

10/8/11

Victorian Law Reform Committee  
Enquiry into donor conception.

Submission from Barbara Burns a parent of two donor conceived children.

Templestowe.

Current enquiry - Access of donor-conceived people to information about donors

I feel compelled to write this submission as I am so outraged by the lack of action on the issue of allowing all donor's and donor conceived people access to identifying information about their children, sperm or egg donors, donor conceived siblings etc. regardless of the date that the donation was made.

I am the mother of two donor conceived children, conceived before the 1988 cut off date. My children through their own efforts, have found their donor and one of them has established a strong relationship with him and her three half siblings. This has been a very rewarding and empowering experience for everyone concerned. Why can some donor conceived people have the information about their donors but others are banned by the state from having it? It makes no sense to me.

After nearly a quarter of a century of keeping the secret, in 2005, I told my two girls that they were donor conceived. Jane was 24 and Lauren 21. Many parents, like me, as they and their donor conceived children get older, are finding the burden of the secret of their children's conception a heavy weight. They want to speak as they believe that it is very wrong to keep such fundamental information from their child. However they are rightly afraid of making a bad situation even worse. When I was thinking about telling I was aware that Jane and Lauren were not legally entitled to any information about their donor. It seemed almost a sick joke to have to admit to my children that they were conceived by a stranger whom they would never know anything about. Neither I nor anyone else should be placed in this position. How ironic that the government is funding a campaign "Time to tell" but when children are told about their origin the state itself forbids them to have the very information that they most want; a way of making contact with their donor.

Looking back now I do not know how I had the courage to speak given that I truly believed at the time that Jane and Lauren would never find out anything about their donor. Thank goodness they found him. I have seen the suffering, frustration, anger and feelings of betrayal that other donor conceived children have, who are denied knowledge of their donors and I am so thankful that I have not inflicted that on my children. These people are essentially stuck and cannot move on with their lives. All they want is what most people take for granted; information about their biological origins.

I was thinking about going to see the film 'Oranges and Sunshine' but I couldn't bring myself to go when aspects of what is portrayed and condemned are being repeated here in Victoria in 2011. Instead I sat down and started writing this submission. As you know the film is the story of child migrants sent to Australia from Britain who were lied to and in some cases told their parents were dead. The film exposes official callousness, cover-ups, deceit, failure to act in the face of clear information etc. I feel that this is a lot like what is currently happening to donors and the donor conceived. Have we learned

nothing from history? When it comes down to it does no one really care or have the courage to take the necessary action. Can this committee please finally do something? We have great hope that a Liberal government will tackle some of these issues that were neglected by the previous Labour government.

I know that this is a complex subject and things must be done right but if another enquiry is being held the outcome must be recommendations for appropriate action and legislation. Surely there has been enough fact finding and there is sufficient evidence that it is in the long-run interest of society for all donor conceived people and associated parties to be allowed access to information about their biological links. Read the submissions to the 2010 enquiry by the Law Reform Commission if you have any doubt, some of them will reduce you to tears. The law will eventually be updated; please do not let this be another enquiry that goes no-where.

When donors are consulted they too want the law changed so they can find out about their donor conceived offspring. There are more donor's on the donor register in Victoria than there are donor conceived children. Why is there a presumption that sperm donors do not care about the children they fathered? This presumption is never made about relinquishing mothers when adoption is discussed.

If the law is changed the floodgates will not open with 1000's of donor conceived children immediately asking for information about their donors. At present there are only a small number of pre- 1988 donor conceived people who have been told about their origins. The evidence for this is the relatively small number of people who have put their names down on the Victorian Register and the relative modest numbers involved with the online group Tangled Webs.

Below are some **recommendations** that seem to me to be fair and reasonable to all parties and give a picture of what I would like to see in the future regarding access to donor conception information.

- 1) A Donor Register must be created that protects and centralises all existing donor conception records. Even my pet can is registered by the local council. These are people we are talking about.
- 2) All donor conceived people should be able to apply for information on the register about their donor and half siblings, regardless of when they were born.
- 3) The Authority handling the Donor Register must also include counsellors who can act as an intermediary service to approach other parties, and provide counselling and advice to donor conceived people, donors, and their respective families.
- 4) In the continuum of the adoption precedent, not wanting contact is insufficient reason for either party to be denied information about the other, giving consideration to the testimony that denial of this information can cause grief and great psychological distress. Those not wanting contact can simply make their wishes known, e.g. through contact vetoes like the NSW Adoption Act.
- 5) In cases where donors do not agree to voluntarily release of identifying information about themselves

after counselling by the intermediary service, a donor conceived person should still be permitted to apply for identifying information, but be required to comply with any contact vetoes placed by the donor.

Thank you for the opportunity to make a submission.

Yours sincerely

Barbara Burns