



Call for national surrogacy ban

All forms of surrogacy should be banned in Australia, as no regulatory framework can eliminate its inherent harms.

That is the view of the Australian Catholic Bishops Conference expressed in a submission to the Australian Law Reform Commission's review of surrogacy laws.

The federal government last year sought a review of ways to reduce the barriers to domestic altruistic surrogacy arrangements, as well as look at how surrogacy arrangements made outside of Australia should be addressed by Australian law.

In its submission, the Conference emphasised surrogacy in all its forms "undermines the dignity of women and children by commodifying human life and turning pregnancy into a transaction".

"At its core, surrogacy treats women as instruments to be used and children as products to be commissioned," the submission read.

"Every child has the right to be conceived, carried, and raised within the stable, loving bond of its biological mother and father. To deliberately bypass this context is to violate the child's inherent dignity and best interests."

The submission noted that while the pain of infertility is "real and deserving of compassion", surrogacy introduces "new and profound harms".

"It places women and children at heightened medical risk, causes enduring emotional trauma, and opens the door to exploitation. For children, it breaches core human rights, including identity, parentage, and protection from commodification, which are rights affirmed by the *United Nations Convention on the Rights of the Child*," it said.

"The Australian Catholic Bishops Conference calls on the Law Reform Commission to recommend the prohibition of all forms of surrogacy in Australia.

“Australian law should, as far as possible, preserve the inherent dignity of every human person by giving paramount importance to the rights of children, and protect vulnerable women from exploitation and harm.”

The bishops have called for stronger enforcement of Australia’s ban on commercial surrogacy, especially in relation to overseas arrangements that effectively circumvent domestic laws and protections.

“There is no regulatory framework that can eliminate the inherent harms of surrogacy.”

BACKGROUND

- The ALRC estimates 76 children were born through domestic surrogacy in 2020.
- The Department of Home Affairs reported 375 children were born through international surrogacy in 2023.
- A 2024 Canadian study published in the *Annals of Internal Medicine* examined over 860,000 single-baby births, including 806 gestational surrogacy cases. Women acting as gestational surrogates experienced severe maternal complications at a rate of 7.8 per cent, more than three times the risk of women who conceived naturally.
- The Australian Law Reform Commission is due to provide a final report to the government by mid-2026.

ENDS