




Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 10 November 2022

LEGAL AFFAIRS AND SAFETY COMMITTEE

Report, Motion to Take Note

 **Ms BOLTON** (Noosa—Ind) (3.16 pm): I rise to speak on the Legal Affairs and Safety Committee report No. 33, *Inquiry into matters relating to donor conception information*. Our inquiry delved into matters relating to the rights of donor-conceived persons to know information about their conception. This included the identity of their donor, their genetic origins and access to clinical records. The committee was also asked to consider whether a register should be established to achieve these aims.

Conception and donation for conception are deeply personal issues and there has been a history of confidentiality around this. In many cases, donors have asked and been promised to be and remain anonymous. Conception via donation has increased in Australia in recent decades since the expansion of conception technologies in the medical system. This means we have learnt much from the lived experience of those who have been conceived by donor conception. Donor-conceived persons have expressed the need to understand their origins and to know about their genetic personal history and the identity of their donor. The competing rights—that is, the right to anonymity and the right to know your history—and how to balance them has been the task of our committee, and it has not been easy.

As a result of our inquiry, recommendations have been made to endorse the right of donor-conceived persons to access the identity of their donor when they reach the age of 18, including their medical history. It also recommended that requests from donor-conceived persons for contact with their donor, and requests from donors for contact with donor-conceived persons, be facilitated with consent from both. This allows those who donated on the basis of no contact to continue to do so if they so wish. The report also recommends that the Queensland government consider funding for counselling and support services for donor-conceived persons, recipient parents and donors.

From the stories shared through submissions and at the hearings from both donors and donor-conceived persons, the government must do more than consider funding. I ask again that, for anyone who is retrospectively impacted emotionally or otherwise, the government fund these services if it is going to make the changes recommended in this report. While important and necessary, the information and contact, if consented to, that will occur from these changes may have significant emotional as well as psychological impacts. The provision of counselling and support services will be essential to ensuring that any impacts are appropriately managed and minimised.

The report also recommends the establishment of a register of donor conception to be operated by the Registry of Births, Deaths and Marriages. This is a practical solution that will facilitate the right to know that is established by the recommendations of the committee. It also sensibly recommends that the registry be mandatory for those conceived in a fertility clinic. However, regarding the recommendation that the register be voluntary for those who pursue donor conception in private arrangements because of the difficulty of enforcing such arrangements, the government already imposes a reporting requirement on parents at every birth, either naturally or donor conceived, through our birth certificates. It is mandatory, with Births, Deaths and Marriages providing a simple, free, online

application process. It should not be difficult to amend this to provide for information about donors, if involved. The benefit of this is that all donor-conceived births would be registered. This matches the imperative of the first recommendation of the committee, that donor-conceived Queenslanders have a right to know their origins.

In closing, I would like to congratulate our chair, the member for Toohey, fellow committee members, our incredibly hardworking secretariat and the department on the work they have undertaken in this inquiry and subsequent report. To all submitters and those who attended the public hearings, who shared their deeply personal journeys and heartfelt pleas, I extend our gratitude for their honesty and bravery. To donors, many of whom donated decades ago in response to a need, thank you for the compassion and understanding shown during the past months as we saw how difficult this has been for them as well. With that, I commend the report to the House.