

COUNTRY WOMEN'S ASSOCIATION OF N.S.W.



TO
THE HOUSE OF REPRESENTATIVES STANDING COMMITTEE
ON LEGAL AND CONSTITUTIONAL AFFAIRS INQUIRY INTO
AUSTRALIAN HEALTH ETHICS

In presenting this submission we would like to advise that much time and consideration has been given to the study of articles published in the following Journals and made available through the Internet:

The Lancet: March 27, 1999 - 'Australia considers Human Cloning for Therapeutic Purposes'.

The Lancet: May 8, 1999 - 'Canadian Government will Revisit Human Cloning Legislation'.

United Press International: June 22, 1999 - 'American Medical Association asks for Five Year Halt in Human Cloning'.

British Medical Journal: July 3, 1999 - 'U.K. Government Confirms Ban on Human Reproductive Cloning'.

First Things (A monthly Journal of Religion and Public Life): October & November 1998 and March 1999 - 'A World of Our Own Making'.

The New Republic: March 1, 1999 - 'Will Home Sapiens Become Obsolete'.

The question of cloning is a very emotive one. On the one hand is the thought that it should be banned completely, on the other hand the possibility of being able to replicate the Tasmanian Tiger or other now extinct animal. In the centre, the question of being able to produce tissues or cells that will enable a child to survive Leukaemia, a person to avoid needing a heart transplant or finding a cure for Parkinsons or Alzheimers Diseases.

There is no question, however, that some form of legislation and control is necessary. We believe that these should certainly be standard throughout Australia and if possible, throughout the World. Currently legislation in Australia on Assisted Reproductive Technology differs from State to State. This is a National (and International) issue and there should not be any variance on the goals and how they are to be achieved and controlled.

We would suggest the Australian Health Ethics Committee help address broader questions implicated in the Cloning Debate - "questions about our ability to choose wisely, about our view of human nature, about our capacities and about the direction we choose for future humanity". Science is moving faster than legislation and part of the problem is the nature of scientific research, that it is very complex and beyond the understanding of many of the legislators and those enforcing the legislation. We agree with Professor Chalmers' suggestion that the AHEC should report again in three years.

In addition we agree that a distinction should be drawn between the cloning of a whole human individual and the copying of the component parts of a human, such as DNA and cells. We believe that cloning of a whole human individual should be **banned - No exceptions should be permitted.**

Professor Martin Evans of Cardiff University, who was the first person to isolate embryonic stem cells from mice as far back as 1981 believes that the technology is moving at such a fast rate that "Some of our present ethical 'angst' in future will be seen to have been unnecessary". However, he is still in favour of regulation.

An issue is also that just because it is possible to do something, is it practical and economical? Some scientists such as Professor Alan Trounson of the Monash Institute of Reproduction and Development believes that human therapeutic cloning will not become widespread because of those aspects, but believes that medical applications will be derived from the research even though the tissue is never actually created. Very often, similar goals can be achieved by alternative means.

Terms of Reference

- 1: We agree that a distinction should be drawn between cloning of human beings and cloning of component parts.
- 1:3: We believe strong guidelines and principles should govern research involving embryos and list a range of prohibited and unacceptable practices.
- Section 6: Research on embryos must take place within limits prescribed by law. In States and Territories where there is no relevant legislation such research may only take place according to these guidelines.
- 6.1, 6.2, 6.3 and 6.4: We agree.
- Section 11: Prohibited/unacceptable practices: 1.4 and 1.5: We agree.
It is essential that every State and Territory should have uniform legislation re cloning of human beings.

Terms of Reference 2:

Of course there are risks - refer to 1.8 re cloning of Dolly. The fact that only 29 of the 277 embryos are developed to the blastocyst stage, and a number of lambs had major organ malformations.

- 1.9: We have grave concerns that this method be used for infertile couples.
- 1.11: We agree many benefits listed here.
- 1.12: We are divided on opinion with relevance to organ transplanting (from cloning) however, accept the merit of muscle regeneration. We also believe that cloning of tissue would be wonderful for burns victims.
- 1.13: Re health and well being: We agree.

Terms of Reference 3:

- 1.15: We agree cloning of human beings is ethically unacceptable.
- 1.16: We have grave concern about where this would lead to.

Terms of Reference 4:

It is imperative that all States and Territories must have uniform legislation prohibiting the cloning of human beings covering both public and private sector research.

Terms of Reference 5 & 6: Re-regulating Framework and Uniform Legislation

- 1.19: We agree
- 1.20: Legislation in all States must be uniform.
- 1.21: Proposal must be adhered to.
- 1.22: Reproducing tissues, not organs, must be conducted on animals before human beings.
- 1.23: One cannot prevent private research, but it must be monitored very carefully.
- 1.24: If research is proving valuable and perhaps a medical breakthrough looks likely, then further funding would have to be considered.

SUMMARY

Society is demanding more and more answers from science and medicine. We have to stop somewhere - babies for lesbian couples, babies for women in their 50's and more alternatives for childless couples are luxuries and in many cases, directly opposed to nature, not to mention the cost to society. Certainly, the practice as has already been part of research and practice of cloning human DNA and cells lines, has enormous existing and possible benefits in the prevention and cure of diseases, but a very clear distinction must be made as to what is acceptable and what is not. Of course, opinions will differ, but the decision must be made on ethical and not emotive grounds.

The Code of Ethics in the private sector for this type of research is not sufficient. All research establishments, whether they be privately or publicly funded, must be subject to the same legislation and this legislation must be national. For each State to have its own with the same objective but different wording, we believe, is unacceptable. What is not clearly pointed out in the document is that ethical considerations or not, there will be (are?) scientists willing to push back the barriers in this field, whether society approves at the time or not. Stem cell research is in its infancy. There is a great deal of animal work to be done before more work with human eggs. Owing to the stem cell breakthrough there now stands the prospect that our children will not only live healthier lives but their children will be the final generations of homo sapiens, to be supplanted by whatever comes next. There is no reason to assume homo sapiens won't ever give way to a next stage. If all goes well, the advent of control over our own cells might offer our grandchildren many things we would wish for them.

But, it is all happening much, much faster than society understands. It is happening under conditions in which we are telling ourselves that we understand genes because we have learned to make them do certain things, but we probably know little more about the totality of our DNA than would the ancient who doesn't even realise that airplanes are supposed to fly.

Leon R. Kass, of the University of Chicago's Committee on Social Thought denounces cloning under any circumstances in his essay on 'The Wisdom of Repugnance'. Cloning for Kass is 'symptomatic of the most profound dangers that confront us today as life becomes a commodity and all our intuitive connections to nature and its mysteries are quashed by a runaway narcissistic individualism abetted by moral laxity'.

We believe that cloning of a whole human individual should be **banned**. It is time to move Biotechnology to the centre of the national debate so that we can sort out its rights and wrongs before sheer technological momentum imposes an outcome upon us.

Cloning to enable the limited production of human DNA or cell lines should be permitted but under very strict legislation. This research should be for true health considerations only and not for 'luxury' reasons such as copying an existing child should it die, lesbian births, made to order babies, or to facilitate older having children (post menopause). The task will be for the Ethics Committee and Legislators to establish what those genuine medical considerations are.