

**From:** [Redacted]  
**Sent:** Friday, 15 April 2016 13:02  
**To:** Health:Policy & Legislation  
**Subject:** "ART Act Review"

Acting Professor Sonia Allan,

I wish to make a submission re: my views in relation to the issues under review of the SA ART Act. I am a 62 year old woman who previously lived in Sydney up until 2007, when we moved to South Australia and lived in Robe and now Beachport. I also have been a Social Worker for 24 years. In 1999 I was 45 years of age and first approached North Shore ART (IVF) programme as I wanted to get pregnant and have a child having just been married for the first time. For myself prior to this it wasn't an option to have a child alone and so when I got married that was the time that was right for me. I soon learnt it wasn't easy getting into a programme as at 45 years of age with this particular IVF organization considered I would be menopausal at age 45 years (something which I was not and something which once I was accepted into their programme and a egg donor and embroyos were at hand, soon proved to temporarily stuff up their programme as I was having ""my own periods". I also found in NSW there was no legislation to have a donor register programme. It became clear to me through the organization's counsellor that once I became pregnant and had Alex in 2001 that unfortunately there was no legislation and that if the donor wished to remain anonymous and have no contact with our daughter Alex then Alex would not be able to meet her, get to know her and forever wonder what her biological mother was like. At that stage the only information we knew about Amanda was medical information (I.e. that she suffered from migraines, had certain allergies and what her parents died of). Fortunately Amanda also wanted contact with us and wanted to get to know Alex and so this was arranged. Alex, myself and my husband, Neil, the IVF counsellor, Amanda and her friend then met up with each other and many other ongoing contacts with Amanda over the years occurred. This included meeting Amanda's mother. We continued to meet up with the counsellor and have contact with her, as needed. I believe since we were through the IVF programme in Sydney that laws have now changed re: donor registers.

One of my concerns with the SA ART is that while it discusses a donor register it does not make it compulsory and only states that the Minister MAY establish e a donor register and that if it happens then there can be transfer of data to the register (removing confidentiality impediment) etc. I believe it is imperative that legislation is changed to ensure that there is a donor register set up. For us, as stated we were lucky that Amanda felt the same as us and wanted to get to know Alex. Alex and ourselves have had many meetings with Amanda and from the time Alex was born we have discussed with Alex who Amanda is and why we needed to go through I VF. Over the years Alex has had many questions which have been able to be answered. We also found out that Amanda's mother is an artist and in lots of ways this explains Alex's love of drawing and painting. Alex is a very good artist and has won some awards.

Another concern I have with the SA ART Act is that it is no longer compulsory to have counselling. I guess I may be a bit one eyed as being a Social Worker I am a counsellor as well and feel counselling is very beneficial to people and often the counsellor can work through issues and hurdles etc. Having had a counsellor I believe has greatly helped both myself and my husband work through the IVF journey. I can't imagine not having a counsellor there and just putting everything to chance and thinking it'll be okay when going through IVF can be quite stressful trying to navigate your way through. I also think having the counsellor helped us re seeing if Amanda was agreeable to meeting us and Alex and being a part of Alex's life, is and was so valuable. Without the counsellor I really don't think this would have happened - as the doctors didn't seem to be interested in pursuing this. A further concern I have is that the new Act says that you cannot go through IVF in SA if you are the average menopausal age (what is this and would all doctors agree on what the average age is). Bearing in mind I was told I was menopausal at 45 years with the particular IVF agency I went through and yet at another IVF agency it may have been considered that 45 years wasn't the average age. Whilst I agree that there has to be some cut-off as after a certain age a person's uterus (because of menopause) may reject an embryo and a miscarriage may occur, I think each case should be looked at.

Finally the other concern I have with the Act is removing the screening requirement. I think this leaves things open to chance as how will you know if a person seeking to go through the IV F programme has a criminal record, has previously hurt children or had children removed through Families SA. You don't and are really hoping for the best and leaving everything to chance re: safety aspects and the welfare of the child (once born). Considering the new

Act states that the welfare of the child is paramount and has been strengthened.....it doesn't seem to be when you see that this safety net has been removed.

The Act does have some good changes in it compared to the previous legislation which includes no longer needing to be married to be able to go through the IVF programme.

Thank you for asking for submissions. I wrote this as a letter rather than using a form - hope this was okay. If you need any clarification on the above, please contact me.

Yours sincerely,

Sandra Bevan