

COALITION FOR THE DEFENCE OF HUMAN LIFE

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Submission on the

Prohibition of Human Cloning for Reproduction and Regulation of Human Embryo Research Amendment Bill 2006

The Coalition for the Defence of Human Life is a human rights research and advocacy group, concentrating on the interests of human beings at those stages in their lives when they are too young or too old or too sick to do their own research and advocacy.

The Coalition consists of fourteen pro-life organizations in Western Australia.

This submission has been prepared on behalf of the Coalition by its Secretary, Dr E D Watt.

Why are we having this debate at all?

In 2002, the cloning of humans for research was rejected unanimously by the Commonwealth Parliament and the parliaments of all the States.

Not a single member of any Australian parliament voted to allow human cloning for research.

Almost every supporter of the present Bill is on record as opposing human cloning in 2002.

Senator Patterson herself told Parliament: 'I believe strongly that it is wrong to create human embryos solely for research', and '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'.

What justification is there for bringing this matter before Parliament again, after only four years? *What is new?*

Supporters of this Bill would reply: '*The recommendations of the Lockhart review*'. The Bill relies heavily – indeed, almost exclusively - on the Lockhart report.

Was Lockhart an independent review by a representative group of people?

No. The panel was hand-picked by pro-cloning State governments and a pro-cloning Federal minister to produce a desired result. Half the panel – Professors Kerridge, Schofield and Skene – were already on record in support of human cloning for research. The other members were of the same opinion. By referring in their report to the diversity of opinions in the community on cloning, but reflecting not the faintest trace of this diversity in their own recommendations, the Lockhart panel in effect conceded that they were an unrepresentative group.

This panel was hardly capable of conducting the '*independent review*' required by the 2002 Act.

The Lockhart panel was disbanded in December on the presentation of its report. But since then, members of the panel have re-constituted themselves as a lobby group. This conduct is quite improper.

Was the Lockhart panel commissioned to review the ethics of human cloning?

No. As their own Issues Paper stated, '*It is not the purpose of the review to revisit the underpinning community debate and rationale for the legislation*'.

But that, of course, is just what they did. In doing so, they ignored their own terms of reference and exceeded their own instructions.

Did the Lockhart review add anything new to ethical debate on cloning?

No. The panel's central ethical argument seems to be that, since some people in the community think there is nothing wrong with creating human embryos and then destroying them in experiments, there is no justification for continuing to prohibit these activities. This 'argument' would disgrace a high school debate. If we were to accept it, we would have to conclude that, since some people in the community think there is nothing wrong with perjury, insider share trading, or rape, there is no justification for continuing to prohibit those activities either.

The terms of ethical debate on cloning are exactly the same as they were in 2002. There is nothing new to justify reopening that debate.

Did the Lockhart review add any new information on community attitudes?

No, on the contrary. They took care to give no indication of the number of submissions that they had received from the public for and against cloning for research. Only by reading the public submissions on line could one learn that *over 80% of the submissions opposed human cloning*.

Likewise, they made no mention of a 2004 research paper from the Swinburne University of Technology, which reported that most Australians do not agree with the Lockhart panel about human cloning.

Did Lockhart discover any scientific advances made since 2002?

None at all. They said they did – namely, the ‘achievements’ of Professor Hwang in Korea. The Korean claims were accepted by the Lockhart panel entirely uncritically. They were not subjected to the kind of scientific scrutiny that was called for by such unprecedented and far-reaching scientific claims as Hwang’s. Even successive reports of Hwang’s scientific malpractice, initially in obtaining human ova from his students and employees, did nothing to disturb the Lockhart panel’s promotion of his work. If the panel wanted to be able to cite scientific advances in human cloning, it had to be Hwang – there was no-one else.

The Lockhart report was presented on 19 December 2005. Four days later, Hwang’s university reported that he had not created eleven patient-specific stem cell lines from clones. He had not even created one.

On 10 January 2006 Seoul University reported further that Hwang’s claim in 2004 to have created 30 human embryo clones was also fraudulent.

The Seoul reports destroyed completely the basis of the Lockhart report of scientific advances. There have been no scientific advances. Scientifically the situation has not changed at all since 2002. No-one then, and no-one since, has cloned a human embryo.

Summary

This Bill is being recommended to the Senate on the argument that the Lockhart review is the gold standard, and that its recommendations should be enacted into law.

None of this is so. The Lockhart panel was an unrepresentative group, carefully (and successfully) selected to exclude dissentient opinion. It has pursued an agenda of its own. It has been misleading in its reporting of community opinion on human cloning, naive in its approach to scientific claims that were always implausible even before they were shown to be fraudulent, juvenile in its treatment of ethical questions, and improper in its subsequent use of its former status for purposes of political lobbying.

The Lockhart review recommendations provide no scientific reason, no ethical reason, no reason whatever for the Senate to reopen the question of human cloning for research.

Conclusion

This leaves the situation exactly as it was in 2002, both scientifically and ethically.

In 2002 every Senator concurred with the judgment of Senator Patterson that ‘it is wrong to create human embryos solely for research’, and ‘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’.

Senators were also unanimous in rejecting in 2002 practices such as creating human-animal hybrid embryos, creating embryos with more than two genetic parents, and creating embryos where one of the parents is a baby girl who has been aborted and her cells ‘harvested’. *The present Bill would permit all these practices.*

Senators were reassured in 2002 that passing the *Research Involving Human Embryos Act* would not place Australia on a slippery slope that would lead to further demands. To quote Senator Patterson again, ‘*it is disingenuous to suggest that approving this research will open the door to further killing of living human beings*’. The introduction of this present Bill shows how much that reassurance was worth.

Indeed, a slippery slope is built into the present Bill, in the form of the provisions for future review, which would be required to ‘*consider any research or clinical practice which has been prevented as a result of legislative restrictions*’. If a future review received a request to allow ‘fetus farming’ – that is, implanting an embryo, allowing it to develop long enough for separate organs to grow, and then aborting it to ‘harvest’ those organs – on what ethical principle could that request be denied, once the ethical line of this Bill had been crossed allowing embryos to be created solely for research?

Implied in this present Bill is nothing less than a radical demand by a minority of scientists that ‘no-one tells us what we may or may not do’ – that their work should not be subject to ethical evaluation or community oversight through the law - that they should be a law unto themselves. This is a demand that the community, through its elected representatives, would not dream of acceding to if it were made by policemen, businessmen, soldiers, social workers, or any other group in society. Are scientists any better qualified to work without community oversight? The examples of Dr Mengele, the Tuskegee experiments, and Professor Hwang suggest not.

The Senate should give no further time to this reckless Bill.