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A fertility law for all families

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TWO Victorian women are hoping for their first baby, but even though they are both fertile, they can't get pregnant.

One woman can't conceive because her husband is infertile -- but there is some hope for her, legally.

She can get donor insemination treatment.

The other woman can't get pregnant in Victoria because she doesn't have a male partner.

And under our state law, she will be turned away from all fertility services.

The only real difference between the women is their marital status.

Lifting the ban on fertility services for single women, including lesbians, will remove discrimination and bring Victoria in line with other states.

The fact that some women still need to leave here to access fertility services interstate is unacceptable.

It is a shame that in the 21st century we still discriminate against people on the basis of their marital status and their sexual orientation.

Pushing some women out of fertility services is not only discriminatory -- it leaves children worse off too.

The ban does not stop lesbians or single women having babies, it

simply forces them to resort to other means, including self-insemination or travelling to other states.

This means their children may miss out on access to request information about their genetic history, which is guaranteed under Victorian law.

State Parliament's Upper House now has the chance to rectify this blatant discrimination by voting for the Assisted Reproductive Treatment Bill.

It addresses discrimination that the Equal Opportunity Commission identified a decade ago in our report Same Sex Relationships and the Law.

If we are going to make reproductive technologies available, they should be available to all who need them.

The ART Bill before the Legislative Council makes the interests of the child paramount.

The Victorian Charter of Human Rights and Responsibilities already recognises the family as the fundamental group unit of society.

But the gender or number of parents constituting a family is not stated. The UN Convention on the Rights of the Child, which Australia ratified in 1990, is similarly silent.

US research has shown that children raised by gay and lesbian parents are not more or less likely to be heterosexual or homosexual.

Australian research found families of a lesbian couple with children led normal lives, despite harassment and lack of community support.

Every child deserves love and care.

Our sexual orientation or marital status has absolutely no effect on our capacity to love our children.

Perpetuating discrimination against children born to single mothers or same-sex couples goes against the human rights of dignity, respect and equality.

It's time to recognise the reality of modern families -- more than 20 per cent are single parent families, largely due to divorce or separation. Ninety per cent of those are led by women.

Being a fit and proper parent is not about slotting into some social or sexual template. It's about providing long-term commitment, care, love, responsibility and guidance.

Dr Helen Szoke is the CEO of the Victorian Equal Opportunity & Human Rights Commission