Children - homosexual parents and homosexual non-parents

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A recent Family court case, [*Wilson and another & Roberts and another (No 2)*](http://www.austlii.edu.au/au/cases/cth/FamCA/2010/734.html) [2010] FamCA 734, 19 August 2010, highlights the complexities involved in making decisions about who a child should spend time with – particularly with two sets of homosexual partners – with the biological mother in one set, the biological father in the other set.

In this matter, the two-year-old child’s biological mother and her female partner opposed the wish of the biological father and his male partner to spend substantial time with the child ‘E’.  The women wanted to raise the child on their own, with minimal involvement from the men.  However, it was clear that the men were equally keen to be involved in raising ‘E’.

The Court found that:

*“The four adults in this case are mature, intelligent, basically very good people, and all perfectly capable of contributing wonderfully to E’s life. The women are currently doing that, and the men are keen to do so. The evidence satisfies me that the four of them did, contrary to the women’s accounts, set out with a shared decision, as two couples, to create and contribute to the raising of a much-wanted and much-loved child. Although events did not unfold in that idealised way, I am not satisfied that the men’s behaviour, the conflict, or the impact on E was as dire as the women have said.  And although satisfied that Ms Roberts was finding it difficult to cope late last year and early this year, I am not satisfied that she presents an on-going risk to E’s physical or emotional well-being, or that she would be unable to cope now if he were seeing the men.” (at paras 325-336)*

A very detailed parenting plan is included in the decision in which the judge makes arrangements for E to begin spending time with both couples so that by the time he starts school, he will be spending each third weekend with the men and time in each school holiday.