

**Submission
No 12**

**MANAGING INFORMATION RELATED TO DONOR
CONCEPTION**

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To: The Committee Manager
Committee on Law and Safety
Parliament House
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Re: Managing information related to donor conception (Inquiry)

I was conceived through sperm donation, and my mother was adopted, so the nature and meaning of genetic relationships is something that has long been thought about and felt deeply in my family.

I have never met my donor “father”, and I have no desire to do so. I do not see this lack of contact with my biological father as something missing in my life, and I have no hurt at the fact of my creation.

What does cause me hurt, however, is the idea that there must be something wrong with your life if you do not know your biological father.

As such, there are two issues raised in the Discussion paper that I would like to address:

Section 4.1 “Arguments for granting donor conceived people who were conceived before 2010 access to information about their donor include...the ability to know their 'place in the world'”.

Over and over again we hear the phrase that there is “something missing” in the lives of donor-conceived children, some meaning in their life that has been taken from them.

This is repeated in the discussion paper on managing information related to donor conception.

I believe this argument is based on a pervasive, inaccurate and cruel cultural myth, which should not be supported by this committee.

The reality is that every person knows what it is to question their place in the world. Most people eventually develop a sense of place and personhood, or at least learn to live with feelings of uncertainty.

Yet for people who are adopted or born through donor egg or sperm, society continually reinforces that feeling. Every time the issue is raised the idea that there must be something missing from the lives of people who don't know their biological parents is unquestioningly repeated.

My whole life I have been subjected to the shocked responses of people who – on learning that I don't know my donor – could not understand how I could be comfortable with this, and believed I must harbour hurt about it.

They found it difficult to imagine life without their own father, and they did not differentiate between their biological connection with their father and their emotional, familial connection born of shared experiences and values.

But if I ever meet my biological father, I will not find a "father" in him. He had no input into the adult I am today besides his kind gift of the genetic building blocks I needed for my life to begin.

The reality is you - the things that make you really you - are not your genes. There is no gene for your love of camping, or the comfort you get from the smell of your mother's perfume.

Knowing your biological parent will never explain why you love your partner, hate early mornings or feel uplifted by classical music. Genes interact with your environment to create you, but they do not give meaning to your life.

Even people who have a very similar genetic make-up can be very different, and science is still far from tracing genetic roots for most illnesses, including those more linked to our personalities such as some mental illnesses.

And the circumstances of our upbringing further complicate our genetic stories. Which genes are expressed in us turns out to be a complex, messy mix of environment, culture, and perhaps even chance.

The idea that learning about a donor would somehow give you some important insight into your "self", let alone your place in the wider world, is not backed up by our knowledge of genetics, and, philosophically, makes little sense.

Of course, this is a trick we play on ourselves every day when we explain our personality traits or those of our siblings as being "inherited" from others in our family. Normally it is completely harmless but in the case of donor-conceived people it creates a completely unnecessary and often damaging idea about what being donor-conceived means for their life.

What a tragic and fruitless search is being pushed onto donor-conceived children by the idea that the only place they can find such personal and cultural meaning is through a biological connection rather than through cultural and personal connections.

As a society I believe we should be working towards developing a more mature and meaningful debate about what role biology plays in who we are. Rather than pandering to the inaccurate and biologically determinist belief that our genes determine who we are, we should acknowledge the reality that it is our experiences, both interpersonal and cultural, that shape who we are and where we fit in the world.

As the celebrated biologist Stephen J Gould said, each individual has the potential to be and act in many different ways. We have "a brain capable of the full range of human behaviors and predisposed towards none".

I hope that instead of repeating these inaccurate, biologically determinist fallacies, the committee will acknowledge that knowing the identity of a sperm donor can never give a person meaningful knowledge about their identity.

Allowing the retrospective identification of sperm donors who wish to remain anonymous will only cause harm, not only by further ingraining this cultural myth, but also by creating a situation where donor-conceived people believe they will be able to initiate a relationship with a "father" who cannot possibly play that role for them.

Section 4.1 the right of children to know the truth about their conception and the identity of their genetic parents.

A further issue raised in the discussion paper is the question of whether donor conceived children have a “right” to know the truth about their biological parents.

Many people who are pro-disclosure have argued that not allowing donor-conceived children access to their donor violates the United Nations Conventions on the Rights of the Child, in particular these conventions:

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them.

Article 7 (Registration, name, nationality, care): All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8 (Preservation of identity): Children have the right to an identity – an official record of who they are. Governments should respect children’s right to a name, a nationality and family ties

But the truth is there is no “objective” identity that is genetically passed down from father to child.

Our nationality, identity and family ties are socially constructed. That is why we allow immigration, and have abandoned terrible policies of the past such as the White Australia policy – because we understand that nationality and identity are not based on your genetic make-up.

Propagating these cultural myths is not in the best interests of the affected children. These children *all* have existing names, nationalities, parents, histories and identities. They have families who love them, raised them, and in doing so shaped who they are today.

To think that the very real rights of men who donated anonymously and do not want to be contacted by children could be violated on the basis of a cultural mythology that I believe we should be fighting, rather than endorsing, saddens me greatly.

Final thoughts.

I should note that not all donor-conceived children feel the same way I do, and I do not intend to undermine the absolutely real and very strong emotions they feel about not knowing their donor fathers.

We as a society have created this mess and we should fix it. I support an option of paying for genetic counselling for such children, as well as a mechanism for them to make contact with anonymous donors IF the donors also wanted that contact, as this does not place the desires of one of the two people above the other.

I do believe that many donor-conceived people suffer a real and tragic hurt from the knowledge that they do not know their biological father. I think the government should undertake to attempt to contact donors if approached by donor-conceived people, as it will likely cause little individual harm if both donor and child want to meet.

But the hurt felt by donor-conceived children is largely based on misinformation and misunderstanding, and to further compound it by changing the laws and allowing

men who identified anonymously to have their identities revealed is the wrong approach. Not least because, if those men have already stated that they do not want to meet, revealing their identities will likely not provide the children the connection they desperately want. These children should be supported with counselling services.

I also hope in writing its report the Committee will acknowledge that the “genetically determinist” ideas about sperm donation are harmful in and of themselves, and will challenge these ideas rather than further perpetuating them.

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