

# 10

## The resources of reproduction: eggs, sperm and wombs for sale



### **Box 10.2 Case study: A donor-conceived child's experience**

Caroline Halstead is a donor-conceived child who struggles to come to terms with the fact she was conceived 'in a Petri dish by artificial insemination at a Harley Street Clinic in London.' She believes this was a 'horrible, clinical way to be conceived'. All my life' she says 'I've felt as if I'm only half a person.'<sup>10</sup>

Caroline describes herself as 'haunted' by the way she was conceived and by the fact she will never know or meet her father.

The Commission on Parenthood's Future conducted a study that suggests donor-conceived children often feel confusion, isolation and hurt. Half are disturbed that money was involved in their conception. And as many again admitted that when they see someone who looks like them, they wonder if they're related. Two-thirds argue that they should have the right to know their parents.<sup>11</sup>



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### **Box 10.5 Case study: Jamie and Sarah**

In 2004 a donor-conceived child was born to lesbian couple, Jamie and Sarah, from Liverpool in the UK.<sup>20</sup>

The couple had been together for 4 years, and had desperately wanted a child for 2 of them. Seeing they were getting nowhere with their GP, they approached a website called 'Man Not Included'.

This website was launched specifically to cater for single women and lesbians. The website currently has 5,500 prospective donors, and 3,000 prospective recipients. The basic service cost the couple £830. Customers can also ask, at the time of the original donation of fresh sperm, for another fresh sample from the same donor to be frozen to permit biological full siblings. This extra service cost £1,365.

The service includes a home ovulation kit so when Jamie knew she was at her most fertile she alerted the website, a sample was collected from their chosen donor and rushed to Jamie and Sarah's house by courier. Jamie and Sarah used the sperm to inseminate Jamie, who conceived immediately.

Before the birth Jamie said 'Everything happened when they said it would and doing everything at home meant it was private and comfortable. We know that some people will be against what we have done and they are entitled to their opinion. As long as our child is loved and wants for nothing, I can't see how it is wrong.'

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### **Box 10.13 Case study: Baby M**

In 1985 a wealthy American couple, Bill and Elizabeth Stern, offered Mary Beth Whitehead \$10,000 to bear Bill Stern's baby. Elizabeth was physically capable of bearing a child but she believed a pregnancy might prompt a recurrence of her multiple sclerosis. Mary Beth and her husband Richard signed a contract agreeing to some stringent healthcare conditions after going through it for several hours with an independent lawyer.

Whitehead was inseminated with Bill Stern's sperm and in July, after nine attempts, she became pregnant.

The baby, a girl, was born in March 1987. The Whiteheads had not mentioned the surrogacy arrangement to the hospital in which she was born, and when the Sterns arrived they were not allowed to hold the baby. Later that day Whitehead relinquished the child, but the next day she threatened suicide unless she could keep the baby.

The Sterns' contract was upheld by the family court in Hackensack and the Whiteheads were ordered to surrender the baby. Instead they fled with their children to Florida where they remained hidden for 3 months.

When they were found the judge at Hackensack made Elizabeth Stern the legal mother of baby M and made a specific order that Mary Beth Whitehead was to have no visiting rights.

This ruling was reversed by the Supreme Court of New Jersey, who found that surrogacy contracts amounted to 'baby-selling'.

The court allowed the Sterns to keep Baby M so that she had a stable life (by that time the Whiteheads were divorcing), but they gave extensive visiting rights to Mary Beth who took full advantage of them throughout Baby M's childhood.

When Baby M, now revealed as Melissa Stern, reached 18 she voluntarily severed contact with Mary Beth Whitehead and formalised her adoption by the Sterns.<sup>44</sup>

Did Mary Beth Whitehead 'sell' her baby then renege on the sale? Did The Sterns exploit the Whiteheads (who were bankrupt when they signed the contract)? Should the Sterns have allowed the Whiteheads to keep baby M?