

Submission to Select Committee – Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018

I am a mother of 3 who is a hopeful future surrogate for a friend.

I strongly support the proposed amendments to the Surrogacy Bill which would allow single males and male couples the right to access surrogacy. It is blatantly discriminatory to prevent men from accessing surrogacy when we do afford this right to women who are unable to personally carry a child. Yes, there are currently limitations on the when and why a woman can access a surrogate but nonetheless, the option of surrogacy is available to them. On this note, I also support any changes to the bill that would make it easier for women to preserve their fertility, even when fertility issues are not necessarily guaranteed but are likely.

I argue that there is no unbiased or scientifically significant evidence to support any claim that it is in the best interests of a child to be raised by their biological mother. What is in the best interests of the child is to know their history and be surrounded by people that love and support them. It is for this reason that I also support the implementation of a donor register.

We do not need to look far to see examples of sexual, physical and emotional abuse that children raised in 'traditional' families experience in this country. Women/biological mothers cause harm to their children every day and there are many phenomenal men and gay male couples who are doing amazing jobs at raising their children in safe and loving homes.

Furthermore, under current legislation, the hurdles that Intended parents have to jump through are, in my opinion, excessive and unnecessarily prohibitive. I fully support the requirement that all parties undergo implications counselling throughout the surrogacy process however, I challenge the additional requirement that all parties undergo psychological assessment and personality testing. Currently, WA is the only state in Australia that has this requirement and many who have been through surrogacy in WA have reported that this requirement added substantial costs and very little, if any, value to the overall process and experiences of all involved.

I also support the requirement for all parties to undergo a criminal record screen.

In my view, it is in the 'best interests' of Western Australia to move forward with best practice in the field of Assisted Reproductive Technology and Surrogacy and stop discriminating against individuals purely on the basis of their gender.

Rhianna Nilsen