

Submission - Inquiry into the Legislative responses to Recommendations of the Lockhart Review

In 2002 the parliament **unanimously** decided that all cloning of human embryos would continue to be banned. This position is in line with many other countries, and with the United Nations Declaration on Human Cloning which Australia supported, and which passed by 84 votes to 34.

The Lockhart Committee review of this legislation, acting more upon its members' well-established views than on the submissions made (80% opposed to cloning), recommended lifting not just the unanimous ban on cloning but most ethical or legislative restraints in this area.

What has changed since 2002? Firstly, there has been no significant scientific advance with human cloning. There has not been a single confirmed case of human cloning anywhere in the world, and certainly no case claiming to have obtained stem cells from cloned embryos. The one allegedly significant scientific advance that the Lockhart Committee used to justify overturning our ban, the Korean experiment under Professor Hwang, turned out to be a monumental fraud. In contrast to the hype, greed and charlatantry endemic in the field of human ESC research, the real advancements are coming in the area of adult stem cell research with applications for over 70 human medical conditions. This helps explain the reluctance of private investors to gamble with unpromising ESC research, in contrast to adult and cord stem cell research where research dollars are better spent.

John Martin, emeritus professor of medicine at Melbourne University, puts the question: is there a compelling reason for 'therapeutic' cloning? His answer: on present evidence there is none. Professor Mark Kirkland from Melbourne's Douglas Hocking Research Institute has said: 'Embryonic Stem Cell therapies will not be a viable and generally available clinical option for at least another 10 years and by the time such therapies are available they will have been supplanted by cellular therapies based on adult stem cells'. Professor Alan Mackay-Sim of Queensland's Griffith University Adult Stem Cell Centre says that patient specific (adult) stem-cell lines will probably render 'therapeutic' cloning 'irrelevant and impractical'.

Contrary to some claims, community standards are not calling for a relaxation of prohibitions against cloning. Two major studies since 2002 (Swinburne University 2004, Sexton Marketing 2006) have shown that a majority of Australians are opposed to cloning. The most recent of these also found that, even assuming that each type of research brought equal benefits to patients (which they don't!), 40% of respondents preferred using adult stem cells and just 4% preferred using ESC research.

Cloning requires either the harvesting of hundreds of human eggs per clone, commercialising women's ovaries with potentially grave consequences to women's lives and health, or using animal eggs to make a human-animal hybrid. Some proponents of change have dismissed talk of half-human, half-animal clones as scaremongering. Yet the

Lockhart Committee (recommendation 24) recommends their creation and even Lockhart Committee member Professor Schofield admits that planting human cells into an animal egg would effectively create a human-animal hybrid.

At its heart, as the Prime Minister has indicated, this debate is ethical rather than scientific. As Professor John M Harris, Professor of Bioethics at the University of Manchester (UK), puts it, *'The use of embryonic cells will only become non-controversial when it is accepted that the early embryo is of little or no moral significance'*. The Lockhart Committee adopts the utilitarian principle that the end always justifies the means. Although conceding that human embryo clones are human embryos, it links the moral significance of such embryos that are not implanted more closely to their potential for research developments than to their potential as human life. Journalist Jillian Abbott is more blunt. She says that this would change us from a species that nurtures its offspring to one that plunders them, one of the most profound shifts in human behaviour in recorded history. Even Senator Kay Patterson said in 2002 *'it is wrong to create human embryos solely for research. It is not morally permissible to develop an embryo with the intent of truncating it at an early stage for the benefit of another human being'*.

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