

29 April 2022

Committee Secretary
Legal Affairs and Safety Committee
Parliament House
George Street
Brisbane Qld 4000

By email: lasc@parliament.qld.gov.au

Dear Legal Affairs and Safety Committee

RE: Inquiry into matters relating to donor conception information

Thank you for the opportunity to provide input into the inquiry into matters relating to donor conception information. We provide this submission on the basis of anecdotal and individual experiences that we are aware of, however, emphasise that the Women's Legal Service Qld (WLSQ) does not provide any legal and/or other services that relate to fertility, conception or donor issues.

WLSQ provides Queensland-wide specialist, free legal information, advice and representation to women in matters involving domestic violence, family law, child protection, financial abuse prevention and some sexual violence matters including sexual assault counselling privilege.

In the 2020/21 financial year we answered over 13,300 calls and helped 5,248 women. We also employ allied domestic violence social workers and a financial counsellor, to ensure a holistic response for our clients when engaging with our service.

In summary, WLSQ is supportive of:

- Transparency and openness in relation to donor identity
- Clear disclosure to donors prior to participation
- Counselling support for all parties

Based upon the views expressed by women who are affected by conception and donor information issues, WLSQ supports donor-conceived persons having increased access to information about their genetic origins. As Jane¹ who was adopted as a child, stated:

"It's a terrible (and frightening thing as a child) to grow up knowing you're different from your family, that there's something missing, and not knowing who you really are, where you come from, and if there's someone else on the planet who you might be part of or who looks like you. I imagine donor conceived people will have similar experiences to what I did and still have."

WLSQ acknowledges the tension between the donor's right to privacy, and the donor-conceived person's need to know their origin and biological history. WLSQ is of the view that community attitudes have changed significantly over the last few decades and that it appears that the rights of a child/person to know the identity of their donor is broadly supported. WLSQ supports

¹ Jane - not her real name.



legislation and policy guidance that articulates transparency and openness in relation to donor information, especially as it relates to medical conditions.

As indicated by Mary² who donated her eggs, one of which resulted in the birth of a child from her genetic material:

“... I wanted to know who the baby was so one of my kids don’t accidentally marry a sibling. ... I also agreed that if the child was about to go into foster care, the child would live with me, if any child needed blood or medical procedures that could help the others then we would help.”

WLSQ supports identifying information about donors being given to donor-conceived persons to the greatest extent possible. We further support the disclosure of this position to donors prior to participation to allow fully informed consent.

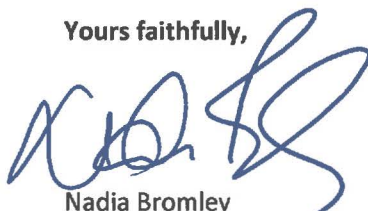
WLSQ supports the provision of support and counselling to all donor-conceived people and donors. Furthermore, WLSQ supports the establishment of a government register, with the appropriate safeguards as they relate to safety and privacy.

WLSQ is generally reluctant to support any retrospective changes to the law, this is especially relevant in this area, given that assurances of anonymity may have formed the basis of agreements to participate in donor arrangements.

Ongoing consultation

If you have any queries regarding the contents of this letter, please do not hesitate to contact us.

Yours faithfully,



Nadia Bromley
Chief Executive Officer



Julie Sarkozi
Practice Director
Law Reform & Education

² Not her real name.