

ECART

Ethics Committee on Assisted Reproductive Technology

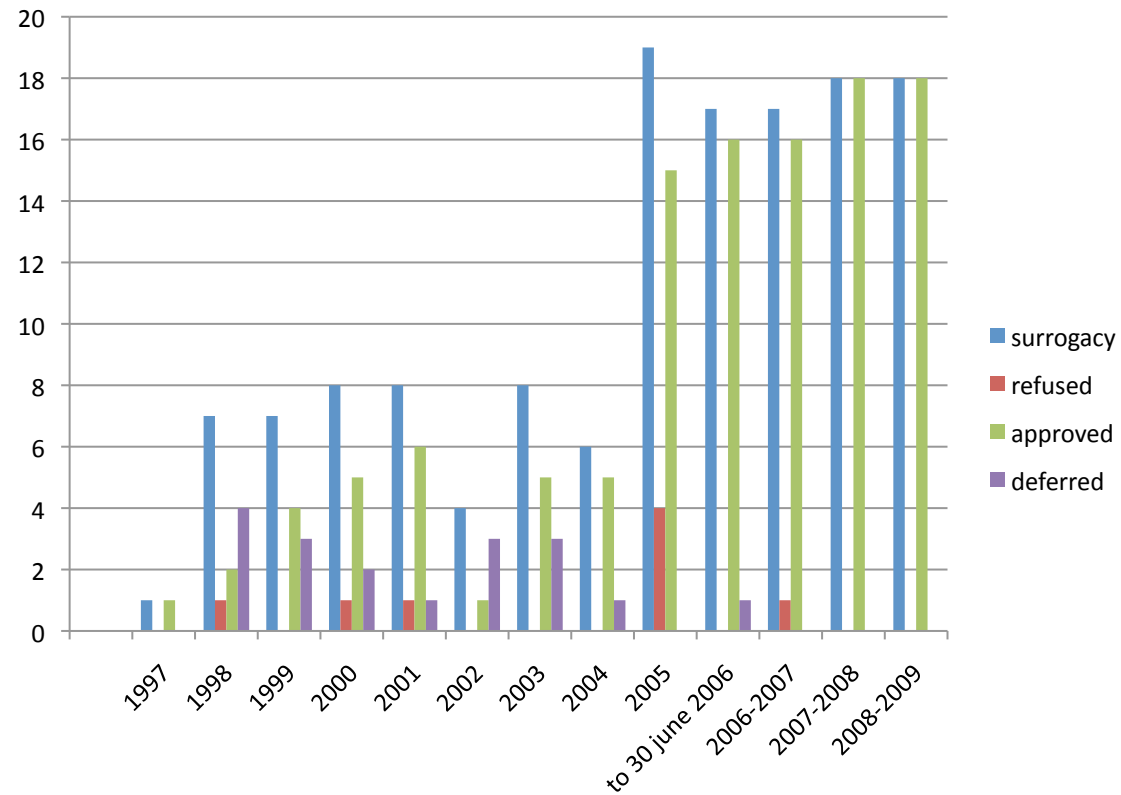
The case for ethical review

ECART

- **Ethics committee**
- Consists of 10 members from all walks of life
- Ethicist, fertility consumer, doctors (2), disability consumer; Maori (2), nurse, counsellor, lawyer
- What do we do: we approve all applications for IVF surrogacy; embryo donation; inter-family gamete donations

Some statistics

- Since surrogacy was first approved in NZ



IVF Surrogacy

- **138 applications since 1997**
 - 112 approved
 - 8 declined
 - 18 deferred
- Average of 18 applications per year for surrogacy

Role of ECART

- HART ACT lays down the rules which govern infertility treatment
- HART sets the boundaries of what treatment is permitted and what is not
- For treatment to be approved:
 - the HART Act provides that there must be guidelines for ethical approval
 - so procedures without guidelines cannot be done
e.g. donated sperm and donated egg;
replacement of cryopreserved tissue

Ethical Issues

- We add an impartial view to the application
- We attempt to prevent abuse of power- e.g. parent coercing a child for an egg donation
- Emotional issues of loss; mental health concerns for Surrogate mother
- NZ does not permit “*social surrogacy*” so there must be a medical condition- ?is high BMI a medical condition;
- What about voluntary infertility – e.g. previous vasectomy
- Wellbeing of the child is paramount and we are the only organisation who has this focus in the ART process.

Why do we need ethical approval

- Social Engineering- in which society has legitimate interest and right to insist on ethical oversight
- Conflict between financial role of the clinic providing the treatment and the wellbeing of child – e.g. where intending parent has serious convictions
- Recognised by clinics – who have asked ECART to provide more general ethical advice

Delay is good

- Legislation will often lag behind technology
- In this area often a good thing as it allows time for some of the social implications to be understood
- We learn from mistakes – e.g. impact of surrogacy on mental health of Birth Mother
- Ethical applications focuses the mind of the applicants on the social and ethical issues

BUT...

- Need for ART is growing and there will be increasing pressure on ECART/ACART and government
- Do we need to liberalise access to ART?
- Does society accept that there is a RIGHT to reproduce? If so what flows from that?
- Maternal Age – when is it too old?
Recent applications from women in their late 40s and early 50's - what are the ethical implications for the child?
- Fertility Tourism – women accessing treatment overseas and returning to NZ