

INFORMATION ABOUT PERSONAL SPERM DONATION

March 2009

For many people the only way of having a family of their own is by insemination using donor sperm.

Donors should be 18 years or over and have no family history of serious inheritable diseases. We generally exclude people who have a higher risk of passing on infections, including people with an increased risk of having been exposed to HIV; who have received some types of blood products; and who have used non-prescription, injected drugs.

Legal position

With the passing of the Status of Children Amendment Act in 1987, and the Civil Union Act 2005, the law recognises the social father (the partner or husband of the recipient of donor semen) as the legal father of the child. Clause 5, 1(b) states:

“Any man, not being her husband, who produced the semen used for the procedure shall, for all purposes, not be the father of any child of the pregnancy, whether born or unborn.”

The practice of sperm donation is governed by the Human Assisted Reproductive Technology (HART) Act 2004. An important principle of the Act is that people conceived through the use of donor sperm or donor eggs need information about their genetic origins, and should be able to secure information about the donor including his identity.

For pregnancies arising from sperm **donated after 20 August 2005** Fertility Associates is obliged to give the Registrar-General of Births Deaths and Marriages identifying information about the child, parents and the donor. Parents may access the donor's identity from Fertility Associates or the Registry of Births, Deaths and Marriages at any stage after the birth of a child until the child reaches 18 years of age. After the age of 18 a child may ask the clinic or the Registrar-General for the identity of the donor, and this information will normally be given. The child may ask for the identity of other children conceived using the same donor, and the donor may ask for the identity of all persons born as a result of his donation. In these cases, both or all the parties need to agree before the information can be given. There are provisions for children getting information from the age of 16 years, and for parents to get information about the donor, too.

For sperm donated before this date, the Act has made provision for donors and offspring to voluntarily join a register to be maintained by the Registrar-General that offers similar opportunities for seeking the identity of donors.

The HART Act has substantial penalties (fines and imprisonment) for paying for, or providing financial inducement for, donor sperm or donor eggs. This excludes reimbursement of travelling expenses. We expect the recipient to pay for any travelling expenses incurred by a personal donor.

Donors need to disclose any information about their health or family medical history that could affect a child conceived using their sperm. Although our tests and medical interviews are comprehensive, they might not identify uncommon diseases or conditions. If the donor failed to do this it is possible that a child born disabled could sue the donor for damages

Fertility Associates is voluntarily accredited by the Australian Reproductive Technology Accreditation Committee (RTAC) and abides by its guidelines. RTAC inspects clinics every three years, and the inspection includes looking at patient records. The members of the RTAC team sign a confidentiality agreement.

Semen Analysis

The first step in becoming a donor is to provide a semen sample, which will be analysed for the total number of sperm and the number of motile sperm. The sample is frozen and then thawed to see how well sperm survive. In general, we find that semen samples with a high concentration of sperm in a small volume are the most suitable, as some sperm are always damaged in the freezing process. Semen not suitable for use as a frozen specimen is unlikely to equate to low fertility. At each donation the donor fills out a Lifestyle Declaration Form, which is designed to identify anyone with a high risk of contracting HIV. It also gives instructions for collecting semen for donation. We ask donors not to smoke, preferably for at least 3 months before donating and during the time of donation, since substances in cigarette smoke can damage the DNA in sperm.

Blood Test & Interview

Semen suitable for donor insemination is tested for Syphilis, Hepatitis B and C, HIV, Chlamydia and Gonorrhoea. The donor's blood group is also determined. When all the test results are back, the donor has an appointment with a Fertility Associates doctor.

This appointment with the donor involves:

- Taking note of medical and family history,
- An explanation of the implications of HIV testing,
- A physical examination,
- Discussion of the consent form,
- Completing an information sheet.

The laboratory staff advise on how many sperm samples to freeze. All the samples are left frozen for 6 months as a quarantine period. Then the donor is asked to have a clearance test before they are made available to the recipient.

Counselling

We require all personal donors and their partners to meet with a counsellor to discuss the issues involved. Both are asked to sign the consent form to donate, along with the donor. We feel it is important that partners are aware and have available the same information and advice services offered to the donor.

The donor sperm coordinator is always available and will be pleased to answer any questions that you may have.

Sharing information

We ask that donors respect the confidentiality of information they have about their recipient and their treatment. Although we will not release any of your medical information to your recipient, we will tell them how the sperm banking is going, including the number of samples banked and the quality of the sperm after freezing and thawing.

Personal Sperm Donor Timeline

