Non-Binary Parents and Carers: Naming the Specific Detriment Faced

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Abstract: This empirical qualitative study reports a subset of findings derived from a wider narrative inquiry conducted in the UK. In-depth, semi-structured interviews were undertaken with six participants: four who self-define as non-binary or neutrois and have lived experience of adoption, fostering or birth parenting and two social workers with experience assessing and supporting non-binary carers. Purposive followed by snowball sampling sought to include participants with a range of identities from this hard to access sample. A thematic analysis was employed using Braun and Clarke's (2006) six stages and utilising an analysis framework integrating elements of cisgenderism, stigma theory and Foucauldian analysis of discourse and power. Findings showed three key themes emerged: 1). Barriers for non-binary carers, 2) Prejudice in adoption and fostering matching processes, 3). Intersectional disadvantage. Cisgenderism was found to affect non-binary carers at micro, meso and macro levels, ranging from the interactions people had with individual family members, friends and professionals, to organisational policies, procedures and responses, to overarching ways in which wider cisgenderist ideas have infused and influenced society. The stigma attached to non-binary identities is unearthed and unpacked to contribute to a developing conversation aiming to promote inclusion of non-binary identities within social and family life. The key finding of this study that non-binary people do experience specific detriment when trying to start or grow their families adds to a burgeoning conversation on the wider specific detriment that non-binary identity faces within contemporary society. This paper speaks to the ways in which cisgenderism can subtly and pervasively influence a devaluing of identities that sit outside of entrenched binary gender norms. The findings of this exploratory study are as such relevant not only to professionals and academics working with non-binary carers, but more widely to gender theorists and sociologists across the globe.

Keywords: Non-binary, Trans, Parent, carer, Adoption, Fostering

1. Introduction and Literature Review

For decades, the academy has considered the gendering processes of socialisation, and norms associated with it, however, this has mostly been in relation to a binary understanding of gender. This entrenched binary understanding has arguably resulted in the silencing of people who identify outside of it or who defy its boundaries (Pershai, 2006). While the past two decades have produced a solid research base on the experiences of lesbian and gay carers (e.g., Hicks, 2000; Hall, 2010; Golombok et al. 2014; Wood, 2016), trans and non-binary voices have routinely been silenced or subsumed within wider research into lesbian, gay, bisexual, trans and queer (LGBTQ+) communities (Biblarz and Savci, 2010; Rogers, 2017).

Non-binary people have attracted interest within mainstream media over recent years; however, such interest has not necessarily been productive in working towards the inclusion and acceptance of non-binary people. Rather, the media has tended to situate non-binary people as 'other' to a normative conception of binary gender it is assumed the wider public represent (Sue, 2010). Stigma power is deployed via hidden forces (e.g., unconscious bias) that suppress gender diverse identities (Link and Phelan, 2014). Increased focus on trans issues and rights within the media can serve to offer a platform for silenced voices to speak, however, such voices can be positioned as deviant, and can have the effect of separating rather than bringing together trans and feminist communities (Hines, 2018, 2019, 2020). Stonewall's (2017) 'Vision for change' for trans people argues for changes to be made to ensure that service provision is offered in an inclusive way.

Valentine (2016) highlights a lack of research examining the experiences of non-binary people as a distinct group, as well as a pressing need to address the Ministry of Justice's claim that no specific detriment to non-binary people exists that could warrant a review of legislation. Indeed, there is an amassing body of research evidencing that specific detriment does exist for non-binary people within the UK (Matsuno and Budge, 2017; Valentine, 2016). Matsuno and Budge (2017)'s literature review found that non-binary people experience higher levels of depression, anxiety and suicidality than binary trans people. Non-binary people were found to experience exclusion from services as non-binary identities were not understood or represented (Valentine, 2016).

This paper addresses the sparsity of research exploring how UK children's social work engages with non-binary gender identities (Hudson-Sharp, 2018; Brown and Rogers, 2020) and begins to plug a gap in the research base focusing on the specific needs of non-binary people (Valentine, 2016). It builds upon previous research exploring trans and non-binary people's experiences of adoption and fostering (Goldberg et al., 2019; 2020; Brown, 2021), practitioner experiences of trans parents (Hafford-Lechfield et al., 2021) and trans people's parenting desires

(Tasker and Gato, 2020) to explore the children and family context, focusing specifically on non-binary families interested in adoption and fostering. In doing so, this paper uses novel, empirical data to underpin a sociological analysis of minority genders. Although data utilised is drawn from a wider narrative inquiry on trans people's experiences of adoption and fostering, the subset of data included is relevant to those working within a variety of child and family contexts. The findings detailed are of broader relevance as they speak to the development and understanding of non-binary gender identity that informs numerous assessments and support planning processes for young people and their families.

For the purpose of identifying themes within participant narratives, 'trans' is used as an umbrella term including a range of identities that describe people whose assigned gender at birth does not align with their own experience of gender (Bachman and Gooch, 2018). Recent research suggests that the use of 'non-binary' as an umbrella option for identities who do not fit a man/woman binary categorical distinction has largely been accepted by the communities it represents (Chetkovich, 2019; Elias and Colvin, 2019). As such, this term is used within this paper readers make sense of the narratives of non-binary people included within this study (Valentine, 2016; Matsuno and Budge, 2017). However, this paper also strives to avoid a homogenisation or delimitation of the terms 'trans' or 'non-binary', Instead highlighting the importance of autonomy and self-identification (Pearce, 2018).

2. Methods

Participants were recruited via purposive followed by snowballing sampling methods to include a range of identities. Fliers were sent via email to community groups and centres, social media and research network advertisement. People were eligible to take part if they were resident in the United Kingdom, over twenty-one years, and had adopted/fostered, applied/planned to apply to adopt or foster or supported trans carers. Six participants were included, representing a variety of genders, ages and socioeconomic backgrounds, living across urban and rural areas (*see Table 1 and 2*). Targeted recruitment was undertaken to try and recruit participants from BAME backgrounds however, diversity within the study was limited in this respect. The sample was skewed towards a high level of education. Other identifying information has been removed to protect the participant confidentiality and anonymity. Ethical approval was granted by the University of Sheffield's ethics committee, full, informed consent was obtained from each participant and their right to withdraw was explained.

Table 1: Interviewee Characteristics: Non-Binary-Identified Participants

	Pseudonym	Gender identity	Age at interview	Interview date and type	Other personal characteristics
1	Celyn	Non-binary	27	17.07.18 In person	Bisexual, queer, single. White Welsh, lives in north of England. Adopter with 5-year-old child in placement for less than a year who is dual heritage, gender questioning and has experienced prior abuse that triggers child to parent violence.
2	Jamie	Non-binary, Trans/trans masculine	25	12.01.19 In person	Prospective adopter. Pansexual. Married to cis man. White American, lives in London. Has an invisible disability. Undertaking PhD full-time.
3	Ash	Neutrois	27	14.01.19 In person	Prospective adopter. White British, from low-income household. Lives in Manchester. Pansexual. Married to woman with trans history.

	Pseudonym	Gender identity	Age at interview	Interview date and type	Other personal characteristics
					Disabled, has PA 27 hours/week. Birth son 5 years old, lives with them and has contact with father.
4	Toby	Non-binary transman.	25	20.0120-29.02.20 Email	Prospective foster carer. White British, lives in South East England. Works full-time, degree education. Pansexual, monogamous, currently single. Brought up in religious Christian household on council estate.

Table 2: Interviewee Characteristics: Social Workers

	Pseudonym	Professional role	Age	Date interviewed	Profile
1	Melanie	Adoption social worker	30-40	17.07.18 In person	BAME, British, cisgender, social worker. Adoption 1-year, experience supporting non-binary carers, previous child protection work 2 years.
2	Amy	Senior practitioner	30-40	17.07.18 In person	White British, heterosexual, cisgender, social worker. Worked in adoption since 2009 (local authority), moved to voluntary adoption agency in 2015. Experience assessing and supporting lesbian, gay, single, non-binary carers of different ethnicities.

In-depth, semi-structured interviews were conducted, transcribed verbatim and analysed by the author. An inductive thematic analysis was employed using Braun and Clarke's (2006) six stage method, ensuring analytical rigour by engaging in a process of continual evaluation and comparison of themes (Braun and Clarke, 2013). Analysis utilised a framework integrating elements of cisgenderism, stigma theory and Foucauldian discourses of power to make sense of participant narratives using an understanding of gender normativity and associated discrimination (Goffman, 1963; Foucault, 1979; Ansara and Hegerty, 2014).

3. Integrated Findings and Discussion

3.1 Theme 1: Barriers for Non-Binary Carers

Non-binary participants believed numerous barriers existed that would prevent them from starting or growing their family via adoption or fostering. For example, Jamie believed being this could cause such significant detriment that they may need to try and hide their identity to be approved as an adopter:

> *I was really concerned about, like, being a queer family… if we were a cis gay couple, I'd be like, it's pretty mainstream now, I think we're fine, you know. But… am I gona have to pretend to be [cis woman]… like, could I even do that? Are we gona have to pretend to be a straight couple? (Jamie, non-binary prospective adopter)*

Using Bradford and Syed's (2019) framework, participants could be said to at times resist and at times concede both with a master narrative of cisnormativity and an alternative narrative of transormativity. As in Bradford and Syed's (2019) research, this study found that within some spaces participants did not aim to pass, and a queer presentation was embraced. However, when considering presenting themselves publicly in a context in which they could be disadvantaged by being non-binary (e.g., adoption assessment), participants worried that they would need to concede to cisnormativity in order to be successful. Jamie reported a need to perform a cis identity in public to avoid the social sanctions placed upon non-binary people (Butler, 1990).

Other participants asserted that they would not hide their non-binary identity, however, there remained a reluctance to offer it openly:

> *I don't think I would deny it. But I wouldn't be the first to bring it up… (Ash, neutrois prospective adopter)*

Valentine (2016) similarly found that non-binary people did not feel comfortable sharing their gender identities with services (except for specific LGBTQ+ services), expressing little confidence that health and social care services would respect their identities. Indeed, Valentine's (2016) study corroborates the modernity of this issue with their findings that in using services within the last 5 years 67% of non-binary people had been misgendered by accident, 33% on purpose and 49% felt like they were educating professionals.

Belief was that the further a person's gender expression sat from established binary gender norms, the more difficulty they would have in adopting:

> *Can you imagine someone has a sort of more queered presentation?... They would have a tougher time than me…I think they'd really struggle. (Celyn, non-binary adopter)*

Indeed, direct comparison was drawn whereby it was felt that being a non-binary as opposed to trans person with a binary identity would present markedly increased difficulty for those being assessed as adopters:

> *You can be in Annie's position and get away with it… Because she's binary. And so, she can just say 'I am a woman', and not have to qualify it. And people will accept that. (Ash, neutrois prospective adopter)*

Social workers hold a substantial amount of power in relation to the approval of adoptive families because it is their interpretation of a range of interactions that directs decisions (Noordegraaf, Van Nijnatten and Elbers, 2008). The powerful influences of gender normativity can mean that the public performativity of gender is different to that of the personal (Rogers and Ahmed, 2017). Processes of normative social categorisation can result in individuals portraying identities considered by a majority to be more typical, to either feel a sense of belonging or to give the agent a form of political power. In the context of adoption and fostering, the form of power that may be needed by an agent is that of control over their personal information.

The result of gender normative views being embedded within society and social work practice is that non-binary identities are stigmatised, spoiled and subjugated by prevailing discourses of power directing the majority to view them as being socially undesirable (Goffman, 1963; Foucault, 1979; Ansara and Hegerty, 2014).

> *I never thought it would be as difficult… when we went to panel and they got approved, I actually felt so confident about Charlie. I just thought, they're amazing…'they're gona get snapped up'… It didn't happen… it was nearly a year…once we got into family finding it was almost like we were back in time, when, when, er, LGB, you know, lesbian and gay adopters were seen as n-, as just, as not good as heterosexual. (Amy, social worker)*

These quotes indicate that the hierarchy of gender and sexualities (Serano, 2016, Messerschmidt et al., 2018) has shifted within adoption and fostering practice. Where gay and lesbian adopters and carers were previously regarded as viable carers alongside a prioritisation of heterosexual couples as the ideal (Hicks, 2000; Hall, 2010; Wood, 2016), trans adopters/carers are now placed at the bottom of the hierarchy (Brown, 2021). Further, the present study's findings suggest that people with non-binary gender identities could face an even greater disadvantage than binary trans identities. Participants believed they will need to conceal a lack of gender normativity to prevent discrimination at the micro level from individual social workers and meso level where non-binary gender identity could prevent them gaining approval as carers from an adoption or fostering organisation. Macro level societal negative perception of non-binary people is additionally indicated as social work perceptions of the ideal family are derived from societal perceptions of this ideal.

3.2 Theme 2: Prejudice in Adoption and Fostering Matching Processes

The social workers interviewed reported both overt and covert gender discrimination in processes of matching non-binary carers to adoptive and foster children:

> *I don't think that people were like, overtly prejudiced…they would say well how do, how would they respond, how would they explain their transgender status to a child? A child might get confused… how would a child er, cope with bullying? (Amy, social worker)*

Indeed, social workers have a dilemma as whether to make decisions based on theoretical grounds assumed to be in a child's best interests, or to be guided by moral ideals about how to best raise a child that have been transmitted culturally (LeVine, 2004). Here, social workers were presuming that a child with a non-binary parent

would be bullied and that a child placed with cis parents would not experience bullying. However, a recent review of bullying suggests that its reasons are complex, encompassing individual and contextual factors such as the school environment and whether families encourage their children to problem solve using violence (Jung, 2018).

Social workers reported examples of overt transphobia being expressed by other social workers. Amy relayed a comment made by a social worker at a potential placing authority after a meeting with a non-binary adopter:

> *'I just think, they're confused about their gender, their identity'. (Amy, social worker)*

Denying the validity of a non-binary carer's identity demonstrates the transphobia that exists in contemporary society (Bachman and Gooch, 2018), and is transmuted via discourses into social work practice (Foucault, 1979). Within a normative ideological construction of gender, cisgender identities are positioned as natural, fixed and indisputable, with non-binary identities placed as unnatural, deviant or other (Enke, 2012). Reports indeed indicated that being non-binary was something that social workers were unfamiliar with, and thus regarded as problematic:

> *I think the non-binary aspect of trans confused people [social workers considering a match with an approved non-binary adopter] even more if I'm honest… it was a bit feeling it's unknown, we've got nothing to base it against. (Melanie, social worker)*

Gender identities, expression and related terminology that sit outside of dominant gender norms (Ansara and Hegerty, 2014) were met with anxiety and confusion from adoption and fostering social work professionals. Indeed, previous research has found that many child and family social workers had not taken part in gender diversity training and the knowledge found across practitioners varied, with only pockets of gender awareness (Hudson-Sharp, 2018). This lack of knowledge could result in a potential match not being explored:

> *So, you'd go to a profiling event and people would have conversations with Alex, and Alex looks female… and those conversations would be really positive… we'd have conversations afterwards and share stuff, and then it would just go quiet… they would say 'that's not a problem' [referring to Alex being non-binary], and then you wouldn't hear anything. (Melanie, social worker)*

However, this example may demonstrate an issue that goes beyond lack of confidence; it could evidence covert discrimination (Ely, 1995). Social workers are influenced by gender-normative discourse that places cis adopters and carers as the only valid categories of parent, closing off conversations regarding non-normative options (Foucault, 1979; Pearce, 2018). Challenging decisions that social workers, carers or adopters feel to be discriminatory but have no explicit, recorded proof of would be incredibly difficult. To make a case that the Equality Act 2010 or Gender Recognition Act 2004 has been contravened, evidence must be presented to a tribunal or court. However, where gender is not overtly stated by workers as a reason for not selecting a trans person as a suitable match for a child, it cannot be identified as a discriminatory decision nor formally challenged as such.

> *Some outright discrimination and some… trying to hide behind other things… agencies would come up with lots of different reasons, none of which really made sense… That was easier than to say, 'we're struggling with this' (Melanie, social worker)*

Melanie's quote suggests that social workers verbalised another reason (than gender) to justify not exploring a match between a child and a non-binary carer, making cisgenderist views. Between them, Melanie and Amy reported having interactions with a large proportion of the local authorities spanning the UK, via online and in-person linking and matching methods. As such, their comments offer a transferable insight into the overt and prevalence of covert discrimination within adoption and fostering organisations across the UK. Although overt discrimination can be challenged under legislation such as the Equality Act 2010, covert discrimination can be more pervasive and problematic to address (Ely, 1995).

Misgendering, a form of pathologizing (Shelton, 2015), was another form of gender based discrimination found to be prevalent within social services:

> *It must be so difficult for them, you know, they constantly…they get misgendered… all the time. (Amy, social worker)*

Participants believed discrimination due to being non-binary was occurring, but it was difficult to isolate the process by which negative responses were due to carers being non-binary and not some other characteristic in order to lodge a complaint:

> *… my experience of family-finding was that it was just a 'no' or a 'we're not starting a discussion'. And there was never really any opportunity to try and talk about Alex. (Melanie, social worker)*

Social workers used their own agency to attempt to shield adopters from examples of direct transphobia:

> *There were some things where I, I wanted to talk to Charlie [a prospective adopter who identifies as non-binary] about the, the sort of prejudice and discrimination, but also didn't want them to realise how sometimes, how difficult it was… because it just seemed too, too, too much. (Amy, social worker)*

Many of the impacts, such as minority stigma stress, mental illness and isolation, are known to be experienced by people following exposure to discrimination (Riggs and Treharne, 2016). It would indeed be the role of a social worker to advocate for an adopter and challenge discrimination based their trans status (using the Gender Recognition Act 2004 and Equality Act 2010). However, the protection they claim to afford social work service users (Fish, 2012) has been shown by this study's findings to be insufficient for adoption and fostering work with non-binary people.

3.3 Theme 3: Intersectional Disadvantage

Participants who were non-binary and had intersectional experiences of also being disabled or experiencing mental illness believed that they would experience pronounced specific detriment in their aim to become parents/carers. Cho, Crenshaw and McCall (2013) argues that there is potential for greater threat to a person's wellbeing where they experience discrimination in relation to multiple dimensions of their identity:

> *There is a 'you can adopt whether you're…' and there's a list of identities, but there's never anything disability specific… [Ash read about] the first person in the UK to adopt as a solo parent who required full-time [personal assistant] care…And they really struggled with questions about their capability and about whether it would be someone else doing all the parenting? Just in the assumption that he couldn't possibly parent (Ash, neutrois prospective adopter)*

Clarke and O'Dell (2013) explore the ways in which discourse on disability has placed disabled parents as being dependent on and looked after by their children. This positioning of disabled parents has been critiqued as marginalising disabled parents, however, the legacy of the discourse remains (Foucault, 1979). A social model of disability would offer an alternative analysis of Ash as being prohibited from fully taking part in the family life they choose because of barriers that society constructs (Shakespeare, 2017). Indeed, as Ash's identity lies at intersections of gender, sexuality, health and disability, they experience a complex web of societal disadvantage (Korn, 2020).

Within an adoption or fostering assessment, the stability of an applicant's mental health is assessed (Beasley, 2020):

> *Parts of the assessment that address mental health would be difficult for me to talk about. I have been to the doctors a few times and I have phrased it as "Low Mood" and played it down a lot due to fear that my poor mental health will go on my medical record and be held against me in the assessment process. I got the impression from a meeting I went to about this for X Fostering and Adoption that they aren't very forgiving when it comes to mental health, so if you have experienced any kind of depression, self-harm or suicidal thoughts in your past this is held against you. (Toby, non-binary prospective foster carer)*

For trans and non-binary people, mental illness and self-harm are common due to the discrimination that they encounter within society (LGBT Foundation, 2017; Bachman and Gooch, 2018). As such, to expect a prospective adopter or carer not to have encountered these issues is a hidden form of discrimination. Much like a need to hide gender identity then, non-binary people may feel a need to minimise their experience of mental illness to be approved as an adopter or foster carer.

The current adoption and fostering assessment guidance lack consideration of the differing experiences that non-binary people have as it relates to a gender-normative majority (Beasley, 2020). Indeed, Barksy (2020) argues that assessment methods are outdated as they have been designed based upon the assumptions that being cisgender and heterosexual are the prevailing and preferred forms of gender and sexuality. Instead, he offers a modified and more inclusive genogram model for social workers to use. However, while this is helpful in recording different familial and support networks, it does not account for the minority stress and resultant mental health experiences that trans people have (Riggs and Treharne, 2016). The integration of a structural understanding of the impact of stigma could reframe mental illness in trans people as an expected and normal human reaction to the extreme emotional pressure discrimination exerts.

4. Conclusion and Recommendations

This study found evidence of covertly operating cisgenderism that disadvantages non-binary people in adoption and fostering social work in the UK. Whether hidden or unconscious, covert discrimination can be more pervasive (Ely, 1995) and there exists no direction in the relevant legislation (Equality Act 2010 and Gender Recognition Act 2004) regarding how hidden discrimination or unconscious bias in relation to trans and non-binary people can be addressed.

Barriers for non-binary carers varied in nature, with some participants describing cisgenderism at micro levels relating to individual worker perspectives or their own internalised views. Others reported barriers that resulted from meso level cisgenderism extant within teams or institutions, where cisheteronormative assumptions had infiltrated organisational policies, procedures and responses. Macro level cisgenderism, while inherently more difficult to pinpoint, is arguably evident where cisgenderist views appear to have infused wider societal processes. Embedded cisgenderist views within society filter down to organisations and individuals and can be problematic for non-binary people who do not fit within the established gender stereotypes.

Participants expressed beliefs and recounted experiences that suggested there is a specific detriment experienced by non-binary people, whereby normative trans identities are privileged and 'more queered' or non-binary identities subjugated. This finding offers support to Bradford and Syed's (2019) argument that those with transnormative presentations are more likely to feel included within social life. Those who 'pass' are seen as acceptable parental figures as they maintain societal binary gender structures. Whereas those whose identities transgress gender norms present a threat to social order. There appears to be a specific stigma attached to identities that do not align with entrenched binary gender norms of male and female, meaning non-binary people experience specific detriment when starting or growing their families.

Adoption and fostering services may be mirroring trends in mainstream media, whereby increased rights and support are given to some trans communities while other communities remain marginalised. Gatekeeping that occurred within adoption and fostering services is an example of stigma power (Link and Phelan, 2014). Stigma acts as both a productive and constitutive force that enables power to function, dictating who is regarded a suitable adopter/care and who is not. This research supports prior findings in relation to sexual minority adopters/carers, whereby a similar process of gatekeeping that restricted gay and lesbian adopters/carers (Hall, 2010; Hicks, 2000) is now restricting trans and non-binary applicants. Further, the findings together implicate that adoption and fostering services could be sites that demonstrate a notable impact of stigma power.

This study adds to a growing body of research suggesting that non-binary people in the UK do experience specific detriment (Matsuno and Budge, 2017; Valentine, 2016). It contributes to the literature by adding a novel perspective that directly accesses the experiences of non-binary people in relation to adoption and fostering in the UK. The results of this exploratory study can be applied to a range of family contexts and have direct application for professionals seeking to understand the detriment faced by non-binary families. It is however highlighted that future research is needed to explicate the complexity of the social processes that causes the specific detriment experienced by non-binary carers, as well as an international exploration of this issue. Findings highlight how embedded gender norms, particularly cisgenderist discourses, influence how people can understand and express their gender identities within society. Identities that sit outside of the accepted gender norms of the time are limited, marginalised, devalued and invalidated. The resultant effect is that non-binary people experience multiple challenges as they try and navigate their lives in a society that is organised around binary gender identities.

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