

## The law regarding fertility treatment in the UK

There are many legal rules and regulations regarding fertility treatment in the UK. Some activities involving embryos are criminal offences and other activities involving human eggs, sperm or embryos are allowed only if you have a licence from the Human Fertilisation and Embryology Authority (HFEA), including providing fertility treatment involving embryos, eggs or sperm, storing or distributing embryos, eggs or sperm and creating an embryo through IVF.

### The Human Fertilisation and Embryology Authority

The HFEA is the UK's independent regulator of treatment using eggs and sperm, and of treatment and research involving human embryos. The HFEA comprises members who determine HFEA policies and review treatment and research licence applications. Members have a broad range of expertise, from medicine to law and religion to philosophy. To ensure that the HFEA has an objective and independent view, the HFE Act requires the Chair, Deputy Chair and at least half of the HFEA Members are not doctors or scientists involved in human embryo research or fertility treatment.

Its functions as a regulator are to:

- License and monitor clinics carrying out IVF and donor insemination
- License and monitor establishments undertaking human embryo research
- Maintain a register of licences held by clinics, research establishments and storage centres
- Regulate storage of gametes and embryos
- Implement the requirements of the European Union Tissue and Cells Directive (EUTCD) to relicence IVF clinics and to license Intrauterine Insemination (IUI), Gamete Intrafallopian Transfer (GIFT) and other services.

The HFEA also provides authoritative information for the public, in particular for people seeking treatment, donor-conceived people and donors. They also determine the policy framework for fertility issues, which are sometimes ethically and clinically complex.

### The HFEA Register

The HFEA holds a large amount of information about fertility treatments in the UK. They hold this information on the HFEA Register which was set up by legislation and is the world's largest national data set on regulated fertility treatments, including the handling and storage of embryos, eggs and sperm.

The information goes back to 1 August 1991 when the HFEA was created. Clinics must by law provide information to the HFEA every time a patient starts regulated treatment and at a number of stages throughout the treatment.

The Register contains all the children born as a result of regulated fertility treatment and provides those who are born as a result of donation with information about their donor.

From October 2009, as a result of legislation changes, 18 year old donor-conceived people are able to make contact with genetically related donor-conceived siblings (provided both parties consent). The first donor-conceived person will turn 18 in March 2010. Donor-conceived people over 16 years old are able to access anonymous information about their donor and find out whether they have any genetically related donor conceived siblings. However, the HFEA have a legal obligation to contact and forewarn donors if a donor-conceived offspring has made a request for identifiable information.

The full extended access rights are outlined in the downloadable Summary of Access Rights document on the HFEA website at [www.hfea.gov.uk](http://www.hfea.gov.uk)

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