

Feedback form

Please provide your contact details below.

Name:	Lynda Williams
If this feedback is on behalf of an organisation, please name the organisation:	Auckland Women's Health Council
Please provide a brief description of the organisation if applicable:	The Auckland Women's Health Council (AWHC) is an umbrella organisation for individual women and women's groups in the Auckland region who have a commitment to women's health issues. The focus of the Council is broad and spans many issues that are of interest to women, particularly those that impact on their health and wellbeing and the health of their families.
Address/email:	awhc@womenshealthcouncil.org.nz
Interest in this topic (eg, user of fertility services, health professional, researcher, member of the public):	The AWHC has had an interest in this area for the past 25 years. We have watched with considerable concern the increasing commercialisation and internationalisation of the issues surrounding assisted reproduction practices.

We will place all feedback on ACART's website, except where we are asked that feedback be withheld in full or part for reasons of confidentiality. We will remove contact information from all feedback.

☐ I **request** that my feedback be withheld in full or part from publication on ACART's website (if you wish a part to be withheld, please clearly indicate which part).

Please note that all feedback may be requested by any member of the public under the Official Information Act 1982 (the Act). If there is any part of your feedback that you consider should be properly withheld under the Act, please make this clear in your feedback, noting the reasons.

If information from your feedback is requested under the Act, the Ministry of Health (the Ministry) will release your feedback to the person who requested it. The Ministry will remove your name and/or contact details from the feedback if you check one or both of the following boxes. Where feedback is on behalf of an organisation, the Ministry will not remove the name of the organisation.

☐ I **do not** give permission for my name to be released to persons under the Official Information Act 1982.

☐ I **do not** give permission for my contact details to be released to persons under the Official Information Act 1982.

We will acknowledge all feedback.

Questions about the issues discussed in the paper

Question 1: Altruistic donation v. commercial supply

Should it be possible to use commercially sourced gametes and embryos from other countries in New Zealand?

- | | | |
|--------------------------|---|--|
| • In all circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| • In no circumstances? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • In some circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If so, what circumstances might be acceptable, and what circumstances would not be acceptable?

The AWHC is opposed to the use of commercially sourced gametes and embryos, and strongly supports the current regulations under the HART Act which prohibit the commercial supply of gametes and embryos. Any relaxation of these regulations would inevitably result in changes to the stance New Zealand has taken to reject such commercialisation.

Would a higher level of donor expenses increase the supply of locally sourced gametes?

Yes ☒ No ☐

Please give reasons for your views.

The AWHC acknowledges the considerable risks to women associated with the process of harvesting donor eggs. It is important to recognise the extra demands that egg donation entails and to increase the level of donor expenses as a way of encouraging altruistic donations in New Zealand.

Question 2: Right of access to identifying information about donors v. no right of access to identifying information about donors

Should it be possible to use gametes and embryos in New Zealand where donor offspring do not have access as of right to identifying information about donors?

- In all circumstances? Yes ☐ No ☒
- In no circumstances? Yes ☒ No ☐
- In some circumstances? Yes ☐ No ☒

If so, what circumstances might be acceptable, and what circumstances would not be acceptable?

It is never acceptable.

Please give reasons for your views.

Experience with adoption revealed just how important it is that people have access to information about their biological parents. It is unethical and unacceptable to support practices that deny children the opportunity of finding out who they really are by using unidentified gametes or embryos thus making it impossible for the offspring created to access information about their biological parent(s). New Zealand must continue to take a strong stance by refusing to use gametes and embryos that do not come with identifying information about the donors.

Question 3: Family size limitations

Should it be possible to use donated gametes or embryos in import/export where the use may exceed New Zealand limits on the number of families assisted?

- | | | |
|--------------------------|---|--|
| • In all circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| • In no circumstances? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • In some circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If so, what circumstances might be acceptable, and what circumstances would not be acceptable?

Please give reasons for your views.

The AWHC strongly supports New Zealand's current requirements and we do not want to see a relaxation of the current regulations and standards. The fact that other countries have quite different requirements to those that New Zealand has adopted does not mean that New Zealand should change its position on this issue. Allowing large numbers of donations from a single donor increase the risk of incest between donor siblings especially in an age where people travel extensively.

Question 4: Prohibitions on the use of sex selection

Should it be possible to use imported embryos subject to sex selection for reasons prohibited in New Zealand?

- | | | |
|--------------------------|---|--|
| • In all circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| • In no circumstances? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • In some circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If so, what circumstances might be acceptable, and what circumstances would not be acceptable?

Please give reasons for your views.

As already noted the AWHC supports the current standards that have been put in place after careful and thorough consultation and consideration. It is important to be consistent in applying the requirements that have been developed. There must be no exceptions to prohibited activities as they were put in place with the health and wellbeing of children being a major focus.

Question 5: Scope of informed consent

Should explicit consent to export gametes and embryos to and from New Zealand:

- | | | | | |
|--------------------------------------|-----|--|----|--|
| • Be required in all circumstances? | Yes | <input checked="checked" type="checkbox"/> | No | <input type="checkbox"/> |
| • Not be required? | Yes | <input type="checkbox"/> | No | <input checked="checked" type="checkbox"/> |
| • Be required in some circumstances? | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

What are those circumstances?

Please give reasons for your views.

The AWHC does not support the import and export of gametes and embryos to and from New Zealand under any circumstances. However, if exceptions are going to be made then it is essential that the consent of the donor is obtained in every case. The needs and desires of the woman/parents should not be placed above the health and wellbeing of the future children and their right to be protected by the provisions of New Zealand's standards in the use of gametes and embryos created or used in New Zealand.

Question 6: Use of gametes and embryos overseas in procedures or research prohibited or precluded in New Zealand

Should people be able to export gametes and embryos for uses prohibited or precluded in New Zealand?

- | | | |
|--------------------------|---|--|
| • In all circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| • In no circumstances? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • In some circumstances? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

If so, what circumstances might be acceptable, and what circumstances would not be acceptable?

Please give reasons for your views.

The AWHC is strongly opposed to the export of gametes and embryos under any circumstances. It is unethical to circumvent the protections that New Zealand's standards currently provide by allowing the export of gametes and embryos for procedures or research that is prohibited or precluded in New Zealand. The use of gametes and embryos cannot be compared to other health procedures that people seek overseas as it involves the creation of other human beings whose wellbeing and rights must be protected. The globalisation of health has created complex situations in which those who can afford it travel overseas for services and procedures that are not available or are prohibited in New Zealand. Because this is occurring does not make it right or mean that New Zealand should change its current requirements.

Question 7: Other areas where there may be a mismatch between New Zealand and overseas requirements

Are there other areas of potential mismatch that should be considered? Please describe.

The AWHC discussed the scenario whereby a woman travels overseas and has two or three embryos implanted before returning to New Zealand to continue with the pregnancy and give birth. This inevitably results in health issues for the woman and the babies which impacts on New Zealand's health system. Caring for twins or triplets in neonatal intensive care units is extremely expensive and places unfair demands on this area of New Zealand's health system. The costs of going overseas to have procedures should not be put before the health of the woman and the cost to our health system.

The AWHC recommends that all other mismatches should be considered on a case by case basis by ECART.

Question 8: Ranking issues in importance

Please put in order the importance you give to each of the following issues in regard to import and export of gametes and embryos with 1 being the most important.

Altruistic donation

Right of donor offspring to access identifying information about donors

New Zealand requirements for family size limitations

Explicit informed consent to export to another country

New Zealand prohibitions on the use of sex selection [box]

Use of gametes and embryos overseas in procedures or research prohibited or precluded in New Zealand

Another issue or issues (please describe)

The AWHC believes that each of the issues listed is important and we wish to see New Zealand's standards and requirements being adhered to. The needs and rights of children born as a result of assisted reproductive technology must be considered and protected. We are unwilling to attempt to place these issues in a list that prioritises one about another as they are equally important.

Question 9

Do you have any other comments or suggestions about the issues discussed in this background paper?

The AWHC is aware that New Zealand providers of assisted reproductive technology services have links with clinics in other countries, and we are concerned about the possibility that women are being referred to overseas clinics as a way of circumventing the requirements of the HART Act and other standards and regulations. ART services are big business around the world and sometimes involve the exploitation of vulnerable groups of people, especially those with few resources and little or no legal protection. Infertile couples are also vulnerable to being exploited in their quest for a child. It is understandable but unacceptable that the rights of the children born as a result of ART services can be overlooked in such circumstances, especially their right to know who they are and where they come from.