




Gay & Lesbian Rights

ACCESS TO FERTILITY SERVICES

Background

In some states of Australia, notably Victoria and Western Australia, lesbians and single heterosexual women do not have access to fertility services because of state laws. In NSW, there is not law preventing women accessing fertility services although there have been some complaints of unequal treatment.

A recent Federal court case has confirmed that discriminatory state laws are contrary to the Federal Sex Discrimination Act. The Prime Minister has indicated the Government will act to change the Act to block access for lesbians and single women.

What will happen now?

Both the leader of the Labor Opposition, Mr Beazley and the Democrats, Ms Lees have indicated they will not support Mr Howard's move. However, the ALP's opposition is dependant on caucus support. This means it's important to let Labor parliamentarians know that we feel strongly about this issue and why it would be wrong to support the Prime Minister.

Write for your Rights

Individuals and organisations need to contact the key players listed below. It is also helpful to contact local Federal Members of Parliament. Of course if you have the resources and you really want to let them know how you feel, go ahead and write to every parliamentarian!

Points you might want to consider making

The most valuable thing that individuals can say is how Mr Howard's comments and actions affect them, their families and others they know. However, you also may want to consider the following points:

1. Mr Howard says the most important thing to offer a child is the expectation of having a mother and a father. We say love is the most important thing to give any child. Most children with two mothers (or indeed two fathers) are surrounded by love and brought up in a secure, caring and tolerant environment.
2. The Government can't really stop us having children. Most lesbian couples can have children without using fertility services - but it's far better to have the option of using fertility services as it's safer and ensures that mother and child are not put at any risk of infection.
3. All the Prime Minister has succeeded in doing is giving a strong message to thousands of children living in families that don't fit his ideal picture - especially all those without a father living in the house - that their family is no good. Did he think about how they would feel?
4. Lesbian couples who decide to have a child have put a lot of thought into it and only go ahead if they have a strong desire to have a child, a lot of love to give and a secure environment to offer.
5. Some people are concerned that children may grow up without men in their lives. Actually most have lots of adults of both sexes in their lives (give some examples). Many have close relationships with their donor dad.

The Medicare Debate

To make matters worse, the Minister for Health, Dr Wooldridge has joined the fray and suggested that Medicare benefits should never be payable to lesbians and single women who would be able to get pregnant by the “simple alternative, which is intercourse”. He refers to this as “social infertility”. This has been formulated in different ways and it is unclear what the actual criteria would be.

You may also want to address this and let both the Prime Minister and Dr Wooldridge what you think about this comment.

Points to consider making about this are:

1. All sexual activity should be a matter of choice and no women should be forced to have intercourse.
2. Many lesbians use a clinic in order to receive health advice and safe sperm which has been screened for infectious diseases. This health care *is* medically indicated.
3. There are serious health consequences for both mother and child if forced out of medical supervision. They are put at risk of infections such as HIV and other sexually transmitted diseases.
4. Most fertility services provided to lesbians are simple, low technology procedures such as donor insemination – not IVF. These are the only services used by those labelled “socially infertile” for which Medicare would not be payable. They make up a tiny percentage of the costs of fertility services and the Government has not been able to point to any cost savings that would result.
5. If donor insemination is to be denied to a lesbian or single woman unwilling to have sex with a man who is not her partner, it will have to be denied to every married woman whose husband has a low sperm count who is unwilling to have sex with another man. All have made the same choice and are in the same situation of not wanting to have casual sex in order to get pregnant.

Who to Contact

Members of Parliament are particularly responsive to receiving letters from the public on their experiences of same-sex parenting, including attempts to obtain IVF services, and everyday experiences of being parents. If possible, it would be helpful to include a photograph of your children, to reinforce the notion of the loving, caring environment that same-sex parents provide.

The Leader of the Opposition, Kim Beazley
Fax (02) 6277 8495;
Kim.Beazley.MP@aph.gov.au

Prime Minister, John Howard
Fax (02) 6273 4100
PO Box 336, Gladesville, NSW, 2111

The Deputy Opposition Leader, Simon Crean
Fax (02) 6277 2307; S.Crean.MP@aph.gov.au

Leader of the Democrats, Meg Lees
Fax (02) 6277 3996; Senator.Lees@aph.gov.au

The Shadow Minister for Health and Women’s
Affairs, Jenny Macklin
Fax (02) 6277 8590;
Jenny.Macklin.MP@aph.gov.au

Shadow Spokesperson for Family and Community
Services, Wayne Swan
Fax (07) 3266 4263;
Wayne.Swan.MP@aph.gov.au

It is better to fax or post letters rather than email.

You may also want to consider contacting your local Federal Member - especially if s/he is from the ALP - and ALP Senators. Contact details can be readily obtained from the Parliament’s website at: <http://www.aph.gov.au/>