



Adoptee Rights
Australia

Adoptee Rights Australia (ARA) Inc.

**Response to the Australian Law Reform
Commission's**

Review of Surrogacy Laws

Discussion Paper

Please accept this as Adoptee Rights Australia (ARA) Inc.'s submission to the Review of Surrogacy Laws Discussion Paper.

We are deeply disappointed with the current Review of Surrogacy Laws and regretfully wish to express a lack of confidence in its impartiality and, consequently, its genuine engagement with submissions.

Aside from the (necessarily) very small group of people with lived experience of surrogacy, most of those identified as “key stakeholders” in this Review are professionals or organisations with vested interests in the continuation or expansion of surrogacy. The structural imbalance is mirrored within the Advisory Committee for the Review itself, where a majority of members have publicly expressed positions promoting surrogacy growth and the surrogacy industry.

This imbalance has clearly influenced the content of the Discussion Paper. None of the substantive issues that were raised in our 16-page Issues Paper submission have been addressed. Mention of our submission was included only superficially in the Discussion Paper – two footnotes referenced from one brief sentence.

The failure of this Review to engage with contributions from people whose lived experience is closely analogous to that of surrogacy is deeply concerning. Aside from this, the issues we raised concern fundamental human rights principles and the lifelong legal and identity consequences for children-then-adults created through surrogacy. These warrant consideration regardless of the source of the submission. Ignoring these issues is inconsistent with the Terms of Reference of the Review, including that the best interests of the child-then-adult created by surrogacy should be of paramount importance.

A process that invites input must demonstrate that contributions have been properly examined and responded to. We consider that the Discussion Paper does not reflect meaningful engagement with the issues raised.