

## Victoria Inquiry into Donor Conception 2010

Dear Committee,

I welcome this inquiry into the possibility of retrospective access to identifying records for donor conceived people born prior to July 1988.

It is patently unfair and discriminatory that some members of society do not have the same basic rights as others. Such a situation has arisen for donor conceived people who have different levels of access to the truth about their origins and knowledge of biologically related family members depending on when they were born and if their parents have been honest enough to inform them of their donor conception status. This is a situation that should never have happened and would not have happened if those who framed the early protocols for donor conception services had paid any attention to the long term best interests of the children who were deliberately being produced so that adults could experience the joys of parenting.

It is outrageous that proper records about donor conception "treatments" were not maintained and collated. It is appalling that birth certificates were allowed to carry false information about an individual's genetic identity. Given all that is now known about the importance of genetics and the need for truthful information about parentage for the healthy development of personal identity, it is astonishing that anyone, particularly from the medical profession, would consider it appropriate that adult donor conceived people should remain in the dark about their genetic ancestry and family medical history, simply so as not to disturb the privacy of the people who provided or used the gametes which made them. Medical practitioners had no legal or moral mandate to promise life long anonymity to the gamete donors they recruited and the records of such donors cannot be claimed to be protected by doctor / patient confidentiality when the donor was not a patient receiving medical treatment. An important precedent in terms of promises of confidentiality later being overturned for the greater good has already been set and should inform the decisions of this inquiry.

Retrospective access to full identifying information for adopted adults in Victoria was recognised in law as a fundamental right in the 1980's and much as that momentous change was resisted at that time, both by relinquishing and recipient parents, it has proved overall to be far more beneficial than damaging. The benefit of retrospective access to records, for donor conceived people, will likewise override any negatively perceived impact on those who had past involvement in the process. Even for those unfortunate donor conceived people for whom full, or even partial, records no longer exist, a change in the law would make them less discriminated against. They would feel less like the second class citizens they have found themselves to be at the present.

The Victorian government have an opportunity to put right a wrong that has been perpetrated on a small section of society and should do so regardless of any concerns mooted by the medical profession about the possible effects that this action may have on future gamete donor recruitment. Private practitioners have greater concerns for the long term financial viability of their baby-making businesses than they do for the well being of donor offspring. Donor conceived adults did not consent to having their genetic kinfolk deleted from their life prior to their birth and suffer the emotional and social consequences of this loss for the whole of their lives. Concern about a possible shortage of future gamete donors should not take precedence over the Human Rights of donor conceived people.

It is to be hoped that the transfer of the donor registers currently held by the Infertility Treatment Authority to the Registrar of Births, Deaths and Marriages will not mean that donor conceived people will be left without any counselling support in respect of finding and contacting their missing biological family members. It is to be hoped that a system will be put in place to provide suitably experienced personnel to broker as intermediaries between donor conceived people and the biological relatives they are attempting to make a connection with. Donor conception "reunions" will be as difficult in the initial stages as those encountered by adopted adults, for whom there is much documented information on the difficulties they

have faced in assimilating information and new biological relationships into an existing recipient family dynamic, which is sometimes quite dysfunctional. Indeed, the fact that donor conceived people may have numerous half siblings spread out through any number of separate recipient families is likely to present challenges not encountered in adoption reunion.

The proposal to allow all donor-conceived people to be given access to identifying information about their donors and their donor-conceived siblings, regardless of the date that the donation was made is long overdue and as a donor conceived person who has, through their own efforts, finally established their true identity, I can only hope that others like me will now get a chance to experience the same life enhancing opportunity.

Yours sincerely,

Christine Whipp