

16 April 2014

The Director Justice Policy
Department of Attorney General and Justice
GPO Box 6
SYDNEY NSW 2001
justice.policy@agd.nsw.gov.au

Dear Director

Surrogacy Act 2010 Review

I wish to make a submission to the department's review of the Surrogacy Act, which aims to protect the interests of children born through surrogacy, provide legal certainty for parties to surrogacy arrangements and prevent the commercialisation of human reproduction. Surrogacy is a complex matter, with individual circumstances varying considerably.

A number of constituents have contacted me about current surrogacy arrangements and their desire to have children, including using surrogacy. The ABC Foreign Correspondent program 'The Baby Makers' broadcast on Tuesday 15 April identified that people in Australia are using a variety of overseas surrogacy arrangements.

This program also showed that people seeking surrogacy struggle to find ethical ways that do not exploit women who may not have resources or capacity to negotiate fairly. There is strong community concern that commercial overseas surrogacy cannot provide the same protection for surrogate mothers and children as regulated altruistic surrogacy.

I am concerned that current regulation in NSW makes altruistic surrogacy complex and difficult, with unnecessary barriers for potential parents. This review should initiate reform to support self-help and non-profit groups that facilitate altruistic surrogacy arrangements, including organisations that introduce prospective parents to potential altruistic surrogates. The legislation and its procedures should not discourage or prevent such organisations.

I ask that the review ensures that the act allows for organisations that facilitate altruistic surrogacy arrangements.

Yours sincerely



Alex Greenwich
Member for Sydney

