VOICES OF CHILDREN

Report on initial research with children of LGBT parents
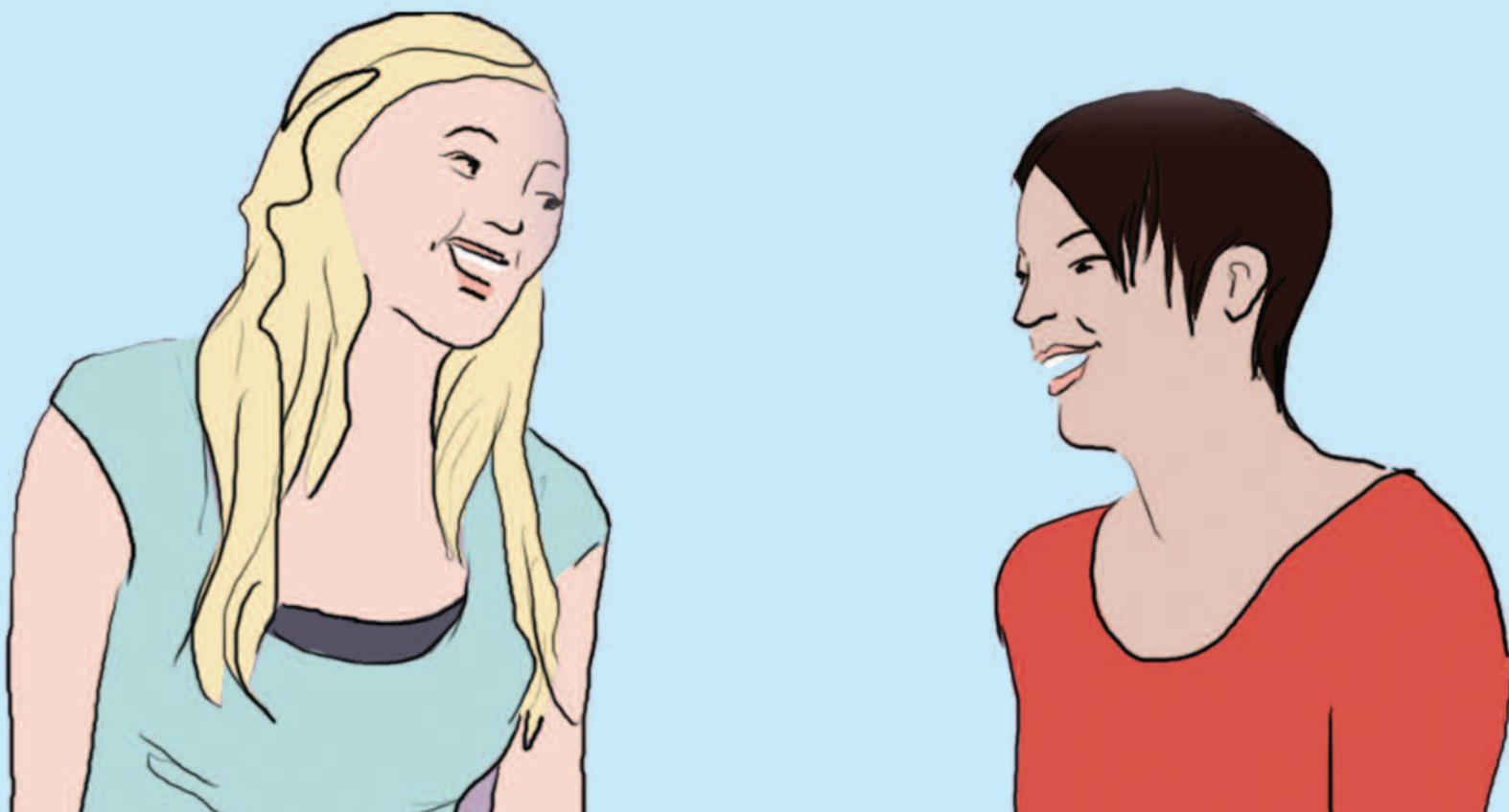
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MARRIAGE EQUALITY 2010

Civil Marriage for Gay and Lesbian People

ACKNOWLEDGEMENTS

BRIEF BIOGRAPHIES OF RESEARCHERS

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FOREWORD

The children of LGBT parents have forcefully experienced the backlash of denied equality in Ireland. This year the Irish Government has chosen to deny them legal recognition despite their international assertions of commitments to children's human rights, so promised and acknowledged as necessary following the shocking revelations of the Ryan Report last year (May 2009). Contrary to the advice of the Ombudsman for Children on both adoption and Civil Partnership, the Irish Government has created a legal vacuum for this group of children. Children of LGBT parents (and their parents) are only too aware of the social and legal consequences resulting from the absence of essential rights for both themselves and future generations of LGBT families.

Marriage Equality has listened to the voices of children. These voices have told us that they: 'envision a future in which human rights for all children in Ireland are a lived reality', Marriage Equality makes the following recommendations:

1. Marriage Equality calls on the Irish Government to establish legal recognition of children in LGBT families, through appropriate amendment of adoption and guardianship laws, and by the introduction of Civil Marriage rights for gay and lesbian parents.

2. Marriage Equality applauds the formation of the children of LGBT advocacy group 'Believe in Equality.' We support them as they work towards the realisation of a child's right to be heard and as they build coalitions with other LGBT organisations in Ireland and abroad.

3. Marriage Equality joins with 'Believe in Equality' to work collaboratively in the development and implementation of a strategy to ensure the rights of all children and parents in LGBT families are realised.

4. Marriage Equality seeks to source funding to build further research evidence through specific studies on the experiences of children of LGBT families in Ireland.

5. Marriage Equality asks that plans be expedited for census data to include the counting of households headed by same-sex parents so as to provide essential visibility and data which will, in turn, influence policy priorities and legislative change.

6. Marriage Equality will continue to work with trades unions, Government departments, LGBT groups, HSE and youth groups, human rights, equality and social justice groups, to influence schools and medical services to free them from homophobic prejudice experienced by LGBT people, their children and families.

On behalf of the Board of Marriage Equality I wish to thank the Independent researchers for their excellent, ground-breaking work. I would like to thank the staff and Board members of Marriage Equality who work so hard and remain fully committed to achieving access to civil marriage for gay and lesbian people in Ireland. A special thank you must go to the young people whose voices speak clearly and ring with such truth. Surely those who believe in justice and seek to cherish all children equally can only be moved to protect them and future generations of brave children. Through this report they are dissolving prejudice and hatred, and by their own actions, are building the paths to justice and equality. We salute you in solidarity, with admiration, respect and love.

Gráinne Healy, Chairwoman Marriage Equality, September 2010

"Contrary to the advice of the Ombudsman for Children, the Government has created a legal vacuum for this group of children"

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EXECUTIVE SUMMARY

"Everyone talks about us, but no-one ASKS US!"
Voices of Children Participant

'Voices of Children' focuses on both the contemporary, lived reality of children of LGBT parents in Ireland and the lack of legal protection for them and their families. It is a small scale qualitative study, with a deliberately simple intent: to provide a space for children to meet together, discuss and interpret their experiences, and identify ways in which Irish society can engage with them. In so doing, it recognises that children are experts about their own lives.

The group

The 11 participants (7 female, 4 males, aged between 18 and 24 years) attended a one-day workshop in UNICEF's Dublin offices in November 2009. There were a number of pre-existing relationships: 2 sisters, and 2 brothers; a group of 5 women friends and 2 women who knew each other from school. Five of the group were born in England and moved to Ireland when they were small children; several had lived in many different counties around Ireland in rural and urban communities. They had a range of ethnic and national origins. Their home situations included living within nuclear families, or between the nuclear families of their mothers and fathers, and living within strong networks of extended family members including grandparents, aunts, uncles and cousins. Six were born into heterosexual families, and after the separation of their birth parents, had experienced both parents establishing new families; 4 were born by donor (none of whom had established contact with the donor). All of the gay parents with whom the children lived are lesbians.

What they said

The group spoke of the diversity of their family constellations, and of feeling loved and protected within them. Detailing their experiences of public (churches, media, schools, health services) and private (family, social circle) homophobia, they talked about the experience of 'coming out' as a child of LGBT parents – assessing the benefits and risks of doing so. There is much to be learned from the significant support that they have experienced: from family, friends, within the LGBT community and progressive schools. There is also much to be inspired by as they expressed their commitment to building networks of solidarity with other children of LGBT parents and LGBT young people, and of contributing to social change so that future generations experience a positive, secure future.

Whilst 'Voices of Children' makes no claims to be representative or to generalize, this study provides unique and important insights that can, in the short term, inform more substantial research and public debate, and, in the long term, influence legislation, policy and service provision. It is of note that the literature review from the study found significant commonality of experience between young people in Ireland and those elsewhere in Europe and North America.

The study's child-centered, human rights-based approach

This study is grounded in a child-centred, human rights-based approach (Mary Robinson 1999 in Collins, Pearson and Delaney 2002). Its starting point is that the Irish State has moral and legal obligations to ensure that the human rights of all members of Irish society are respected, protected and fulfilled, and to provide remedies where none currently exist. Central to this study are the Convention on the Rights of the Child's (CRC) Articles 2 (non-discrimination), 12 (participation), 16 (privacy, reputation and honour) and 18 (family) (see Appendix I).

During the period of the research there was evidence of the fundamental inconsistencies between the external face that the Irish State presents to the international community in its human rights commitments, and its treatment and practices at home towards LGBT families. The Government has chosen to exclude young people within LGBT families from both adoption and Civil Partnership legislation despite strongly worded statutory advice from the Ombudsman for Children that this limited legislation could give rise to violations of international human rights instruments to which the State is party, through the Convention on the Rights of the Child and the European Convention on Human Rights (July 2010). The proposed referendum on children's rights affords a vital opportunity to address these concerns.

Report structure

The heart of this report is the Findings section, which draws substantially on the children's own words to describe their lived experience across the themes discussed above. Given the focus of the report on legal recognition for children of LGBT parents, a short Legislative Context section provides a summary and commentary on the current situation for LGBT families in Ireland. A brief literature review of Irish and international (European and North American) research over the past four decades speaks to the commonality of experiences of children with one or more LGBT parents. The Methodology section locates the study within the emancipatory methodology and provides an overview of: the sample, method, limitations, ethical considerations (also detailed in the Ethical Protocol in Appendix II) and validity criteria.

Future research

Four decades of legal, psychological, and sociological research from Europe and North America has cumulatively declared as unfounded claims that LGBT people are unfit parents. Historically, the impetus for such research has been to advocate within court cases around custody and legal recognition of same-sex relationships. In addition, 'Voices of Children' asserts the importance of creating a positive and expansive child-centred research agenda that will ask the questions that children identify as important, and generate evidence about how their lives can be enhanced in order that they can fully enjoy all their human rights. This will involve facilitating children to interpret, for example, their present and future rights.

With the launch of 'Voices for Children' this new agenda for LGBT and young people's research in Ireland has commenced.

"Everyone talks about us, but no-one ASKS US!"
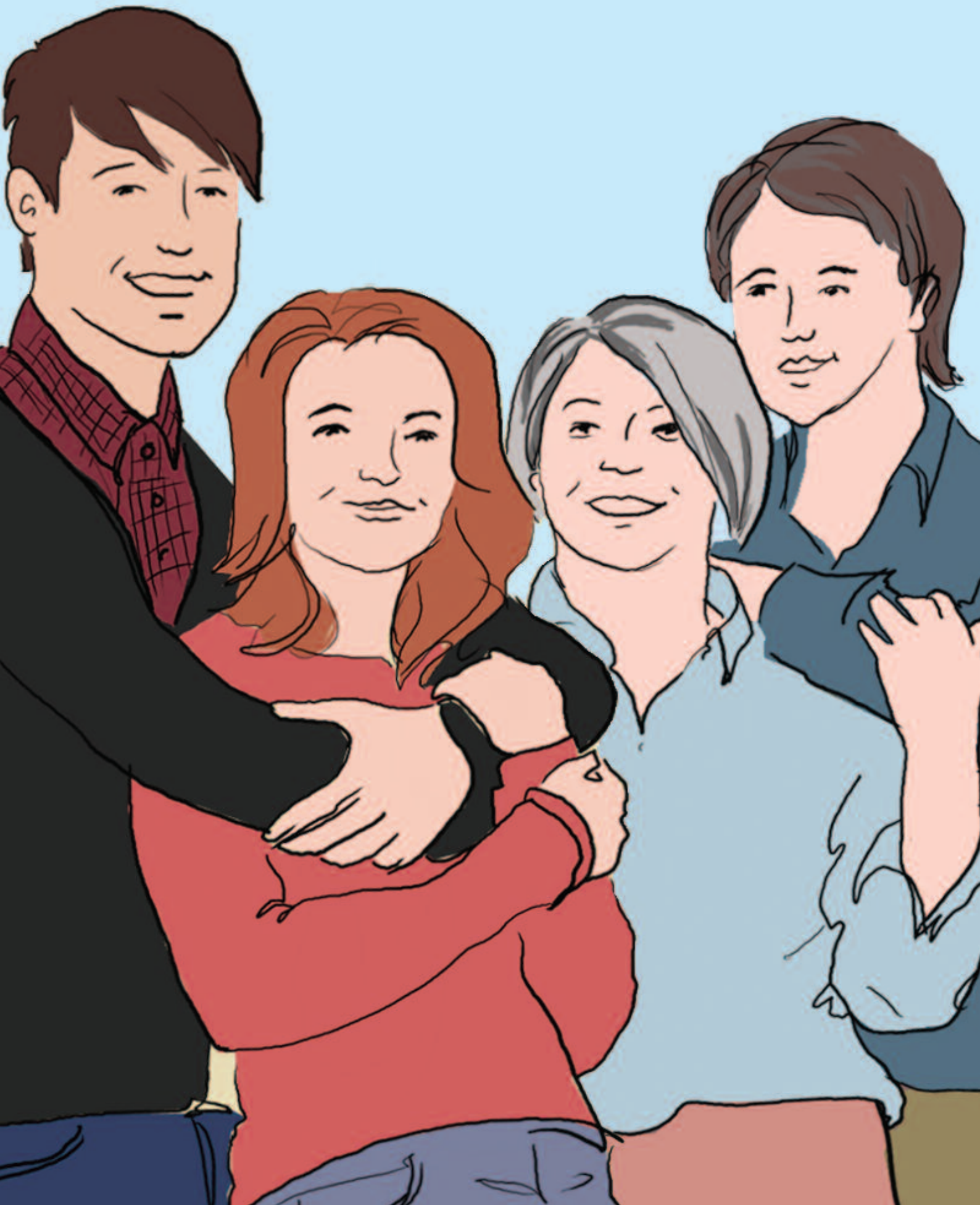
INTRODUCTION

'Voices of Children' focuses on both the contemporary, lived reality of children of LGBT parents in Ireland and the lack of legal protection for them and their families. The research is the beginning of a process to ensure the voices of these children are heard and to ensure we all listen to what they say.

It is a small scale qualitative study, with a deliberately simple intent: to provide a space for children to meet together, discuss and interpret their experiences, and identify ways in which Irish society – including the LGBT community and decision makers in the Oireachtas, Government departments and agencies, and key services such as health and education – can engage and respond with them. In so doing, it recognises that young people are experts about their own lives.

Given the ground-breaking character of this initiative, qualitative methodology was chosen as it generates rich, complex data that enables exploration of the phenomena of these young people's experiences in child and early adulthood from their own viewpoints (Creswell 2009).

The 'Voices of Children' group spoke of the diversity of their family constellations, and of feeling loved and protected within them. Detailing their experiences of public (churches, media, schools, health services) and private (family, social circle) homophobia, they talked about the experience of 'coming out' as a child of LGBT parents – assessing the benefits and risks of doing so. There is much to be learned from the significant support that they have experienced: from family, friends, within the LGBT community, and progressive schools. There is also much to be inspired by, as they expressed their commitment to building networks of solidarity with other children of LGBT parents and LGBT young people; and of contributing to social change so that next generations experience a positive, secure future.

Whilst 'Voices of Children' makes no claims to generalise or be fully representative of all the young people of LGBT parents, these themes illustrate the ways in which such research provides unique and important insights that can inform more substantial research, public debate, and thus, help to improve future legislation, policy and service provision.

Structure of the report

Given the focus of the report on legal recognition for children of LGBT parents, a short Legislative Context section provides a summary and commentary on the current situation for LGBT families in Ireland. A brief literature review of Irish and international (European and North American) research over the past four decades speaks to the commonality of experiences of children with one or more LGBT parents[2]. The heart of this report is the Findings section, which draws substantially on the children's own words to describe their lived experience across the themes discussed. The Methodology section locates the study within the emancipatory methodology and provides an overview of the sample, method, limitations, ethical considerations (also detailed in the Ethical Protocol in Appendix II) and validity criteria.

Lack of legal recognition

> *"It should be borne in mind that this is not a hypothetical problem. The omission of robust protections for the children of civil partners will have real consequences for the young people concerned and it is in their interests that the law reflect and provide for the reality of their lives"*
> (Ombudsman for Children July 2010 S1.5 p3)

In many of the same-sex legal recognition debates, the perceived life experience of young people has been manipulated to draw a line differentiating heterosexual and same-sex relationships. Such debates often include unfounded or misinformed arguments that same-sex parenting is flawed, second rate, risky or inherently damaging. In Ireland, as in other countries, such debates are irritating, distressing, disempowering and, above all, damaging for the young people of these families whose existence is often treated as theoretical rather than a reality.

Calls for the legal recognition of children who are the centre of this report rest on three premises. Firstly, the social reality that they exist (and have existed for generations); secondly, that these children, as individuals, are bearers of human rights, which the law must protect, and the State must uphold; and thirdly, the function of legal recognition in combating societal homophobia in both public and private spaces, which creates stigma, marginalisation and disadvantage (Sifris 2009).

"This lack of recognition and adequate legal protection is very keenly felt and a source of concern and frustration to them"

The 'Voices of Children' participants were well aware of the lack of legal and social recognition for their families if social and legal frameworks do not change for the better. They spoke of how this had impacted on them and would continue to affect future generations of LGBT families. This awareness was stressed by the Ombudsman for Children who referred to the 'Voices of Children' research in her advice to Government on the Civil Partnership Bill.

> *"This lack of recognition and adequate legal protection is very keenly felt and a source of concern and frustration to them"* (Ombudsman for Children July 2010 S1.5 p3)

Interpretations of the Constitutional definition of family have been limited to a heterosexual model, primarily protected through the institution of marriage, and precludes any protection for alternative family units (Irish Council for Civil Liberties 2006; Valiulis, O'Driscoll and Redmond 2008). This denies such LGBT families recognition and the associated: 'stability and security of social, political and cultural protection' (Valiulis, O'Driscoll and Redmond 2008, p. 17). (It is noted that the Joint Committee on the Constitutional Amendment on Children stated in its section on equality, referring to the UNCRC and the EU Charter of Fundamental Rights, that the Constitution should specifically recognise that children have rights as individuals (S10.7)[3]).

Child-centred, human rights approach

This study is grounded in a child-centred, human rights-based approach, this means: "describing situations not in terms of human needs or areas of development but in terms of the obligation to respond to the rights of individuals" (Mary Robinson 1999 in Collins, Pearson and Delaney 2002). Therefore, its starting point is that the Irish State has moral and legal obligations to ensure that the human rights of all members of Irish society are respected, protected and fulfilled, and to provide remedies where this is not happening. Having ratified the UN Convention on the Rights of the Child (CRC 1989) without reservation in 1992, the Irish State is:

> *"required to realize the rights of every child under their jurisdiction and to act in the best interests of the child with their 'total available resources"* (UNICEF 1998 in Collins, Pearson and Delaney 2002 p. 4).

Central to this study are the CRC's Articles 2 (non-discrimination), 12 (participation), 16 (privacy, reputation and honour) and 18 (family) (see Appendix I). The State has embedded these international commitments into the text of national policy and associated guidance; in so doing, it has stressed the importance of rights to participation and non-discrimination (Department of Health and Children 2000, 2007; National Children's Office, The Children's Rights Alliance, and the National Youth Council of Ireland 2006; Health Service Executive 2008).

The National Children's Strategy's vision for the last decade has been:

> *"An Ireland where children are respected as young citizens with a valued contribution to make and a voice of their own; where all children are cherished and protected and supported by family and the wider society; where they enjoy a fulfilling childhood and realise their potential"* (Department of Health and Children 2000).

However, it is not clear how CRC human rights are to be realised for a group of children whose existence is denied by the Irish State. In particular, this is a concern when the State sets aside the strongly worded statutory advice from the Ombudsman for Children.[4] She describes the Civil Partnership legislation as not prioritising children's rights and interests (July 2010 S1.4 p. 2), and makes the following conclusion.

> *"The Government should bear in mind that the Civil Partnership Bill may well give rise to violations of international human rights instruments to which the State is party. The differential treatment under the Civil Partnership Bill – especially when compared with the relationship between children and step-parents under Irish law could well be found to be in breach of Articles 8 and 14 of the European Convention on Human Rights Act. It might also be regarded by the UN Committee on the Rights of the Child to be an unjustifiable interference with children's right not to be discriminated against in the enjoyment of the rights set out in the Convention"* (July 2010 S4.3 p. 11).

Despite being advised of such potential breaches of international human rights law, the Oireachtas made no amendments on children's rights, the Government proceeded with the legislation, and the President signed it into law in July 2010. As the Irish Children's Rights Alliance has observed:

> *"There remains a very real gap between the rhetoric and the reality of children's rights in Ireland"* (20 Nov., 2009).

Of particular concern in this study are the fundamental inconsistencies between the external face that the Irish State shows to the international community in its human rights commitments, and the reality of its treatment and practices at home towards LGBT families. During the research period the Government has chosen to exclude children within LGBT families from both adoption and Civil Partnership legislation (despite significant advice from the Office of the Ombudsman for Children and civil society organisations such as Marriage Equality[5]), whilst asserting the centrality of children's rights in the post-Ryan era and signing up to the Council of Europe's Recommendations on LGBT human rights.[6]

Drawing on the work of the Law Commission of Canada (LCC), the Irish Council for Civil Liberties advocated that state law and policy on families should be underpinned by the values of autonomy and equality. Autonomy is understood to mean:

> *"the ability to freely choose the form of one's personal relationships take [....] developed in connection with others".* According to the LCC: *"autonomy is compromised if the state provides one relationship status with more benefits and legal support than others, or conversely if the state imposes more penalties on one type of relationship than it does on others." Equality is understood to mean: "between different types of relationships and between individuals within relationships"* (2006 p. 11).

International evidence on LGBT families

It is noted that such failures of the Irish State to respect, protect and fulfil children's human rights have no basis in scientific research. The strongest and most comprehensive assertion of the equality of LGBT parenting has come from the American Psychological Association (APA). The APA has set out the findings of its meta analyses of studies into LGBT families, which it has articulated in publications on lesbian and gay parenting (APA 2005 [7]), as well as in legal submissions concerning Amicus Briefs (from 'amicus curiae,' meaning 'friend of the court') on same-sex marriage and child custody[8] (28 Mar., 2008). In a recent article in the Irish Psychologist it was reported that the APA has found the following:

> *"There lacked evidence at a scientific level that same-sex couples should be discriminated against as parents [....] the children of same-sex couples were able to cope and flourish as well as other children, but that it was the discrimination in society against the gay parents which affected their children. The research suggested that both gay and lesbian parents were just as effective at parenting as their heterosexual counterparts"* (6 Jan,. 2010, p. 38)

Four decades of legal, psychological, and sociological research from Europe and North America has cumulatively declared as unfounded claims that LGBT people are unfit parents. It is valuable and important that this scientific evidence exists and continues to be disseminated. As illustrated by recent debates on adoption and Civil Partnership, the strong body of research has yet to fully penetrate the Irish State and public discourse. This is frustrating for children; as one of the 'Voices of Children' participant's commented:

> *"No matter how many times I, as an individual, will say: 'but they've done research into it, we grow up perfectly normal', it doesn't matter a damn thing because people are completely moved by emotion (....) not by facts and figures at all"*

> *"It is not clear how human rights are to be realised for children whose existence is denied by the State"*

Future research agenda

Historically, the impetus for research into LGBT families has been to advocate within court cases around custody and legal recognition of same-sex relationships. However, 'Voices of Children' asserts the importance of moving beyond this legally-oriented or 'forensic' research approach. The rationale for this change of focus is two-fold.

Firstly, it is important to be conscious of how such forensic discourses may play out – they may, at best, problematise and, at worst, pathologise children and families (Dominus 2004); putting them on the back foot of defending and justifying their relationships to people who may have a fundamental, moral bias against the very idea of LGBT parenthood that is impervious to scientific evidence.

Secondly, 'Voices of Children' argues for the development of a research agenda, which gives voice to and honours the lived experience of LGBT families (Paechter 2000) and the centrality of children. Previously LGBT family studies have more frequently been oriented towards the experiences of parents; young people have only been 'reached' through their parents narratives. Even when research has been conducted with young people, it has been largely framed by adult concerns. Further, there has been a strong comparative element with young people reared by heterosexual parents. Whilst these studies have revealed valuable evidence proving that there are few differences in social, emotional and development outcomes (Stacey and Biblarz 2001), it is still crucial that we find out about the diversity and commonality of experiences amongst young people parented by LGBT persons.

The development of a child-centred research agenda would ask the questions that children identify as important, and generate evidence about how their lives can be enhanced in order that they can fully enjoy all their human rights. This will involve facilitating children to interpret, for example, what their human rights are. How will they see their rights in relation to family, to non-discrimination, to participation, to privacy and to reputation? As they move from childhood to adolescence and into adulthood, the Irish State and Irish society will need to act so these rights are realised.

The 'Concluding comments' stress the importance of advocating for equality, particularly in the context of the current conservative backlash against equality. Children of LGBT parents not only encounter discrimination and homophobia within their everyday lives but have also suffered – first hand – from the Irish State. International human rights commitments that impact on them have been set aside thus denying LGBT people and their families the legal recognition, protection and validation that every citizen in this country should enjoy. Yet as these injustices were unfolding over the last parliamentary year, the 'Voices of Children' group spoke with clarity, vision, generosity and solidarity: envisioning a future in which human rights for all children in Ireland are a lived reality.

References

1 A fuller version of the literature is available at

  http://www.marriageequality.ie/getinformed/

2 A fuller version of the literature is available at
  http://www.marriageequality.ie/getinformed

3 The Committee took the view that particular rights enshrined in the Convention, such as a child's right to be heard in any proceedings affecting him or her and equality or non discrimination in respect of children, should be reflected as specific rights in the Constitution [....] In its proposed wording [...] the Committee recommends the inclusion of some of the central guarantees of the UNCRC namely the rights to equality, the right to be heard in appropriate circumstances and the obligation to treat the child's welfare as the first and paramount consideration in applications concerning his or her care. (Joint Committee on the Constitutional Amendment on Children 2010 pp. 71–2).

4 The Ombudsman for Children's advice was provided under her statutory role under Section 7(4) of the Ombudsman for Children Act (2009): to give advice to a Minister on any matter relating to the rights and welfare of children, including the probable effect on children of proposals for legislation (July 2010 p2).

5 This advice was with regard to adoption (Marriage Equality, September 2009), Civil Partnership (Brian Barrington BL to Marriage Equality, August 2008), and family relations (Marriage Equality, December 2009, to the Law Reform Commission).

6 On 31 March 2010 the European Union became the first region in the world to codify the human rights of LGBT people in the document: 'Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity'; its appendix includes sections on IV rights to respect for private and family life, (VI) Education, (VII) Health, (VIII) Housing, (XI) National human rights structures, and (XII) Discrimination on multiple grounds.

7 'Lesbian and Gay Parenting' provides a summary of research findings on lesbian mothers, gay fathers, and their children; an annotated bibliography of the literature; and additional resources relevant to lesbian and gay parenting in the forensic context.

8 The APA has participated in key court cases as an 'amicus curiae' meaning 'friend of the court'.
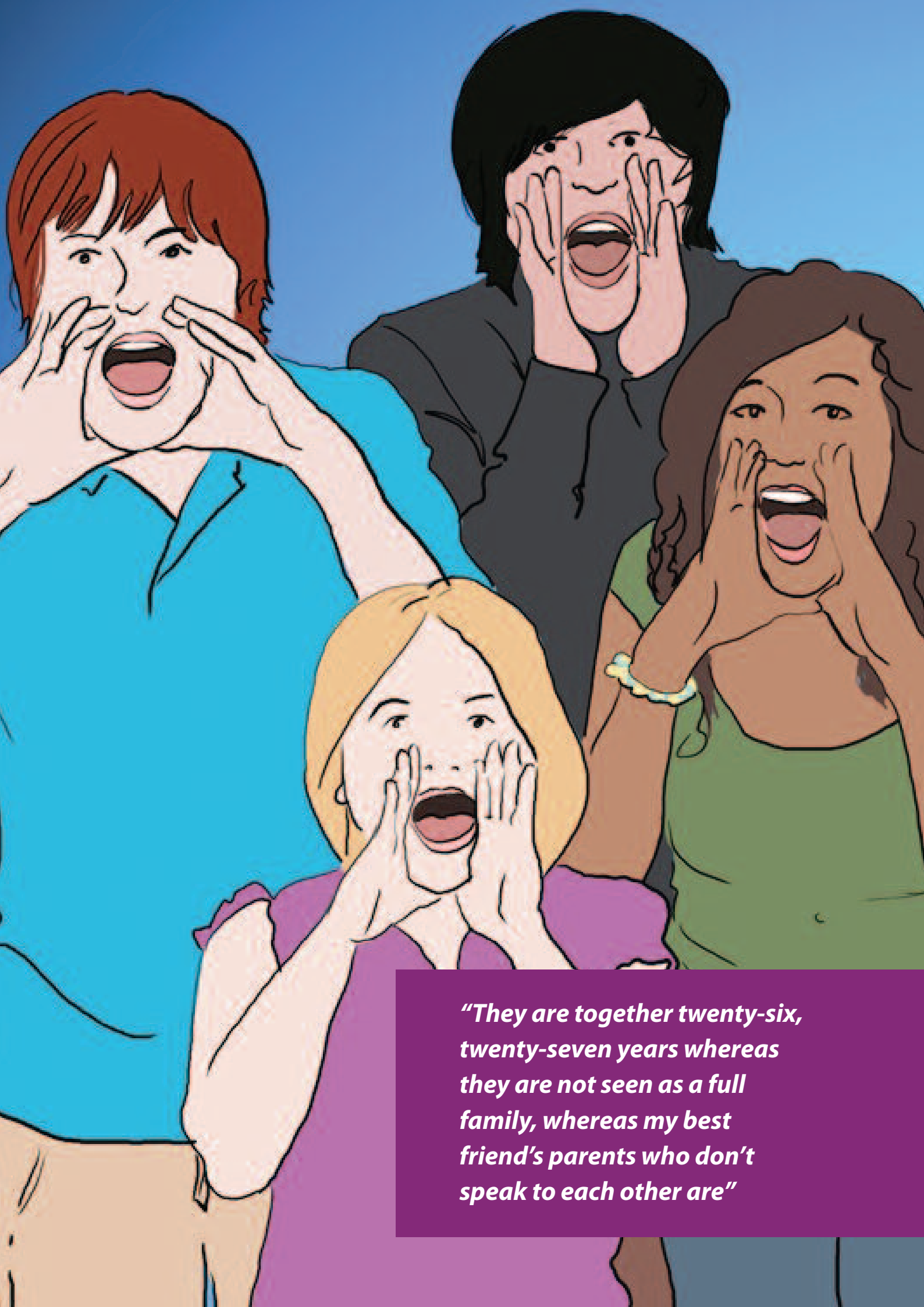
"They are together twenty-six, twenty-seven years whereas they are not seen as a full family, whereas my best friend's parents who don't speak to each other are"

FINDINGS

The 'Findings' section is the heart of the report. The following themes are discussed with illustrative quotes: diversity within LGBT families; being wanted, protected; impact of legal recognition; legal change, social change; experiences of public (churches, media, schools, health services) and private (family, social circle) homophobia; coming out as children of LGBT parents; age, life stage; sources of support; and solidarity with future generations.

There is substantial use of direct quotes. Where the quote involves a conversation between participants this is tracked by using Participant 1, 2 etc. In keeping with ethical considerations of anonymity and confidentiality there is no identification of which participant is speaking.

Diversity within LGBT families

The diversity of the 'Voices of Children' group reflects both the diversity of LGBT families and, in many ways, the diversity of families within contemporary Ireland. Birth parents separate and divorce, form new families, merge households, and include members of extended families bonded by kinship and friendship.

With regards to their central parental relationships, there was resistance to the labeling of parents as 'biological' and 'non-biological'; for the children they were simply their mothers.

> *It's always been our mothers and […] me calling (name) my mother's partner is sort of a really bizarre thing in my head. It's just my mum and my mum. And it's differentiating between them is like: mum 1 and mum 2, mum A and mum B, or non-biological and biological mother; but it's just mum and mum so I definitely don't want anything different*

On the topic of having parents of different genders, and specifically whether those children raised by lesbian mothers experienced the lack of a male role model, a variety of experiences and opinions were expressed. These related to their own and other's expectations about the importance of having male role models. Some of the male participants as well as two of the women (reflecting on their brother's experiences) spoke of a sense of seeking out male influences during their childhood.

Whilst respecting the views of those who had wanted a male role model, others in the group spoke more in terms of the importance of having another significant adult with whom they could connect. From the experiences within the group, this role had been fulfilled by their biological mother's lesbian partner, and male and female members of their extended family (uncles, aunties) and family friends. Further comments emphasised the fact that this issue applied to children of separated parents who

did not have ongoing contact with their father, as much as to children reared in lesbian households.

Parental separation was described as having pluses and minuses. Some of the issues that the group discussed were common with children in any new family which is bringing together two households, and dealing with different routines around chores, food and meals.

A striking characteristic of the family lives of several of the group was their multiple moves between countries and within Ireland, and also between different households and families during their childhood. However, one made an interesting distinction between moving between households and moving as a family unit.

Their experiences of multiple moves of some members of this group, this could also reflect contemporary Irish family life and/or it could be a characteristic of some LGBT families as they endeavour to settle in a supportive community. Many of the moves were by mothers who were returning emigrants (coming home from large cities in the UK that have been and continue to be traditional destinations for LGBT Irish people seeking a less repressive place to live). Subsequent internal moves were variously explained in terms of lifestyle (moving to a rural location), relationships (being close to extended family), and social attitudes (being in a more accepting urban environment).

These experiences were described as mainly positive, and many have maintained relationships in places in which they have lived. However, moving required starting afresh with new friends and schools and that could be hard, particularly because of their different family form.

Being wanted, protected

There was a strong sense of how wanted the children of LGBT parents felt, making it harder for the group to accept societal attitudes that continue to reject such committed families.

Participant 1: "With someone who has kids it's obviously a big deal and the fact that the kids are so wanted. So they are obviously – I'm not saying that people are better parents."

Participant 2: "But it's not like you're an accident."

Participant 3: "People try to keep their children."

Participant 1: "Exactly."

The ways in which their LGBT parents had protected their children from homophobia was raised.

> *I didn't know this until two or three years ago that when I was possibly six or seven to nine and I had a friend who was Indian and his parents forbid him to come over to my house [.…] And they (school friends' parents) were convinced that my parents would corrupt their son*

IMPACT OF LACK OF LEGAL RECOGNITION

The group spoke of their sense of embarrassment and shame at the Irish State's 'backward' attitudes towards legal recognition of same-sex families.

There was discussion of the wide range of countries including those called 'under developed' or 'Catholic', which, despite such barriers, have successfully introduced gay marriage.

Continuing the discussion about having had a strong sense of being wanted, the young people spoke of the nonsensical, 'unbelievable' situation of same-sex couples not being allowed to adopt.

They spoke of how they saw their parent's relationships as de facto marriages, and their frustration at how less-strong, straight relationships were given this higher social and legal status; for several members of the group the norm was for their friends' straight parents to be separated.

Participant 1: "But I pretty much consider my parents to be married, they just don't have the certificates."

Participant 2: "They are together twenty-six, twenty-seven years whereas they are not seen as a full family, whereas my best friend's parents who don't speak to each other are."

There was a range of examples of how the lack of legal recognition for their families impacted on children and parents; these focused on health and education but there were also references to the ways in which the State made their families invisible, for example in the Census.

You get it on the Census form, there's boxes for married, single and you're the 'other' box – that's what you have to tick

They were also aware of how their families were discriminated against through the inheritance and taxation systems.

Those who had been born into a straight family were acutely aware of the difference between that and the experience of being reared in a family that society treats as different or illegitimate.

It's particularly difficult when you come from a family that is predominantly straight and to go into a family that is predominantly gay. It's, you've gone from this world where it's even growing up; in primary school it's pictures of the mammy, the daddy, the 2_ children, dog, cat and everything else, to go into your world, well: 'I don't fit into that picture anymore', and 'that's not my picture'. I've got my own much bigger,

better picture but I don't have what everybody else has […] I think the constraints that you feel about actually talking about your family is the fact that this never actually gets out there

Legal change, social change

Whilst the group sought legal recognition of their families, they stated that social change was needed for their families to be fully recognised. Participants in this study recognised that they were the first generation of children reared in an Ireland following the decriminalisation of homosexuality (1993) and the introduction of divorce (1995). It was noted that these legal changes characterised a degree of liberalisation in social attitudes towards families who do not equate to the hetero-normative structure of married heterosexual parents and biological children. It was also noted that such dramatic social changes that continue in Irish society need to further challenge the pervasive and persistent conservatism of Irish society – specifically the Catholic Church's continuing control of education and influence on public discourses.

So it's difficult especially to have a different sort of family, especially when you're parents are getting divorced. Even divorce still in this day and age is still, it's like: 'oooh divorce'. Deal with it! What's wrong with youse? There's nothing wrong with us. We're just doing something different: even something as simple as that. The fact that that is difficult to talk about is saying to me that Marriage Equality is ten times harder. Saying: 'yeah my parents are getting a divorce because my mum's gay, she's actually been gay since she was a teenager but she is only saying it now because she realises she's been living a lie

The situation with the legal recognition of their family relationships raised broader issues of equality in Ireland and the role of the State.

In this day and age saying that everybody is equal is a load of bollocks, excuse the language, but it's a load of bollocks. Everybody is not equal. But it would take no effort of the Government to actually lead, to turn around and say – no we're not having a referendum, everybody is equal, everybody can get hitched, you can have your family. Civil partnership, marriage, you can adopt your partner's children: there should be legal ways to protect the children of LGBT parents. In order that if something does go wrong, say they do break up or a parent does die, they can go with the family that is going to love them and is going to look after them and give them care. Rather than being shunted to another family

who didn't even accept them because they couldn't quite get the fact that their mam or dad is gay. So it should be done, it shouldn't just be – this should not be necessary, it should just be done as a human right

Experiences of homophobia in public spaces

As well as experiencing homophobia within their immediate family and friendship networks, the group described encountering homophobia in public spaces including churches, media, schools and in the health services.

Churches

There were examples of them witnessing how Protestant and Catholic clergymen use the pulpit and their position within communities to express their homophobia publicly.

Participant 1: "I was down at this Methodist wedding [the preacher] he was standing there doing a spiel before they did the ring thing like and he started, he started going on about gay marriage […] and saying that it was terrible. I couldn't believe it. I was like: 'why would you bother bringing that shit up at someone's wedding?' But the fact that he was actually doing it, I was shocked, I haven't been to many weddings."

Participant 2 & 3: "Yeah because we don't have them." [Laughter].

Participant 1: "…and I was like: 'are they always like that?' I was stunned, I couldn't believe it."

That happened to my mother's partner […] in a small town (named). She didn't come out for a long time because coming out in (name of town) would be a very big deal. Her mother got a really hard time about it when she did come out; and even now if the four of us go back down, if she goes to mass on a Sunday the priest will start preaching hell fire and damnation and saying: 'it's never too late to change, come back to the light'. Kind of looking at her sat at the aisle. It's just kind of sick, so insensitive

Media

The group discussed the media reporting on legal recognition of same-sex families. There were repeated comments about the importance of challenging the public stereotypes of children of LGBT parents.

The thing is when they talk about 'the kids' I'm like: 'I'm one of the kids, I'm normal – what are you talking about, I'm just the same as your kid

Public homophobia, for example, in the media creates a strong response amongst children of LGBT parents.

Just back in July some of you may remember the column that Brenda Power wrote and her main point was, it was to do, she was saying: 'you have to think of the children'. I was saying: 'we are the children! We're normal! It's just about coming out and saying. Because you know, people will listen to that, about being careful and they think: 'you do have to be careful'. And no matter how many times I as an individual will say: 'but they've done research into it, we grow up perfectly normal', it doesn't matter a damn thing because people are completely moved by emotion [….] not by facts and figures at all. So the more we get people like us out there, the more they realise well: 'is that, that person is exactly like the person that I grew up with you know, and you know: normal

Schools

There was a wide variety of experience of school. Key factors which influenced what they said about their families included: the general social context (rural, small town/city; degree of conservatism), school ethos (liberal, equality positive / conservative, Catholic), explicit homophobia of other students (and inaction by staff to address this), their sense of their own and their family's privacy, and their connection with the school (having friends at school or mainly outside). There was a view that their families should not have attention drawn to them and that this kind of 'fuss' was hard for them to deal with.

The group recognised that at different ages, and stages of their schools (particularly between primary and secondary levels) they had different levels of privacy. Several in the group spoke of their family make up being of general knowledge when they were in primary school.

Everybody kind of knew. Even in primary school say everybody knew and I never got any sort of bad reception. When I was a kid everyone was curious, it was grand

In contrast, one young woman spoke of deliberately not talking about her home life because of the persistent homophobia in her class, which was not challenged by the teacher. Her experience was particularly difficult as peer/school homophobia silenced her from speaking about her non-biological mother's terminal illness and death when she was in primary school.

I couldn't tell anyone about that because I couldn't really explain. I couldn't really say: 'oh, my mum's friend died'. That was the extent of it; that was really hard

The 'Voices of Children' group identified the school setting as an important location for change. Within an Irish context, school-based change was considered to be part of a broader societal agenda of separating Church and State in the education sector, and the removal of religious control of schools. They felt that the positive experiences of schools were an exception to an otherwise unsupportive education system. Where children were not in a liberal or progressive school, they were reliant on having individual teachers being 'nice' enough to respect and respond to their families. This ignorance and the lack of education on LGBT issues were identified as root causes of the discrimination that they have experienced and continue to experience.

The young people clearly differentiated between the ethos of various schools: those that were 'equality friendly' and liberal were praised, and all references to Catholic schools were negative. Progressive schools were considered rare.

Participant 1: "Our school is definitely one in a million in Ireland; there are so many other schools where we wouldn't have it as easy at all."

Examples of homophobia originating from school policy, personnel, other students, and parents of other children were discussed. An example of everyday frustrating and distressing school homophobia was some schools' policy not to let sick children go home with their non-biological parent.

> *Even something as simple as being sick in school – they can't come and collect you. They're: 'you have to have your parent', and you're like: 'she's coming to collect me, she is my parent', and they're like: 'no she's not'. [….] The fundamental, the day-to-day stuff; it gets – there is a hindrance for us and the nuns get in there*

In another situation the child of LGBT parents was excluded by her friend's homophobic parent with collusion by the school principal

Participant 1: "That friend's parents found out that this child had a gay mother and went into the school and told the principal that she didn't want her child playing with that other child. And the principal actually accepted that."

Participant 2: "That's appalling."

Participant 3: "That's just crazy."

Participant 4: "That happened to a boy in my primary school […] His mam and his sister actually told him that […] he wasn't allowed to hang out with us anymore because our parents were gay. And then he turned out to be gay himself."

One of the group, who identified as attending a liberal school,

spoke of how her teacher had advised her to censor her family life in an Irish language exam because of the assessors possible conservatism. The group discussed the limitations of the national language – perhaps as it is taught in schools – as a way to speak of LGBT families; a number of the group said they could express their family lives through mainland European languages, but not Irish.

Health services

The group discussed only negative experiences of the health system. In contacts from birth to serious illness to death, health services failed to recognise the family status of children and parents within LGBT families and, in fact, gave privileged status to biological family members who were distant, unaccepting or vocally homophobic.

Example 1: Children's access to health care through their non-biological parent

> *If one of them (younger siblings) got sick now my mum couldn't even go and sign stuff if they were in hospital. And she cares for them – my mum's partner works, she's at home and she can't do anything, she has no rights*

Example 2: Non-biological parent having a terminal illness

> *When my mother's partner was sick, she was sick for – she was diagnosed when I was 8 and she died when I was 11 [….] Her father was very, very conservative, never accepted that she was gay. He just made life really, really difficult during that period. And since (mother's partner) and my mam weren't married […] (partner's father) would totally take over and not listen to a word my mother was saying. Almost go against her on purpose. And I wasn't allowed to go in to see her […] It was very, very difficult the fact that they weren't married, the fact there was no legal status for them.*
>
> *Even stuff like the funeral arrangements; the funeral was totally out of control. And (partner's father) didn't want any mention of the fact that (mother's partner) was gay at the funeral or anything like that. But we kind of got around that by hiring Gloria, the gay and lesbian choir to sing!*

Example 3: Biological parent having a life-threatening illness

> *My mother, my biological mother got very sick and she had split up from her partner and […] her ex- and my mother's new partner were all kind of involved in the situation because they stayed pretty good friends. My mother's family would never really say, would never really accept the fact she was gay.*

So when it came to decisions and things, I was 14/15 and they had all the legal rights in terms of making calls. There was a lot of stuff to sort out […] I lived with my biological mother and then she was in hospital for three or four years. So I went and lived with (mother's ex-partner); and it came down to me to choose that. Whereas at one stage I was going to have to go and live with my uncle who I'm not really, don't really know really at all […] Because there is no rights for partners.

Well there's no security […] She didn't die in the end but if she had done then it would be on the responsibility of my uncles rather than (mother's ex-partner) who is just as much my mother as my biological mother was. I think, I think eventually I would have gone with (mother's ex-partner) anyway because I was old enough […] But all the decisions then had to go through the biological family, then the doctors and stuff

Experiences of homophobia in private spaces

The group had experienced homophobia from family members such as one woman's step mother who was anti-same-sex marriage, as well as friends and boyfriends. A number of the group described experiences of having to challenge homophobia within their peer group, clear that they did not want homophobes in their social circle.

If he is going to keep on being friends and hanging around with us then he has to be stopped in his tracks at some point and say […] it's not on. It takes courage, it does

Coming out as children of LGBT parents

The process of accepting their gay parent's sexual orientation was touched on. Their experiences were varied as some children had only known their parents as gay, whilst others had started out in a heterosexual family.

I've accepted it and I'm happy for my mum because she is really happy, way happier now than in her previous life, but it's still a huge issue

Within the group there was a wide range of views on how they felt about speaking about being children of LGBT parents.

I still don't talk openly about it, about this whole issue. I do when I'm around adults, and around family but around my friends I'm just not comfortable yet so that's a big issue for me

For others it was something which was (perhaps no longer) to the fore.

I wouldn't say it's on a need to know basis, but it's just something that's not on the top of your mind to tell someone

One young woman thought that legal recognition for her family would make it easier to talk about being a child of LGBT parents.

It would also make it easier to talk to people because when you try and describe your family: well, there's this and this and this and this. It's very hard. Whereas if you could say she's my other mother, you know what I mean?

The multiple house-moves discussed in the section on diversity in LGBT families, were another factor in children of LGBT parents needing to decide who to tell about their family. These decisions were affected by the type of place that the family were living in, the presence of supportive (or homophobic) peers, positive (or homophobic) environments, and their age/life stage, and different sensibilities around privacy.

The group discussed only negative experiences of the health system. In contacts from birth to serious illness to death, health services failed to recognise the family status of children

You get different receptions in different places, it's quite interesting. I've lived in six different counties in Ireland, a few cities and it does seem quite varied [...] I kind of didn't tell anyone in (name of large town) – that was the first move (in Ireland). When I started to get more – older and confident – I told whoever I could and if they are a friend in any way at all then they'll just accept it [....] I've not had many snide comments since I started telling people

Age, life stage

Back in London we would have, everyone would have known. I suppose that's where we grew up. But then when we came to Ireland we sort of told everyone in primary school didn't we (to brother)? But when we went to secondary school I was a little more reserved about it because, well: this is my private life, this is my family background. I don't see why it's any of your business. But then I was in one school, one secondary school for two years and then a second one for four years; and then towards the end of secondary school everyone essentially knew because it would come up in conversation: 'what does your dad do?' – 'well I don't know, I've never met him, he's not a dad to me'. Then in university it's just – no one really cares. It's just a situation where you've got such variety in people's parents that it doesn't make a difference. It's an interesting topic to talk about but that's it

How well their straight fathers had accepted their mother's sexual orientation was also described as important.

My dad, he didn't really accept my mam and I just had to tiptoe around it

Sources of support

Supportive friends and a strong peer group were repeatedly referred to as essential to school life, both in terms of being a child of LGBT parents and of surviving teenage years, including belonging to any family that does not conform to married mother, father, and child(ren).

I was very lucky at secondary school that I had the same six or seven friends that over the course of the shit that you go through in secondary, as a teenager – because everybody goes through shit. We stayed together and we had a clique and over the time it became more and more acceptable to just talk about the stuff. Like now they all come to Pride with

me and [...] everybody is really supportive about the whole thing. So it was good in the sense that I found the most open-minded people in my school; the school itself - not so much

Several of the group spoke positively about the gay scene, describing their contact with it through events (Pride), gatherings (Women's Camp), spaces (Outhouse), and organisations (Gloria) as feeling 'at home.'

Although some members of the group knew each other, there were a number of comments about how rare it was to meet other children of LGBT parents outside of siblings or family friends; some had only known their siblings before the 'Voices of Children' research.

The group of young women who knew each other from Women's Camp[9] spoke enthusiastically about their long-standing friendship.

I was very lucky [...] that was always just fantastic. It was really just to have [...] we would just hang out and it was just nice to be totally relaxed. Even with my best friends I still – like, it's different and it is hard to be put in a different situation but I think that having people who are the same. It's like telling people about it

Solidarity with future generations

There was a strong commitment to making the lives of younger children of LGBT parents easier than theirs had been, having their rights realised, and giving their family relationships the protection of the law. There was a sense that the opportunity for adult children of LGBT parents to benefit from societal change had passed, and an absolute commitment that no other generation should have to experience the pervasive homophobia described in this report. Legal recognition would both provide protection: 'you can't really mess with the law', as well as unequivocally establish socially and legally recognised sibling and parental relationships.

9. Women's Camp is an annual gathering of women and their children in Ireland.

LEGISLATIVE CONTEXT

"The State may be an active participant in the discrimination process. Legislative bodies have the power to discriminate against these children or [...] through legislative intervention to prevent discrimination from occurring" (Sifris 2009 p. 11).

Currently in Ireland the only mechanism for legal recognition of lesbian and gay relationships is under the new Civil Partnership Act, 2010. However, the new Act does not give the children of civil partners the same rights as the children of married people and does not recognise the relationship between a child and its non-biological civil-partnered parent. While the Act copies almost word for word many of the laws enjoyed by married people, it systematically omits the provisions of those laws that protect children. The children of parents who are civilly partnered are seriously disadvantaged as a result of these omissions, with inequitable treatment evident in relation to protection of the family home, maintenance, succession rights, divorce/dissolution, guardianship and custody.

- For example, a married person cannot normally sell the family home without the consent in writing of his or her spouse. A court may dispense with that consent if it is being unreasonably withheld. A court must have regard to the position of any dependent children when deciding whether to dispense with consent. By contrast, there is no clear requirement for the court to have regard to the position of any dependent children of civil partners when arriving at a decision.

The position of children of civil partners is even more precarious when it comes to maintenance.

- A married person can seek maintenance both in his or her own right and for any dependent child of the family. But a civil partner only has a clear right to seek maintenance for him or herself. It is unclear whether he or she can also seek it on behalf of a child.

What is clear is that if that civil partner dies or deserts, then nobody can seek maintenance for the child from the non-biological civilly-partnered parent. By contrast, if a married person dies or deserts, anybody – (such as an aunt or carer) can seek maintenance for a dependent child from the other spouse. This is true even if that other spouse is a step-parent to the child, and therefore not a 'biological' parent. This failure to provide equal protection for the children of civil partners may well breach Articles 8 and 14 of the European Convention on Human Rights (ECHR).

The treatment of children of civil partners in relation to succession is also unsatisfactory. If a civil partner dies without making a will, his or her non-biological child will not be entitled to a share of the estate. And if the civil partner does make a will, the child will be unable to apply to court for relief if proper provision is not made for him or her. This arguably leaves the child in a similar position to an 'illegitimate' child before the Status of Children Act, 1987. Ireland's then treatment of 'illegitimate' children was found to breach Article 8 ECHR.

In addition, a non-biological civilly-partnered parent cannot get guardianship or custody of a child while the biological civilly-partnered parent is alive. Nor may civil partners jointly adopt a child. The Ombudsman for Children has asserted that the 2010 Act appears to have been drafted without the best interests of children in mind. The many unsatisfactory issues highlighted above illustrate the fact that not only does the current legislation fail to protect the interests of the children of civil partners, it actively discriminates against them.

"The State may be an active participant in the discrimination process. Legislative bodies have the power to discriminate against these children or [...] through legislative intervention to prevent discrimination from occurring"

LITERATURE REVIEW

"Greater emphasis should be placed on the individual needs of children rather than policing family structures" (Sifris 2009, p. 17)

The literature in the 'Voices of Children' review was collected from a range of sources including organisations and individuals who had expertise in: children's human rights, research with children, and the LGBT community. Meta-analyses and authoritative landmark studies form the basis of this section, because a comprehensive review was beyond the scope of this study.

The literature review for this study was conducted after the collection and analysis of the data in order that it would provide a focussed response and exploration of the themes identified by the young people. It also draws on research with children of gay fathers and transgender people in order to hold the breadth of identities and experiences, which were not represented in the 'Voices of Children' empirical data.

Research on children of lesbian and gay parents began to be published in the 1970s as case reports, first person and fictionalised descriptions of life in families parented by lesbian mothers and gay fathers, and later as systematic research published in major professional journals. (Patterson in APA 2005). Acknowledging the limitations of earlier studies, Patterson comments that contemporary research involves a wider array of sampling techniques and research designs including longitudinal studies, and larger and more diverse samples. Studies are being conducted in a growing number of countries. Some of the research has, as with our study, a generational dimension to it, reflecting the specific social/cultural/legal/political contexts of young people reared in particular geographical contexts in the periods between the 1970s through to the 2000s. Recent studies have also begun to explore the impact of changing legal statuses (Rupp and Bergold 2009) and have adopted child-centred approaches (Guasp 2010).

After a discussion of the importance of 'profiling' – that is gathering national data on children and their families – the following themes below are discussed in order to mirror those of the Findings section: diversity within LGBT families; being wanted, protected; impact of legal recognition; experiences of public and private homophobia; coming out as children of LGBT parents; age, life stage; and sources of support.

Profiling children of LGBT families

International research illustrates the importance of inclusion of questions on LGBT families in census data in order to identify the (substantial) numbers of children within same-sex households and the dimensions of their lived experiences (Romero et al. 2007 in Gartrell and Bos 2010; Rupp and Bergold 2009). The Irish 'Burning Issues' total survey sample of LGBT people identified that 1 in 5 women and 1 in 14 men have children; rising to 4 in 10 women and 1 in 6 men amongst those aged over 35 (Denyer et al. 2009).

Such profiling research could also gather information on the diversity of child-rearing arrangements and children and parents' common and differential concerns. The small scale, qualitative study 'Redefining Family' reported Irish LGBT parents concerns of: social stigma, coming out, and lack of social / legal protection (adoption/guardianship, civil partnership, inheritance, wills). Lesbian parents spoke of the challenges of interacting with playgroups, schools and health services. Gay fathers spoke of their children's vulnerability to bullying – and their own vulnerability when their ex-partners entered new relationships. Gay father's viewed the vulnerability of their parenting status as reflective of men's lack of voice within Irish family law courts generally, as well as homophobic presumptions around fit parents (Valiulis, O'Driscoll and Redmond 2008).

In the 'Redefining Family' study, all of the transgender parents had had their children (aged 5 to 29 years) within previous heterosexual marriages, and had long standing frequent/joint/full custody with their ex-wives. They spoke of the challenges of passing and self-censorship both with their children and in public. Legal concerns included the ramifications for their families of changing the sex classification on their birth certificates (Valiulis, O'Driscoll and Redmond 2008).

The experiences of children of LGB parents were included in a broader study of families of LGB people in Dundalk. The study reports the diversity of children's experiences with regard to the realisation that their parent was gay, their parents – and consequently their – 'coming out' experiences, impact on the quality of their relationships, and identified support needs (Clarity 2009).

Diversity within LGBT families

The literature repeatedly recognises the heterogeneity of LGBT families including pathways to parenthood and the configuration of children's families, which continue to evolve over time as parents form and reform their primary relationships. It is important to caution that the focus on legal recognition of same-sex couples and their children should not create invisibility around children being reared within other LGBT family constellations.

Being wanted, protected

"What is important to children? […] Parenting characteristics such as warmth, firmness, consistency, the sense of long-term commitment that engenders children's security and trust, can come from parents of any sexual orientation and any sex" (Greene in NLGF 2009, p. 15).

Two key characteristics of Irish LGBT parents' deliberate formation of their 'families of choice' were: firstly, their strong desire to be parents; and secondly, their pro-active use of protective strategies due to the lack of legal protection and social acceptance (Valiulis, O'Driscoll and Redmond 2008).

Impact of lack of legal recognition

Sifris (2009) wrote of the importance of legal parentage in terms of both legal rights and obligations, and public validation of their families' social realities. This lack of legal recognition impacts children's ability to claim their rights within their immediate and extended family. She stressed the particular vulnerability of the non-biological or 'social' mother who negotiates her role without biological connection, legal protection or social recognition. The benefits of legal recognition include: legal clarity, promoting legal stability, greater relational stability and security, and reduced stigma (APA 28 Mar., 2008).

Some same-sex couples may choose not to marry when such a possibility exists for them (Herek 2006); further, the single-track promotion of secular marriage to achieve legal recognition is criticised by some children of LGBT parents (Garner in Wildman 20 Jan., 2010). Therefore, a range of mechanisms is required in order to afford children legal recognition.

Experiences of homophobia in private spaces and public spaces, and the need for social change

"Some of the problems confronted by the children from lesbian and gay families are undoubtedly there because of societal homophobia. They are not intrinsic to their family composition and family life but intrude on the children's experience when they become involved in settings outside home" (Greene in NLGF 2009, p. 16).

Rupp and Bergold (2009) found that 69% of children had discussed negative experiences with their parents. However, Greene comments that children may not share their concerns about homophobia with their parents for reasons of not wanting to face parental concern, anger or interventions or because of a desire to 'mind' their parents.

Schools

"Because nobody else in school talked about different families or same-sex parents, the job of explaining gay people always falls to them" (Guasp 2010 p. 15).

Children of LGBT parents experience a sense of invisibility; their families are more often than not entirely absent from the school environment (Paechter 2000). Consequently, children from as young as four receive endless questions about their families; such questioning is ongoing as they meet new people going through the school system. Further, they may have to deal with generalised and targeted homophobia including direct bullying from their peers and discriminatory behaviours from staff (Guasp 2010).

Health services

Irish LGBT parents were critical of the lack of respect for their family constellation particularly around gynaecological and obstetric care. One example was of the denial of access for premature twins to their social mother at their birth and subsequently in intensive care (Valiulis, O'Driscoll and Redmond 2008).

Professionals (e.g.) social workers, doctors and nurses, should not make presumptions about family structure, nor imply that certain family forms have greater legitimacy than others. In addition, they need to be aware of the impacts of homophobia on children's stress levels, self-esteem, and sense of self (Goldberg 2007).

Coming out as children of LGBT parents

Irish LGBT parents have spoken of their 'coming out' as an ongoing, mutually negotiated, multi-level, managed process with their children, according to their own and their children's needs (Valiulis, O'Driscoll and Redmond 2008). Irish children's reactions to their parent's coming out are determined by, firstly, the degree to which their parent's sexuality was hidden and, secondly, their contact with and awareness of gay people prior to finding out their parents were gay (Clarity 2009).

International research has found that children's own coming out as having a gay parent is influenced by: timing (when participant's parents came out), relationality (the degree to which parents were open or secretive about their sexuality), and context (being reared in progressive and gay-friendly communities, or conservative communities and/or communities with a strong religious influence, as well as having homophobic extended families) (Goldberg 2007).

Age, life stage

Research with different age groups of children will provide insights into their differential experiences, attitudes and practices over time (Paechter 2000, Goldberg 2007), as children develop their sense of their own identity, inter-individual difference, and awareness of minority status (Gartrell and Bos 2010).

Sources of support

Dundalk Outcomers' research participants were not aware of any formal support for them but stressed the importance of children having contact with others in the same situation, in addition to access to a range of different types of age-appropriate and confidential support at an early stage (Clarity 2009).

In the international literature, the value of knowing other children of LGBT families has been evidenced through parent-support groups (1980s) and social events (2000s).

"Now there are people […] I can talk to and not be embarrassed or not feeling like I'm keeping a big secret, because we don't have to hide anything" (Paechter 2000 p. 403)

"Ry and Cade say that neither of them fully realized how stranded they felt in that in-between space until a few years ago, when they walked into a party […] for kids of gay parents – and the feeling of isolation went away, like the white noise you notice only when it's finally silenced" (Dominus 2004, p. 7).

"Benefits of legal recognition include: legal stability, relational stability, security and reduced stigma"
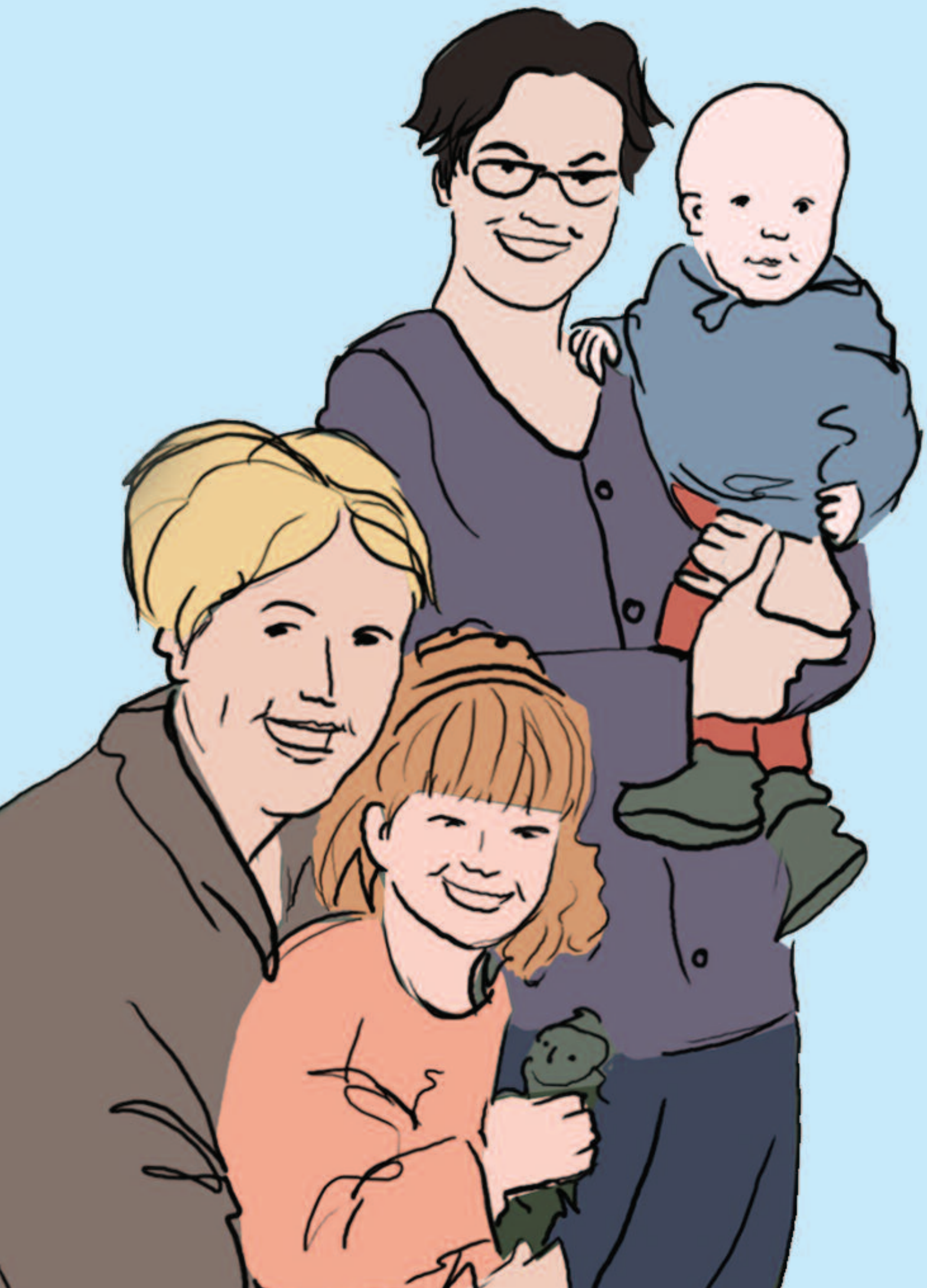
METHODOLOGY

In this section the methodological approach used for 'Voices of Children' is discussed. An overview is given of the sample, method and limitations of the study followed by reference to ethical considerations (see Appendix II Ethical Protocol) and validity criteria.

Methodological approach

This study uses an emancipatory approach (also termed 'advocacy/participatory') (Creswell 2009). Such a methodology applies the understanding/view that research is not only a descriptive and explanatory enterprise, but also a catalytic political and transformative endeavour (Baker et al. 2004). Emancipatory research recognises that social reality is a multi-layered, evolving, and historically contingent construct. Its practice is to: (i) expose commonsensical explanations for injustice within particular spheres and societies, (ii) provide a vision of an altered future in which participants' human rights are respected, protected and fulfilled, and (iii) produce a roadmap towards its realisation (Neuman 2003). Its intent is to focus on important current social issues and to inquire collaboratively with research participants in order to ensure that they are not further marginalised, but rather empowered to express their voices, gain insights into their lives and become part of a united coalition for reform and change (Creswell 2009).

Sample

The criteria for the sample were that participants: (i) had one or more parent who was lesbian, gay, bisexual or transgender; (ii) were 18 years old and/or over; and (iii) lived in Ireland. The sample for this study was recruited by Marriage Equality using its existing networks within the LGBT community in Ireland. In order to protect anonymity of participants, it was decided not to write brief biographies.

A total of 11 participants attended the workshop; 7 were female and 4 were male. They were aged between 18 and 24 years. There were a number of pre-existing relationships: 2 sisters, and 2 brothers; 5 of the women had spent several summers together at Women's Camp in Ireland; and 2 of the women knew each other from school.

Five of the group had been born in England and moved to Ireland when they were small children; several had lived in many different counties around Ireland, in rural and urban communities. They had a range of ethnic and national origins.

Their home situations included living within nuclear families, or between the nuclear families of their mothers and fathers, and living within strong networks of extended family members including grandparents, aunts, uncles and cousins.

Six were born into heterosexual families, and after the separation of their birth parents, had experienced both parents establishing new families; 4 were born by donor (none of whom had established contact with the donor). All of the gay parents with whom the children lived are lesbians. Some members of the group had only ever lived with two mothers; for example one participant's mothers had been together for over 20 years, having started their relationship in their teens. Others had lived with their biological mother and her long-term partner. The majority of the group had siblings including: those born within or adopted by their heterosexual birth families, those born to their lesbian biological mother, those born to their mother's partner (prior to or during the relationship), and those born to their father's partner (prior to or during the relationship).

Method

Participants attended a one-day event held in the UNICEF offices, Dublin, facilitated by a member of the independent research team. During the morning session, participants drew an image of their family and used this to introduce themselves to the group. The researcher then facilitated an open discussion about their experiences. Following lunch, the Director of Marriage Equality joined the group and discussed ways in which children and young people can engage with Marriage Equality.

Contemporaneous field notes were made by a member of the independent research team and these were supplemented by additional summary notes by the facilitator. The event was video-recorded, which was then annotated. A thematic analysis was conducted and illustrative quotes were transcribed from the video recording.

Although the group were requested to commit to this one day, they decided to set up the 'Believe in Equality' organisation and to contribute to the ongoing drafting of the report. They have provided comments on a draft findings paper and the draft report through two meetings (one face-to-face, the other online) and on email. The purpose of this communication was, firstly, to ensure that the participants gave their consent to their information being shared; and, secondly, to check the researchers' interpretation and presentation of this material. One participant withdrew part of their life experience, but the others agreed that all of their material could be brought into the public domain through this report.

Limitations

The study is a small-scale piece of qualitative research based on one data collection event, with the methodological limitations of such a design. As discussed in the Introduction, this study does not claim to generally represent or to represent all experiences, but rather to illustrate through rich, detailed, qualitative data the diversity of lived experience, in order to inform further more substantial, mixed methods, research.

All participants were reared by lesbian mothers. Efforts to include children of gay fathers and transgender parents did not lead to participation by these groups. Therefore, their experiences are limited to inclusion in the literature review.

For ethical reasons only adult young people were included in the study. Thus, it must be noted, that in this research the experiences of children aged 0 – 17 years are not included.

As the study is based on a one-off event it provides a snap shot into the experiences of these participants rather than the ongoing insights provided by longitudinal research.

The workshop was the first time that the participants had met together (although some were siblings or friends), so it must be noted that this may have limited their sense of comfort and trust and, thus, ability to be open with each other and the researchers.

Ethical considerations

Both Marriage Equality and the researchers recognised that significant ethical issues were presented by undertaking research with this group. In planning the study, the first decision was to create an independent research team and to develop an ethical protocol, which specifies issues and safeguards (see Appendix II).

Validity

Research validity is essential to realising the rigour and relevance of emancipatory research; this study used triangulation, face and catalytic validity (Lather 1986).

The data generated for this study has been triangulated with the literature on both children and parents within LGBT families in Ireland and internationally (Europe and North America) – so as to compare findings and clarify meaning (Yin 2003), as well as capture diversity of perception and lived experience (Stake 2005).

By sharing with the participants the emerging analysis, interpretations and conclusions from the data coupled with sharing the ways in which the reviewed literature resonates with and develops their contribution, the research has achieved face validity.

Given the transformative intent of emancipatory research, catalytic validity is essential. As noted in the introduction, the group set up the 'Believe in Equality' group, which was launched at the same event as this report. Catalytic validity refers also to the transformative impact of the study on wider society. In advance of the publication of the report, the participants consented to the sharing of their data with the Ombudsman for Children (who referred to it in her advice to Government on the Civil Partnership Bill, July 2010, pp. 2–3), the Office of the Minister for Children and Youth Affairs, and the Minister for Justice, Equality and Law Reform in order to inform research and policy and, ultimately/in time, to influence future legislative decisions.

The group is formally represented on the Marriage Equality Board and through this will be involved in ensuring the wide and effective dissemination of the study. It will have membership of the proposed Advisory Committee that will lead the implementation of the national study into the experiences of young people in LGBT families once funding is secured.

CONCLUDING COMMENTS

"This is a time of very significant backlash against equality. In a context of this it is crucial that we assert equality as a core value of our society. In a context of backlash it is important to defend advocacy and the importance of advocacy to our democracy. It is important to prove the backlash wrong, to prove that this actually is the moment to bring forward equality issues. We need to believe that progressive change is possible in the current context and progressive change is necessary in the current context" (Niall Crowley, former CEO of the Equality Authority, in National Lesbian and Gay Federation 2009, pp. 29–30).

The children of LGBT parents have forcefully experienced the backlash of equality in Ireland. During the last year the Government has chosen to deny them legal recognition despite its international assertions of commitments to children's human rights following the shocking revelations of systematic abuse revealed by the Ryan Report last year (May 2009). Contrary to the advice of the Ombudsman for Children on both adoption and Civil Partnership, the Irish Government has created a legal vacuum for this group of children (November 2009, July 2010). As this research demonstrates, children of LGBT parents are well aware of the legal and social consequences for both themselves and future generations of LGBT families. Recommendations from the 'Voices of Children' study are made in the Foreword.

This study originated from a child of lesbian parents stating that: 'everyone talks about us but no-one asks us'; this speaks to the importance of ensuring that the findings of this research are brought into public debates in order that prejudicial, discriminatory and stigmatising opinions and presumptions about children of LGBT parents are challenged, and the realities of their lives asserted, respected and, above all, protected.

'Voices of Children' is further evidence that children of LGBT parents have existed for generations; they have thrived within positive and loving family and community environments. In order to go forward from this landmark study, the group provided recommendations for the consideration of the Board of Marriage Equality (reflected in the Foreword) as to how they can continue to come together, take space and have a voice.

"We're here, we're all here, you are talking about forming a group but we are here already. It's already here – it's in the room now. So what we need to do is take it forward and see where it can go and the best thing to do is to bring us into the community and to make sure that it's something that everybody can see, and hear, and that we have a voice in it"

"*We had some mad plans to take over the world as well but they're long term!***"**

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APPENDIX

I UN Convention of the Rights of the Child, Selected Articles

Article 2 Non-Discrimination

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 12 Participation

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 16 Privacy, Reputation and Honour

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family or correspondence, nor to unlawful attacks on his or her honour and reputation.

Article 18 Family

States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

II Ethical Protocol

The ethical issues that were identified by the independent research team are listed below.

- Research participants fully understand what is involved in participating in the research process and how the research material will be used.

- Research environment and process is supportive, safe and enjoyable; and promotes participation by all in the group.

- Research participants feel that they have been respected, their experiences heard, and the material that they have shared has been accurately recorded, interpreted and reported.

- Data is anonymised in order to protect both the confidentiality and privacy of participants and also their families from both the public, and staff and Board members of Marriage Equality.

- Data is securely held and then destroyed by the independent research team.

- Participants clearly understand that participation in the project is voluntary and that they have the right to withdraw at any time.

- Material collected is used in a way that promotes the voices of children and young people who have LGBT parents and their inclusion in the work of Marriage Equality.

A number of safeguards were put in place in order to address these.

- Each research participant was sent a Participant Information Sheet and Consent Form in advance of the research workshop. The Participant Information Sheet included information about the purpose of the research, what would be involved in participation, indicative topics, potential benefits and risks of participation, participants rights to decide not to participate or to withdraw, contact information for the independent research team, and the Marriage Equality complaints procedure.

- A Consent Form was signed by each research participant at the start of the research workshop.

- Research participants were given opportunities throughout the research process to ask questions about the research project.

- Contact information for the research team was provided to each participant.

- An independent research team with experience of both researching and working with young people was established to work as a separate entity from Marriage Equality in order to ensure the confidentiality and privacy of participants.

- After the initial contact with participants (recruitment and information regarding the research workshop), communication with the participants was through/with the research team up to the launch of the research report. Two members of Believe in Equality participated in the briefing of members of the Marriage Equality Board by the researcher.

- All data collected at the research workshop was and will be handled only by the research team.

- The data (hard and electronic copies) was and will be securely held by the research team members.

- The data will be securely stored for a year and then destroyed by the research team.

- All identifying markers were removed from the data by the research team. Participants were asked to provide feedback on any markers in the transcript or draft report that could compromise their anonymity. There was a commitment to remove any such markers so identified.

- A transcript of the workshop was made available in a non-printable on-line format for participants to read, comment on, amend and correct.

- A draft report based on this revised transcript was made available in a similar way to participants to read, comment on, amend and correct.

- It was agreed that all participants would be provided with a copy of the final printed report and invited to its launch.

- Only the material contained in the participant-approved text will be used by Marriage Equality.

The material shared during the research project will be used by Marriage Equality to inform its developing work with young people [more accurate when age demographic is considered] of LGBT parents, and to promote the social recognition and respect, and future legal protection of these families.