

*Oh! what a tangled web we weave
When first we practise to deceive!*

From Marmion by Sir Walter Scott (1771–1832)

Who is deceived by the Tangled Web of deceit with donor conception in Australia?

Two parties- the donor and the donor conceived child.

As a donor I feel that I will be deceived if the senate inquiry recommends retrospective legislation to remove my contracted right to privacy.

I feel deceived by the social parents who readily accepted the terms of the donation and donor's rights to privacy, yet who are now urging the senate to revoke that privacy.

I feel deceived by a state government and IVF system that convinced me that deceiving the donor conceived child about their identity was perfectly legitimate and in the best interest of all parties concerned.

As a donor, this is my response to the questions in your terms of reference:

Donor conception regulation and legislation across federal and state jurisdictions.

(b) the conduct of clinics and medical services, including:

(i) payments for donors,

I do not believe that the payment of donors is warranted. Reasonable travelling expenses, especially parking costs should not be ruled out.

(ii) management of data relating to donor conception,

This should be managed by each State's Registrar of Births, Deaths and Marriages. With a donors voluntary register as existing in Victoria.

(iii) provision of appropriate counselling and support services;

Counselling for donor conceived children, their parents and the donors should be mandatory and provided by the IVF institution.

(c) the number of offspring born from each donor with reference to the risk of consanguine relationships.

In my case, I have ten families who have conceived children with the help of my donations. This seems to be excessive and I would have preferred only 3-5 families. Unfortunately, I did not have any control or choice on how the IVF clinic utilized my donations. Mathematically, the risk of consanguine relationships with ten families is probably quite small. However, if a prospective approach is taken whereby future donor conceived children will know their genetic background, then the number of offspring per donor is not an issue to consider.

(d) the rights of donor conceived individuals.

I believe that the choices for the senate inquiry on the question of donor identity are:

Pragmatic option: Do not take a retrospective approach to overturn state legislation. Take a prospective approach giving future donor conceived children the right to be notified of the method of their birth and the right to access genealogical information about their donor.

As a donor who wishes to maintain my privacy this is my preferred option. The system that is presently operating in Victoria using the Donor Voluntary Register for donations made prior to the removal of the privacy provisions could be used as the model for donor records.

Courageous Option: Overturn all state legislation. Take a retrospective approach notifying all donor conceived children about the method of their conception and give them the right to access genealogical and identification information about their donor. Likewise donors should be given the right to access information about their offspring.

This option unravels the Tangled Web, but then proceeds to weave another more Tangled Web.

As a donor who wishes to maintain my privacy this is **not** my preferred option, because it would place strain on my domestic situation. If my identity becomes accessible, then I believe everything should be brought out into the open and I too would want to access identity information about the donor conceived children and their social parents.

This option might be seen as **being in the best interest of the child** but it will place strain on the many families that elected not to inform their child of the circumstances of their birth. Especially in the case of grandparents, who will find out after many years that they do not have biological grandchildren. It will place enormous emotional strain on those children who suddenly find out about their conception.

This option will result in huge funding costs to finance the retrospective program of data collection and dissemination, DNA testing to prove parentage, to defend the many court challenges that will arise and to pay for extensive counselling for donor conceived children, their parents, grandparents and the donors and their families.

I ask the members of this Senate Inquiry to take the Pragmatic Option to this problem. With the benefit of hindsight, laws made many years ago often seem to be inappropriate in the present day. However, the old laws usually reflected the intention of the people and took into consideration the morals, cultural norms, the demographic and political environment at that point in time. Australians base their decisions and way of life around those principles of law established by our elected representatives. For a later generation of elected representatives to retrospectively change a law is fraught with danger, because it is applying hindsight and a new environmental paradigm to what existed at the time of the passing of that law.

Donor conception is a wonderful thing. It has resulted in the birth of tens of thousands of Australians being born into very appreciative families. However, this inquiry process leaves me feeling very sad and reading the submissions it is clear that the donor is generally seen as the villain and the deceiver in the whole process. It is clear that people don't understand the donation process. The reason there are so few donors is that becoming an accepted donor is a very difficult process. I disrupted my work, private and domestic life for six years without one cent of reward by being a sperm donor. Restrictions are placed on one's sex life that would be unacceptable to the majority of people. Six monthly medical and blood tests, with yearly counselling sessions were required by the IVF Clinic I attended. I didn't get to choose the recipients of my donations, I didn't get the chance to see my offspring born or see them grow up. I won't see the grandchildren they produce. I accepted all of those restrictions at the time in exchange for my sole right of privacy. The old donor conception laws encouraged deception, by introducing new and retrospective conception laws, please don't make donors feel deceived.

Yours Faithfully