

Gay adoption

Raymond Knowles (article, 13 November 1999) 'refrains from expressing a view' about the *Times* interview with Dame Elizabeth Butler-Sloss headed 'Senior judge backs adoptions by gays' (16 October 1999). I do not know why he deprives us of his view, which I for one would have liked to have. I myself have not been so backward in coming forward, and my criticisms are expressed at length in an article in the current *New Law Journal* (12 November, 1999 [LINK TO 1999.018](#)). In that I cite Sir William Blackstone's dictum that the independent judiciary are 'the main preservative of the public liberty' so that their duty is to resist fashionable trends where they contravene the public interest. Perhaps I might be allowed to give the following extract here-

'In relation to children, the Family Division is the custodian of the Crown's ancient *parens patriae* jurisdiction. This humane doctrine has for centuries manifested the royal concern for the welfare of those subjects too young to fend for themselves. In recent legislation Parliament has supported this view, stating in various Acts that in making court orders the interests of the child must always be treated as paramount. Are the interests of the child being treated as paramount when two gay men are indulged in their wish to adopt a young boy?'

163 *Justice of the Peace* (1999) 931.