

Crossing borders for surrogacy: why do parents go overseas for surrogacy and how does it affect their experience?

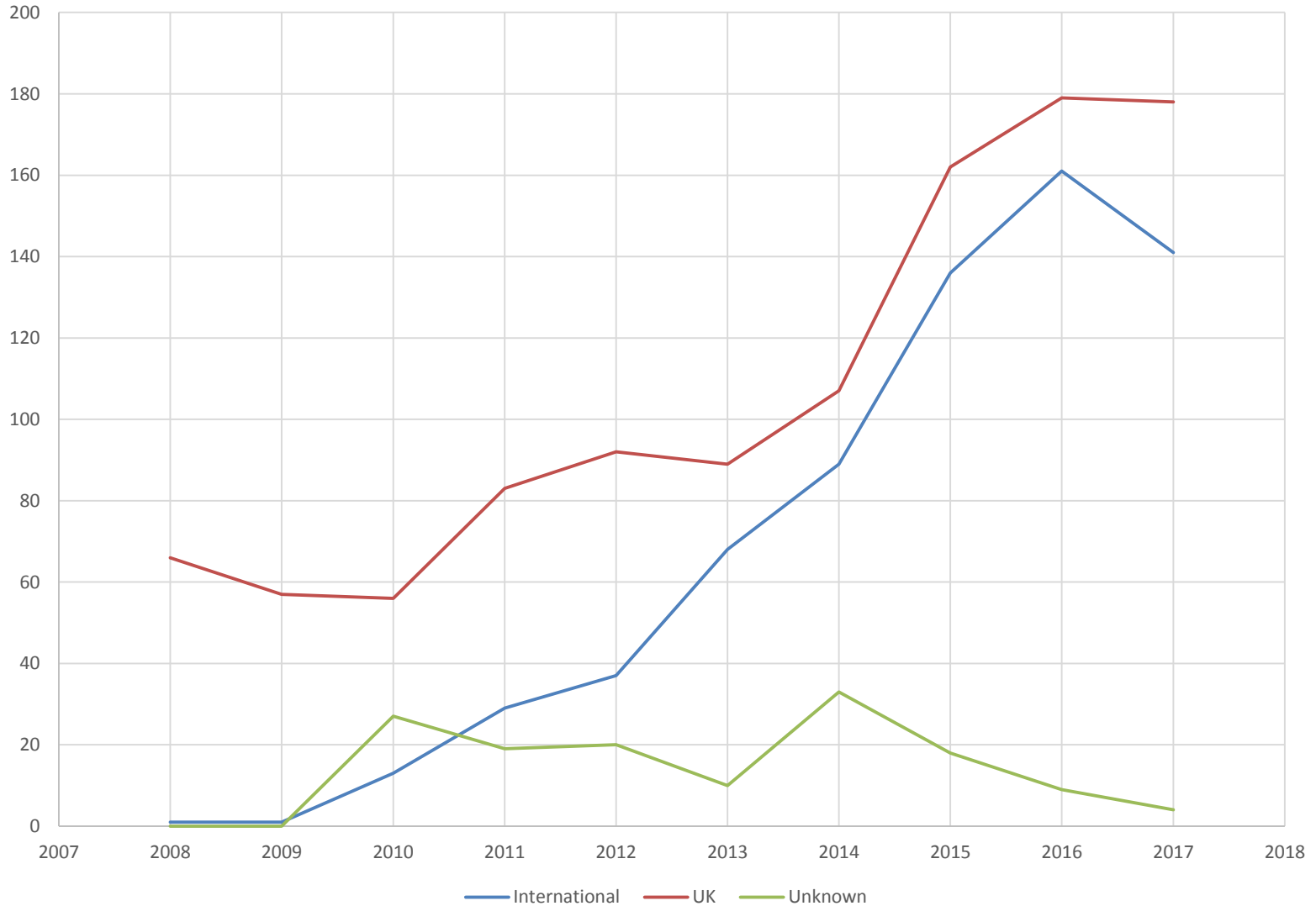
Natalie Gamble and Helen Prosser



Introduction

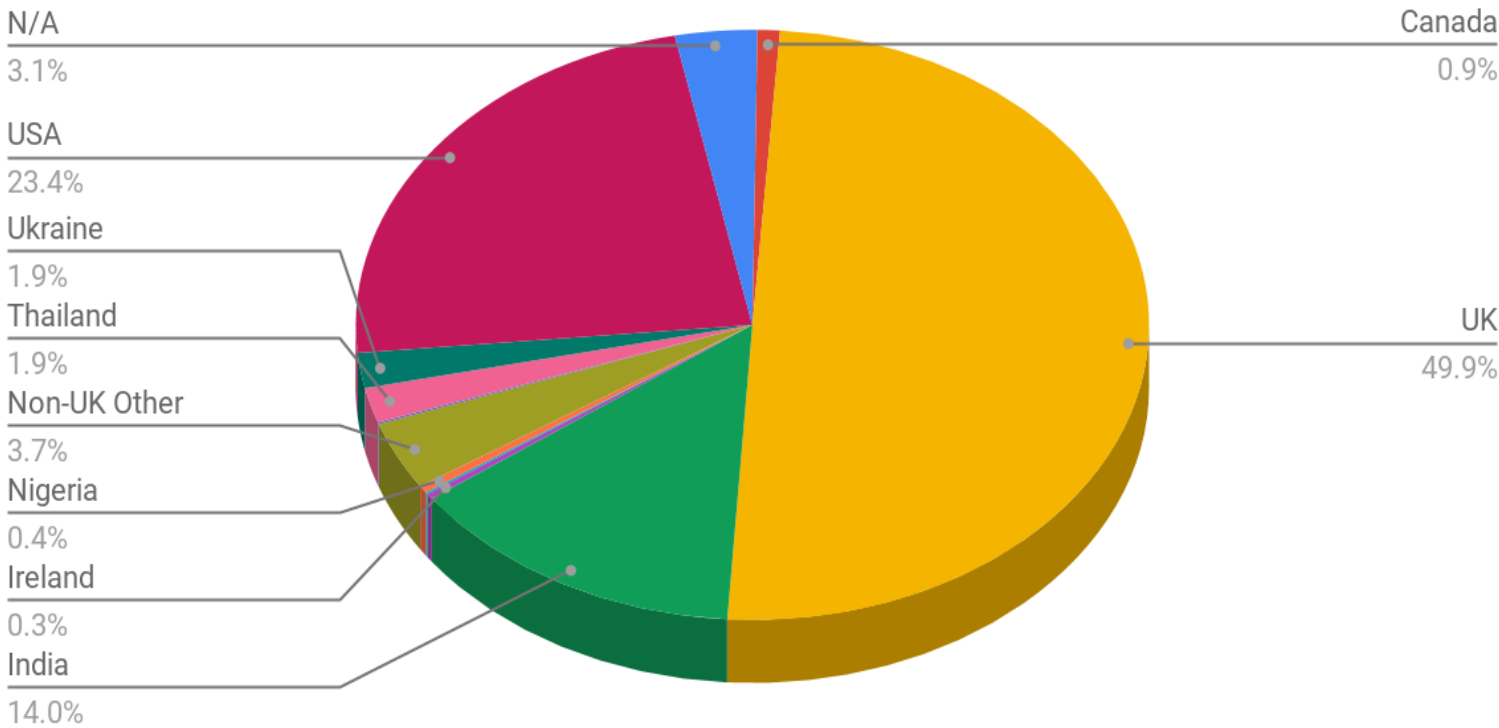
- Research project with Cambridge University Centre for Family Research – Dr Vasanti Jadvā
- First ever study to compare the experiences of parents going overseas for surrogacy and those staying in the UK
- Our reasons:
 - Parents going overseas were a silent voice in surrogacy reform debate
 - Surrogacy UK Working Group report: *“It is a myth that international or cross-border surrogacy has become commonplace for parents from the UK”*
 - Need for true information about international surrogacy, including range of experience and relationships with surrogates

Parental order applications 2008-17



Where are UK parents going?

Total Parental Orders 2015-2017



Our study

- The first to compare the experiences of UK and international surrogacy
- Conducted by the Cambridge University Centre for Family Research with ethical approval from University of Cambridge Psychology Research Ethics Committee
- Detailed questionnaire with multiple choice and open-ended questions, covering:
 - Motivations and choices
 - How parents felt about their experience and any problems
 - Interaction with professionals in the process
 - Relationships between parents and surrogates
 - The processes for bringing children into the UK
 - Costs
 - How parents felt about UK law reform

How the study was conducted

- Invitation to participate was sent to all surrogacy clients of NGA Law and Brilliant Beginnings
- 1,212 email addresses comprising 776 families (only one completed per household)
- 203 families completed the full study (response rate of 26%)
- 81% had or were expecting children through surrogacy (most under 5 years old), 19% were in the planning stages
- Responses were anonymous and collated by Cambridge University

Publications

- Papers authored by Dr Jadvá (and colleagues at Cambridge University), Helen Prosser and Natalie Gamble
- [Cross-border and domestic surrogacy in the UK context: an exploration of practical and legal decision-making](#)
(Human Fertility, December 2018)
- [Parents' relationship with their surrogate during pregnancy and after the birth in cross border and domestic surrogacy arrangements](#)
(Fertility and Sterility, March 2019)
- More to follow – watch this space!

Advantages and limitations

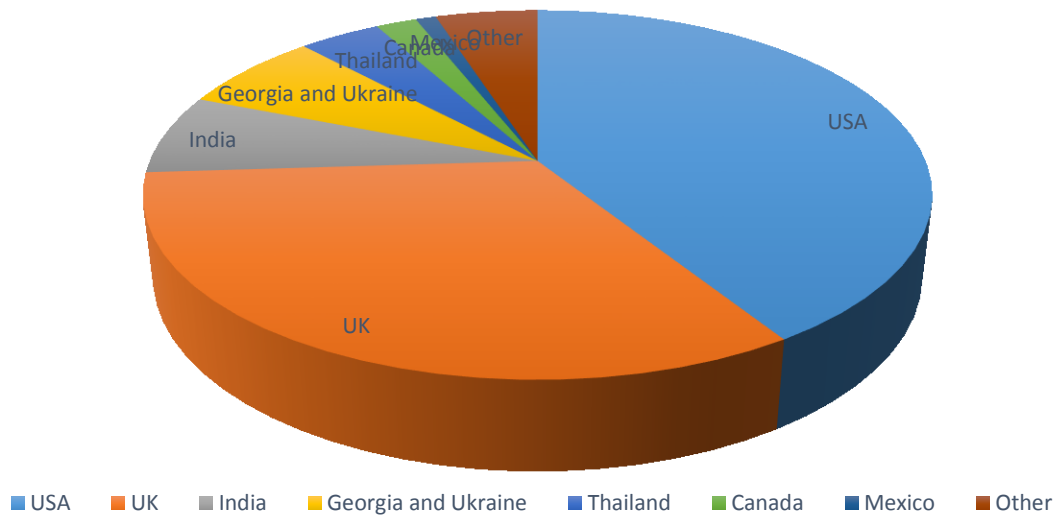
- Closed study created a controlled sample
- Advantages:
 - Leading UK organisations for international surrogacy since 2008
 - Unique access to hard to reach group
 - Captured a true breadth of surrogacy options
- Limitations:
 - Did not reflect parents who had no professional support or support from elsewhere

How reflective were our study responses?

- 32% had followed a UK surrogacy route; 68% had gone overseas
- This reflected our wider client base, but showed a greater proportion of parents going overseas than the parental order statistics:
 - Parents going overseas more likely to seek legal advice and help?
 - Captures some of parents through international surrogacy who do not apply for parental orders?

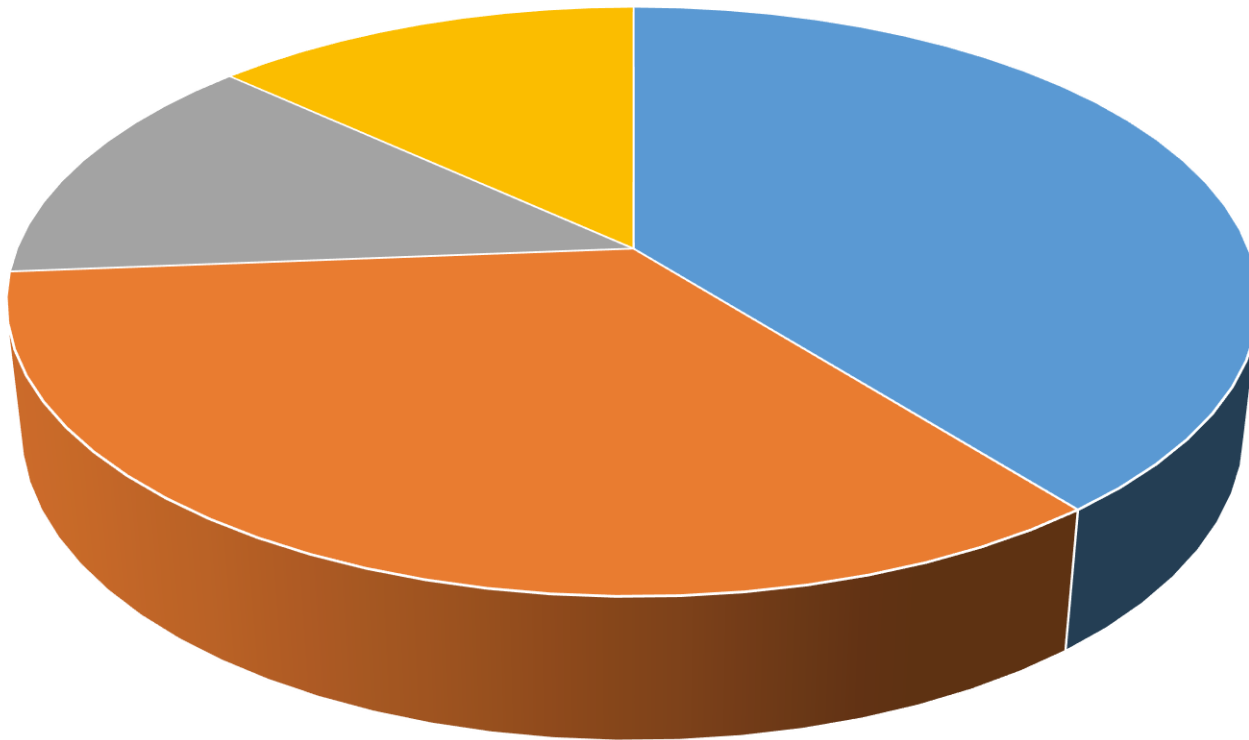
Where had our respondents gone for surrogacy?

- Wide range of surrogacy destinations: USA (41%), UK (33%), India (7%), Georgia and Ukraine (7%), Thailand (4%), Canada (2%), Mexico (1%), Other (5%, including Greece, Nepal, Russia, Cyprus, Czech Republic, South Africa, Laos, Bhutan)



Surrogacy in the UK breakdown

- Wide range of UK surrogacy options: UK surrogacy organisations (39%), friends/family (34%), online (13%) and other (13%)



■ Surrogacy organisations/agencies ■ Friends/family ■ Online ■ Other

Findings: why parents went overseas

- Parents who had gone overseas had rejected the UK because:
 - Lack of professional services/ informal matching methods (69%)
 - UK legal framework and lack of certainty (67%)
 - Shortage of surrogates (40%)

“Without the legal framework, we felt it was an absolute no-go. Something as important as the right to raise your own child should not be subject to even the tiniest risk.”

“Very difficult to find matches. Lack of agencies so worries about vetting surrogates.”

“After a brief investigation it became clear there was no support network or expertise in the UK and seeking a surrogate here would have been a case of ‘pot luck’”.

Findings: pros and cons (India)

Advantages

Affordability (2)

Speed of process and ease of finding a surrogate (2)

Simple legal process (2)

Not having a long term relationship with the surrogate (2)

Disadvantages

Having to stay in India for an extended period after the birth (7)

Findings: pros and cons (Thailand, Ukraine, Georgia, other)

Advantages	Disadvantages
Speed (3)	Legal problems faced (7)
Straightforward (3)	Being isolated from family support when child born (5)
Fewer restrictions on intended parents (2)	Unforeseen costs, in particular generated by legal problems (3)

Findings: pros and cons (UK)

Advantages

Having a long term relationship with the surrogate (16)

Legally easier, even if less certain (9)

Affordable (8)

Ability to attend scans and appointments (8)

Logistical simplicity (7)

A friend or family member was able to act as a surrogate (5)

Disadvantages

No disadvantages (7)

Anxiety over the surrogate wanting to keep the child (7)

Emotional investment required during the pregnancy (5)

Lack of support or understanding from hospital staff (4)

Findings: pros and cons (USA)

Advantages

Secure legal framework, offering peace of mind to parents who could focus on their experience and relationship with their surrogate (39)

Ethical, with certainty protecting surrogates and donors as well as parents (10)

Working with experienced professionals (10)

Receiving excellent support (10)

Having choice and control over the process (5)

Having no stigma attached to surrogacy (3)

Disadvantages

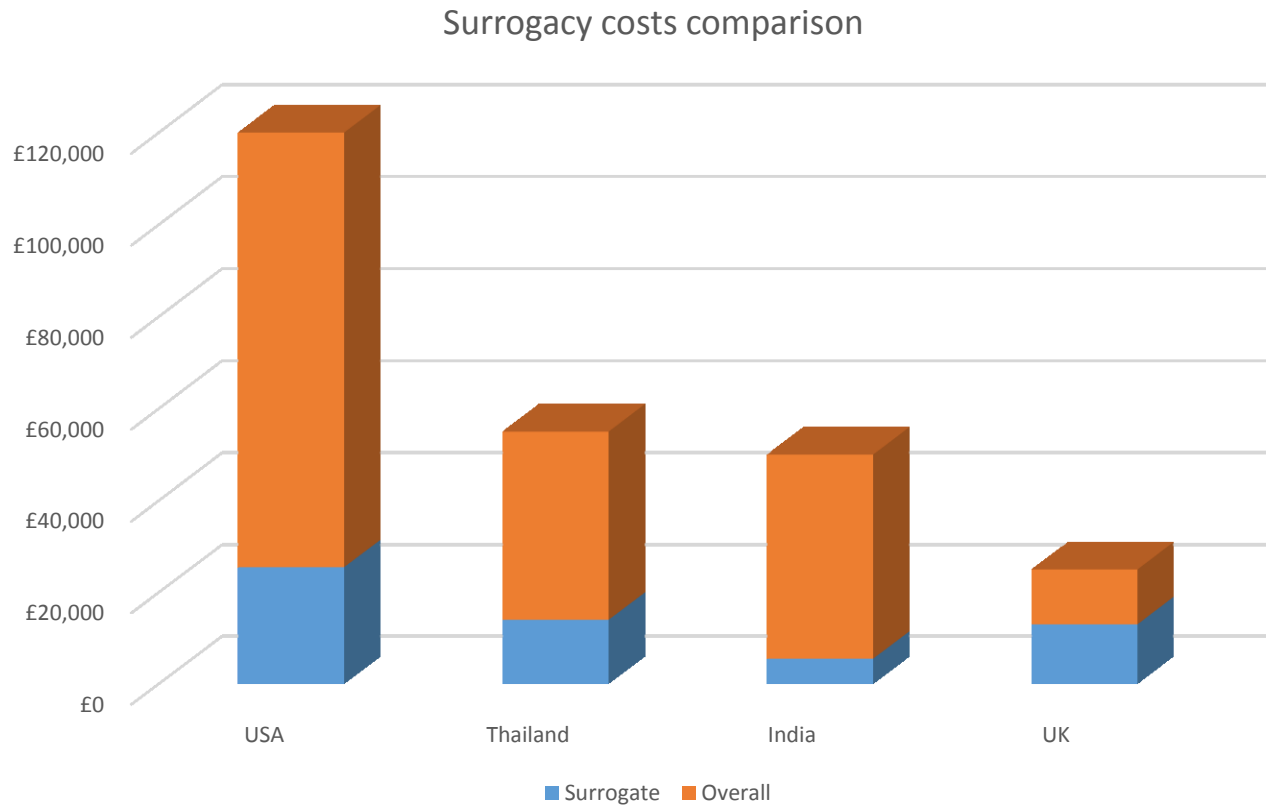
Cost (35)

Geographical distance (17)

Difficulties and delays with resolving UK legalities (7)

Findings: costs

- US by far most expensive – professional costs as well as surrogate
- UK least expensive – lowest proportion of professional costs



Findings: problems experienced

- Parents reported challenges bringing children home, particularly from India, Thailand, Ukraine/Georgia and Mexico

“Our daughter was granted British citizenship within 8 days, but it took 6 months to get a passport. The passport office did not communicate with us and gave us false information. It was a very very difficult process and in the end we got home with the help of a legal team.”

- Parents coming from the US and Canada travelled more quickly without UK documentation, but still reported stress around coming home and the UK legal process

“This whole thing is really not for the amateur. You need to be very switched on and have very good advice. Even though I knew we had done everything right, I was still terrified at Heathrow.”

- UK parents reported other problems, particularly around surrogates not consenting to parental orders

Findings: relationships with surrogates

- No significant difference found between the quality of parents' relationships with UK and US surrogates, notwithstanding 'commercial' surrogacy framework in the US
- Over 95% of parents in both destinations maintained relationships with their surrogates, which 80%+ categorised as 'positive' or 'very positive'

"She is our son's godparent, and we would consider her part of our family."

"I feel like she is a friend with whom I have had a very emotional relationship and we therefore have a close bond."

"She and her family became like family to us whilst we stayed in California."

Findings: relationships with surrogates

- Surrogacy in Asia (India, Thailand) gave a very different experience:
 - Relationships were more arms length and transactional
 - Only 60% of same-sex parents and 33% of different-sex parents planned to have ongoing contact with their surrogate after the birth, and fewer went on to do so
 - Parents reported this was due to the surrogacy being managed by the clinic, and language and cultural differences

Findings: relationships with surrogates

- What makes a difference to IP-surrogate relationships is not whether the arrangement is 'altruistic' or 'commercial' but wider issues around:
 - the way the surrogacy is managed
 - language and cultural differences between surrogates and parents
- Many parents going overseas value relationships with their surrogates

Key conclusions

- International surrogacy is now at least equalling UK surrogacy for UK parents. It is wrong to say it is not commonplace
- The main factors driving it are the desire for legal security and the wish to access professional services for finding a surrogate with more certainty
- International surrogacy reflects a range of experience, some very positive
- Key difficulties include the long delay bringing children home and the lengthy post-birth UK legal process
- Strong relationships with surrogates are formed where there is direct communication and a common language (compensation does not affect this detrimentally)

Implications for law reform

- We should learn from positive surrogacy experience overseas – there are a range of models and not all are problematic
- The key issue for law reform will be balancing desirable legal and professional input to protect everyone involved with the additional cost this creates for families
- Whatever the law permits in the UK, parents can access a wide range of surrogacy services overseas – any new law must ensure that all UK children have a secure legal status in the right family

For more information....



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