

Submission of Rebecca Jennings

I would like to offer an account of my experiences of starting a family through donor conception in NSW. I am in a same-sex relationship and my partner of 11 years and I decided to start a family. We approached a clinic and in March 2009, I became pregnant. I became pregnant by IVF, using an anonymous donor. We wanted to have more than one child and intended that I would conceive the first child and my partner would carry the second. As the children would obviously have different biological mothers, it was important to us that we use the same donor, so that our children would still be biologically related to each other. When I became pregnant, we therefore requested that the clinic reserve some sperm from the donor I had used, so that my partner would later be able to use the same donor in conceiving our second child. As donor sperm is expensive, we had to pay \$1000 to purchase this sperm, in addition to paying a six-monthly storage fee to the clinic until we used the sperm.

In August 2009, when I was 6 months pregnant, we were notified by our clinic (Fertility First, Hurstville, NSW) that the NSW government had passed new legislation changing the use of donor sperm. Whereas sperm from a single donor was previously allowed to be used in conceiving children by a maximum of 10 families, the maximum was now to be reduced to 5 women. As the donor I had used had already exceeded 5 women, this meant that my partner would not be eligible to use this sperm. Fortunately, the legislation was not due to take effect until January 2010, and there was an extra 2 year window allowed for the use of the embryos already created by IVF. My partner therefore had to undergo IVF treatment immediately in order to create embryos by the same donor, which were then stored for later use. She underwent one cycle of IVF, and was able to create and freeze 10 embryos. Our first child was born in November 2009, and in April 2010, we decided to begin the process of conceiving our second. When we partner began the IVF process again, using the stored embryos, only 2 of the 10 embryos survived the thawing process. Both embryos had to be implanted immediately, meaning that she could only have one attempt at conceiving, using embryos created with the same donor as our first child. Fortunately this attempt was successful and she is now 9 weeks pregnant.

This entire process was extremely stressful and emotional, from the need for my partner to go into hospital for egg retrieval when I was in the final months of pregnancy, to the realisation that she had only one shot at getting pregnant and, if she did not conceive, our plans for our family would be impossible to realise.

While I completely understand the desire to reduce the risk of consanguine relationships by limiting the number of children born to any one donor, the recent changes in legislation were, in my view, simply discriminatory. Changing the number of allowable conceptions from 10 to 5 seems reasonable to me, but the change from 'families' to 'women' can achieve nothing except discrimination against same-sex families. There is no possible way in which the children born to 2 separate women within our single family unit could possibly inadvertently form a consanguine relationship. Not only will they be brought up together as siblings, but due to NSW law on the registration of births, they will also legally be siblings as both myself and my partner will be named as the 2 parents on their birth certificates. All this legislative change could achieve then, is to prevent our children from being biologically related to each other, as well as being legally so.

