



Poorly regulated surrogacy arrangements may lead to exploitation: Committee

Australians are using surrogacy arrangements in countries with few regulatory, legislative and health standards, offering little protection to surrogate mothers and resulting children, a new report by a parliamentary committee has outlined. Similarly the report has found that regulations around domestic surrogacy arrangements are inconsistent and lack clarity and adequate protections for all parties.

One in six Australians couples are faced with infertility, and it has reported that rates of surrogacy are increasing. It is claimed that Australia's patchwork of domestic regulation has led to a rise in the number of Australians engaging in offshore surrogacy arrangements. Recent media reports of potential exploitation have brought the issue to the attention of the House of Representatives Standing Committee on Social Policy and Legal Affairs.

The Committee recently held roundtables with Australian Government agencies as well as experts and practitioners working in the legal, social, economic, scientific and medical fields. The diversity of views highlighted the lack of regulatory clarity and a number of welfare and ethical issues relating to both domestic and international surrogacy practices.

The key issues raised at the roundtables were:

- the sensitivity of terminology used to describe surrogacy,
- the questions of Informed consent, potential exploitation, compensatory payments, rights and protections for all parties involved, including the rights of the child born to know their biological parentage,
- domestic and international legal and human rights considerations, and
- the adequacy of Australia's IVF providers and regulatory framework.

Committee Chair, Mr George Christensen MP, said on the report's release that "the Committee's report raises a number of issues which require significant further analysis, particularly as there is significant potential for exploitation with overseas arrangements. There is also a need to examine the domestic situation and the hurdles faced by all parties. A longer term inquiry allows the Committee to further examine the issues and develop a clear framework for the future".

The Committee's has recommended that the Attorney-General refer an inquiry into surrogacy. This would provide the Committee with the opportunity to conduct a more detailed investigation into the regulatory and legislative aspects of surrogacy arrangements.

The Committee's report is available at this link:

http://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Roundtable_on_Surrogacy/Report and the transcripts of the roundtables are also available at this link:
http://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Roundtable_on_Surrogacy/Public_Hearings

For media comment, please contact the Committee Chair, Mr George Christensen MP, on (07) 4944 0622 or (02) 6277 4538.