

Submission in relation to the Independent review of the Human Reproductive Technology Act 1991 and Surrogacy Act 2008

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To: HRTSR

To whom it may concern,

As someone that has struggled with infertility for many years, I feel that I have the experience to provide comment on the reform of the above mentioned Acts. My surrogacy journey has been fraught with many challenges, causing long term anguish for myself and my family.

My husband and I have spent the best part of a decade and basically our entire 30's trying every conceivable way to become parents and have a family. We've worked with two fertility clinics and had in excess of 15 attempts, both artificial insemination and IVF. Genetic testing was done, results were promising. Numerous operations (laparoscopies and hysteroscopies) and more recently seeking advice from a further specialist who tried some rather radical methods by prescribing Humira and IVIG. We estimate that we would have spent in excess of \$100000 trying to achieve our dream. And that's out of pocket. We have had rebates along the way above this.

Despite our efforts we have absolutely nothing to show for this. Not one of our specialists have been able to give us a reason for the troubles we experience. We did have a brief moment of joy falling pregnant at the end of 2016. I miscarried at 9 weeks. I went through a d&c procedure and testing was done, no abnormalities detected.

It was at this time that I actually had to take 6 weeks approved sick leave from my job to deal with our situation. I went to counselling and eventually changed jobs in an attempt to have a 'change of scenery'.

We've only recently discovered the avenue of Surrogacy but fear that here in Australia we have left this too late because of my age for us to have a child through this process which is genetically linked to both of us.

The following are the key changes which I believe is required to make the Acts more relevant for the people that need to access reproductive technology. It will also ensure that the legislation keeps in step with the needs and desires of the Western Australian community more broadly.

Recommendations:

- * Greater number of surrogates – revise the Acts and supporting policies and advocacy to encourage more local surrogates to volunteer for this journey. Western Australia has a very low volunteering rate compared to other States. This is the fundamental issue that the Government should try to resolve.
- * Community awareness – the government to prepare an appropriate public awareness campaign to combat the community's misconception that altruistic surrogacy is illegal. The bad press often guides the communities understanding of surrogacy.
- * Support surrogates – government to put in place more comprehensive arrangements to support surrogates, inclusive of income support, life insurances and trained counsellors. These amazing women take on an enormous risk with little legal protections.
- * Provide a guiding hand – government to provide the support for surrogates, their families and the intending parents, to move through the surrogacy process (or allow other entities to provide that support). Currently it is up to the persistence of the surrogate and her intending family to get through the many steps required.
- * Communicate more effectively – create a plain English version of the Acts that can help guide the non-lawyers amongst us.
- * Legal issues - The fact that the intended mother essentially has no rights at all, even years after the birth until the child is considered to be an adult is archaic and totally ridiculous. It's a terrifying concept. It means the family has this hanging over them indefinitely. The intended mother and father should both be on the birth certificate right from the beginning. Period.
- * Acceptance - there needs to be more support and guidance from health care professionals and specialists. Our fertility specialist is associated with a clinic that does not condone the process so he couldn't openly discuss with us. Perhaps if he had felt comfortable recommending surrogacy as an option for us

earlier in our journey we might have considered it when we were a bit younger and opened up our options.

Something has to change. The way that Western Australia and the country in general approaches Surrogacy makes it impossible for a large number of us to access. And this number will only increase, likely at a rapid rate. The desire to be a parent for many is just simply too strong and we will try anything. We are all aware that this in no way resembles how families are traditionally made, but society as a whole has changed and we must go with it.

I would be happy to be contacted to provide further context and detail if considered appropriate.

Yours sincerely

Charlotte Adams



Sent from my iPhone