

Leading Fertility Patient Organisations Call For Urgent Changes To Surrogacy Law, UK

14 May 2008

[Click to Print](#)

The Human Fertilisation and Embryology (HFE) Bill started its journey through the House of Commons, and leading fertility patient organisations are calling for the government to look again at the issue of surrogacy law.

"Patients conceiving through surrogacy suffer serious legal difficulties" says leading fertility law expert Natalie Gamble of solicitors Lester Aldridge, speaking on behalf of Surrogacy UK, COTS, Infertility Network UK, the Progress Educational Trust, the Donor Conception Network and Fertility Friends UK "and the government need to address this urgently while the HFE Bill is going through."

Surrogacy patients suffer in a range of areas. For one thing, a mother has no right to maternity leave if she conceives a child through surrogacy, and so cannot take time off work after the birth to care for her newborn baby without risking losing her job.

"The government's stance seems to be that too few babies are born through surrogacy to warrant special provision being made for them, but this doesn't help those patients who are caught by this very difficult situation" says Carol O'Reilly, head of Surrogacy UK.

Another problem is that surrogacy patients are only able to store their own eggs or embryos for a very short period of time. Extended storage regulations were put in place to help women who face infertility as a result of things like cancer treatment, and allow them to preserve their own eggs or embryos for many years to enable them to start a family later in life. However, they specifically don't apply to women who need the help of a surrogate mother to carry their child.

"It is utterly arbitrary that the rules benefit women who have had their ovaries removed after cancer, but not those who have had hysterectomies" says chief executive of Infertility Network UK, Clare Brown.

Finally, patients going abroad for treatment get the raw end of the deal from parenthood rules which were put in place to benefit patients having treatment with donor eggs or sperm.

"When a child is born to a surrogate mother, the surrogate is the legal mother and her husband is the legal father, even if the surrogate is carrying the biological embryo of both intended parents" explains solicitor Natalie Gamble. "This can cause enormous problems, particularly in cases involving foreign surrogates, where a child could potentially be left stranded in a foreign country with the British parents unable to bring him or her home."

Natalie has been working with the fertility patient organisations to try and bring these issues to the attention of the Department of Health. "The initial response has not been entirely supportive" says Natalie "and we are attending a meeting with civil servants later this week to try and persuade them to amend the HFE Bill before it is too late."

Sarah Norcross, Director of the Progress Educational Trust says: "We need to get surrogacy law right while we have the chance. Otherwise we may be waiting another twenty years for another opportunity to review it. Surrogacy is no longer an exotic rarity we can afford to ignore, and the law need to be fit for the realities of the twenty-first century."

<http://www.infertilitynetworkuk.com>

Article URL: <http://www.medicalnewstoday.com/articles/107293.php>

Main News Category: Fertility

Save time! Get the latest medical news headlines for your specialist area, in a weekly newsletter e-mail. See <http://www.medicalnewstoday.com/newsletters.php> for details.

Send your press releases to pressrelease@medicalnewstoday.com