

From: [REDACTED]
Sent: Wednesday, 9 July 2025 10:02 PM
To: Surrogacy
Subject: Surrogacy Inquiry

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To whom it may concern,

Please see my submission for the Review of the Surrogacy Laws. I would like my submission to be de-identified, please.

My name is [REDACTED]

I would like to state at the outset that I am entirely against any review of these laws, but ask that the laws remain the same and that they are more stringently enforced.

Regarding Question #2: What reform principles should guide this inquiry?

Given that this question has been asked of the Australian people, the rights of Australian children (and indeed, all children, no matter what nationality) must take first place in prioritisation. Have we learnt nothing from the Stolen Generation? Is the surrogacy industry prepared to pay out millions of dollars in attempted restitution, to children who have been separated from their birth mother, or mothers who wished to keep the child they have nurtured for 9 months? Surrogacy is a commercialisation of yet another Stolen Generation. It denies the intimate bond between mother and the developing child (regardless of where the egg or sperm originated), and sets up both woman and child for the trauma of separation. Even if the woman is happy to be used as a tool for the indulgence of others, the child has already established a key connection with its birth-mother, one that cannot be replaced. This principle of natal connection must be foremost in this inquiry.

The other principles to be considered are the internationally acknowledged rights of the child, stated in the United Nations 'Convention on the Rights of the Child' (see full document here: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>). This agreement was signed by Australia in 1990, and we have not withdrawn our signature (see <https://indicators.ohchr.org/>).

In this Convention, the following Articles were agreed upon by Australia, and the proposed reform is entirely in opposition to the following [emphasis added]:

Article 3: 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

[Comment: It is not in the best interests of the child to be treated as a commodity, a type of 'pet' to be procured through an ordinary transaction or agreement. This is particularly concerning, given that the potential 'parents' who will raise the child are given little or no screening, resulting in many children being born to paedophiles and sex traffickers.]

Article 7, #1.

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, the right to know and be cared for by his or her parents.

[Comment: This right has been totally waived by the practice of surrogacy.]

Article 9, #1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

[Comment: Children are being separated deliberately from the woman they have already established a connection with over 9 months. Why is this connection not considered to be that of a parent? And if it is not their parent, the connection should never have been established in the first place. If a couple, in good faith and of appropriate background (eg: non-child abusers), wish to have children, adoption should be made available to them. These children have no living or able parents.]

Article 9, #3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

[Comment: Will children be given access, even equal access, to their birth mothers?]

End of Convention Quotes.

The inquiry has been clearly worded to reflect a mindset that is already in favour of surrogacy. This suggests a singularly materialistic viewpoint that has no memory of the trauma of the Stolen Generations, nor the use of women, and often economically vulnerable women, as tools for the profit of others. This is disturbing.

Surrogacy should remain illegal, and the current laws actually enforced. As mentioned above, adoption, which provides actual safeguards for children and the promise of a home previously unavailable to the child; this should be made more accessible and socially positive.

Thank you for your consideration,

