## Submission to the Inquiry into Surrogacy Laws in Australia

Submitted by: [redacted]

Word count: ~740

To the Committee,

Thank you for the opportunity to provide input into this important inquiry. I'm writing to share my concerns about Australia's current surrogacy laws and to suggest some much-needed changes. Surrogacy is a deeply personal and often emotional journey, and I believe the law should support—not complicate—that path for those involved.

Why current laws aren't working

Surrogacy is legal in Australia—but only under strict conditions, and the rules vary from state to state. This patchwork of laws leads to confusion and frustration for intended parents, surrogates, and even medical and legal professionals.

- Altruistic surrogacy (where the surrogate isn't paid, except for expenses) is allowed, but highly regulated.
- Commercial surrogacy is banned everywhere in Australia.
- In some jurisdictions, people can be criminally charged for entering into overseas commercial surrogacy—even if it's legal in the country where it occurs.

Because of these inconsistencies, many intended parents turn to overseas arrangements out of necessity—not choice. And that opens up its own set of legal and ethical challenges.

Real-life impacts

These laws don't just create paperwork—they create pain and uncertainty.

- Intended parents may wait months after birth before they are legally recognized as their child's parents.
- Surrogates can be left without proper support or clear legal protections.
- Children may be left in limbo, with their legal parentage uncertain.

It's hard to see how this serves anyone's best interests—especially the child's.

What needs to change

I believe we can do better. Here are a few key changes I respectfully suggest the committee consider:

1. Create a national framework
Having one consistent surrogacy law across Australia would reduce confusion and create

fairer, more predictable outcomes. All families—regardless of where they live—deserve the same rights and protections.

2. Stop criminalising overseas surrogacy
People shouldn't be treated like criminals for trying to grow their family, especially when they do so responsibly and legally in another country. Instead of punishing these families, we should focus on making domestic surrogacy safer, more accessible, and better supported.

3. Consider ethical, regulated compensation
While I understand concerns around commercial surrogacy, I think it's worth exploring a middle ground. Many surrogates take on a significant emotional, physical, and time burden. Allowing for regulated compensation—not profit, but fair recognition—could make surrogacy more sustainable and respectful.

4. Improve support for all parties
Everyone involved—intended parents, surrogates, and children—deserves access to counselling, legal guidance, and ongoing support. A clearer, supported process benefits everyone and reduces the risk of exploitation or misunderstanding.

In conclusion

Surrogacy is a meaningful and often life-changing option for people who can't conceive on their own. Whether they're dealing with infertility, medical conditions, or are part of the LGBTQ+ community, many Australians turn to surrogacy with hope—and often desperation.

Right now, our laws don't reflect the reality or diversity of modern families. They create unnecessary hurdles, push people toward overseas arrangements, and can leave children without clear legal protections.

We have a chance to change that.

I hope this inquiry leads to reforms that are compassionate, consistent, and child-focused. Every child deserves to be born into a family where the law supports—not undermines—their right to love, security, and recognition.

Thank you again for considering this submission.

Sincerely,
[redacted]