

Alison & Michael Lane

The Program Manager
Reproductive Technology Unit
Patient Safety & Clinical Quality
Clinical Excellence Division
Department of Health
189 Royal Street
Perth WA 6004

Submission: Review of the Western Australian Human Reproductive Technology Act 1991 and the Surrogacy Act 2008

Attention: Dr Sonia Allan, Associate Professor

Dear Dr Allan,

My submission for a change to the current Act is brief but warrants great consideration.

The legislation should be amended in the best interest of the child to include

- **the rights of a deceased father that has agreed to IVF**
- **the rights of a deceased father to be named on a birth certificate**

Background to our request;

18 years ago, at the age of 17 my son Benjamin Rhys White, DOB 22/09/1981 was diagnosed with cancer. At that time it was recommended that he freeze his sperm for future use, as it was very likely his radiation and chemotherapy treatment would cause sterility – which it did. Thank goodness for modern technology.

In 2010 Ben married Annette Gelok and after several years of hard work saving for a home and setting themselves in business they decided to start a family. Ben had his sperm checked and he was indeed sterile but he had the frozen sperm and so IVF was the only option. Ben signed all the necessary documents and the programme began.

Sadly in November of 2014 Ben became ill and was diagnosed with Cancer once more. He died on May 1st 2015.

The heartache was great for his beautiful wife Annette and our family but she's a tough girl and she went ahead with the process. My understanding is that the process could not happen here in WA because Ben was dead and so Annette had to travel to Queensland several times before becoming pregnant.

Great joy we have a beautiful Grand Daughter Frankie Margaret White born June 8th 2017

This is what has to change – please do something about this discrepancy

Births Deaths and Marriages have told us that because our son was dead when his wife conceived their child and because he can't sign the birth certificate application we CANNOT have his name recorded and their date of marriage CANNOT be recorded either. Well it does not take a genius to realise that a dead man cannot sign paperwork.

I cannot explain to you what this feels like, it's as if our son did not exist and that Frankie has no father and Annette did not have a husband.

Too lose a child is beyond heartache but to not recognise his existence is insulting.

Please consider the future implications when a child has to present a Birth certificate without parent details.

Thank you for reading my submission
Please help make those changes

Regards

Alison Lane

16th March 2018

