Surrogacy Submission

We are a family in Southern Sydney. We consist of two fathers, two daughters (from surrogacy), and our Yiayia. One daughter has passed away, so there are four of us under one roof.

1. Discussing surrogacy
   We find that it is difficult to discuss surrogacy with people in general because they feel uncomfortable about some of the language. Our 'languaging' and key terms under this roof are:

   a) Tummy Mummy - The gestational carrier (Our children were created with donor eggs which were then fertilized and transferred to the gestational carrier)
   b) Our Family - For our daughter this includes the families of our gestational carriers
   c) Family Types - There are many types of families that are defined by love (we are a two dad family)

2. Our Children (second class citizens)
   The fact that we are discussing law reform suggests that there is a gap in the law for us and our children. We are not represented on TV, unless it for a sensationalist news item claiming children are being bought (I made the ABC publicly apologise for suggesting that our surrogacy agreements were not altruistic)
   We need, much like Ontario Canada, two birth documents – a Record of Live Birth in which the details of the surrogate can be listed; and a Birth Certificate where the child's parents can be listed. This distinction between 'parent' and 'birth mother' needs to also be

reflected in hospitals, schools etc e.g. PARENT 1 and PARENT 2 (rather than mother and father)
We should not have to adopt our own children – the NSW Parentage Order if offensive to us

3. Surrogates/ gestational carriers provide a service but it a sacred one. It is NOT the same as a lawyer or any other service provider. Therefore they cannot be paid with the same sense of 'selling time' or skill sets as a service provider. They make a gift of life that comes with great sacrifice and even threat to their lives. They lose time (family time; partner time; holiday pay; superannuation etc) but they also lose time in their years and their bodies. Some are left scared for the rest of their lives. They need to be compensated in a way that is respectful and that doesn't come from a position of mistrust (you are in it for the money) These women must be better respected financially. Considerably better!

4. Insurance companies, hospitals and governments all have the expectation that the intended parents pay out their life savings, along with the risk of losing everything on top of that because there is no insurance to protect them. There is also nothing for the surrogate and her family – including life insurance (that would pay out in a surrogacy situation)

5. Social Services
   There are none for surrogates or intended parents (counselling – ongoing support etc) The restrictions are so tight here that no-one can set up and agency to assist with things like third part bookkeeping, conflict resolution etc

6. Homosexuality became legal in 1984 in NSW and I was graduating high school (bit late for my development); Same Sex Marriage was permitted well after my partner and I decided we would be together

(bit late for my relationship); We are looking at surrogacy laws now (I've had my children). I am quite upset that I am always advocating for basic rights and my expectation now is that I am happy to go deep into issues with ever clerk, delegate, registrar, officer until the system allows us in e.g. an enrolment form had to be re-designed for us for schooling. My child has the right to be visible and to be equal in all paperwork and all areas of the law. No subtle shaming like 'mother' and 'father' on forms. I was going to ask my daughter to draw a picture for you but I decided she actually didn't need to advocate for legal reform to give her respect and equity – she will just expect it as is her right.

7. Our second daughter died from a disease called SCN8A (de novo mutation). Our surrogacy story is also about grieving but also that, even though our daughter passed away, we have her tummy mummy and family as ours as well. We say, 'Friends by chance; Family by choice' – we would die for each other.

8. I am open to speak and attend group discussions – please contact me. My partner is deeply afraid that this submission would have dire consequences for our family if someone like Donald Trump git into power here. He has agreed to this submission in writing but insists that is be de-identified… from fear. We should not be afraid for our families.

   With thanks