



9th July 2025

The Commissioner
Australian Law Reform Commission
PO Box 209
Flinders Lane
Victoria 8009

Dear Commissioner,

**SUBMISSION TO THE AUSTRALIAN LAW REFORM COMMISSION
REVIEW OF AUSTRALIA'S SURROGACY LAWS**

As a citizen involved with health care, as a primary school teacher, and a concerned woman who has worked hard for children, I am eager to contribute to the Australian Law Reform Commission's review of Australia's surrogacy laws.

I have responded to the questions posed in the Issues Paper below. In summary, I am writing to express my opposition to the expansion of the legalisation of surrogacy.

I seek that my submission be published but de-identified, thank you.

What reform principles should guide this Inquiry?

Regarding Question 2 the reform principles that should prioritize the interests of all children and protect the rights of women from sexual and reproductive abuse. While these risks are acknowledged in the Issue Paper, I refer the Commission members to the Declaration Of Casablanca For The Universal Abolition of Surrogacy (www.declaration-surrogacy-casablanca.org/wp-content/uploads/2023/03/Declaration-of-Casablanca.pdf) which, I was impressed to see, includes a group of experts who are mainly lawyers, doctors, and psychologists, who have been working for a long time on Surrogacy and its impact on individuals and society. Surrogacy has inbuilt risks to women and child rights, not the least being the treatment of a woman as a functionary whose womb is being used, not for its purpose intended by nature (i.e. to bear her own children) but as an incubator for external persons' 'use' .

The Issues paper speaks about the paramount rights of a child, but it does not annunciate that no person ever has a **right** to have a child. Yes, it can be heart-breaking not to have one's own child, but the abolition of slavery has taught us that no one, not even with the help of IVF and advanced technology, can demand to possess another. It seems that nature has made child

bearing by us women a delicate business for the very purpose of safeguarding the ‘production’ of children, for whatever noble or ignoble purposes.

The right of a child to know their biological parent should be safeguarded, as stated in **question 3**. This is the only way to protect against the IVF tangled web now complicating the lives of many young and not-so-young adults, and to ensure transparency about parenthood. Inheritance rights should be discussed.

Question 13: Advertising encourages exploitation, and as surrogacy involves the using of women’s wombs, increasing it would weaken our family and child self-concepts. I urge the Members of the Commission and the Members of Parliament to listen to the testimony of Olivia Maurel, a young woman born via surrogacy in 1991, who explained the damage this had on her mental well being. A total ban on surrogacy, both international and national surrogacy, is the best way to regulate advertising.

In **Question 18** the issue of *compensated* and *commercial* surrogacy is raised. Both are to be condemned, as they violate human dignity and contribute to the commodification of women and children.

Under **Question 26**, many questions presume that a surrogacy industry would be a good thing, without asking questions about the safety or history of such industries in other countries, nor why so many countries have a total ban on surrogacy. It is interesting that the Australian Law Reform Commission, in regard to surrogacy, seems to have closely followed the model in England and Wales, leading to the New Pathway proposal... how independent and transparent is this Commission or are we being led by the English promoters of surrogacy? Also, quite a number of your advisors on this issue are already in the IVF industry and promote surrogacy, having benefits to gain if the ALRC widens the scope of surrogacy industry by recommending the legalisation of commercial surrogacy. Is this not a conflict of interests?

Lastly, regarding **Question 27**, it seems that the women in Australia who have been surrogates to date, and who have had traumatic experiences, have not been a focus in this review. Having to hand over a child you have carried, loved, nurtured and given birth to is not an experience one should treat lightly. Is their pain and trauma to be treated as a ‘side effect’ or a ‘necessary evil’ to be ignored by those who demand a child? More advice from psychologists seems called for.

Thank you for reading and considering my submission.
Yours Faithfully,

[REDACTED]
(Bach.HRSc; Masters Teach.)