



Archived at the Flinders Academic Commons:

<http://dspace.flinders.edu.au/dspace/>

This is the authors' version of an article published in *Psychology and Sexuality*. The original publication is available by subscription at:

<http://www.tandf.co.uk/journals/titles/19419899.asp>

doi: 10.1080/19419899.2013.764921

Please cite this article as:

Scholz, B. and Riggs, D. (2014). Sperm donors' account of lesbian recipients: Heterosexualisation as a tool for warranting claims to children's 'best interests' *Psychology and Sexuality*, 5(3) pp. 247-257.

Copyright (2014) Taylor & Francis. **Please note** that any alterations made during the publishing process may not appear in this version.

Sperm donors' account of lesbian recipients: Heterosexualisation as a
tool for warranting claims to children's 'best interests'.

Brett Scholz (The University of Adelaide) and Damien W. Riggs
(Flinders University)

This is an Author's Accepted Manuscript of an article published in *Psychology
and Sexuality*, 5, 169, 247-257, Copyright Routledge, DOI:
10.1080/19419899.2013.764921

Abstract

Whilst there exists a considerable body of research documenting heterosexual couples' use of donor sperm, relatively little is known about the experiences of lesbian recipients of donor sperm and the men who donate to them. Moreover, in all aspects of donor conception there is ongoing debate over what constitutes children's 'best interests', with this being most problematic in the unregulated private sector (of which lesbian use of donor sperm from gay men constitutes the largest portion). This paper presents narratives of a sample of 16 gay men and one heterosexual man who had donated or who were in the process of donating sperm to lesbian recipients. Specifically, the paper focuses on the ways in which the majority of the men elaborated a narrative in which their relationship to the birth mother was 'heterosexualised', a narrative that functioned to attribute to them a considerable role in determining the 'best interests' of donor-conceived children. The paper concludes by providing suggestions for legislation and policy stemming from the findings, and recommends that greater attention be paid to the voices of donor-conceived children.

Keywords: sperm donors, Australia, narrative analysis, lesbian mothers, children's best interests, donor conception

Sperm donors' accounts of lesbian recipients: Heterosexualisation as a tool for warranting claims to children's 'best interests'

To date, male infertility within heterosexual relationships has served as the primary context for research concerning the use of donor sperm. Whilst there is a growing body of research exploring other contexts in which donor sperm is used (e.g., lesbian couples, see Ripper 2007; 2009), there remains a relative dearth of information about these other contexts. The dearth of information about donor sperm use by lesbian women specifically is noteworthy for several reasons. One reason arises from the fact that, until quite recently in many countries, lesbian access to donor sperm was primarily through private arrangements due to legislative prohibitions on single women and lesbian couples accessing donor sperm in clinics (and indeed this is still the case in some countries, see Ryan-Flood, 2009). Another reason arises from the fact that whilst research continues to find that the majority of heterosexual parents who use donor sperm do not intend to inform their children of their donor conception (Lycett, Daniels, Curson, & Golombok, 2005), lesbian mothers and/or single mothers are not faced with the same issues of disclosure as are heterosexual couples. This does not mean, however, that there is consensus amongst lesbian mothers about the role of sperm donors in their lives, with Ryan-Flood's research suggesting competing attitudes towards, on the one hand, a desire to protect the family from the possibly negative influence of donors' beliefs and attitudes, and on the other, the desire to include the donor as a part of the family. This latter approach to the inclusion of donors, it has been argued (Clarke, 2006), may at least in part be driven by the broader cultural expectation that lesbian mothers provide 'male role models' for their children.

The present paper developed as a response to the last issue raised above (i.e., the role of donors in lesbian mother families), and specifically donors' perceptions of what constitutes the 'best interests' of children conceived of their donations in the context of lesbian-headed families. We were fortunate to have already undertaken research on the experiences of Australian sperm donors, with many of the interviews touching upon donors' attitudes about lesbian recipients. Previously we have explored some of the (primarily negative) attributions that our sample of Australian donors made about the lesbian recipients to whom they donated sperm in private arrangements (Riggs, 2008). In the present paper we take this one step further by exploring how this group of men account for what they perceived to be the best interests of donor-conceived children born to lesbian mothers. More specifically, we were interested to explore how many of our (primarily gay) participants appeared intent upon 'inserting' themselves into a narrative of the creation of children conceived of their donation. Importantly, our intention was not to discount the considerable 'emotion work' undertaken by sperm donors (Riggs, 2009). Rather, our interest was to consider some of the ways in which our participants appeared invested in determining children's best interests through a very particular construction of their relationship to the lesbian recipients of their donation.

Importantly, it must be noted that whilst our analysis of participants' talk about 'best interests' represents an ad hoc approach to developing a research topic, we nonetheless believe it to be a valid interpretation of the data given the fact that whilst 'best interests' were not a focus of the research, 17 of our 30 participants orientated *of their own accord* to 'best interests' as a topic. This suggests to us that this was an area of considerable concern to a majority of our

participants, thus warranting closer attention to the specific ways in which this sub-sample of men spoke about the determination of the best interests of donor-conceived children. It should also be noted that whilst in places our analysis is critical of some of the claims made by participants about the lesbian women to whom they were donating sperm, we feel it important to emphasise the social contexts (i.e., heteronormativity and its role in excluding gay men specifically from a parenting role) that potentially gave rise to the findings we report here. As such, the analysis we present both aims to be sensitive to the lives of our participants, whilst also drawing from their narratives a picture of sperm donation in the private sector that requires ongoing attention from policy makers and those who work in practice with sperm donors and recipients of donor sperm, as we note in our discussion.

Method

Participants

Ethics approval was granted by The University of Adelaide's Human Research and Ethics Committee. The authors conducted thirty semi-structured interviews with Australian gay and heterosexual men who had acted, or were in the process of acting, as sperm donors. Participants were gathered from across four Australian states: South Australia, Victoria, New South Wales and Tasmania. The average age of participants was 45 years, the range being from 25 to 65. For reasons outlined in the introduction, however, the findings reported in this paper focus solely on the 17 men who donated to lesbian recipients. Of these 17 men, 12 had donated to lesbian couples, and five had donated to single lesbian women. Four of the men who donated to known lesbian recipients negotiated

with the women to donate via clinics so that the sperm could be screened and reproductive technologies employed to ensure fertilisation.

Procedure

We interviewed participants using a semi-structured interview schedule, with questions focusing on the men's motivations to act as sperm donors, the emotion work involved in sperm donation, and their beliefs regarding family and children. Interviews lasted on average 30-45 minutes. All 30 interviews were orthographically transcribed for the purpose of analysis, with participants being assigned pseudonyms at this stage.

Analytic Approach

As outlined in the introduction to this paper, previous analyses of the data from this sample indicated that men who donated in private arrangements to lesbian recipients reported, without elicitation from the interviewer, a range of views about lesbian parenting and the role of donors in the lives of donor-conceived children. The present paper focuses specifically on portions of the interviews where the topic of children's 'best interests' was discussed. Notably, the accounts of best interests that were identified appeared almost solely in the narratives provided by the particular sub-group of men analysed here. The remaining 13 men seldom spoke about notions of 'best interests', and when they did these were typically minor comments that were not elaborated upon by the participants to any great extent.

In our reading of the data, the narrative of 'best interests' constituted a significant proportion of the entire data set. Taking our lead from narrative research (Johansson, Lilja, Park, & Josphsson, 2010), our interest then was in the how and why of this particular story about donor conception: how was it

constructed (i.e., what were the particular features of narratives about children's 'best interests'), and why it was voiced by this particular sub-group of the wider sample. We also considered the effects of the narratives provided by our participants. Men who spoke on this topic typically utilised words such as 'children's needs' and 'what is best for children', as well as discussing concepts such as their own role in the lives of children conceived of their donations (which was a broad question in the interview schedule) and the ways in which they negotiated this.

From our repeated reading of this sub-sample of the entire dataset we identified one dominant narrative that was consistent throughout 15 of the 17 interviews, namely the 'heterosexualisation' of the donor/birth mother relationship in ways that served to position the involvement of the donor in the lives of children conceived of their donations as being in the 'best interests of the child'. This concept of heterosexualisation is drawn from the writings of feminist scholars who discuss how lesbian sexuality is heterosexualised (e.g. Wilton, 1995). In the analysis that follows we explore this narrative by closely examining a representative sample of five extracts that illustrate the heterosexualised narrative of 'best interests of the child'.

Results

Before presenting our analysis, we feel it important to note again that all but one of the men who spoke about the determination of children's 'best interests' identified themselves as gay, and that all of these men but one were single gay men without children of their own. As such, it is important to recognise that this specific configuration of social locations may have played a significant role in producing a particular set of desires and intentions amongst

these participants, namely ones that position them as akin to a father in the context of a heterosexual relationship. Nonetheless, we are also mindful of the fact that none of these men were negotiating to be an active father, and that all of the recipients of sperm donated by these particular men were lesbian couples. This mismatch between the possible desires of the men as indicated in their narratives, and the intentions of the recipients (and indeed the future desires of the children) is thus of significant importance.

In the first extract below, Phil evokes an account of 'intentionality' that serves to locate him within a donor/birth mother dyad:

Extract 1

Interviewer: So you were speaking just now about your perception of the needs of children. What do you think is your role in this regard?

Phil: I am responsible for bringing the child into the room and I will take care of the child if it was to fall upon me. Above all, the important thing for me is that the child knows that they are wanted, it is something they can grow up with knowing how much they were wanted, that it wasn't an accident. It wasn't some like some drunken stumble home, or the condom broke or something like that. They were planned for and wanted and I would want to make sure they continue to feel wanted in a worst-case scenario like one of the mothers dying. Also just to make sure that I had a legal sort of document outlining that I have some kind of access just from the point of view, like if the lesbian and I fall out in terms of friendliness

with each other that it would still be fine, I have rights to see the child. I don't want fortnightly visits, but at least occasionally.

Evident in this extract is the intentionality that Phil apportions to himself, and the particular relevance of this to his responsibility for the child and his “rights to see the child”. Specifically, this claiming of responsibility rests upon reference to the fact that the child was not the product of a “drunken stumble home” or that the “condom broke”. Phil contrasts these types of conception with his own “bringing the child into the room”, a claim that functions to highlight the active role that he took *before* and throughout the donation process in planning for the child, thus making his donation an “intention-based conception enterprise” in which he is a key player (Millbank, 2008). In so doing, Phil’s account makes it appear as though the child were almost conceived through heterosex: that his desire, and that of the birth mother, operate in a vacuum where, as man and woman, they have created a child. This is further exemplified by Phil’s statement that he wanted a legal document so that “if *the* lesbian and I fall out in terms of friendliness with each other that it would still be fine” (our emphasis). This statement is notable as Phil had donated to a lesbian couple, yet in his words it is one ‘lesbian’ being referred to, as though only one mother exists. This again functions to construct the situation as mimicking a heterosexual mother and father, which fails to adequately recognise that the child will have two parents: two mothers. Claims such as these evoke a notion of rights in which Phil has a justified place *within* the family unit (even if only “occasionally”) because of his approximation of a normative model of conception (i.e., a man and a woman) in which his intentionality plays a large part.

This construction of himself as intentional in his actions functions to depict Phil's claims as centred upon the best interests of the child, such as in his statement that "above all, the important thing for me is that the child knows that they are wanted". Yet despite this apparent focus upon the child, we would suggest that the narrative is not about the child having access to Phil *per se*, but rather about Phil having access and rights to see the child. Phil presents this as reasonable (in his demand for only 'occasional' visits), yet we would argue that any such demand serves to assert the rights of donors over those of recipients or donor-conceived children; it presupposes that contact with donors is *a priori* the best thing for children.

The next extract from Steven provides another example of the heterosexualisation of the donor/birth mother relationship:

Extract 2

Interviewer: What do you consider to be your role as a donor in the lives of children conceived from your donations?

Steven: Well from a discussion [that I had with some women at a community forum] I got the impression that the women that were there were saying, with a lesbian relationship we would take care of the child and we may let you come and visit the child every now and again, and that is all. But if you want to do that I don't think it is reasonable. Some of them even said we don't want any financial support, but on the other hand I would like to be able to give some support, even if it just to send something on

their birthday. I want to be involved, yes if you want to send them to a private school and pay the fees fine, but I am still the father. Certainly if it was a boy, I would like to provide a male role model, which I think is important. I have a brother who is a barrister and when I mentioned to him he sort of gave the impression that I should be quite aware of what I am doing and have a proper contract.

In this extract Steven sets up a series of paired contrasts in which his claims are represented as 'reasonable', and recipients who would seek something different are by implication positioned as unreasonable. The first element of this appears in his claim that it would be unreasonable for him to be restricted to only being able to "come and visit the child every now and again". Second, Steven suggests the need to have the freedom to give financial support, with the very idea that some recipients might not want financial support depicted as unreasonable. Finally, Steven treats it as reasonable (and indeed automatic) that he should play a fathering role, and premises this on the notion that "providing a male role model [to boys] is important".

We suggest that this construction of what would be a reasonable role (and by implication what would be considered unreasonable) for Steven makes a number of problematic claims about lesbian-parented families. This is most evident in Steven's claim that, in essence, children need a father, and that to deny them one would be wrong. Of course, as we suggested in the introduction, this type of claim is nothing new, and is frequently wielded against lesbian mothers in a range of situations to prove that they are not adequately providing for their

children, and indeed are intentionally denying them something to which they have a right (i.e., a father).

Interestingly, however, Steven had not yet donated to any women, and had not even begun conversations to progress to this point. In this sense, his evocation of his brother's comments about a contract are notable: prior to negotiation, prior to donation, Steven has already asserted himself as a father, a fact that is taken without question, and which a contract would simply affirm. There is no recognition from Steven that his own investments in, or understandings of, sperm donation, may not be in agreeance with what recipients (and indeed children) may want. A contract, then, in the case of Steven, does more than simply protect the rights of all parties. Instead, it functions to *predetermine* that he will be a 'father'.

In the following extract Matthew discusses notions of a biological drive to reproduce that function in similar ways to Extract 1, in that they signify the intentionality of Matthew as an active contributor to conception:

Extract 3

Interviewer: Could you start by telling me a little bit about the process of negotiating to be a sperm donor in your experience?

Matthew: Well with the couple I have met, when we very first met, they said they had met three other candidates before myself, they have been trying for quite a while and the one thing they said is that I am the only one who has ever talked about this real strong biological need and desire to be a dad and a yearning, an

absolute craving to want a baby. To me it very much the same way that the birth mother has talked about her desire to want to have a child. My idea of wanting feels like a very biological thing and it always has done, especially now I have gotten older. When I turned 30 it got so strong. A lot of my friends had kids, which didn't help, it fed that desire.

Focusing on his desire to have a child throughout his narrative, Matthew constructs this as biologically driven and that, by acting as a sperm donor, he is simply following that drive. The biological nature of his urge to donate is reportedly so evident that it was even noted by the potential recipients. Yet what we do not know is whether such commenting was completely positive: Matthew treats it as though his 'biological desire' was a selling point, yet he does not report that the recipients expressed it as such. However, by aligning his desires with those of the birth mother and her "desire to want to have a child", he renders his desire to have a child as sought-after by the recipients. Moreover, this statement is notable as it serves to bring the sperm donor and *one of the* recipients together in a common goal, and in so doing constructs both the donor's and the intended birth mother's best interests as having the 'call of their biology' met in the conception of a child. Thus again, like in Extract 1, there is a heterosexualisation of the donor/birth mother relationship, in which the non-birth mother disappears. Further, and similar to Extract 2, Matthew inserts himself into the role of 'dad', not only by aligning himself with 'the mother', but also by making direct comparison to the experiences of his friends (who are now parents) and his own 'biological

desires'. Here biology becomes identity which in turn becomes role: there is no distinction between the three and no apparent consideration of what this might mean for either the non-birth mother or the child.

The following extract from George, the only heterosexual man in the sub-sample analysed in this paper, provides a somewhat more complex account of his role as a donor, but nonetheless one where he claims a relationship to the birth mother that exceeds his role as a donor:

Extract 4

Interviewer: I was wondering if you could share anything about what sperm donation has meant for your own birth children or ex wife.

George: My parents as well; they are all quite repulsed by the idea. My own children, the eldest three were sent overseas as exchange students to gain cultural awareness and to realize that the world is a wide place, but they all define their own family inclusively [sic]. The four of them are it, and they are not going to broaden the boundaries to include either children conceived from my [anonymous] donations [to a clinic] in '78-79, should they ever turn up, or any of these new rainbow children. I find the discrimination against the babies quite sad and repulsive actually. My parents, dad is 83 and mum is 85 and they are from that generation and middle class, with middle class expectations, they find it a bit hard to cope with the concept that I am having all of these bastard children out there.

This extract serves to demonstrate that the heterosexualisation of the relationship between donor and birth mother is not only deployed by gay men. Whilst on the surface this extract appears concerned with the construction of George as 'inclusive' of children conceived of his donations (which is contrasted with the construction of his parents and birth children as exclusionary), we would suggest that there is much more going on. Specifically, we take our lead from the word 'bastard', and its connotations of children born as a result of heterosex outside of wedlock. Admittedly George is mocking his parents' views in this extract, but we would nonetheless argue that heterosexualisation frames this extract. We argue this given that George had donated to many families seeking to conceive 'rainbow children' (i.e., to lesbian mothers), and as such it is hard not to treat a word such as 'bastard' as highly significant. For a child born to two mothers, the treatment of this as being 'out of wedlock' (in a country that denies same-sex marriage) and thus the child being 'a bastard' (in the traditional sense) is a nonsense; it can only make sense if George is treated as a father who procreated out of wedlock. And of course this is further reiterated by the logic that appears to inform George's claims of inclusivity; that children conceived of his donations have the right to recognition by his birth children because they too are his children. As such, and whilst George's narrative is on the surface more positive than the previous three (i.e., that he wants to offer the possibility of inclusion to the 'rainbow children'), it nonetheless is framed by a logic of reproduction through heterosex that places him in a relationship to the birth mothers.

The following extract provides a useful juxtaposition to the previous extracts, in that it comes from a gay man who had negotiated to be known to the children conceived of his donations although he was not to be identified as a father. Yet despite this different negotiation, there is still an invocation of a fathering relationship that again troubles an account that on the surface appears more positive than the first three:

Extract 5

Interviewer: So you said you spoke to people who you knew that were lawyers or worked in the field, was it something that you also spoke to other people about?

David: Oh yes, my mother and my sister. My mother has no grandchildren so I knew it would have a big emotional impact on her. Even before I started donating from the time I was asked to do it, I started talking to her about it, so they could figure out what the impacts would be for them and get used to the idea. My mother is over 70 and so it was something new and different for her. My sister has lesbian friends but I don't think she is very familiar with this situation. So they needed time to get used to it. They are both quite happy now; they are included like I am included. They get photos and things like that. It is lovely for them too.

Whilst we would affirm the positive aspects of this narrative (i.e., that David had obviously gone to considerable lengths to discuss his role as a donor with all who could potentially be affected), we would also again note one specific word, namely 'grandchildren'. Again as with the extract from George, we can accept that this word may have had little intention behind it for David, but that does not render it irrelevant. That David could say he had 'known' it would impact upon his mother because she has no grandchildren appears to assume that children conceived of David's donations would function metaphorically as grandchildren. We of course acknowledge that although words such as 'grandchildren' are conceptually loaded with meaning, there may be no other easily available substitute for donors. Nonetheless, David's capacity to consider the impact upon his mother in these terms only makes sense if, to at least some extent, the use of David's sperm in the conception of a child is treated as something akin to David having a child. If this were not the case, then it would be more likely for David to assume (depending on his relationship to his mother and her values) that she would treat the news as demonstrating his generosity or kindness, for example. That David could pre-empt his mother's concerns as relating to a lack of grandchildren - and that subsequently receiving photos of children could make his mother feel 'happy' and for everything to be 'lovely' - would appear to indicate that, at least to some degree, David sees a similarity between his role and that of a father.

In summary, the extracts included here function in complex ways to legitimate a relationship between the donor, the birth mother, and the child(ren) that, in effect, heterosexualises the relationship between the donor and the birth mother, and thus legitimates the donors claims to the 'best interests' of children

conceived of his donation. Having said this, we feel it important to state that we are certainly not claiming that the (gay) men reported here wish to be heterosexual, nor to have sex with the birth mothers, nor to be live-in fathers. What we are suggesting, however, is that the men treat their sperm as a synecdoche for themselves and their desires: by donating their sperm to the women, they take this as signifying their right to a series of claims over both the recipients (and specifically the birth mother) and the children, claims that, we argue, are more about the men than the recipients or the children. In saying this we are again mindful that this is a sample constituted almost entirely by single, childless gay men, and we are also mindful of the tendency to reduce sperm donation to 'just' a function (Daniels et al., 2000; Riggs, 2009). We do not argue that the men who have participated in our interviews are themselves heterosexist or patriarchal *per se*, but rather that their narratives of sperm donation are often constrained by hegemonic heterosexualised discourses of reproduction. Certainly we would not want to perpetuate the marginalisation of this group of men nor deny the significant contribution they play to the formation of lesbian families. Nonetheless, the analysis we have undertaken highlights some of the problematic assumptions that these men appeared to make. In our conclusion we now counter these assumptions with recommendations for policy.

Discussion

As we suggested in the introduction, the use of donor sperm sourced through private arrangements by lesbian recipients brings with it a very specific configuration of potential issues. As we also suggested, despite the fact that almost all of the men identified as gay – and despite the fact that, historically,

lesbian women have viewed gay men as ideal donors as they were presumed more likely to challenge patriarchal norms about family and propriety (Dempsey, 2004) – this does not place these men outside of normative discourses of kinship, reproduction and parenting. That so many of the men adopted an approach to understanding the ‘best interests’ of donor-conceived children that was not only adult-centric, but also highly normative, is thus not necessarily a cause for alarm *per se*. It may of course be a cause for alarm in some of the specific relationships reported in this paper, but it does not necessarily indicate anything about gay men as donors. Rather, it suggests that specific policy and practice responses are required to address the concerns raised by this paper.

Our recommendations in regards to policy consider parents, donors, and children. First, for lesbian parents, in response to the assumption that was apparent amongst some of the participants - namely that all children need a father - there is an obvious need for legislative change to better support lesbian mother families *as complete families* (i.e., not ‘lacking’ a father). At its most basic this requires that both mothers (in two mother families) be represented on birth certificates *as mother* (rather than as ‘mother’ and ‘partner’). This is not yet the case in all Australian states. As Currah and Moore (2009) highlight, state-determined ideals of parity between identity and identification cause trouble for those individuals whose identity is not ‘made real’ by legal structures such as birth certificates. For lesbian-headed families, the dignity of both mothers being legally recognised as such would resolve such a crisis.

Second, for gay men who desire parenthood, we would advocate for policy approaches that address gay men’s potential wishes to be parents. At present, whilst there are avenues available to gay men (e.g., surrogacy, fostering,

co-parenting arrangements, and to a lesser degree, adoption in some states), it is often the case that these avenues are known only to a small population of gay men. The remainder of the population of Australian gay men may perceive that they have little option to become parents (understandably so as a result of negative stereotypes about gay men), and thus may be predisposed to willingness to act as sperm donors. Sperm donation may be an investment for such gay men to forge connections children (Riggs & Scholz, 2011). Our results, however, suggest that, at least for some, there is an inherent incompatibility between their desire to be parents and the desire of the recipients for donors *not* to be parents. Policies that recognise gay men's reproductive health needs would thus constitute a significant contribution to addressing the issues identified in this paper.

Third, for all involved in the sperm donation relationship, we emphasise the importance of certified contracts drawn up between all parties to be taken as legitimate evidence should future contestations arise. Currently, such contracts are not legally enforceable in Australia. Of course these types of changes require that law professionals (and society more broadly) accept as legitimate families headed by lesbian mother(s), and specifically that courts faced with arbitrating relationships between lesbian mothers and donors do not 'look for a father' as it has been argued has occurred in the past in Australian cases (Dempsey, 2005; Kelly, 2002).

Fourth, and in regards to the frequent lack of focus amongst the sample upon what children themselves might want (as opposed to what adults think they *should* want), it is important to consider how public policy at times potentially reinforces an understanding of children as objects (what Baird, 2008,

terms 'child fundamentalism'). It is noteworthy, for example, that nowhere in Daniels et al. (2000) otherwise excellent paper on the best interests of donor-conceived children do the authors speak about consulting with donor-conceived children (now adults), nor do they consider making policy and legislative changes that are driven by this constituency. Whilst we agree with their suggestion that too often claims about 'best interests' are ideologically driven, we do not think that this means that there is not a possibility for 'best interests' to be addressed. In response to this we suggest that further research exploring donor-conceived children's experiences and opinions is vital. Doing this requires moving beyond an understanding of children as naïve or otherwise unable to provide comment about their lives, and towards recognising the considerable contribution that children (whether as young people or as adults) can make to shaping public policy (Riggs, 2010). Indeed, research by Thorpe, Croy, Petersen, and Pitts (2012) suggests that lobbying by donor-conceived offspring can significantly impact upon the adoption of legislative provisions for better access to donor information.

Finally, and on the basis of some of the misconceptions that appear to circulate amongst potential sperm donors, it would appear vital that public awareness campaigns address the use of donor sperm, and specifically in private arrangements. As these arrangements currently fall outside of any type of regulation, there is no requirement for counselling. We would certainly not advocate *per se* for making private arrangements illegal, but rather for legislating that all donor arrangements require attendance at a counselling service, and that such services should be available and staffed by individuals with knowledge of the specific issues. Otherwise there is considerable potential for

unacknowledged investments or desires on the part of donors to go unchallenged, just as there is the potential for recipients to take advantage of donors' lack of knowledge in order to access sperm. Again, our intention in making these comments is not to attribute negative intentions on the part of any of the parties (though these may sometimes in reality exist), but rather to note that, without some form of regulation, issues between donors and recipients in private arrangements will likely continue, most often to the detriment of donor-conceived children.

To conclude, despite the assumption that 'all is well' within non-heterosexual communities, and that being outside of legislation can allow for a range of non-normative and non-regulated practices, this is not always the case. As culturally competent members schooled in ideologies of normative adult-child relationships (and especially proprietorial relationships over children), both donors and recipients are not automatically guaranteed to be able to, on their own, consider all of the future needs of children conceived through donor sperm. Instead, sometimes what is required are pragmatic imbalances that open up the possibility for children to truly have a say in their best interests and to make determinations about the relationships they will have and the people they will call family.

Acknowledgements

We begin by acknowledging the sovereignty of the Kurna people, the First Nations people upon whose land we live in Adelaide, South Australia. Our thanks go to all of the participants, for sharing their stories and for allowing us access to such a broad range of ideas about their experiences. Thanks also to both Dr Vinh

Lu and the Psychiatry Journal Club for their thoughts about early drafts of this analysis. This research was supported by a Faculty of Health Sciences Small Research Grant, 13103310.

References

- Baird, B. (2008). Child politics, feminist analyses. *Australian Feminist Studies*, 23, 291-305.
- Clarke, V. (2006). 'Gay men, gay men and more gay men': Traditional, liberal and critical perspectives on male role models in lesbian families. *Lesbian and Gay Psychology Review*, 7, 19-35.
- Currah, P. & Moore, L.J. (2009). "We won't know who you are": Contesting sex classifications on New York city birth certificate policy. *Hypatia: A Journal of Feminist Philosophy*, 24(3), 113-135.
- Daniels, K.R., Blyth, E., Hall, D., & Hanson, K.M. (2000). The best interests of the child in assisted human reproduction: The interplay between the state, professionals, and parents. *Politics and the Life Sciences*, 19, 33-44.
- Dempsey, D. (2005). Lesbians' right to choose; Children's right to know. In H.G. Jones & M. Kirkman (Eds.) *Sperm wars: The rights and wrongs of reproduction*, (pp. 185-195). Sydney: ABC Books.
- Dempsey, D. (2004). Donor, father or parent? Conceiving paternity in the Australian Family Court. *International Journal of Law, Policy and the Family*, 18, 76-102.
- Johansson, K., Lilja, M., Park, M., & Josphsson, S. (2010). Balancing the good - a critical discourse analysis of home modification services. *Sociology of Health & Illness*, 32(4), 563-582.

- Kelly, F. (2002). Redefining parenthood: Gay and lesbian families in the Family Court – the case of *Re: Patrick*. *Australian Journal of Family Law*, 16(3), 204-226.
- Lycett, E., Daniels, K.R., Curson, R., & Golombok, S. (2005). School-aged children of donor insemination: A study of parents' disclosure patterns. *Human Reproduction*, 20, 810-819.
- Millbank, J. (2008). Unlikely fissures and uneasy resonances: Lesbian co-mothers, surrogate parenthood and fathers' rights. *Feminist Legal Studies*, 16(2), 141-167.
- Riggs, D.W. (2008). Lesbian mothers, gay sperm donors, and community: Ensuring the well-being of children and families. *Health Sociology Review*, 17, 232-240.
- Riggs, D.W. (2009). The health implications of emotion work undertaken by gay sperm donors. *Feminism & Psychology*, 19, 517-533.
- Riggs, D.W. (2010). *What about the children! Masculinities, sexualities and hegemony*. Cambridge: Cambridge Scholars Press.
- Riggs, D.W., & Scholz, B. (2011). The value and meaning attached to genetic material amongst Australian sperm donors. *New Genetics and Society*, 30(1), 41-58.
- Ripper, M. (2007). 'Fishing for taddies: Emotion work in lesbian's search for sperm donors in Australia. *Gay and Lesbian Issues and Psychology Review*, 3, 16-24.
- Ripper, M. (2009). Lesbian parenting through donor insemination: Implications for the heteronormative family. *Gay and Lesbian Issues and Psychology Review*, 5, 81-95.

Ryan-Flood, R. (2009). *Lesbian motherhood: Gender, families and sexual citizenship*. New York: Palgrave Macmillan.

Thorpe, R., Croy, S., Petersen, K., & Pitts, M. (2012). In the best interests of the child? Regulating assisted reproductive technologies and the well-being of offspring in three Australian states. *International Journal of Law, Policy and the Family*, 26(3), 259-277.

Wilton, T. (1995). *Immortal, invisible: Lesbians and the moving image*. London: Routledge.