Submission to the Australian Law Reform Commission – Review of Australia's Surrogacy Laws
Submitted by: [redacted]
Date: 03/06/2025

Personal Background

My name is [redacted], and I am an 19-year-old Australian man. I am currently planning for single parenthood via surrogacy. While I am biologically fertile, past experiences with trauma and relationships have shaped my decision to pursue parenthood independently. This is not a decision I take lightly, and I am sharing my perspective as someone who wants to become a father through surrogacy within Australia.

Barriers to Surrogacy in Australia

From my research and experiences to date, I've found that surrogacy in Australia is extremely difficult to access for intended parents like myself. The current legal and financial frameworks create numerous barriers:

Prohibitive costs: Surrogacy in Australia can cost anywhere from $25,000 to $70,000, covering IVF, legal fees, counselling, and medical screening. These costs are especially difficult for young or single individuals.

Medicare inaccessibility: Unlike other forms of fertility treatment, Medicare does not currently support surrogacy-related medical costs, creating unequal access for people who cannot conceive or carry a child themselves.

Legal inconsistencies and clinic reluctance: In my home state of Victoria, clinics are often unwilling to facilitate gestational surrogacy due to restrictive laws and the legal presumption that the surrogate is the mother at birth. This legal uncertainty deters many medical providers, and intended parents may struggle to find willing surrogates particularly if they lack a close female friend or relative who can assist.

Pressure to go overseas: Due to the high costs and legal red tape in Australia, I have seriously considered pursuing surrogacy in countries such as Brazil or Georgia, where the process is more streamlined, legally clear, and significantly more affordable. However, international surrogacy can carry legal, ethical, and citizenship risks that I would prefer to avoid yet the current system leaves me feeling as though I have no other viable path forward within Australia.

Policy Recommendations

In the context of this national review, I would like to make the following suggestions:

1. Expand Medicare to cover surrogacy-related medical expenses, especially for those with medical, psychological, or social circumstances that prevent traditional conception and pregnancy.

2. Harmonise surrogacy laws across states and territories, to avoid the current patchwork system that forces some families to pursue international surrogacy sometimes in countries with fewer protections for all parties involved.

3. Legal reform to enable pre-birth parentage orders, ensuring intended parents are recognised from the beginning and clinics can operate with legal clarity.

4. Permit non-profit matching services or agencies, to help facilitate ethical surrogate-intended parent relationships within Australia, reducing the need to look overseas.

5. Remove discriminatory restrictions that limit access to single men or LGBTIQ+ people, ensuring that family creation is equally available to all Australians regardless of their family structure.

A Vision for the Future

I envision an Australia where people like me single, young, traumatised but hopeful can pursue family creation with dignity and support. Surrogacy should not be a luxury or a legal minefield. It should be a supported, ethical, and accessible path to parenthood.

I urge the ALRC to consider how best to uphold the rights and needs of intended parents, surrogates, and most importantly the children born through surrogacy. This is a

once-in-a-generation opportunity to design a framework that balances safety, ethics, and compassion.

Thank you for taking the time to consider my submission.

Yours sincerely,
[redacted]