

Public forums to be held on human cloning



The House Legal and Constitutional Affairs Committee is planning a number of public forums as part of its inquiry into human cloning. The first public forum will be held in March 2000.

The main focus of the Legal Committee's inquiry is to review the report on human cloning by the Australian Health Ethics Committee (AHEC), which is part of the National Health and Medical Research Council. The AHEC report, entitled *Scientific, Ethical and Regulatory Considerations Relevant to Cloning of Human Beings*, drew a basic distinction between the cloning of a whole human individual and the copying of the component parts of a human, such as DNA and cells. The report noted that the cloning of individual human beings is legislated against in Victoria, South Australia and Western Australia and is also prohibited by National Health and Medical Research Council guidelines. The report suggests similar legislation should be introduced in the remaining States and Territories and recommends a regulatory framework to prohibit cloning of a human being. The report also outlined projected benefits of cloning techniques and noted that these have the potential for supporting transplantation and tissue and organ repair.

The report noted that there is international consensus against undertaking procedures intended to clone a human being. The Australian Government supports the UNESCO Declaration on the Human Genome and Human rights, Article 11 of which states that: "Practices which are contrary to human dignity, such as reproductive cloning of human beings, shall not be permitted."

'committee wants wide public participation'

Dolly is born

The inquiry comes at a time of increasing interest in the issue of cloning.

On 24 February 1997, reports circulated around the world that researchers had developed techniques to clone sheep. According to media reports the birth of Dolly the sheep was greeted with alarm by the general public, church and political leaders. On the day news broke of Dolly's birth, President Bill Clinton wrote to his National Bioethics Advisory Commission and asked for recommendations on possible federal action to prevent abuse of the technology, particularly with its possible use to clone human embryos. The French President, Jacques Chirac, the President of the European Commission, Jacques Santer and the Director-General of UNESCO, Federico Mayor also sought reports from their respective bioethics advisory committees. The Vatican argued that human beings have a right to be "born in a human way, and not in a laboratory."

Minister asks House Committee to review advice to Government

The AHEC report was presented on 16 December 1998 to the Hon Dr Michael Wooldridge, Minister for Health and Aged Care in response to the Minister's request for advice on the ethical, technological and national and international legislative position on the cloning of human beings. In August 1999, the House Committee on Legal and Constitutional Affairs was asked by the Minister to review the AHEC report.

The Committee followed the traditional process of seeking public input. For this particularly emotive issue of public policy, the Committee was keen to attract the attention of as wide an audience as possible and to ensure that the community at large contributed to the evidence on which the Committee will deliberate and base its recommendations to Government. As well as advertising its terms of reference in the major metropolitan newspapers, the Committee wrote to community and church leaders as well as ethicists, medical organisations and scientific institutions.

Public input

The public response has been very encouraging. So far the Committee has received over 250 written submissions and continues to receive substantial numbers on a daily basis.

Some submissions from the public have made a passionate appeal to the Committee to recommend a total ban on human cloning. Many have put their views simply in this way:

- There are millions of people dying of starvation... God told Adam and Eve to go forth and multiply. He would certainly have a heart attack if He could see the results.
- This situation is one more step along the road of using human beings for experimental purposes as happened in Germany during the Nazi regime and condemned at Nuremberg as a crime against humanity.
- As Christians we believe that all life comes from God and that cloning cannot succeed unless God allows life to occur in the scientists lab... Would a human clone be allowed to live a normal life. Their entire life would be a science experiment...
- Just say no – a simple, complete no. One little yes will lead to more little yeses which eventually will grow into quite a large yes.

The appeal from members of the public and community groups for a ban on the scientific research involving the use and manipulation of human DNA or human cells and the application of that technology to clone human embryos has been coupled with a call for complementary State and Federal legislation to this end. However, amidst the widespread public concern about the ethics of cloning human beings, there is cautious acceptance for the therapeutic benefits of this technology to treat diseases, but not if that involves either the creation or the destruction of human embryos.

The Catholic Women's League Australia, Bioethics Working Party, stated its firm opposition to both the direct cloning of human beings and to human parts, "except in a limited use in the latter when human embryos are not used of and disposed in any form whatsoever..."

The Royal Australian and New Zealand College of Obstetricians and Gynaecologists said they support legislation or regulation prohibiting human reproductive cloning, but that "ongoing debate in this rapidly changing field of research must continue".

The Country Women's Association of New South Wales stated that in forming their opinion they gave a great deal of time to study published articles on human cloning. They concluded that "some form of legislation and control is necessary"; that a total ban should be placed on the cloning of a whole human individual but that

"a distinction should be drawn between the cloning of a whole human individual and the copying of the component parts of a human, such as DNA and cells."

St Vincent's Hospital in Sydney reminded the Committee that there has been further developments in the potential for human applications of cloning technology since the AHEC report was published. The submission also pointed out that: "It is a field in which even the basic assumptions are being questioned and new possibilities are being conceived of very quickly."

The public forums planned by the Committee will provide the opportunity for diverse groups to come together to elaborate, explain and contest the array of views.

Current status

In the meantime, submissions continue to arrive and Committee members are informing themselves of the issues. The Chair of the Committee, Mr Kevin Andrews has raised relevant questions during discussions in the United States with Dr Eric Meslin, Executive Director of the National Bioethics Advisory Commission. Mr Andrews also has held discussions in London with Baroness O'Neill, Principal of Newnham College, Cambridge and acting Chair of the Human Genetics Advisory Commission and Dr Suzanne McCarthy Chief Executive of the Human Fertilisation and Embryology Authority.

Government responds to ship safety recommendations

The Government has accepted many of the recommendations contained in a report on ship safety. The report, entitled *Ship Safe - An inquiry into the Australian Maritime Safety Authority Annual Report 1996-1997*, included 14 recommendations to which the Government responded on 31 August 1999. The Government response was debated in Parliament on 30 September 1999.

In the inquiry members of the then House of Representatives Standing Committee on Communications, Transport and Microeconomic Reform were struck by the challenge of developing and maintaining a culture of safety, rather than prescribing more rules that may be evaded by a few unscrupulous players.

The report was the fourth in a series of inquiries into ship safety. People well remember in the early nineties the dramatic break up of some of the 'rust buckets'. In 1992 this sparked the first of a series of Ships of Shame reports. These reports led to safer shipping internationally and nationally.

Last year the committee found significant developments in ship safety had occurred since the previous parliamentary inquiries. However, members reported how disturbed they were by the extent and severity of breaches in crew welfare, especially for foreign

seafarers. In the recent debate in Parliament members expressed their regret that the Government did not accept recommendation 14, namely that the Commonwealth:

- provide interim financial assistance on an annual basis for approved seafarers' welfare organisations; and
- investigate the establishment and annual funding of a National Seafarers' Welfare Network, and report the finding to Parliament by June 1999.

Committee Chair, Mr Paul Neville MP believes 'that much can be achieved with only modest assistance from government'. He hopes the Government will reconsider its position on providing interim contributions to approved seafarers' welfare organisations.

Members believe seafarers' advocates, such as Stella Maris and Missions to Seamen, serve a vital role in caring and protecting very vulnerable workers who are far from home for a very long time, often working in appalling conditions. They can lack the most basic need - that of human contact. Sometimes the solution may be as simple as access to a postal service or phone.

In parliament Mr Neville said that 'the abuse and neglect of seafarers constitutes a violation of human rights and is a serious risk to ship safety'. He believes 'no country can escape responsibility'. Mr Neville said that 'if we are not guilty by complicity then we are guilty by default if we do nothing.'

Further information: www.aph.gov.au/house/committee/cta or Meg Crooks, committee secretary, (02) 6277 4600.