



Children's rights when born through assisted conception

If conceived at a fertility clinic, donor conceived children may be able to trace details of their genetic parents and half siblings.

The type of information you can obtain varies depending on when you were conceived as the law has undergone an overhaul since the introduction of the Human Fertilisation and Embryology Act 1990.

What you can find out?

If you were conceived before 1 August 1991

Following 1 August 1991, the Human Fertilisation and Embryology Authority (HFEA) have held a record of all births as a result of assisted conception, where it has taken place in a licensed UK clinic. As such, if you were born prior to this date, you may have more difficulty in tracing your donor.

In the UK, there is a voluntary organisation that helps facilitate contact between donors and their donor conceived children, when they were conceived before 1 August 1991. Their website is <http://www.ukdonorlink.org.uk>. Individuals are able to sign up to the contact register and share experiences, information and contact each other.

As an alternative, the clinic where your parents were treated may still hold information and may be able to provide anonymous non-identifying information.

www.simpsonmillar.co.uk
Telephone 0844 858 3200

If you were conceived between 1 August 1991 and 1 April 2005

From 1 August 1991 onwards, the HFEA has held a record of all births which have taken place as a result of assisted conception at licensed UK fertility clinics. As such you may be able to find out information about your donor and any donor-conceived siblings.

Between 1 August 1991 – 1 April 2005 the HFEA collected the following information about donors:

- their physical description (height, weight, eye and hair colour)
- the year and country of their birth
- their ethnicity
- whether they had any children at the time of donation
- any additional information the donor choose to supply such as occupation, religion, interests and a brief self description.

And the following information about siblings:

- year of birth
- details on the number of donor-conceived siblings you have
- the sex of your siblings.

Those who donated between 1 August 1991 and 1 April 2005, did so with the understanding that they would be anonymous and could not be indentified

by children born as a result of their donation. As such, if you are over 16, you can apply to the HFEA to find out anonymous non-identifying information about your donor and any siblings.

In 2005, the law changed to state that everyone who donated sperm or eggs would be identifiable to child born as a result, once they reached the age of 18. Because of this law change, it was felt that those who donated before 1 April 2005 should be able to re-register as identifiable if they wish. Therefore if your donor has re-registered at the clinic with up to date contact details, at the age of 18 you may be able to obtain indentifying information about your donor or siblings which could potentially allow you to contact them.

If you were conceived after 1 April 2005

Today, everyone who donates sperm or eggs consents to being identifiable to children born as a result of their donation, once they reach the age of 18. This means that, if requested, contact details can be passed on to people born as a result of their donation. As before, non-identifying information is available to donor conceived children when they reach the age of 16.

The same rules apply to donor conceived genetic siblings and in order to assist, The HFEA has set up a 'Voluntary Sibling Register' where donor conceived people over 18 can voluntary register, share and receive information.

Support and advice

Careful consideration should be given before engaging in this process and it is advised to seek professional support and advice before taking any steps to find information about your donor or siblings.

The HFEA recommends the following organisations for support and advice:

- British Association for Counselling and Psychotherapy
- British Infertility Counselling
- Donor Conception Network website
- UK Donor Link Website

Application process

If you decide to apply to the HFEA for information about your donor or any genetic siblings, you need to complete the application available on their website. You will also need to provide ID, including proof of address. Information will then be sent to you as requested within a maximum of 20 days.

This guide contains information on current legal issues applicable at the time of printing. Note there may have been changes subsequently which have not been incorporated in to the material. This guide is intended for information purposes only and its content should not be applied to any particular set of facts or relied upon without legal or other professional advice. For further information please contact:

**Emma Pearmaine,
Family Law Solicitor
Tel: 0844 858 3200
Email: emma.pearmaine@simpsonmillar.co.uk**