

## **5/02 Stem Cell Research**

(A report from the Standing Committee)

### **Introduction**

1. At its ordinary session in 2002, the Synod passed the following resolution in respect of embryonic stem cell research (resolution 5/02)–

“Synod -

- (a) congratulates the House of Representatives on their decision to ban human cloning, and
- (b) gives thanks for the many members of the Diocese who have prayed and taken action on the issue of embryonic stem cell research, including writing to their Federal MPs, and
- (c) expresses its thanks and support to community and political leaders who have spoken out of their Christian conviction against the commodification and destruction of human life, and
- (d) continues to recognise the uniqueness of each individual as a being created by God in his own image and that any proposed starting point for life, other than conception, is arbitrary, and
- (e) rejects the philosophical shift in our society towards utilitarianism rather than the once commonly held Judeo-Christian values that seek to protect life. As the Apostle Paul writes in Romans, we are never justified in doing evil so that good may result, and
- (f) asks the Social Issues Executive to continue its work on this issue.”

2. Following the passing of the above resolution, a letter was sent by the Legal Officer to each member of the House of Representatives communicating the applicable parts of the resolution. The letter was sent after consulting with the Social Issues Researcher, Mrs Amy Butler, about the work already undertaken in this matter by the Social Issues Executive.

3. The letter passed on the Synod’s congratulations on the decision to ban human cloning but expressed its extreme disappointment with the outcome of the debate on the use of IVF embryos in scientific experimentation. Special mention was made of the Archbishop’s views expressed in a statement made following the passing of the Research Involving Human Embryos Bill for the need to rethink the practice of IVF to avoid the stockpiling of embryos in the future.

4. A copy of the Archbishop’s statement was attached to the letter.

## Responses

5. Fifteen responses were received to the letter. Six of those expressed support for the Synod's opposition to Embryonic Stem Cell research. Two responses expressed support for Embryonic Stem Cell research. Of the 15 responses received, 3 came from the Labor Party – the remainder coming from various members of the Liberal Party/National Party.

6. The following is a selection of some of the responses received.

*Mr John Perrin* – Senior Advisor (Social Policy), Office of the Prime Minister

“Thank you for your correspondence of 20 February 2003 to the Prime Minister regarding embryonic stem cell research. The Prime Minister has asked me to reply on his behalf...

After many hours of debate, the *Research Involving Human Embryos Act 2002* (the Act) was passed in parliament on 11 December 2002 with fourteen minor Senate amendments. The Act was developed following the decision of 5 April 2002 by the Council of Australian Governments (COAG) to regulate research involving human embryos, research that has the potential to cure disease and save lives. I understand that the states and territories are in the process of introducing legislation to ensure national consistency.

The length and detail of the debate in both houses of parliament reflects the importance of this legislation. Research involving the use of excess embryos created through assisted reproductive technology (ART) is a difficult area of public policy, involving complex and sensitive ethical and scientific issues.

To balance the ethical considerations with the need for medical research, the Act provides for a comprehensive regulatory system to govern the use of excess ART embryos. Australia will be one of the first nations in the world to implement a strict regulatory regime to govern the use of such embryos, which would otherwise be destroyed.

Research activity involving the use of excess ART embryos will be licensed by the National Health and Medical Research Council Licensing Committee, which will comprise experts spanning areas including research ethics, law, consumer health issues relating to disability and disease, and assisted reproductive technology. The Licensing Committee will maintain a publicly available

database containing information on licences granted. Additionally, the Licensing Committee must table reports in parliament on the operation of and licences issued under the Act in June and December each year.

Your letter also highlights the rapid developments in reproductive technology and the Diocese's concerns relating to the unnecessary creation of embryos. COAG is committed to ensuring that there are adequate protocols in place to prevent the creation of embryos for research purposes."

*The Hon Peter Costello – The Treasurer*

"The Research involving Embryos and Prohibition of Human Cloning Bill 2002 has essentially two aspects to it. The first is to prohibit cloning and to make certain offences in relation to cloning and crossing animal and human genetic matter. As far as I am aware, there is general agreement that those practices ought to be banned.

The part of the bill which is contentious, of course, is the part which allows for the use of embryonic stem cells.

Some have argued that we do not need embryonic stem cell research because adult stem cell research will be sufficient or will be superior because you will not have rejection problems. Even if that were true – that it was superior – on scientific grounds I could not understand why you would close off this area of inquiry before it had fully been explored. There are some, indeed, who argue that embryonic stem cells will be a much more effective way of treating conditions of suffering because the cells are pluripotent... The real argument therefore is not a scientific argument. The real argument of course is that this area of experimentation or research should be closed off, not for scientific reasons but for fundamentally moral reasons.

Opponents of the bill argue that allowing it to die is morally permissible whereas doing an intentional act of experimentation is morally impermissible... I must confess that I have found this distinction quite unsatisfactory... [I have] had difficulty with this distinction.

I must say that when I came to think about all of this I had severe moral qualms about how all these excess embryos came to be in the first place and about how they were being dealt with. I myself would feel much happier if excess embryos were not created at all... But, that being

the situation, I felt that the critical question is whether it is possible for some good to come out of a situation which I find very difficult.

I believe that churches have every right in the world to comment on this debate, and I respect them for it.

My view is that life is sacred, each individual is unique and that from the moment of conception embryos have the potential to become individuals and people... and should be treated with respect at all points. But I keep coming back to the situation where we now have embryos created for people who wish to consent to medical research as an alternative to what will be intentional and inevitable destruction.

Within my own beliefs, which I at least hold to be consistent with the Christian faith as I understand it, I can see that this bill will make a contribution to public life.”

*The Hon Tony Abbot* – Leader of House of Representatives

“It was an honour to be able to stand up for a good cause (although a terrible disappointment at the ultimate outcome)... I remain utterly unpersuaded of the merits of this legislation.”

*The Hon Simon Crean* – Leader of the Opposition

“Thank you for your letter about human cloning and human embryos. I appreciate the time you have taken to write to me with your suggestions and ideas. I will take them into account as we work to win government at the next Federal election.”

*Mrs De-Anne Kelly* (Member for Dawson) – National Party

“Thank you for your letter... I share your concerns... I would warmly welcome your involvement in the review process and please pass on my appreciation to Archbishop Jensen for his eloquent and well-informed contribution to this important debate.”

“Those who have a religious view see God’s plan in the genome. Those who have a purely scientific approach see the genome as the most subtle, masterful code for life. Many like me, probably see both...”

*Mr David Hawker* (Member for Wannan) – Liberal

“...embryonic stem cell (sic.) research, which has been undertaken overseas and on rats, has not produced a single cure for humans.”

“...the views expressed from within the Wannon electorate had been overwhelmingly against embryonic stem cell research.”

*Mr Alby Schultz* (Member for Hume) – Liberal

“...I cannot support embryonic stem cell research. The majority of my constituents who have phoned, emailed and written to me on this subject do not support it. Two hundred and thirty one are against it; 19 are for it.”

*Ms Sophie Panopoulos* (Member for Indi) – Liberal

“I am unable to sanction the destruction of human embryos for scientific experimentation and endorse the subsequent devaluing of human life in the process.”

*Ms Tanya Plibersek* (Member for Sydney) – Labor

“We do not believe that to use [embryos] for research would be disrespectful, quite the contrary. For many couples, allowing them to expire on a laboratory bench without ever having had any added value would be less respectful. An embryo is not a child who would suffer in the process. It is a cluster of cells with an extraordinary potential.”

“...To be talking about the fact that the IVF program itself is wrong is the height of people trying to impose their own moral values on others.”

*The Hon Alan Cadman MP* (Member for Mitchell) – Liberal

“The disappointment of the Archdiocese of Sydney is matched by my own...”

“I will write to the Minister of Health in regard to the matters you raise concerning the adequate disclosure on how embryos are used and I will also continue to monitor the process with the view of rectifying this problem in 2 or 3 years time.”

### **From Here**

7. A number of members on both sides of the debate see the need to review this issue in the future. The review of the legislation in 2 years will provide an opportunity to evaluate the practice of Embryonic Stem Cell Research and press for tighter regulation of IVF procedures and the use of embryos in scientific experimentation.

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