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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)?

yes

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

by making it legal to enter into surrogacy you ensure the child is protected by law, legal agreements mean less intrusion into people's lives, by making it legal you ensure the surrogate and child will seek medical and mental health facilities without the fear of imprisonment, to ensure conflict is minimised the surrogate must not be doing it for financial gain and must have had their own child previously

What other issues should be addressed by the Government?

the surrogate is of a certain age and has had children previously, the commissioning parents cannot pay for the service,

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

the commissioning parents are unable to carry a child to term, medical practitioners and mental health workers can monitor the process, no consequences so long as I stated previously that the surrogate has previously had children is of a certain age (25), no monetary gain is involved this is due to cause problems, the baby bonus should be paid to the surrogate however as she would probably have a loss of income if there is no maternity leave with her employer, the birth certificate should register all parties involved, the commissioning parents should be recognised as the legal guardians and the surrogate as the birthing person only, children are able to understand this at an early age and it doesn't need to be hidden from them that their parents wanted them so much they commissioned a surrogate mother

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

no I think the adoption process is currently too long and hard and it would mean most people wouldn't consider this option, we want people to be able to access this process quickly, anyone considering this would only be doing so as a last option having tried IVF on numerous occasions, meaning their age would be considerably older than the median age of women having children today, it should be a simple process for anyone wanting to do this, they have to have someone willing to do it for them without payment and then they have to still spend money on IVF and medical costs for the surrogate, these people desperately want children and have tried every other option including looking into adoption

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

they may or may not be a genetic relationship depending on who they are able to get as a surrogate, I don't think it matters as the surrogate would most likely be a relation or close friend,

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

no it shouldn't matter, that could reduce the chances of them finding a surrogate, so no

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

I think no she shouldn't, but it may be that the only way for the couple to have a child is to use them, this however could cause some problems when the time comes to hand over the child

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

conditions should be that the commissioning couple are unable to conceive without help no conditions on the transfer the child would legally be theirs if using the couple's egg and sperm I think the baby bonus should be paid to the surrogate as I said previously to cover leave from work if the employer doesn't have maternity leave and or medical costs monitored by the child protection agency, medical practitioner/mental health workers

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

no

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

if there is any risk the surrogate should be unable to proceed with the process as per a medical practitioner's findings, pre screening would determine this

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

very well

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?

very important , as important as the process itself, it should be included in the process from the start, legal papers should be completed before the process begins, there should be a standard paper (like marriage) that can be completed and processed accordingly

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

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?

they should be able to find this information on their birth certificate

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

none