

Submission to Australian Parliament  
Senate Legal and Constitutional Affairs Committee  
Inquiry into Donor Conception in Australia  
24th August 2010

Two recommendations:

- 1) Fast track of procedures so women in a situation of medical crisis could ensure they could have donor/donation recognized;
- 2) Counseling and advice in these scenarios

As the mother of a donor conceived child I would like to raise the following points regarding donors in a medical scenario such as the one I have gone through. In 2007 I was diagnosed with breast cancer at the age of 36. I was concerned about losing my fertility due to the effects of chemotherapy and started researching my options. I was advised that freezing eggs was a waste of time and that I should seek a sperm donor and freeze embryos. Two separate IVF doctors advised me that I must present any potential donor as my partner, otherwise the paperwork and procedures would prevent me being able to undergo a cycle of IVF prior to my chemotherapy. I was under serious time pressure, as my oncologist would not permit me to wait any longer than one month to start my treatment.

Fast-forward three years, my donor agreed to me using one of the embryos and I now have a beautiful child. However my donor, under pressure from his new partner, wants me to destroy my remaining embryos. It is well known to all involved, my doctor, family and friends that my donor is just that, a donor - thus would normally have no rights over the embryos. However due to the procedures currently in place at IVF clinics in Australia, my donor is legally known as my partner on the paper work - thus has 50% ownership of the embryos.

I would urge the parliament to consider placing a section of the law to cover women who are undergoing IVF with the use of donor sperm due to upcoming / emergency medical treatment such as chemotherapy. In hindsight, we should have had a lot more counseling and put some legal documents in place about our future intentions, however in the face of cancer, these things did not seem important. It would be a great benefit for women and sperm donors to have advice and counseling about these issues to enable speedy donation in a crisis situation.