

27<sup>th</sup> January 2011

Donor Conception in Australia  
Senate Legal and Constitutional Affairs Committee  
Department of the Senate  
Parliament House  
PO Box 6100 Canberra ACT 2600

Dear Committee Members,

The chance of contracting “**Aids**” through sperm donations meant that all previous sperm donations prior to the late 1980s had to be destroyed and new donors had to be sourced. The new and very strict rules and restrictions placed on sperm donors meant there was a **crisis** in the IVF field. My wife heard a passionate **plea** on the radio in 1988 from the Head of the IVF Program, who described the situation as **desperate** for some couples.

My wife and I had been blessed with three sons and couldn't imagine a life without children and thought that the greatest gift we could ever give another couple would be the opportunity to help them have a family of their own. We discussed the situation in great detail and made enquiries at the IVF clinic. It was the belief of the IVF practitioners at that time that offspring would never be told of their conception details by their normal parents. Since the husband was also involved in the procedure, there was still a possibility that the husband could be the biological father. We were told that I would have no legal rights as a donor, but I would have **total anonymity** with **no legal obligation** to the **normal parents** and **their child**.

Based on the above we signed the **contract** and agreed to commit to the program and all the medical testing and **life style restrictions** that it involved. Six years later changes to laws affecting donor rights and obligations meant that my identity was not 100% protected by law for future donations, so I ceased my involvement with the IVF program. All expenses cheques paid to me during that period were not cashed by me, but donated directly to charities assisting IVF couples.

I have made available non-identifying genetic information to the Victorian Donor Voluntary Register (see below). I do not want to be identified in any way and unless there is a medical emergency, I do not wish any contact to be made with me or my family.

I urge you to consider the rights of the donors to anonymity. We made a generous gift which involved personal sacrifices to assist childless people to have a family. I wish the donor children well, however, a contract was made and if the government are willing to fund a test case in the courts. Then, I'm willing to be the appellant (with others donors) in that test case.

Yours Sincerely,

## **Letter to donor conceived child**

Hello, you have gone to a lot of trouble to try to access as much information that you can about your biological history. This letter outlines some of my personal background and hopefully it will help to answer some of the questions that concern you.

We are sure that you have given your mother and father a lot of happiness and joy since your birth and that you will give them many proud moments in the future. We know that there is no greater love than that between a child and its mother and father. Let's start by outlining the reasons that I became a sperm donor, which ultimately led to your mother joyously giving birth to you. During the late 1980s, because of the chance of "Aids" previous sperm donations had to be destroyed and new donors had to be sourced. The new and very strict rules and restrictions meant there was a crisis in the IVF field. My wife heard a plea on the radio from the Head of the IVF Program, who described the situation as desperate for some couples (like your parents). My wife and I thought that since we had been blessed with three sons and couldn't imagine a life without children, we believed that the greatest gift we could ever give another couple would be the opportunity to help them have a family of their own.

We discussed the situation in great detail and made enquiries at the IVF clinic. It was the general belief of the IVF practitioners at that time that offspring would not be told of their conception details by their normal parents. Since the husband was also involved in the procedure, there was still a possibility that the husband could be the biological father. We were told that I would have no legal rights as a donor, but I would have total anonymity with no legal obligation to the normal parents and their child. We were also informed that in the extremely unlikely event of a child making an inquiry they would be only entitled to know six minor physical details about the biological fathers with no rights of contact. Based on the above we agreed to commit to the program and all the medical testing and life style restrictions that it involved. Thankfully, your parents' dedication to the IVF program was successful and you are now a living testament to that success. A later change of law to donor rights and obligations meant that my identity was not protected by law for future donations, so I ceased my involvement with the IVF program. All expenses cheques paid to me during that period were not cashed by me, but donated directly to charities assisting IVF couples.

We expect that both of your parents will be very anxious at present about the outcomes of your voyage of discovery and the possible impact on yours and on their lives. Likewise my wife and I are very worried about the possible repercussions to our family, as our three sons are unaware that we were involved with the IVF program. Because of the above we feel that it's in your parents and our best interest that you respect our privacy. We imagine that you have gone through a very emotional period and faced a lot of personal dilemmas to even get to this stage and we sympathize with you. We really hope you continue to have a very happy and successful adulthood and that the following information in this letter including my non-identifying personal details and family photographs assists you in answering some of your questions about your genetic heritage.

Yours Sincerely

**Personal details:**

Place of birth:

Date of birth:

Migrated to Australia:

Height:

Weight:

Blood group:

Religion: **Above withheld**

**Physical traits:** Quite detailed

**Occupations:** Quite detailed

**Above withheld**

**Traditional home counties of ancestors to early 1800s:**

**Names of ancestors to early 1800s:** Quite detailed

**Above withheld**

**Occupations of ancestors:**

**Main cause of death of ancestors:**

**Socio economic standard of ancestors:**

**Items of interest amongst ancestors:**

**Quite detailed information included, but withheld in this instance**

**A series of photographs of myself, mother, father, aunts, uncles and grandparents taken when the subject was in their early twenties was included in the information pack.**

Dear Madam,

**Re: Donor Voluntary Register**

Please find attached the Voluntary Register Application. For the benefit of the donor conceived children I have attached a letter, some non-identifying personal details and family photographs. If there are any approaches by the donor conceived children, I would really appreciate it if you could supply them with a copy of the non-identifying information above.

I understand the yearning of those donor conceived children wanting to seek out their heritage. However, I was involved with the IVF program when donor identity was protected by law. My wife and I have had many debates about the wisdom of revealing my identity and the possible flow on effects to our family, friends, the donor conceived children and their natural parents. After much agonizing we have decided on balance that it is for the best if I maintain my silence about my IVF involvement and accordingly I ask that my identity continues to be protected by your department.

To the best of my knowledge we do not have any history of any genetic diseases or ailments in my family. However, should a medical emergency arise whereby a donor conceived child is in need of assistance (kidney match etc.) then your department may contact me at the above address.

Hopefully the details contained in my letter will help satisfy some of the child's curiosity about their genetic heritage.

Thank you for your understanding and kind assistance.

Yours sincerely,