

To whom it may concern,

Re: Submission in relation to the Independent review of the Human Reproductive Technology Act 1991 and Surrogacy Act 2008

I feel I am in a position to put my submission forward due to the situation we find ourselves in. I am a shell of my former self. I have always been known as the happy, bubbly person, always involved and social. That person is now lost and beaten. She may be a hell of a lot stronger, but she is very much broken most days. This is our story that is leading us to surrogacy.

My husband and I are in our fourth year of trying to create a family, two of those have been spent going through procedures every month via a fertility clinic. In that time, we have had a miscarriage at thirteen weeks requiring three separate surgeries followed by another early miscarriage. All signs indicate that it is myself who is the reason that our embryos don't stay, and it is a problem that the doctors have thrown everything at, including trialling new medications and procedures, and there is no cure. On top of multiple tracking cycles, multiple surgeries and a never-ending list of medications with some to be taken 4 times a day, we have ended up going through ICSI. Subsequently, we have had two cancelled cycles due to my problems, five failed cycles, and lost an embryo that didn't thaw.

The first year of our journey to make a baby was fun, and I relish those memories of the innocence we had. I am so glad we had that year. The last two, as you can see from what we have been through, have been horrendous and I wouldn't wish on my worst enemy. We have been on a rollercoaster, with bad news after bad news never ending, along with the guilt I feel that it is me holding us back from creating our family. To pay for all this, my husband and I both work full time. I am a primary school teacher, so I am witness to happy families every working day, and to juggle this with all the appointments, blood tests and procedures has been problematic every single week for the last two years, I don't know how I still have a job to be honest.

With infertility, there's an inability to plan or commit to any occasion. We don't know what part of the procedure we will be at or what headspace we will be in. If we are not in a good headspace, we don't want to bring that to other people's happy events, and sometimes those events can heighten the sadness we are feeling. Since dealing with infertility, it has been extremely difficult attending baby showers, babies birthday parties and Baptisms of our family and friend's children, along with any family occasion including Mother's and Father's Day and even Christmas and Easter being celebrations of new life. Infertility makes it extremely difficult to partake in any events with family and friends and to have normal conversations. I appreciate but hate the difficulty it places on everyone to always be one step ahead with what they say so not to accidentally upset or offend me.

One of the most difficult parts of this journey, is the strain and pressure it puts on my husband and myself. Our relationship, while it has become stronger in many ways, we argue about things no one should ever have to argue about, we cry on each other's shoulders about things no one should ever have to cry about. And when we watch a movie, or do something together, there is that nagging feeling that we shouldn't have the time to do these things, we should be with our baby. But, instead we are filling in time, waiting, waiting, waiting for our baby. Our lives are on hold, stuck, we feel frozen in time. Sometimes the silence in our lives kills me, as there shouldn't be silence, there should be a baby adding to the noise. Oh the love we would give a baby, and what we would do and say and pay to have our baby. We are fighting for our baby, our children's lives. Many people say, 'just be positive' and 'it will happen', but would they say that if their children's lives were at risk? Or, would they be fighting with everything they have to ensure their child's safety? And then considering the struggles we have had, people say, 'maybe you should move on, just

travel instead', and to that I think to myself, which of their children would they have moved on from having? If they had to fight for their child, which of their children would they stop the fight for?

For us, it would be another grandchild for our parents, another niece or nephew for our siblings, another cousin for our niece and nephews. I say another because there are already many, while we just sit on the side line, hoping and praying that our turn will come, our baby will arrive. We are fighting the disease of infertility that leaves your life in limbo and your arms empty. I turn 37 this year. This age on average is the year that the quality of your eggs drops dramatically. I began trying for a family when I was 33. I am in disbelief that it has taken this long and the situation we find ourselves in and can generally only function on a day to day basis. If I don't cry, it is a good day, but every single day I put on a face and I push forward, even though every moment is hard. This fight is never ever from your mind, even when you are laughing you have it on your mind. It is all consuming but it is the only way forward and time is now, not on our side.

It kills me, and scares me, to know that in 2018 we are going through one more year of IVF, another year of what we have already been through. We hope and pray every day that one of the embryos makes it. We are at a point where we do not care how our baby comes to us, and given it looks more and more evident that I am the reason, we are beginning the process of looking at a surrogate carrying our embryos. We do not want to go down the road of surrogacy, but if we must, then we will, we are determined to fight for our baby.

I detailed my story at length for you to let you know the head space that I imagine most of us are at when we get to the point of surrogacy as an option. And my story is no way near the worst, we are lucky in comparison to others suffering from infertility.

As I start to explore the idea of surrogacy in WA, I am already aware of the minefield that it is. As future Intended Parents, we have already been through hell and back. The idea of surrogacy in WA looks extremely complicated and unsupported, almost impossible, and with the number of babies born via surrogacy in WA so low, surrogacy in WA fills us with very little hope. If the intention of having the long drawn out process in WA is for Intended Parents to prove how badly they yearn for a baby by pushing through the mess, then hasn't their journey through IVF already demonstrated this?

Recommendations that I feel based on our experience are:

- **Encourage more surrogates:** There needs to be a supportive structure in place so that surrogates feel that the option is there for them to be a surrogate, that they will be protected and assisted in every way as they are angels walking on Earth giving someone an absolute miracle. If this supportive structure is in place, and made public and promoted in the community with all the positives it can entail, then perhaps more surrogates will step forward. And with this, then maybe we would then be able to have a sort of surrogate database. Those needing a surrogate could have access to those volunteering, rather than luck of the draw via an unregulated Facebook page.
- **Clearer path on how to go about surrogacy in WA:** I am at a loss with how to go about surrogacy in WA and there is a severe lack of information and support available to take this option as an Intended Parent. After everything I have been through, shouldn't there be support on this surrogacy path? Clear and understandable Information available online of how to go about surrogacy step by step in WA?
- **A faster process:** From what I have learnt, to do surrogacy in WA I am looking at 2 years before the first frozen transfer into my surrogate. That timeframe is ridiculous. After all we have already been through, this timeframe is unacceptable. I have researched other countries and other states in Australia, and in some countries and states you are able to have that first transfer within months

not years. If my understanding of the timeframe is incorrect, that there amplifies the problem mentioned previously of having a clearer understanding of the process of surrogacy in WA.

- **Recognise same sex marriage laws:** WA surrogacy laws need to reflect this progress in our country. Male same sex couples should have the same rights as female same sex couples so that they too can consider surrogacy to grow their family. I think about my nephews and friends who have had sons, what if in the future they were to enter into a same sex marriage, I would like them to have the same rights as everyone to access surrogacy in WA.

If these items can be addressed, so many battle weary Intended Parents who have already been through the hell of Infertility, will not have to put themselves through further complications with surrogacy interstate and overseas. They need love, support and compassion, not further hurdles, obstacles, confusion and endless waiting.

It needs to be understood, that those going on the path of surrogacy in WA due to years of infertility are not doing this out of choice, it is a last resort option to create their family. They have already suffered enough and have already waited enough.

You are welcome to contact me if you would like me to provide further information.

Yours sincerely

Amy Hodson

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