INFORMATION SHEET: LGBT adoption and foster care

This information sheet has been prepared for lesbian, gay, bisexual, and transgender (LGBT) people who are considering adoption or foster care and the agencies (including mental health professionals) who work with them.

LGBT individuals and couples often consider fostering and adoption as their first option to have a family. Foster care agencies are increasingly welcoming LGBT carers. Adoption within Australia is uncommon, with only small numbers of children being placed for adoption each year. In some states foster care can be converted to adoption or permanent care.

LGBT adoptive and foster parents continue to face marginalisation and discrimination. Therefore, it is important that prospective LGBT adoptive and foster parents are aware of potential challenges. Agencies, including mental health professionals within these, who work with LGBT adoptive and foster parents also need to be aware of these challenges and improve their knowledge for working in this area.

This information sheet covers the following questions:

- What are the laws around LGBT adoption and foster care in Australia?
- What do LGBT adoptive and foster parents need to know and expect?
- What is good self-care during the foster care or adoption process?
- How might mental health professionals assist LGBT adoptive and foster parents?
- What are some useful resources?

What are the laws around LGBT adoption and foster care in Australia?

No law in Australia explicitly bans lesbians, gay men, bisexual people, and/or transgender people from becoming foster parents. However, this does not mean that the law comprehensively protects LGBT foster parents. In particular, religious-based foster care agencies may appeal to legal provisions allowing them to refuse to assess LGBT applicants.

Currently in Australia, laws around adoption and fostering by LGBT people differ by state/territory. For the most part, laws covering adoption and adoption practices in Australia are oriented towards heterosexual couples. However, most jurisdictions allow for onshore adoption for same-sex couples (excluding the Northern Territory). Inter-country adoption by same-sex couples remains the prerogative of the country of origin of the child in question. Currently, South Africa is the only country with which Australia has an active inter-country adoption agreement allowing lesbian or gay couples to adopt jointly (see http://www.intercountryadoption.gov.au/thinking-about-adoption/countries/).

What do LGBT adoptive and foster parents need to know and expect?

Increasing numbers of LGBT couples foster or adopt children around the world, and the research shows similar outcomes for adopted children regardless of the sexual orientation of parents (Averett, Nalavany & Ryan, 2009; Farr & Patterson, 2013; Goldberg & Smith, 2013; Lavner et al., 2012).

While foster care agencies in Australia are now more actively recruiting lesbian and gay men to be foster carers, this shift has not been followed by laws or policies to protect these carers.
Thus there are ongoing challenges for LGBT adoptive parents and foster carers:

- discrimination and stigma (perceived and actual)
- lack of support (including from friends, family, the workplace, and neighbourhood)
- having to adopt as a ‘single parent’
- a lack of role models and lack of access to similar LGBT adoptive and foster families
- the expectation to be ‘perfect parents’
- broader challenges relating to the contexts of fostering and adoption, such as dealing with agencies who lack knowledge about LGBT people and relationships, or having to disclose and explain their sexual orientation and/or gender to foster and adoptive agency workers.

**What is good self-care during the foster care or adoption process?**

The issues above can have a negative impact on mental health for LGBT foster and adoptive parents and prospective parents. However there are a number of ways in which you can look after yourself during the process of seeking adoption or foster care.

- Seek support from friends and family members who care about you.
- Find other LGBT parents (even online) who have fostered and adopted children and seek their advice and support.
- Practice good self-care like healthy eating, exercise, plenty of sleep, routines, and relaxation.
- Seek support from a mental health professional.

**How might mental health professionals assist LGBT adoptive and foster parents?**

While many potential challenges can occur, strong levels of support from agency workers and health professionals (alongside broader institutional and social support) can have a positive impact on the mental health of LGBT adoptive and foster parents and their children.

A supportive mental health professional can help prospective parents and carers to navigate the system, anticipate challenging situations, deal with discrimination, and cope with difficult feelings and thoughts.

Counselling is required in all cases of onshore adoption. More broadly, access to post-adoption services for both children and parents offers valuable support through processes of attachment, working through trauma, and establishing the family. Psychologists thus have a key role to play in the provision of such services.

A psychologist can also help with assessments (for parents and for the children) which may be required for fostering and adoption, particularly for overseas adoption.

APS member psychologists are bound by Ethical Guidelines for Psychological Practice with Lesbian, Gay, and Bisexual Clients, and the Ethical Guidelines on Working with Sex and/or Gender Diverse Clients, so the APS ‘Find a Psychologist’ service is a good way to identify someone likely to provide supportive and inclusive services. Visit the website [www.psychology.org.au/FindaPsychologist/](http://www.psychology.org.au/FindaPsychologist/) or phone 1800 333 497 (outside Melbourne) or (03) 8662 3300 (in Melbourne).
What are some useful resources?

**Websites**


**Guides**

- Working with lesbian, gay, bisexual, and transgender (LGBT) families in adoption (US): [www.childwelfare.gov/pubPDFs/f_profbulletin.pdf](http://www.childwelfare.gov/pubPDFs/f_profbulletin.pdf)

**References**


