

**Sent:** Thursday, 24 July 2008 1:57 PM  
**To:** Surrogacy Committee  
**Subject:** Online Submission - Investigation into Altruistic Surrogacy Committee

**Name :** Christine

## **SUBMISSION**

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

I do believe that surrogacy should be legalised with no criminal penalties in all states but especially in QLD. I myself have been through the surrogacy process, although no child has resulted as yet, it has been my only option to have my own child. I was diagnosed with Severe Lupus a condition I didn't ask for nor want but I have it and cannot change it. Surrogacy has been my only option for my husband and I to have a child. I was told by my specialist that if I did carry a baby that one day I may get that sick that I may have to make the decision that to save my life I would have to terminate. No one wants to make a decision like that. If a woman is indeed willing to carry a baby for someone who can't because of medical reasons, why not. Who is the government to tell people of its state or country that this is wrong unless you are in our situation. The people making this decision have children of their own, I am sure of that. Until you are in our situation or you have a child of your own who may need to go down the surrogacy path you would know how it feels the pain and sadness we go through everyday. You need to step a foot in the day of my life and you will realise what having a child would mean to my life. I do believe that the Churches are so out of touch with today and its people. I am Catholic and believe that my church should look at its people in need and realise that we are good people and want to bring up a child with love, we wouldn't go through this process if our needs were not desperate.

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

I who have one through the surrogacy process in another state, believe that we the family wanting the child would love the child more than anyone could know, what we have gone through to have a baby is indeed for love. Just because you can have a child it doesn't mean some people should. I cannot carry a child but it doesn't mean that I can't. Counselling is always a good thing for all parties

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

It should be covered my Medicare, it is a very expensive process, and not many people go through it why can't the government help people pay for it. Just the actual IVF procedure be covered it would help out families very much. The government wants families to have 3 children per family this may help. Also allow donor eggs used in surrogacy process as well, I have had Chemotherapy in the past and my eggs may have resulted now as being bad quality.

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

I indeed have had to travel down this path.

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

I would love to be named on the birth certificate as the birth mother even though I didn't give birth, I am the biological mother and my husband the biological father, my surrogate was the oven, my surrogate does not want to be named on the birth certificate because she doesn't consider herself to be the mother, Then we would not have to go through adopting the child, how confusing do you think this is for 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?**

The child should be considered the child of the commissioning parents

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

Yes, I need to have a donor egg as well as I have had chemotherapy in the past, not all situations are the same and shouldn't be treated the same,

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

No she should not have any relationship to the child as it will obviously be hard for her to give up the child leaving the commissioning couple who paid thousands for the process childless.

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

Medicare to cover all aspects of the IVF procedure as it does in all IVF procedures

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

No, it should be allowed in all states, just because you live in the state of QLD or NSW doesn't mean that rules should only be allowed in your state.

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

If carrying a pregnancy herself would result in harm to herself or the child, or a woman has no uterus to carry a child

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

it should be the commissioning couple as named on the birth certificate

**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 should be 100% transfer to the commissioning parents as soon as the child is born

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

Who cares about maintaining a status quo, you need to be realistic and know that people who are living in this country, have feeling and have families 100% behind them, and if you ask anyone I know and they would say it is a wonderful thing.

**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, my surrogate does not consider herself to be the mother and does not want her name on the birth certificate.

**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?**

I would tell my child the whole story of how it came to be, I owe my surrogate that much

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

I would advertise or pay a surrogate if I didn't have one myself and some people would like to help others if they knew that they would get paid.