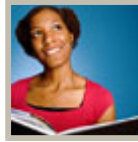


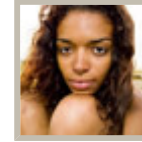
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Can same sex couples adopt?

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Is there space in our society for gay couples to add to their families via adoption?



by Carly Ritz
Pic: **Getty Images**

In 1994, Court Judge Anna-Marié De Vos, adopted two children, the siblings Nuschka and Reid, as a single parent adoption. In 2001 together with her life partner Suzanne Du Toit, the women challenged South African child adoption laws and demanded the right to adopt as equal partners. They won the case, changed the law, made international headlines and assured the rights of gay and lesbian co-adoptive parents in South Africa.

According to the Child Care Act 74 of 1983, there is no explicit prohibition against a gay or lesbian adoption. Unmarried or single parents have the same opportunity to adopt as a couple and the category of single parent does not exclude gay or lesbian candidates.

'Johannesburg Child Welfare has successfully placed children with same-sex families since the early 90s,' says Pam Wilson who runs the adoption team for the organisation. Successful parenting is not dependent on one's sexual orientation, says Wilson. The screening process for same sex couples is the same as for heterosexual couples.

However, the act does not necessarily protect prospective parents from the prejudice of others. It is likely that negative experiences for same sex couples is as a result of an agency or individual who is opposed to the idea of same sex couples adopting using section 18 of the act to prevent the adoption. Section 18(4)(b) states that an applicant who wants to adopt be of a 'good repute and that they are fit and proper to be entrusted with the custody of the child.'

One of the myths is that a gay or lesbian parent may be emotionally unstable and in the case of men, more likely to abuse young children sexually. Both notions have been rejected. It is internationally understood that sexual orientation is in no way detrimental to one's ability to parent a child nor does it threaten mental or personal stability.

It is also widely recorded that sexual abuse of young children is perpetrated more often by heterosexual males rather than homosexual males and that in most cases children are abused by people they know as opposed to strangers.

There is also a myth that children, who are exposed to gay and lesbian parents, may eventually become homosexual. This is not true in light of social facts, scientific evidence and changes in social attitudes. The large majority of homosexual people were raised by heterosexual couples anyway. And so what if the child is gay or lesbian? In the world today, it is unconstitutional to discriminate on the basis of sexual orientation.

Johannesburg Child Welfare does not discriminate against anyone who has any particular health condition

either, including HIV positive applicants.

'But by knowing their status, we can at least know how they are monitoring their health, whether they have access to medication etc,' Wilson says. 'The same would be true of someone who has uncontrolled diabetes. We would expect them to get their illness under control and be regularly monitored by a medical practitioner.'

In the end, adoption agencies must consider the rights and well-being of the child. It is a very big decision on where to place a child.


If a homosexual or heterosexual couple get through the screening process and are considered as financially, emotionally and physically able to take good care of a child then factors such as sexual orientation are the least of the worries.

Websites like gayparents.co.za are an example of the strong sense of community and support that is available for same sex couples. It is a reflection of the aspiration of any couple: to offer a child a good home and better opportunities in his or her life.

Whether prospective adopters are homosexual or heterosexual, Wilson says children need security, love, acceptance, nurturance and consistent care in order to grow and develop into fully productive members of society, 'and this is best achieved by a child being part of a family.'

If you would like more information about same sex couple adoption please email Carly Ritz at: communications@jhbchildwelfare.org.za

Do you think it's acceptable for gay couples to adopt?



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Old Nick 9/1/2009 3:00 PM Yes, most definitely. I know several married gay couples who have adopted and they are the most wonderful loving parents one can imagine. In many respects far better than a lot of conventional parents. Nice article.

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