

**Submission
No 12**

**INQUIRY INTO INCLUSION OF DONOR DETAILS ON
THE REGISTER OF BIRTHS**

Name: Mr Ian Smith

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This submission:

- Provides the perspective of a sperm donor
- Argues that it is a fundamental human right for people to know their biological and genetic heritage and that that donor details should thus be included on the register of births
- Recommends adopting the model which now prevails in Victoria. That is:
 - o if a child is conceived with donor gametes, the Registrar must mark the words "donor conceived" against the entry of the child's birth in the Register.
 - o information regarding the donor (biological parent) is recorded in the Register
 - o if and when the donor conceived person applies for a birth certificate after reaching 18 years of age the Registrar must attach an addendum to the certificate stating that further information (that is the information about the donor) is available about that birth registration.
- Draws the Committee's attention to the importance of providing counselling and support services to those who are affected by donor conception practices.

Ian W Smith


December 19th, 2011

The Committee Manager
Committee on Law and Safety
Parliament House
Macquarie St
Sydney NSW 2000

Submission to the Inquiry into Whether There Should Be Provision for the Inclusion of Donor Details on the Register of Births Maintained by the Registrar of Births, Deaths and Marriages.

I am pleased to be able to respond to the call for submissions to this Inquiry – in particular to provide the perspective of a sperm donor. I would be happy to appear before the Committee if required.

I believe that that this issue is about the right of people to know their biological and genetic heritage. That is, is argue, a fundamental human right and as such should be protected by law and administrative practice. I support the inclusion of donor details on the register of births maintained by the Registrar of Births, Deaths and Marriages in order that that information may be available to those conceived with donor gametes.

I recognise the legitimate desire of the parents of children conceived with donor gametes to have both of those parents recorded as the parents of that child at birth. However, I believe that it is equally important that these children are able, when they are adults, to know the detail of their biological (donor) parent. To achieve that objective I recommend to the Committee that an approach be adopted modelled on that which now prevails in Victoria. In essence I understand the current Victorian practice to be that:

- if a child is conceived with donor gametes, the Registrar must mark the words “donor conceived” against the entry of the child’s birth in the Register.
- information regarding the donor (biological parent) is recorded in the Register
- if and when the donor conceived person applies for a birth certificate after reaching 18 years of age the Registrar must attach an addendum to the certificate stating that further information (that is the information about the donor) is available about that birth registration.

This practice thus enables the donor conceived person to access information regarding the identity of their donor/biological parent if and when they chose to do so once they are an adult.

I would also like to draw the Committee’s attention to the importance of providing counselling and support services to those who are affected by donor conception practices. The impact of knowledge of donor conception can have significant impacts on all involved – the donor conceived person, their family, the donor and their family. If legislation and practice changes to enable linking donor conceived people with their donors then eeffective counselling and other support services will be required. My own experience of the counselling and advice services which have (in the past) been provided by the Victorian Assisted Reproduction Authority, provide a good model for such services.

It may be useful for me to provide the Committee with some background as to why I have become interested in this issue and why I advocate the position that I do.

I was a sperm donor in the mid 1980's – at Prince Henry's Hospital in Melbourne. As a result I am the biological father of nine children. Two of my offspring live with me and seven I have never met. Not only may I never meet any of my donor offspring but some of them they may never know of me as their biological parent. This is because rules of anonymity prevailed at the time of my being a donor. Since that time legislators have recognised the paramountcy of knowledge of genetic heritage and voluntary registers have been established to facilitate linking of the donor conceived and their donor parents. I have joined that registry here in Victoria and I have become an advocate for other sperm donors to do so. One of the young women conceived as a result of my donations has come forward and she has sought and received family information from me.

I may one day meet this young woman and I hope that I do - the choice is hers. Two things have enabled her to know of me and to have the option of contacting me. These are that: a) her parents have told her that she is donor conceived, and: b) I joined the voluntary registry. If both of those things had not occurred she would not know of her donor conception or of me.

Including information about donor conception – and details of donors - on birth registries is a critical step in enabling that to happen and enabling donor conceived people to know their genetic identity and heritage. I urge the Committee to act to ensure the inclusion of donor details on the Register of Births.

Ian Smith. December 19th, 2011.