Surrogacy Law reform Submission

Hello,

I am a 32-year-old male resident of Ballarat state of Victoria. I reside with my husband. My husband and I have been contemplating the possibility of having children, but our homosexual orientation presents additional challenges in this regard. Furthermore, the Australian legal framework is overly stringent and intricate, making the realisation of our dream particularly arduous.

I fully comprehend that these regulations are in place to safeguard surrogates from exploitation and prevent them from being exploited as baby-making machines, which is unjust towards them. Prior to my migration to Australia, in my home country, surrogacy was legal and supported, facilitating the identification of surrogates and fulfilling the aspiration of having a family. However, there were also instances of individuals abusing the system and the law. For instance, surrogate agencies would employ surrogates without providing them with adequate healthcare, confining approximately ten women to a single room and only attending to them during the birthing process. Furthermore, if the intended parents decided to withdraw the babies due to certain disabilities, surrogates would be solely responsible for caring for them, perpetuating this cycle of abuse. Consequently, surrogacy was prohibited in that country, and it is no longer an option.

Consequently, I advocate for the legalisation of surrogacy, irrespective of whether it is commercial or altruistic. This would provide an option for genuine parents who are unable to conceive on their own without the assistance of surrogates. However, it is crucial to establish clear regulations to prevent agencies or law firms from exploiting vulnerable surrogates who endure significant hardships. Surrogacy should not be viewed as a profit-driven business venture; rather, it should be a compassionate and supportive platform where parents can receive assistance and guidance for their families.

At present, my husband and I are exploring the possibility of surrogacy abroad, however, the associated costs are prohibitively high. Consequently, we may be compelled to sell our current residence and subsequently reside in rental properties to facilitate the conception of children overseas and subsequently relocate them to Australia. It is not merely the financial aspect that concerns us; we have been informed through recent news reports that during the transfer of embryos, certain couples have inadvertently received the babies of others, and agencies have been reluctant to assume liability for the subsequent explanation. Furthermore, the majority of the funds intended parents invest are directed towards agencies rather than the surrogates themselves.

In Australia, there are numerous unfortunate couples who are unable to conceive on their own. Therefore, I urge the government to reform the surrogacy law to establish a platform that safeguards the rights of surrogates and limits them to carrying one or two children after their own. Intended parents should undergo rigorous assessments to ascertain their genuine reasons for seeking surrogacy support.
Surrogates or intended parents should have the option to publicly announce or advertise their availability for surrogacy through designated channels.

If this option were available in Australia, a significant amount of capital would not be directed overseas. Individuals would be content residing in Australia with their families, thereby reducing the likelihood of family members being deceived and exploited.