



**Investigation into Altruistic
Surrogacy Committee**

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Mrs Jann Stuckey MP
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The Queensland Parliament appointed the Investigation into Altruistic Surrogacy Committee to investigate and report on the regulation of altruistic surrogacy in Queensland. The committee, which commenced on 26 February 2008, will report to Parliament in September 2008.

Media Release

PARLIAMENTARY COMMITTEE AGREES TO ALLOW ALTRUISTIC SURROGACY

A parliamentary committee has unanimously agreed to decriminalise altruistic surrogacy in Queensland.

The Investigation into Altruistic Surrogacy Committee today released a report containing 26 recommendations which seek changes to Queensland's surrogacy laws, including the removal of criminal sanctions from the *Surrogate Parenthood Act*.

Mrs Linda Lavarch MP, who chaired the cross-party committee said, "We believe that the current Act is counterproductive. It criminalises families. It does not encourage openness or informed consent. It drives surrogacy underground. In some cases, it prompts people to seek commercial surrogacy overseas. It leaves children and parents in legal limbo."

The report notes adoption is a limited option. On average, 18 locally born children have been available annually for adoption over the last decade in Queensland.

The Committee Chair said, "We have heard from Queensland couples earnestly seeking law reform. For them, altruistic surrogacy represents their only realistic option to have children."

The committee emphasises its position should not be interpreted as encouraging the practice.

Mrs Lavarch emphasised, "This is not about promoting surrogacy. We propose a regulatory framework which regards altruistic surrogacy as a last resort. We want people seeking altruistic surrogacy to take a cautious approach in the best interest of the child and all the parties."

If the committee's recommendations are supported, it will mean that:

- Careful planning will be required with medical and psychological assessment, counselling and legal advice;
- Birth mothers will never be forced to relinquish the baby;
- Advertising and brokerage will not be permitted and surrogacy contracts will remain unenforceable;
- Legal parentage can be transferred after birth under strict criteria to ensure that the child will not be disadvantaged because of the way he/she was conceived; and
- The child's right to information on their birth history will be protected and promoted.

"Our approach balances respect for the autonomy of consenting adults in their private lives with measures to prevent harm", Mrs Lavarch said. "It is designed to ensure the best possible outcomes for families."

For a copy of the report visit the committee's website at:

www.parliament.qld.gov.au/surrogacy.