

## **Olivia Pratten succeeds in constitutional challenge to sperm donor anonymity**

May 19, 2011 – For immediate Release

Vancouver, BC: The British Columbia Supreme Court today struck down provisions of the Adoption Act and Adoption Regulations because this legislation denies to the offspring of sperm and egg donors (gamete donors) the same rights and opportunities that adopted children have to know the identity as well as social and medical history of their biological parents. As such the provincial law is discriminatory and contrary to the guarantee of equality found in the Canadian Charter of Rights and Freedoms.

The effect of the court order will be suspended for a period of 15 months to give the British Columbia legislature time to enact legislation that will address the needs and circumstances of donor offspring. Meanwhile, the court has also ordered an immediate permanent injunction prohibiting the destruction, disposal, redaction or transfer out of B.C. of gamete donor records.

One of the important consequences of this decision is that henceforth anonymous gamete donation (like closed adoptions) will not be permitted in British Columbia.

Joseph Arvay, Q.C., lawyer for Olivia Pratten: “This case represents a monumental victory for our client, Olivia Pratten, and all the donor offspring she represents who have for too long been disadvantaged by their exclusion from the legislative landscape which has promoted and perpetuated prejudice and stereotyping and caused them grave harm.”

There will be a press conference today,  
May 19, 2011, at 4:00 p.m.  
at the offices of Arvay Finlay located at  
1350-355 Burrard Street,  
Vancouver, B.C. V6C 2G8.