

**Legal and Constitutional Affairs Committee**  
**Submission to Inquiry into Donor Conception in Australia**  
**“The Past and Present Practices of Donor Conception in Australia”**  
**6<sup>th</sup> August, 2010.**

I am an ex-sperm donor from South Australia and wish to make the following contribution to this inquiry. Looking through the previous submissions, I first thought my views were adequately captured by a vast majority of respondents. However, there seem to be few perspectives from donors, so I felt compelled to offer mine with the hope to improve any assumptions that might be made about how donors may feel.

a) I believe there should be detailed, consistent, and open Nation-wide policy, regulation and administration, including the area of gamete importation.

b)

i) With the exception of travel expenses, donors should not be paid.

ii) Data management, even in the 1990's was incredibly poor. I believe it is still embarrassingly bad in some aspects. The quality of data management should reflect the value of the data, which I believe is very high.

iii) All donors and potential parents of DC people should be given the “FULL picture” of donor conception in terms of how it might affect them, their families, and DC people in the future. When I began donating in the 1990's, I was relatively young, and was offered very little advice, information, or education as to perspectives of DC people. The counselling and information provided to participants in the donor conception process should be fair, and independently reviewed and critiqued by advocates for the DC people, who are historically the unrepresented party in the donor conception process, yet the potentially the most affected in the long term.

c) The number of families using the same donor should be limited to between 10. Historically, there has been inadequate regulation for ensuring this nationally and even internationally. Ideally, it should probably be only **one** family, but the *current* donation rates make this an unrealistic limit for now.

d) I believe donor conceived individuals should, in general, have the similar rights as adopted people. Anonymous donation should be stopped in all cases. Identifying information should be available from at least 16 years of age. Birth certificates should *provide a means* to identify DC status. ( either directly, or through some other reference). Donors should not have the automatic right to identify recipients or offspring. Donors **MUST** have the means to provide the ART clinic with any relevant information regarding their own family's genetics.

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In addition to above, I wish to add the following general ideas about the future of donor conception in Australia.

**Cultural Perceptions of donor conception.**

I believe historical cultural perceptions have driven us to our current situation, where donor records have been destroyed and the “don't tell” mentality has prevailed.

I believe we can and must work to ‘normalise’ donor conception, to a point where it is at least equal to child-adoption in terms of its social acceptance. After doing this, the forces that lead to neglect of DC people's rights will be lifted. I accept that I

contribute to the perception and realise the complexities of changing. It will take a long time.

I'm quite uncomfortable with the fact that it remains perfectly legal and possible to bring a child up without them realizing that a stranger contributed to half their DNA, or that half of their biological heritage is a lie.

### **Retrospective identification**

Retrospective identification should be the default, *perhaps unless* there are *defendable* circumstances where it is in the best interest of *all* parties to restrict, caveat or prevent identification as necessary.

I believe there should be an Australia-wide effort to do this. I find it hard to understand how any gamete donor can be altruistic enough to go through donating, yet accept they have contributed to the neglect and suffering of the resulting DC people, by (apparently) intentionally hiding their identity from them. Given the lack of counselling, advice, and information available to donors in 'anonymous' times, it is hard to justify how, without re-assessment, past agreements of anonymity can remain valid and just in the new light where DC people's rights are considered.

At least, it seems unfair that anonymous donors are not being given this new information, to contextualise in-the-present, decisions they made in the past.

- Addressing the cultural perceptions (see above) would help achieve this.
- Taking the job away from ART clinics, or enforcing/incentivising their assistance may help.