

Spermadonoren anoniem of niet ?

IVF Donor Identity. The Perils of Anonymity

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Whether sperm donors should be able to remain anonymous is an issue increasingly under debate.

The topic received fresh attention when recently the government of the Australian state of Victoria declared it needed more time to decide if children of donors will be able to find out who their biological parents are. The Victorian state parliament's law-reform committee had earlier investigated the issue, and concluded that children should have the right to know the identity of the donors.

Narelle Grech, 30 years of age, reacted to the decision with dismay. Diagnosed with late-stage bowel cancer, due to genetic causes, she wants to be able to warn her eight half-siblings, she told the Age newspaper, Oct. 12. At the moment in the state of Victoria those born as a result of sperm donation before July 1, 1988 have no right to information about their donors. Those who were conceived between 1 July 1988 and 31 December 1997 can obtain information about their donors only if the donor consents. While those conceived using sperm donated after 1 January 1998 have free access to information about their donors.

"While the Committee recognises that donors who donated their gametes before 1988 did so on the basis of anonymity, the Committee considers that donor-conceived people have a right to know the identity of the person who contributed half of their biological makeup," said the Committee's Chair, Mr Clem Newton-Brown, MP, in the report released on March 28. "The Committee is convinced that this right must be given precedence, even over the wishes of those donors who would like to remain anonymous," Newton-Brown added.

Nevertheless, in a statement tabled in parliament on Oct. 11 the government said that it needed another six months to consider the matter and to seek further advice.

Designer babies

The government's decision comes at a time when concern is being expressed in Australia over the use of IVF. Susie O'Brien, an opinion writer for Melbourne's Herald Sun newspaper, warned against the trend to designer babies in an Oct. 7 article. She commented on recent reports that children can now be conceived using DNA from a father, a mother, and a third person, so as to replace genetic material that might be defective. She also noted that there is now an app that lets you know what genetic traits your baby is likely to inherit. "It used to be that we chose partners on whether they'd be a good parent or not," she commented. Now we are being encouraged to choose them on the basis of how our children might look," she added.

Earlier, an article dated September 30, published in Sydney's Daily Telegraph newspaper, noted that more than 500 Australian babies are born every year from overseas IVF treatments. Couples are paying between \$A 10,000 and \$A 50,000 for ova donors in countries such as Spain, South Africa and the US, according to the report. The article commented that most of the donors are anonymous and that the children will have no way of knowing the identity of their biological mother. "Many donor-conceived people who are unable to obtain information about their donors experience considerable distress and anguish," the report by Victoria's Law Reform Committee stated. "They are denied information about their identity, which is a right that most of us take for granted. Their ability to access information is constrained as a result of decisions made by adults - their parents, the donor, and medical professionals - before they were conceived," it explained.

In its report the committee said that at the start of the inquiry the members were more inclined to the view that the wishes of the donors who preferred to remain anonymous should prevail.

Children's rights

“Upon closer consideration, however, and after receiving evidence from a diverse range of stakeholders – donor-conceived people, donors, parents, medical and counselling professionals, department representatives, and academics – the Committee unanimously reached the conclusion that the state has a responsibility to provide all donor-conceived people with an opportunity to access,” the report stated.

In its submission to the inquiry the Australian Christian League said that it believed that “the right of donor offspring to know their heritage is a fundamental right which is of utmost importance.” “The genetic origins of a person are a fundamental part of that person’s identity. Denying a person the right to learn where they come from is denying them the ability to discover an intrinsic part of who they are,” they declared.

For its part the Australian Family Association acknowledged the conflict between donors who wish to remain anonymous and the desire of donor-conceived children to know who their parents are. In their submission they urged that the rights of children should be given precedence whenever possible. Too often, however, decisions regarding IVF are dependent on what the parents desire, without adequately considering the consequences for the children.