

Catholic Women's League Australia Inc.

Member of World Union of Catholic Women's Organisations
"NGO in consultative (Roster) status with the Economic and Social Council of the United Nations"



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Submission to The Senate Community Affairs Committee Inquiry re Legislative Responses to recommendations of the reports of the Legislation Review Committee on the –
Prohibition of the Human Cloning Act 2002 and the Research Involving Human Embryos Act 2002 (The Lockhart Review)

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Introduction

Catholic Women's League Australia Inc (CWLA Inc) is a national, non-government and non profit organization of approximately 7,000 women who believe in "promoting the spiritual, cultural, intellectual and social development of women" and who demonstrate a commitment to the dignity of all, particularly women, the value of all human life and the maintenance of a caring and compassionate society.

Comments

The stated purpose of the bill is to amend the *Prohibition of Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002* consistent with the 2005 recommendations of the Legislative Review Committee (also known as the Lockhart Committee).

The position of the Catholic Women's League Australia Inc (CWLA Inc) regarding the issues raised in the document has been previously identified in the submission to the original enquiry. (see Submission 573, at [www.lockhartreview.com.au/ submissions](http://www.lockhartreview.com.au/submissions) list).

In that submission it was stated, " We reaffirm our objection to the use of human embryos in any form of research resulting in the destruction of the embryo or the creation of embryos by nuclear transfer. We acknowledge a human embryo as the beginning of human life and it is therefore deserves dignity and safety." It is still as wrong today as it was in 2002 to "create human embryos solely for research" and to "develop an embryo with the intent of truncating it at an early stage for the benefit of another human being".

Researchers from Swinburne University (2004) found that there is not public support for therapeutic cloning. They noted that 'while the majority of respondents, (53.5 per cent) indicated they would be comfortable using left over IVF embryos', the majority (63.4 per cent) of 'the Australian public do not feel comfortable with scientists cloning human embryos for research'. (2004:95)

There is much concern among the members of CWLA Inc about the basic assumptions in these two Bills and there is recognition that there are underlying and concomitant issues relevant to and impacting on the purposes of these Bills. Some of these issues include as follows.

Nomenclature

Somatic Cell Nuclear Transfer (SCNT) is simply another term for a technique for cloning. It can be used in embryonic stem cell research, in which the process is often called "research cloning" or "therapeutic cloning." It can also be used in reproductive cloning.

Changing the definition of an embryo (3. subsection 8(1) to include " and has not yet reached 8 weeks of development since the first meiotic division" is not only inappropriate it is denying that life begins at fertilization as the CWLA Inc members believe. Meiotic division is not the beginning of the new entity but rather it occurs in an already established being.

Human Embryonic Stem Cells

CWLA Inc members acknowledge a human embryo as the beginning of human life and therefore due all the respect and dignity that is appropriate to humans after birth. Embryos are human beings in early stage of development and it is believed that it is immoral to destroy human life. It is obvious that human embryos, whether conceived naturally by IVF and 'surplus ' to needs, or by cloning, are created with the intention of their subsequent destruction. Human embryos are worthy of all the rights and protection of any other human being.

Potential for abuse of women

In order to have enough ova to develop embryos for their stem cells a sufficient supply of ova would need to be available. These ova can only be obtained from women who could easily be coerced into supplying the ova by the promise of remuneration or by the encouragement of 'ultruism'. The invasive procedure to obtain ova is not without discomfort and health risk to the woman. There is concern that women would be treated with drugs to increase egg production to satisfy the needs of research laboratories. Fears have been expressed that donors could face a risk of complications -- including infections, infertility and cancer. Egg donors may also face a risk of developing ovarian hyperstimulation syndrome. (Marcelle Cedars, Head of Reproductive Endocrinology and Infertility at the University of California-San Francisco)

Vested Interests

The link between the IVF industry and stem cell research cannot be ignored. Embryos in excess of the IVF patients' needs are used to obtain embryonic stem cells. In recent times it has been the aim that the number of excess embryos created by IVF procedures be significantly decreased. Leading cloning advocate Prof Alan Trounson is known to have stated that cloning is not about cell therapies for Parkinson's or spinal injury, but is limited to the more modest research goal of creating "patient-specific stem cells" for studying disease and developing drugs."

Use of animal eggs.

Because of the possible lack of access to human eggs, some scientists have come up with using animal eggs as a substitute. The Lockhart Committee in Recommendation 24 recommended the creation of human clones using animal eggs in its report. The insertion of a human DNA into an animal egg (a rabbit) was used as an example. The idea of this type of research can cause fear about what might come next. Most people find this idea repugnant. CWLA Inc members want a cure for disease but do not believe this is the way forward.

Current Regulation of human cloning in Australia

Human cloning, in any form, is banned in Australia under the Prohibition of Human Cloning Act 2002. The Prohibition of Human Cloning Act 2002 does not distinguish between 'reproductive' and 'therapeutic' cloning.

Prohibition of Human Cloning Act 2002

In the conscience vote on cloning only four years ago our Parliament voted unanimously for the *Prohibition of Human Cloning Act 2002*, which made it illegal to create human embryos yet there has been no change either in the scientific literature or the societal feeling of repulsion related to such areas as human cloning; embryos created solely for 'research ' and subsequent destruction; hybrid embryos and chimeric embryos. Being able to undertake such activities "**authorized by license**" does not make such activities 'right'

United Nations Declaration on Human Cloning

It should be remembered that at its 82nd meeting, on 8 March 2005, when the General Assembly adopted resolution 59/280, containing in its annex the text of the *United Nations Declaration on Human Cloning* by a recorded vote of 84 to 34, with 37 abstentions, Australia voted in favor of this resolution.

The Convention on the Rights of the Child refers to the 1959 Declaration of the Rights of the Child, (1959) "*Whereas the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth*".

Use of Somatic Stem cells

The prospect exists to achieve good results through the use of somatic (adult) stem cells as described in the literature. Many scientists predict that cures will not be found using embryonic stem cells regardless of how they are obtained and it will be many years before embryonic stem cells can be used safely on humans. Research using adult stem cells, umbilical cord blood cells and a person's own cells, is showing promise. Advances in this type of research and treatment are proceeding with good results and the destruction of human life may not need to be considered.

The hope of lifesaving cures that may be derived from research on embryonic stem cells is very real for persons with debilitating/specific diseases. However, to date there has not been any successful procedures to this end, regardless of the claims of scientists and others who acclaim their potential.

Cloning will always be morally corrupt because it requires deliberately creating and destroying thousands (or millions) of human embryos. Too often in this debate, science and ethics are regarded as being on a collision course. They need not be. For what could be more pro-science than relying upon scientific ingenuity to lead the way to stem cell advances without conducting unethical cloning experiments? Let Australians lead the world in stem cell research that is both effective and ethical – research we can all live with.

Recently Pope Benedict XVI encouraged scientific research with adult stem cells, saying that it is work that respects human life and opens fascinating" possibilities for illnesses that now seem incurable. The Pope clarified that the Church is not against science, but "is against those forms of research that involve the planned suppression of human beings who are already alive, though they may not yet have been born," as is the case of research with embryos that leads to their elimination. (Sept. 8, 2006) The Catholic Church has long supported research using stem cells from adult tissue and umbilical cord blood, which creates no moral problem. We believe that we must respect life at all times from conception till natural death. Multipotent tissue-specific stem cells can be found in adults and they can participate in the renewal and regeneration of tissue.

When one looks at the full spectrum of human development, from conception to birth, the question is not when human life comes into existence - at all stages of pre-natal development there is human life. Hope (1999) notes, "There are those who say that abortion at any stage of development ends human life and is therefore morally wrong. For those who take this position abortions at the embryonic stage are unacceptable and the distinction between the embryo and foetus is irrelevant. If one takes the position that abortion is wrong at any stage of development, a logical corollary is that it is equally wrong to end a very early embryonic life or an advanced foetal life.

Eighty per cent of the submissions received by the Lockhart Review were opposed any change to the prohibition on human cloning. There should be no amendments to the findings of The Lockhart Review on the *Prohibition of the Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002*.

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References

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