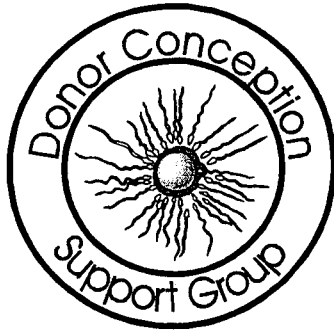


SUBMISSION NO. 134

AUTHORISED: 25-05-05 *hllth*



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19th May, 2005.

The Standing Committee on Family & Human Services
The House of Representatives,
Parliament House
Canberra.

Dear Committee Members,

Thank you for extending the deadline for submissions to enable us to send you a very different view on a form of adoption from overseas.

The Donor Conception Support Group has had for many years very serious concerns about the importation of sperm, eggs and embryos into Australia and in more recent times the possibility of the recruitment of overseas donors.

Importation of human gametes into Australia.

The *Human Cloning Bill 2002*, which passed through both houses of parliament last year, states:

A person commits an offence if the person gives or offers valuable consideration to another person for the supply of a human egg, human sperm or an embryo.

We are concerned with the importation of semen into Australia from overseas countries such as the UK and Denmark. Denmark has become a very popular source, worldwide, of semen especially for single women and same sex couples. The reasons for clinics using overseas sperm are many: falling numbers of donors, some do not want to donate to single women or lesbians; the usual ups and downs of donor numbers; or the fact that importation of sperm is easier than recruiting new donors. The main source of semen in Denmark is a company called Cryos where the company allows 25 pregnancies per donor within Denmark before it sends that donors sperm overseas. We have as yet been unable to find out how many countries each donor's sperm is sent to and how many pregnancies are allowed in each country.

Cryos states on their website that their donors are paid DKK 250.00 which is the equivalent of approximately \$AUD58.43 per donation. I am sure that you would agree that this amount of money is not merely to cover such things as travel expenses but does constitute payment or valuable consideration. We have been unable to ascertain how much money is being paid to Cryos by clinics in Australia for each sperm sample that is imported but we are sure that Cryos must be making a profit over and above what it pays to its donors and for the cost of sending the semen to Australia.

The Hague Convention on Intercountry Adoption signed by many countries in 1993, and many more since, is designed to ensure that the adoption of a child from one country to another is in the best interests of that child. The convention also includes provisions for all parties involved in an intercountry adoption to have been counselled as to the effects of their consent and that their consent has not been induced by payment or compensation of any kind. We in the DCSG feel that there are a lot of parallels between adoption and donor conception.

In 2003 our group noticed an advertisement in the monthly free newspaper "Sydney's Child" which read:

Do you require Donor Oocytes?

This professional medical service provides you with another option to obtain anonymous donor oocytes which you have not yet explored. Contact Denyse on 0411 386 131 or fax (02) 9130 5629 or email denyse@donor-eggs.info

Our group contacted the person named in the advertisement and discovered that they provide a service to smooth the path for women to obtain donated eggs in Greece. Our group has serious concerns about this new trade; what inducement is there for the women to 'donate' their eggs and similarly to the Danish sperm what of the children born as a result, what chances are there for them to get information about their genetic parentage? This advertisement is still appearing on a regular basis in "Sydney's Child"

Last year newspaper articles appeared around the country regarding a NSW clinic advertising in Canada for sperm donors. Men were being offered a return flight to Australia, accommodation plus living expenses in return for sperm donations. Our group considers this to be offering a "valuable consideration" as an inducement to donate. We felt that it contravened the *Prohibition of Human Cloning Act 2002* which prohibits the payment of valuable consideration for the provision of human gametes and so wrote to the NHMRC who on our behalf forwarded information to the Commonwealth Director of Prosecutions who determined that no offense had been committed based on the current actions of the clinic in question.

While adoption within Australia continues to decline and with more and more people turning to assisted reproductive technology it is very concerning that the use of gametes and embryos imported from overseas is seen as an easy option. The future needs of the children being created must be taken into consideration, their ability to access information about their genetic parents will be severely restricted if the donor is in another country or they may find that access to this information will be denied to them.

We ask that the Standing Committee extends its' terms of reference to include donor conception and please contact us for more information.

Yours Sincerely,

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