

Is the use of a 'known' donor allowed in WA?

Using a donor who is known to the recipient is allowed in WA although doctors must not carry out the treatment unless the donor, recipient and their spouses or partners, if any, have attended counselling with an 'approved' counsellor, and all parties have consented to the procedures.

Legal rights and responsibilities

The State's Artificial Conception Act provides that, where a woman becomes pregnant as a result of a procedure where donated sperm was used, for the purposes of the law of the State, the donor is not the father of any child born as a result of the pregnancy. The donor has no rights and no responsibilities in relation to the child.

The parent or parents of a child born as a result of a procedure where donated sperm was used is/are the woman who gives birth to the child and her consenting husband or de facto partner (if applicable).

Issues to consider

A number of issues may arise from donating sperm, which you may need to consider. These include:

- being biologically related to children you may never know;
- ethical or religious concerns;
- the legal implications of the use of donated reproductive material – for the donor, recipients and their families, and the children born from the program;

- the confidentiality of information about you that is placed on the Donor Register;
- whether the child may in the future seek this information; and
- the impact of possible future contact with the child on you and members of your family.

Counselling

There are a number of counsellors who are qualified and experienced, and also possess a significant knowledge of the special issues associated with fertility and infertility. They are recognised by the Reproductive Technology Council as 'approved' counsellors. You may wish to discuss the issues raised above and other issues with one of these counsellors.

The clinics or the Reproductive Technology Council can make the list of 'approved' counsellors available to you and encourage counselling, to help you understand the complex issues involved in this type of treatment.

It is standard clinic practice for you to have an opportunity to speak with a counsellor. ■

Sperm Donation The Facts

Information for men considering donating their sperm for the treatment of persons by donor insemination in Western Australia

Reproductive Technology Council

Revised October 2002

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What is donor insemination (DI)?

Donor insemination (DI) is a medical procedure designed to help people have a child in cases of male infertility or to avoid the transmission of genetic disease. Women without a male partner who wish to have a child may also use this procedure.

The procedure is carried out by inserting sperm previously collected from a donor into the lower reproductive tract of a woman, at the time of the month she is ovulating (releasing an egg).

How is donated sperm used?

Donors are usually selected to match as closely as possible the physical or other characteristics of the male partner.

An individual donor's sperm can be made available to a maximum of five families.

This limit is set out of consideration of the feelings of donors and their children, and to reduce the risk of genetic disease arising from inadvertent marriage of half siblings in later life.

A recipient of donated sperm may wish to use the same donor for subsequent children after one donor pregnancy has been achieved.

Who can become a sperm donor?

Different sperm banks have different criteria, but generally any healthy male between 18 and 50 years of age may be considered as a possible donor by a sperm bank.

Donors must not have lived in the United Kingdom for a cumulative period of greater than six (6) months between the years 1980 – 1996. This is to limit the exposure to Creutzfeld-Jacob disease (CJD, 'mad-cow' disease).

How are donors screened?

A doctor screens each potential donor in order to minimise the risk of transmitting infectious disease, such as HIV/AIDS, or an inherited disorder.

Donors must complete a lifestyle declaration and a consent form before each donation of their semen.

Sperm quality and its response to freezing, storage and thawing are also tested.

Usually only 50 per cent of males who apply to donate are considered suitable.

How are donated sperm stored?

Donated sperm is stored in small straws and carefully labelled, usually using a system of colour-coding, to ensure that no mix-up between donors can occur.

The sperm is then frozen in liquid nitrogen for a quarantine period of six months, after which time the donor is retested for signs of the HIV virus.

If the tests are clear the sperm can then be made available for use in treatment.

Are donors paid for donations?

It is an offence under the State's Human Reproductive Technology Act to be paid for sperm donations. Most sperm banks will offer some reimbursement to donors to compensate for any inconvenience or expense.

Confidentiality of information

Information about the donor and the outcomes of the treatment is stored on clinic records, and in the Donor Register held by the Department of Health.

The State's Freedom of Information Act specifically rules out access under the Act to any identifying information held on these registers.

Strict practices apply to the confidentiality of data under the Human Reproductive Technology Act, to maximise its security.

No identifying information is stored on the computer.

Information made available to the receiving persons includes the donor's physical characteristics, family background, level of education, marital status, number of children in own family, area of occupation, blood group, as well as his interests, personality and a summarised personal health history.