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To: Surrogacy Committee

Subject: Online Submission - Investigation into Altruistic Surrogacy Committee

SUBMISSION FROM

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SUBMISSION

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

I believe surrogacy should NOT be legalised because of the negative impacts on such children which include legal and relational issues and consequences.

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

4. How do you legislate against human nature? There is always the potential for conflict and confusion in this case.

What other issues should be addressed by the Government?

+ It requires a male and female relationship to create a child so how can numerous adults have a biological stake in a child? Legal, yes, but biological? + Human identity complexities in relation to blurred family relationships. + Disruption to relationship connections between marriage, conception, gestation, birth, parentage, especially motherhood.

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

1.

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

Commissioning parents, are, in fact, a type of adoptive parents. As such they need to be subjected to the same strict criteria and legalities as adoptive parents.

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

1. Legal challenges and confusion as to who actually is the parent. 2. Inconclusive Medical History is fraught with difficulties eg genetic diseases. Tracing the origins of such diseases becomes very complicated. 3.

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

Humans are spiritual beings and such a link with at least one parent is essential. Evidence shows that to be born without that link causes one to continually search for that link to their identity.

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

She has a genetic relationship with the child purely by the reason that she is the natural mother.

Should the definition of altruistic surrogacy only include pre-conception agreements in Queensland?

A decision is required before the pre-conception arrangement is entered into and the consequences of that decision adhered to.

If infertility and/or health risk to the mother or child is a criterion for surrogacy, how should these criteria be defined?

There is sympathy for the infertile or health risk parent but the interests of the child should be paramount and not used to satisfy an adult's interests.

How important is it for there to be a mechanism for the transfer of legal parentage that is specific to surrogacy arrangements? What would this be?

Is the surrogate mother required to relinquish ALL rights to access to the child?

What are the consequences for children born of a surrogacy arrangement in Queensland of maintaining the status quo?

Legal conflict

Should the surrogate's rights to be automatically recorded as the child's parent on the birth certificate and to approve legal transfer after birth remain if she has no genetic connection to the child?

Yes. She was the one who carried the child. How else would the child be born?

What rights should a child born through an altruistic surrogacy arrangement have to access information relating his or her genetic parentage? Who should hold this information?

Full access to such information and knowledge of their own conception, birth and parentage. Dept. Births, Deaths, Marriages etc hold such information now. It can be included in the Birth's Register.

What, if any, other matters should be considered in the regulation of this issue?

+ Legalising surrogacy will override any benefits to society. Rather such arrangements will create difficulties and complexities such as: + The possibility and potential for up to five different parents to be involved. + Access to single and same sex parents eliminating the male/female balance. + Confusion for the child as to who is their true parent.