

## Legislation Committee

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**From:** Amanda Poppe <ampoppe@yahoo.com>  
**Sent:** Wednesday, 1 May 2019 6:58 PM  
**To:** Legislation Committee  
**Subject:** Submission to Inquiry into Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018.

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Dear Members of the Standing Committee on Legislation,

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I would like to address the *Human Reproductive Technology and Surrogacy Legislation Amendment Bill 2018*, which I understand will amend the *Human Reproductive Technology Act 1991* and the *Surrogacy Act 2008* to enable male same-sex couples and single men to access surrogacy.

I am deeply opposed to Bill 2018 and urge you to consider the dangers inherent in this bill. You need to consider not just the desires of single men and male same-sex couples, but the rights and needs of women and children.

Children do best when they are raised by their biological mother and father. Governments have in the past experimented with the forcible separation of children from their biological parents on racial grounds or because mothers were unwed, with horrific long-term consequences. The Parliament needs to think very carefully about the wisdom of deliberately creating motherless (or fatherless) children. The United Nations Convention on the Rights of the Child states the following:

### **Article 9**

*1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.*

*2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.*

*3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.*

I understand that some homosexual couples or single men may desire to have a child. But the *desire* to have a child is not the same thing as *the right* to have a child. Having children is not a basic human right. No couples, including heterosexual couples, have the right to have children. Children are a gift of God. He instituted marriage between one man and one woman for life, and he intended children to be born into the safety of such a committed relationship. As a society we can and we do go against this design. But whenever we step outside of God's good design, we experience suffering. Children especially suffer.

This is not to say that single parents do not do an admirable job of raising their children. But making the best of an unfortunate situation is different from deliberately creating motherless or fatherless children.

The pain of this loss never leaves the child, as you can read on such websites as "Anonymous Us" and "Them Before Us."

The Sex Discrimination Act seeks to *eliminate, so far as is possible, discrimination against persons on the ground of sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy or potential pregnancy or breastfeeding in the areas of work, accommodation, education, the provision of goods, facilities and services, the disposal of land, the activities of clubs and the administration of Commonwealth laws and programs.* What category does "desiring to have a child" fit under? Is having a child "the provision of goods, facilities and services"? Does that not commodify a child?

The government discriminates in many areas where necessary to ensure the safety of its citizens. For example, it does not allow twelve-year olds to drive, no matter how much the child may desire to get a license. Since having a child is not a basic human right, the government needs to discern what is in the best interest of all its citizens in the area of reproductive health.

I am also concerned that if a surrogacy bill is passed, women will be exploited. Surrogacy commodifies women, allowing their reproductive and child-bearing capacity to become commercially available for men to access. In 2008 a law was passed that gave single females the right to access surrogacy arrangements. In the ten years since that law was passed, no West Australian woman has applied for surrogacy. Rather than extend the right to single men and homosexual couples, surrogacy should be banned altogether.

Surrogacy commodifies children and exploits women. Many countries have banned surrogacy, including Germany, Denmark, France, Spain, Switzerland, Poland, Slovakia, Hungary, Croatia, Romania, Bulgaria, Estonia and Lithuania.

I urge you to protect women and children by defeating Bill 2018.

Thank you for all the hard work you do for our state. I will continue to pray for you for wisdom and strength in your task.

kind regards

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