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11/07/2025

Submission to the Australian Law Reform Commission
Inquiry: Review of Surrogacy Laws

I wish to make a submission and request to be de-identified.

I am an Australian intended parent in my late 30s. I believe Australia should move towards a model of “Compensated Surrogacy,” which I view as a sub-category within Altruistic Surrogacy.

Under this model, surrogates would be permitted to receive a capped amount – beyond reimbursement of expenses – not as a “fee” or “incentive,” but as a gift from intended parents in recognition of the time, commitment, and emotional labour involved. For example, this could be in the range of $1000 to 1500 AUD per month of pregnancy, or more if carefully regulated. The aim would be to support the surrogate without introducing financial motivation as the primary driver.

I support maintaining a clear distinction between compensated and commercial surrogacy and do not support moving towards a commercial model as seen in the US. However, I believe current laws that prohibit any form of compensation beyond expense reimbursement are unnecessarily restrictive and may deter otherwise willing surrogates.

A carefully designed model for Compensated Surrogacy would help more surrogates feel supported while preserving the core altruistic motivations – friendship, community, and a shared desire to grow families – that should underpin any surrogacy journey.

If you would like to know more about my position, you are very welcome to contact me by email; however, I request that my name and contact details not be published anywhere online. Please let me know if there are any issues regarding this. I wish to also express my thanks to the ALRC for conducting this review. Additionally, I would like to highlight the work of Anna McKie, from Surrogacy Australia, who has driven a range of initiatives (including webinars, podcasts and online networking events) to support members of this community, including intended parents like me, as well as surrogates and donors past, present and future.

I feel that Australia has a solid framework, but I strongly believe a shift to Compensated Surrogacy – if regulated carefully, with sensible caps (to prevent it from being “Commercial Surrogacy”) – could help Australia lead the way when it comes to global best practice.

End of Submission