

27th October 1999

The Secretary
House of Representatives
Standing Committee on
Legal and Constitutional Affairs
Parliament House
CANBERRA ACT 2600

On behalf of Queensland Right to Life, I wish to make a submission to the House of Representatives Standing Committee on Legal and Constitutional Affairs on the report of the Australian Health Ethics Committee, entitled "Scientific, Ethical and Regulatory Considerations Relevant to Cloning of Human Beings".

Our submission will contain the following main points:-

Recommendation 1

We agree with this position.

Recommendation 2

We agree with the proposition that all states should have regulations against human cloning. We do not agree with any embryo experimentation which either destroys or impairs the embryos.

Recommendation 3

We cannot agree with all states being bound by the "Ethical Guidelines on Assisted Reproductive Technology" if this already allows, or in the future could be amended to allow destructive experimentation including stem cell research using cells derived from aborted foetal tissue.

Recommendation 4

Approve, but expanded as per discussion.

Discussion on Recommendation 1

Queensland Right to Life believes in absolute protection of all human life from conception. Many of the reproductive technologies, of which cloning is the latest proposition, involve deliberate production of human embryos, many if not most of which will not come to fruition as a child, either because of (a) failure to implant (b) irreparable damage due to short-term freezing or indeed extended freezing and then discardment, or, (c) “experimentation” to improve the techniques used, which causes the embryo’s death.

Cloning, here meant as the replication of a human being using techniques which produced “Dolly”, introduces other highly contentious philosophies e.g. eugenicism - cloning can be used to select for various characteristics and potentialities. The idea of reproducing a child to simulate a parents good qualities is repugnant to many, as it infers that children are there only to please adults, not a good in themselves. Children, just like IVF embryos become a biological “product”.

Another feature of cloning is that it plays havoc with normal familial relationships. Not only is the child from asexual reproduction, but all sorts of distorted relationships will result from even the most direct cloning eg. from the proposition that an infertile couple could clone a child, comes the prospect that a child cloned from his father would genetically be a twin but familiarly be a son.

There is no mention of cloning mistakes. Previous experiments with animal cloning have resulted in mutations, premature ageing of the animal and transmission of genetic defects. The “pro-cloning” literature speaks as if it could only produce good results. Applying this to human beings is creating the mentality of an “underclass” and a “superclass” of human beings, which is unacceptable to most people.

Thus, for many reasons, we oppose human cloning and support Recommendation 1.

Discussion on Recommendation 2

We welcome the support given by the NHMRC to the proposition that all states and territories unite legally to prevent foreseeable “border-hopping” by unscrupulous researchers and investors. Moreover, it is an important “in-principle” statement that there is universal opposition to cloning from all Australia’s governing bodies.

However, we are not in accord with some of the guidelines from the “Ethical Guidelines on assisted reproductive technology” as presented in Chapter 1 of the AHEC report to the Health Minister namely 6.4. We are totally opposed to any destructive (“non-therapeutic”) experimentation. It is the life of the embryo which is at stake, not that of the “gamete providers” - their consent is pointless. If one seeks to find “exceptional circumstances” once, others will find more. There is already much pressure to agree to more and more embryo/stem cell research which will go beyond what is in these guidelines. Agreeing to a “little bit” of destructive research merely opens the gate to a flood of similar requests all on a pretext of being exceptionable and having much to offer.

Since states have no guarantee that the NHMRC will not change its recommendations (guidelines) to accord with these pressures, it should not be recommended that they follow the principles set out in these guidelines.

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The general public has no idea of how many approvals are granted for destructive experimentation, nor do they get much opportunity, except during submissions such as this, to present their own views as to what is acceptable, even though what is decided affects our whole society's attitude to human life, reproduction and the consequences, good or bad, from any research involving embryos or part thereof.

Discussion on Recommendation 3

As discussed in much detail in Chapters 1 and 2 of the AHEC report on the distinction between the two categories of cloning, much good has been derived from the copying of DNA for Human protein production and our organisation does not oppose this or any other similar work which does not involve the use of embryos.

The issue of using stem cells to “clone” either a totally new embryo or specific organ cells is extremely complex since there is more unknown about it than known and much of what is expressed in Chapter 2 is ideas rather than reality.

However it is possible to say that:

- (a) much good that could be achieved by embryonic stem cells can be achieved by ordinary body cells/adult stem cells.
- (b) we would totally oppose the use of stem cells either from laboratory-created embryos or from aborted foetal tissue whatever “good” was proposed to come from it.
- (c) Human organs will not develop from isolated cells since organs are inter-dependant. The actual proposition is that embryos be cloned for the purpose of allowing them to grow to a certain stage in a uterus, since, as stated in Chapter 2.44 ectogenesis is not currently possible. The embryo/fetus would then be aborted and the tissue(s) transplanted to a recipient. This is purely an example of one human being developed for use by another and is totally repugnant. The example given in Chapter 2.43 illustrates the extent to which some groups are willing to go.
- (d) The proposal in 2.7 that a “new cell line” requires the production of a “new human subject” is symptomatic of a completely mechanical and desensitised approach towards the human embryo that abortion and the IVF programme has engendered.

It is our sincere hope that the NHMRC will not accede to this philosophy.

The discussion in Chapter 3 “Ethical Issues” contains dubious if not plainly incorrect ideas. Those to which we wish to respond are:

3.5 If the cloning of a ‘whole’ human entity is not a ‘human being’, what is it? Is Dolly not a sheep after all?

3.13 A child is not the possession of the parents just as no-one owns another. Infertility is not a

sufficient justification to achieve a child by any means.

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3.24 & 3.26 Any research involving human embryos implicitly recognises or denies their status

as unique human beings. Even “therapeutic” research on embryos is doubtful because an embryo, the true subject, cannot give informed consent.

3.29 Any effort to compare natural twinning (or multiple identical siblings) with the artificiality and contrivance of cloning is mischievous, in the same sense that some like to compare natural miscarriage with induced abortion, mostly on the basis that “termination of pregnancy” can occur naturally.

3.30 & 3.31 Social consequences are very important considerations in this debate, but not only about some versus any cloning. If it is wrong it is wrong for all. In answer to 3.31, there is no way to allow cloning sometimes and not others. Already, Australian researchers are using stem cells acquired from overseas to experiment on in Australia, thus avoiding local bans.

It is really only the issue of funding which prevents many researchers from going beyond the guidelines which exist. Not to have heard that unethical cloning experiments have already occurred doesn't mean they haven't. If the NHMRC and individual states and territories are not prepared to forbid cloning altogether, there will be the same gradual erosion of the consensus against cloning of a whole human being as has occurred in other areas of research involving human embryos.

Discussion on Recommendation 4

Included in any discussion should be:

- 1.** An acknowledgment of a need to ban off-shore exportation or importation of embryonic parts as a means to by-pass any restrictive laws which may be passed. The Sydney Morning Herald 17th March, 1999 edition announced a collaborative research programme between Singapore and Monash University where the former will supply stem cells.
- 2.** Trans-species cloning: This is not covered under any regulations yet is totally abhorrent to many.
- 3.** Financing research: Any governmental funding ban on human cloning is easily subverted by private money.
- 4.** Community discussion is well overdue. The usual approach is that some researchers are willing to do whatever they like and present it as a “fait accompli”, with ethicists and the law expected to condone it or be left behind. The general public has no say in these issues.

Yours faithfully,

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State President.