

**Sent:** Friday, 6 June 2008 1:48 PM

**To:** Surrogacy Committee

**Subject:** Online Submission - Investigation into Altruistic Surrogacy Committee

**SUBMISSION FROM**

**Name :** Ty Douglas

**SUBMISSION**

**Should the legal restrictions and criminal penalties against altruistic surrogacy be removed from the *Surrogate Parenthood Act 1988* (Qld)?**

Yes

**Should the Queensland Government play a role in regulating altruistic surrogacy arrangements in Queensland?**

Government requires a monitoring and mediation role. Intrusion into people's lives is a secondary consideration. People sufficiently motivated to consider this option are likely to be prepared to overcome obstacles for the desired end state. The best interests of the child are protected if a suitable professional body (such as those who consider adoption applications) agrees that a couple (not single parent) are appropriate parents for this process. Surrogates need to be assessed by one or more social workers, psychologist or the like to ensure they fully understand the gravity of their agreement.

**What other issues should be addressed by the Government?**

Not criminalising individuals who represent perfectly decent members of society and have proven incapable of bearing children through other means.

**What criteria, if any, should the commissioning parent/s and/or surrogate have to meet before entering into an altruistic surrogacy arrangement?**

Commissioning parents need to prove that they have exhausted other options to have a child naturally and via other assisted means. Surrogacy should be the final (or one of the last) options. Commissioning parents must agree (legally) to accept the child from birth regardless of genetic or other birth defects. All parties must agree the circumstances under which a pregnancy may be terminated. Parents (generally the mother) should be able to prove she has attempted to have children well within the recommended age group. Prospective mothers who postpone parenthood until late 30s or early 40s and find it difficult should have considered it earlier. The surrogate should be able to demonstrate previous success (more than once) for successfully carrying children to term.

**Should criteria for commissioning parents be similar to that for adoptive parents?**

That seems reasonable.

**What role should a genetic relationship between the child and the commissioning parent/s and/or surrogate play in an altruistic surrogacy arrangement?**

A genetic relationship should be considered far more favourably than others. An instance where a sister or mother offer to act as surrogate appears less likely to experience conflict and improve the likelihood that the child will have ongoing interaction with their birth parent(s).

**Should at least one of the commissioning parents have a genetic relationship with the child?**

Recommended.

**Should the surrogate be able to use her gametes or should she have no genetic relationship to the child?**

Best avoided.