for gay adoption', the piece still manages to suggest that having 'two daddies' is a problem and that the children might 'become gay' (Baron, 2004, p 2). Further, there are still agencies that reject lesbians and gay men outright and arguments made by the Christian right (Holloway, 2002; Morgan, 2002) have also influenced or confirmed the views of some within social welfare, so that, for many, lesbians and gay men are still viewed as a risk to children rather than a resource for their care.

My involvement in the Northern Support Group, national conferences and research has convinced me of the great determination, flexibility, skill and resourcefulness of the gay and lesbian carers that I have met. Many of them have taken on the care of children with some very difficult problems and have managed to stick with those children so that they have been able to turn themselves around and make full use of better life chances. As Janet McDermott has noted, many lesbian and gay foster care and adoptive families have been:

... pioneers in re-defining 'relationship' and 'family', and ... have a tremendous amount to offer children who will always be different and will have to carve out very complicated identities from difficult and challenging histories ... There is no rulebook on how to be a lesbian or gay foster or adoptive parent, so we are all do-it-yourself families, following our own instincts and drawing on our own skills and resources to re-invent ourselves and create new definitions of 'family'. (McDermott, 2004, pp 7–8)

It is my suggestion that contemporary forms of lesbian and gay parenting prac-

tice have much to teach all of us about the ways in which our ideas about intimacy, care, family and human relationships can be expanded (Hicks, 2005c). A foster care or adoption practice which does not rely upon traditional ideas about kinship and parenting is a positive step in my view, and I think that lesbian and gay carers display a number of important skills that can help children to renegotiate and redefine their ideas about who they are, their place in the world, how they deal with 'difference' and how they make sense of past relationships with adults (Hicks and McDermott, 1999; McDermott, 2004). Perhaps as we begin to discuss lesbian and gay foster care and adoption more openly, as we examine its history and as we research further into its parenting practices, we will be able to question the most limiting and constraining of dominant discourses about 'the family' that characterise contemporary life.

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There are two national support groups for gay and lesbian foster carers and adopters: the Lesbian & Gay Foster & Adoptive Parents Network (LAGFAPN) is based in London, c/o Stonewall, 46–48 Grosvenor Gardens, SW1W 0EB; lagfapn@hotmail.com. The Northern Support Group meets in Sheffield and has a satellite group in Manchester: PO Box 2078, S2 4YQ; www.nsgroup.org.uk. The Positive Parenting Campaign can be contacted via www.positiveparentingcampaign.free.servers.com; and Pink Parents UK via www.pinkparents.org.uk

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