Submission to the Australian Law Reform Commission
Inquiry into the Legalisation of Commercial Surrogacy in Australia

Dear Commissioners,

Submission on the Harms of Commercial Reproductive Practices and Why Australia Should Not Allow Commercial Surrogacy

I write as an adult donor-conceived person who has lived the lifelong reality of being deliberately created through commercial transactions between clinics, donors, and prospective parents, a process in which my very existence was treated as a commodity to be bought, sold, and profited from.

While this submission is in response to your inquiry into commercial surrogacy, I believe my experience in the donor conception industry is profoundly relevant. Like commercial surrogacy, donor conception in Australia, despite being legally altruistic on paper, has in practice become a profitable enterprise. Clinics, donors, and sometimes intermediaries financially benefit from the creation of children, with the inherent risk that the well-being of the child is subordinated to financial incentives. Anyone who has been vocal about surrogacy in the media is someone who is profiting from a potential commercial surrogacy or currently profits from the process today. I urge you to listen to those with lived experience who come forward, despite the emotional toll it is to confess the deep wounds that being a transactional product causes them.

Throughout my life, I have faced the following realities:

- **I was paid for.** Money changed hands in my creation. Clinics made significant profits, and my donor received payment. Knowing I was conceived in a transaction fundamentally undermines my sense of worth, embedding a deep belief that my existence had been reduced to a product — something mass-produced and sold. There is no remedy for this fact in my life, and no way to undo or create new meaning from the experience and knowing that I and the sum of my parts had multiple points of sale. Adding a surrogate into this would also be another element of being paid for and someone having profited from my creation.

- **Mass production for profit.** My case exemplifies industrial-scale reproduction: clinics knowingly created up to 700 siblings from the same donor, creating an enormous pool of half-siblings across Victoria. This was not an accident, it was a deliberate business model maximizing profit, with no regard for the psychological, social, or medical ramifications on the children created or the families involved. When there is a culture thriving from secrecy, shame and profit, a mass production of people created this way will unfold. There will be casualties who are the product of the industry but also vulnerable surrogates who will inevitably take part.

- **No duty of care once the sale is complete.** Despite discovering a critical cancer risk shared by all my siblings, clinics and the state have consistently refused to act to warn them. This demonstrates how, once profit has been secured, the child's ongoing welfare becomes irrelevant in practice. A donor was used with mental illness which is refused to be communicated to families and importance minimised through the sought information of one geneticist in 2019 stating so. This one geneticist's opinion is then used by clinics to relieve clinics of informing other families who have used a different donor who has schizophrenia of the potential risk to their families. Clinics do not seek research or conduct research to ensure a duty of care past the point of the sale. Clinics or industry will not continue a duty of care to surrogates in this same way. Clinics will not study the long-term life outcomes of

surrogate born people, either physically, socially or psychologically. Are there any studies that have already been done to measure the impact of commercial surrogacy on surrogate born people?

- **Psychological and social harm.** Learning and understanding as an adult that I was purchased, and that many parties profited from selling the genetic parts that made me, inflicted profound feelings of worthlessness. It reduced my humanity to a commodity, severed my sense of connection to family, and created a lifelong burden of identity confusion and existential pain. There is no amount of humanity I can experience in my life that can undo that harm that has been done. There is also a culture of being made to feel grateful for my method and means for conception that no other people are forced to endure but those of parents who struggled in some way. The prioritisation of parents over children leaves longstanding grief long after those parents have died. The psychological harm inflicted by parents onto donor conceived people and those born through ART through this pressured guilt is the legacy that our parents and those who have profited from our creation leave to us.

These lived experiences illustrate the inescapable truth: commercial motives distort reproductive ethics. When human life begins as a transaction, the child's best interests can never be fully paramount, regardless of how carefully regulations are crafted. When the child's life begins as a transaction, they are forever a product of the industry, vulnerable people and have a price tag.

Commercial surrogacy carries the same and potentially greater dangers. It encourages large-scale, profit-driven reproductive arrangements where vulnerable women may be exploited, where children may be treated as commodities, and where outcomes are driven by market forces rather than the rights, identity, and lifelong well-being of the child.

I ask the Commission to consider:

- The documented harms already experienced by donor-conceived people like myself when profit is involved, including mass production of siblings, lack of post-birth care, psychological trauma, and denial of identity rights.

- The risk that commercial surrogacy will repeat and compound these harms, normalising the treatment of children as products rather than persons whose rights and dignity deserve absolute protection.

- The fundamental incompatibility between commercial motives and the ethical principles enshrined in the UN Convention on the Rights of the Child, which Australia is obligated to uphold. The UN Convention of the Rights of the Child 30th Anniversary in Geneva includes a surrogate born speaker who's comments should also be listened to by searching on youtube, and surrogate born peoples voices be considered the highest importance.

In closing, my existence, and the lifelong harm I have and continue to experience, stands as testimony to why Australia should not legalise commercial surrogacy. Commercialisation of human reproduction, whether through egg, sperm, or womb, inevitably creates circumstances where people profit from the creation of children. This places profit above the child's best interests, fosters a culture of commodification, and inflicts lifelong wounds on those created through these means.

Thank you for considering my lived experience as you deliberate on this profoundly important issue. I would welcome the opportunity to provide further information or participate in hearings.

Yours sincerely,

[redacted]
Donor-Conceived Advocate