

Surrogate births: How low levels of monitoring and regulation could lead to financial, physical, emotional exploitation

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Couples seeking to build a family, and surrogate mothers overseas who help them, are in danger of emotional, physical and financial exploitation unless UK authorities monitor and regulate the field much more closely, according to a University of Huddersfield professor who has published the results of a detailed investigation.

Eric Blyth Professor of Social Work at the University of Huddersfield, and based at its Centre for Applied Childhood Studies – is co-author of "The changing face of surrogacy in the UK," an article which charts the rapid increase in the numbers of surrogate births over the past six years. It warns that as surrogacy becomes more socially acceptable, there is a risk that more people will make informal arrangements that lack professional back-up.

"Without well-informed professionals, including [child welfare](#) and health professionals, there is a potential danger of parties being poorly informed and inadequately supported both during the surrogacy process itself and the years ahead," writes Professor Blyth and his co-authors Dr Marilyn Crawshaw (University of York) and Professor Olga van den Akker (Middlesex University) in the article, which appears in the *Journal of [Social Welfare](#) and Family Law*.

Since 1990, a UK couple wishing to become the legal parents of a child born to a surrogate mother must apply for a parental order. Initially this was restricted to [married couples](#). In 2008, the rules were broadened so that [same-sex couples](#) were given the right to legal parentage following assisted-conception and surrogacy.

These wider criteria could help account for a big leap in the number of Parental Orders in England and Wales. From 1995 to 2007 they remained fairly steady, at between 36 and 52 a year. But in 2009 they climbed to 75 and in 2011 they stood at 149.



Surrogacy agencies had become established in the UK, but in recent years they have been involved in a smaller proportion of surrogacy arrangements.

"This is of some concern because agencies typically remain involved with the parties throughout the pregnancy and offer ongoing support," argues the article. A reduction in this could be disadvantageous for the parents, surrogates and the children affected.

The article's strongest warnings are in connection with overseas surrogacy arrangements. The global situation needs to be monitored in order to minimise the risk of exploitative developments, argue the authors.

"Such developments could include financial risk to the adults concerned, physical and emotional risk to both adults and children concerned and failure to afford due dignity and attention to the children and to the

formation of family life. There are already some worrying indications that overseas arrangements may pose such risks."

The article cites episodes already exposed in the media such as a 'surrogacy ring' in Thailand in which 13 Vietnamese women had been trafficked for the purpose of acting as surrogates. And there have been recent concerns that Indian women are also being exploited as surrogates.

The numbers of children born in India to UK commissioning parents could be considerably higher than the number of parental orders applied for, states the article. And the economic disparity between surrogates and commissioning couples also leads to fears of a market in babies.

Although calls were made ten years ago for closer monitoring and regulation of surrogacy arrangements – paying special heed to the potential for financial and other forms of exploitation – the study reveals that there are still insufficient data.

The authors conclude that the steep increase in the number of Parental Orders since 2008 means that there is a need for better systems of monitoring, recording and scrutiny, adding that: "The apparent increase in overseas arrangements that do not result in applications for parental orders is a matter of considerable concern".

More information: Crawshaw, M., Blyth E. and van den Akker, O. (2013). 'The changing profile of surrogacy in the UK – Implications for national and international policy and practice', *Journal of Social Welfare and Family Law*, [DOI:10.1080/09649069.2012.750478](https://doi.org/10.1080/09649069.2012.750478)

Provided by University of Huddersfield

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