

## Father figures: gay men go overseas for surrogate babies

By Farah Farouque  
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Double dad . . . Lee Matthews with his son, Alexander, who was born to a surrogate mother in the United States.

Gay male couples are paying overseas women to have babies for them to bypass strict state laws against commercial surrogacy.

Gay rights activist and GP Ruth McNair says the phenomenon of "reproductive

tourism" is an emerging trend in gay communities around Australia.

Dr McNair said she knew of three male couples who had become fathers by paying US mothers "tens of thousands of dollars" to have babies with sperm donated by one partner in the relationship.

In her practice, she had counselled several gay men "desperate to be parents and to have a primary parenting role".

Although much rarer, some lesbians are also examining overseas surrogacy as an alternative path to parenthood.

Family lawyer Tim Mulvany said he had provided advice to lesbian couples who wanted to know their legal position if they pursued surrogacy arrangements outside Australia.

A Melbourne man, Lee Matthews, has acknowledged in the gay newspaper *MCV* that he is the co-father of eight-month-old Alexander, born to a surrogate mother in the United States in December. Mr Matthews has a longstanding relationship with his partner.

In the report, published yesterday, Mr Matthews identified several other cases of homosexual men - singles and couples - who have conceived children with US surrogates. He knew of four other gay couples and two single men who had become parents in this way.

The Australian Family Association has expressed strong concerns about the trend.

"Some people have said it's a form of child abuse to bring a child deliberately into the world without a mother and father," said spokesman Bill Muehlenberg. "Every child

has a right to its own mother and father, not two dads, not two mothers and not a committee."

Mr Muehlenberg said he feared for the future of Mr Matthews's child.

"We wouldn't deliberately bring a child into this world and deliberately lop of its arms and its legs, which is what we are doing with these kind of arrangements."

A spokesman for the Catholic Church, Monsignor Les Tomlinson, was also critical. "Such ways of procuring offspring is stepping outside the natural order," he said.

Depriving a child of a mother and father, he said, could "impair the psychological and emotional growth" of a child and contribute to later dysfunction.

A patchwork of state and territory laws presently regulate surrogacy in Australia.

There is no law prohibiting surrogacy in NSW. But no contract between parties to undergo surrogacy would be recognised in the courts, said Sandra Dill, executive director of Access, the infertility support network.

Victorian Attorney-General Rob Hulls has asked the Victorian Law Reform Commission to investigate altruistic surrogacy as part of a broader inquiry into eligibility for assisted reproductive services.

At present, lesbian couples who are deemed "socially" infertile, are barred from access to fertility services in Victoria. This has resulted in many travelling across the border to Albury and Sydney to access IVF in New South Wales, where the laws are more relaxed.

Professor Marcia Neave, chairwoman of the Law Reform Commission, said the inquiry would seek public comment soon. A public information paper is due in September.

Mr Matthews said he decided to go public with his family's story after the Prime Minister, John Howard, ruled out marriage for homosexuals.

"Marriage, as we understand it in our society, is about children: having children, raising them, providing for the survival of the species," Mr Howard said.

The Prime Minister's office refused to comment on Mr Matthews's case.