

**Submission
No 5**

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

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Donor Inquiry into Recording Birth Certificates Accurately

PREAMBLE

I have been a sperm donor in 1978-79 at the Royal North Shore Hospital, RNSH. I have no details of any births from my gamete donations either at the RNSH or from other hospitals and private practices where sperm from the RNSH was sent and/or traded. My donor code was ACL. I am registered on a) the NSW Donor Central Register, b) the DSR, Donor Sibling Register in America and c) my family genealogy . I have no knowledge of any births from my many donations as records were either a)not kept, b) destroyed, c) never submitted by the parents or inseminating private practice doctor or other fertility hospitals to the RNSH informing them of a successful birth or d) retained but the existence of records is denied. I am assuming that because my sperm was used in both 1978 and 1979 it must have been effective in conception. I am also assuming institutions who may have received my sperm from the RNSH did not use it after 1979.

I am currently a 'free lance' sperm donor to single and partnered lesbians and to single straight women commonly referred to as SMCs, Single Mothers by Choice as well as married women whose husbands are infertile. I have 13 little children (7 girls and 6 boys) aged from 7 3/4yo to 6months old. I have several current pregnancies. However, there are women who have used my sperm who have not reported either a successful conception/birth or a failure to conceive so these numbers are only a verifiable minimum. I am currently trying to help several women become mothers and I am still offering my services on international web groups and by referral.

There are many informal international web groups like Pride Angel, Co-parents.com, Coparentmatch.net and Free Sperm Donors Register to name the most popular sites. On these international sites, which operate in Australia, both donors and recipients advertise themselves and their situation. Some lesbian women and donors on these sites advertise that they want no contact between the child and the donor or the child can contact the donor when the child turns 18. Additionally some married women and their husbands want to conceal the participation of a gamete (sperm or egg) donor in the conception. Therefor genetic records can become Lost and a child is left wondering and fearful about inbreeding issues.

Several states such as NSW and Queensland have immoral, cruel and draconian laws banning commercial surrogacy. These laws have fines and jail terms for those using such commercial surrogacy services both within Australia and overseas. Such immoral laws, will of necessity, lead to obfuscation and inaccuracy of genetic records such as Birth Certificates.

Birth certificates are used for many purposes other than establishing genetic records of a person's antecedents but this function must remain its raison d'etre. A Birth Certificate is most frequently used as a legal document for ancillary functions such as obtaining school enrolments, medical authorisations, Driver's Licenses, Passports and the establishment of identity for things such as loans etc. Such ancillary functions must not detract or influence the Birth Certificate's primary function of accurately recording a child's genetics and legal relationships.

The recording of 1 to 3 additional parents represents a publication of private information. A child may have 2 social parents who are raising them, a sperm donor, an egg donor and a gestational surrogate. Therefore the Birth Certificate must be able to record details of all 5 parents to be an accurate record of the child's existence. It should be noted that a gestational surrogate contributes epigenetically to the child who she gestates. Therefore, it is important that the surrogate's genetic contribution is recognised on the Birth Certificate.

However, for embryo donations there may be additional names to be recorded. There are the 2 parents receiving the embryo who will be the legal parents and they will need the Birth certificate for legal reasons. The 2 relinquishing parents who commissioned the embryo to be created who will be the legal and possibly biological parents of some full siblings. In addition there is the possible involvement of sperm and egg gamete donors and a possible involvement of a surrogate to be considered and included.

7 parents in total must be able to be recognised on a donated embryo's Birth Certificate or in the birth register even if a short form of the Birth certificate is issued!

RECOMMENDATIONS

1. I am in favour of accurate genetic records being kept. This would enable a) the prevention of consanguinity, inbreeding, to the first and subsequent generations, b) tracking of any subsequently discovered genetic problems and reporting of those problems to all offspring of the donor and c) facilitating sibling solidarity if they are an only child in the family. I believe that the Birth Certificate is the ideal and proper place to record this important genetic and legal information.
2. Some adopted people and some DCP, Donor Conceived People, do not want contact with their genetic parents as they feel that this would be a violation of the relationship which they have and the love that they feel for the parents who have raised them. They not only do not want to contact their genetic relatives (donor, grandparents and siblings etc) they do not want the possibility of being contacted by them. Therefore a shortened form of Birth Certificate (annotated as such) should be available should a person wish it. But with the full information retained on a central Births Register.
3. NSW has enabled the recording of the names of 2 mothers on Birth Certificates for 2 years. A recent Court case authorised the removal of biological father's name and replacing it with the name of the non-biological mother. Removal of names from Birth Certificates should not be allowed and prior removal of names should be reversed.
4. Every parent must be able to insist on their name being placed on a child's Birth Certificate irrespective of the wishes of any of the other parents. Birth Certificates should be able to record the names of all varying parent types, only 2 of which will be direct gamete progenitors. The other types would be facilitators in either gestation and/or upbringing.
5. I further submit that these changes to Birth Certificates should be retrospective. So that all Birth Certificates are an accurate record of a person's genetic history.
6. I submit that the Birth Certificate should not publish a parent's name on the Birth Certificate against their wishes. But that the Birth register should contain that parent's name and a shortened form of Birth Certificate (annotated as such) should be available.
7. Laws banning commercial surrogacy be repealed so that genetic records are accurate.

I am prepared to speak to the Committee and to allow this submission to be published in either hard copy or in an electronic version.