

Sent: Tuesday, 15 July 2008 1:26 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)?

I do not believe they should be removed. By legalising surrogacy children will become a commodity. It will open up a lot of issues for all parties involved and later on for the child who might struggle with building/ discovering their identity. These are complex issues and need to be treated with care.

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

Qld Government should ensure that best interests of children are protected. Children are voiceless and they have no choice in the process and it should be the government's role to be the voice of these children.

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

I don't really have many suggestions as I oppose surrogacy but I imagine that you would need to have some criteria as to what would happen if one of the parties changed their mind prior or after the child's birth? you need to decide who the child legally belongs to - the surrogate mother or commissioning parent/s. Because pregnancy and child birth are such emotional experiences people can change their mind and some probably will.

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

not as strict but they need to be counselled and also show that they will be able to deal with the issues for the child as she/ he grows up. they will need to be open and honest with the child.

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

not sure

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

yes, it would be easier for the child to be biologically connected to at least one parent.

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

not sure

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

there should not be money exchanged for the services, surrogate mothers should not be paid.

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

not sure

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

not sure

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

it should be similar to adoption, the surrogate mother should be counselled after birth, give her consent and then the birth certificate should be amended

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?

it is important so permanency is achieved for a child from the beginning.

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

not sure

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?

no, it should be like in adoption

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?

children should have a right to know their biological connections. whoever administers the surrogacy legislation should hold and release the information when the child turns 18 years of age. preferably it should be the government