

**Sent:** Thursday, 12 June 2008 2:04 PM

**To:** Surrogacy Committee

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

## **SUBMISSION**

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

No. Why is it necessary to change an Act that has been doing a good job of protecting society from advertising, giving receiving and making known illegal surrogates?

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

Surrogacy has issues about family history where both donors need to be known and wisely deployed. It would not be right for eg. the Fathers sperm to unwittingly fertilize a Daughters egg because of the known risks.

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

You are really asking the wrong question. Why should you be examining surrogacy AT ALL when other laws allow a shortage of children for adoption? Thousands of people who can't have, or want more children end up adopting and many more thousands could be adopted. Sadly, right here in Australia, statistically around 100,000 children are aborted each year for varying medical reasons abnormality or danger to the mother. These stats are appalling and are more indicative of a third world health system! If abortion was more difficult to achieve would we need surrogacy laws changed at all?

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

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

See below

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

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

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

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**What legal rights and responsibilities should be imposed upon the commissioning parent/s and/or surrogate?**

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

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

Why should a pandora's box of brand new issues be opened (by changing the law) when adoption is a far better answer avoiding surrogacy altogether. Just because we can doesn't mean we should!

**How well does the transfer of legal parentage in a surrogacy arrangement fit with contemporary approaches in family law and adoption?**

Similar to adoption there are 2 parents 1 or more children and either a surrogate mother and/or commissioning father. Five or more people involved. Unlike adoption where expectation is somewhat 'what you see is what you get', with surrogacy intensions and what it delivers may be very different. This could cause all sorts of other legal and possibly even State issues in the care of an unwanted "end product/s" the child/ren.

**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?**

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

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**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?**

In this day of we can do anything world we should still pay attention to the truth. Full details should be explained on any birth certificate indicating a surrogacy birth. Truth is truth after all.

**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?**

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

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