



Speech by

GEOFF WILSON

MEMBER FOR FERNY GROVE

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**PROHIBITION OF HUMAN CLONING BILL
REGULATION OF RESEARCH INVOLVING HUMAN EMBRYOS AND
ASSISTED REPRODUCTIVE TECHNOLOGY BILL**

Mr WILSON (Ferry Grove—ALP) (12.53 a.m.): This is the most difficult debate that I have participated in since my election in 1998. I rise to participate in the debate as conscientiously as I can. I endorse the arguments put forward in support of the Prohibition of Human Cloning Bill 2003. Human cloning is the creation of a human being who is a copy of another human, whether or not that other human is living or deceased. This bill prohibits human cloning. I, too, support the bill.

The second bill, Regulation of Research Involving Human Embryos and Assisted Reproductive Technology Bill 2003, causes me some real concerns. I am not able to support the bill for the reasons that I will set out. Before doing so, I note that these bills are the subject of a conscience vote for every member of the House. Members hold a wide range of views, particularly on the second bill. This bill raises what are for many profoundly personal views about human life and appropriate medical research.

I have taken into account the various views of a number of people in my electorate. I am particularly mindful of the terrible difficulties and struggle in life experienced by those who have degenerative diseases, such as Parkinson's disease. Over 12 months or so I have read various publications and have spoken to a range of medical researchers. This area of medical research is highly complex and changing rapidly. I confess to being fairly sceptical about what might be overblown claims in the media about the success of adult and embryonic stem cell research. There is also significant conflict of opinion within the medical research community over the claims of the various camps.

I congratulate Ministers Lucas and Edmond and the Premier on the open way and inclusive approach that they have taken to the discussions leading up to the introduction of this legislation and to the debate itself. Let no-one be under any doubt: I support stem cell research using adult stem cells and if I could have answered my concerns about additional embryonic stem cell research, I would have supported this avenue as well. Opposition to this bill is not opposition to stem cell research; it is opposition to a particular source of stem cells. In addition, as I will discuss later, the source of adult stem cells is supplemented by the 100 or so existing embryonic stem cell lines that have already been created and are in use around the world.

When the predecessor to this legislation was introduced into the parliament late in 2001, I had a number of serious reservations about its drafting. Subsequently, the legislation was passed in the federal parliament. This was accompanied by much public debate about the advantages of stem cell research, often drawing no distinction between adult stem cells and embryonic stem cells. I started to swing back the other way and, in general terms, became reasonably comfortable with embryonic stem cell research proceeding.

However, as I considered the matter further and examined the legislation before the House tonight, my concerns re-emerged. Because I have, for a time, felt myself persuaded by the arguments of those in favour of embryonic stem cell research, I have tried to resolve my uncertainties by answering a number of questions. These questions are: firstly, is the human embryo cell just like any other cell of the human body? Secondly, if the human embryo cell is uniquely different from other human cells, from what point in time do I give it value such that it is not expendable like any other human cell? Thirdly, is the destruction of the human embryo by extracting stem cells the same as allowing the embryo to succumb, that is die, after thawing? Fourthly, is there sufficient evidence at present that there are

significant and verifiable scientific and medical benefits for mankind available only from human embryonic stem cell research that are not available from adult stem cell research? Fifthly, is there any sufficient evidence that extra embryonic stem cells are needed in addition to the 100 or so stem cell lines now available to scientists to advance legitimate medical research?

Firstly, is the human embryo cell just like any other cell of the human body? Is it the same in both form and nature? If the answer is yes, then in my opinion the legislation is acceptable from an ethical point of view. However, I believe that the answer is no. The human embryo is uniquely different from all other cells of the human body. In one sense, the human embryo is the same as any other cell insofar as it has a nucleus, an outer membrane and other organic material. However, it is also different from ordinary human cells insofar as what is found in the cell and what the human embryo cell, unlike any other human cell, can become in the future. The human embryo has the ability to become a whole individual. Other human cells can become tissue or muscle or other parts of the body, but never the whole individual human being. So the human embryo and other human cells are the same in form only. The very nature of the human embryo is uniquely different from any other human cell by virtue of the fact that it can become the whole individual. Accordingly, from at the earliest—the point of conception—we are dealing with a human embryo, which contains all of the potential to become a full human being.

Secondly, at what point of time should value be given to the human embryo? If I say it has value and therefore should be cherished and protected as a human being after, say, eight weeks but not before, then I could say yes to the bill. I believe it has value from the time at which I can legitimately call it human. That time, I believe, is at conception. Of course, a human embryo is not a fully developed human individual. However, it has all of the genetic and cellular material to make a human individual. The development of the human individual starts at conception and travels through a continuum to early adulthood. The fact that the human embryo does not have all of the outward human features visible to the naked eye makes no difference. Another way to address this point is to look at the dictionary of definitions in the schedule to each of the bills. The definition of 'human embryo' and 'human embryo clone' acknowledges that the embryo that we are dealing with is distinguishable from other embryos such as animal embryos by virtue of the fact that it is human. This is not simply a semantic point; the statutory language reflects the reality.

Thirdly, is the destruction of the human embryo by extracting stem cells the same as allowing the embryo to succumb—that is, to die after thawing? If the answer is yes, then the bill is acceptable. I believe there is a significant difference, but I confess that it is over this issue that I have struggled more than any other. If the excess embryos created in vitro in the IVF program were not frozen, they would succumb as would occur in nature. Freezing the excess embryos simply delays what would, in the absence of any active intervention, be a natural dying process. Members should remember that with excess embryos we are dealing with embryos that were created for implementation in the mother and no other purpose. The extraction of stem cells from a human embryo is an act of intervention which brings about the death of the human embryo, as I said. It is not possible to equate the death of the human embryo unavoidably arising from the extraction of the stem cell to the embryo's death when it naturally succumbs. Yes, death is the ultimate outcome in both cases, but in only one case does death result from a positive act of another individual. Accordingly, in my opinion, the ethical considerations are different.

Under the bill, parents can consent to the use of their excess human embryos for stem cell extraction. Because I see the human embryo as indeed human from the point of conception and that destroying the embryo for stem cell extraction is different from allowing the embryo to succumb, then in my view it is ethically and morally wrong for the law to permit parents to consent to embryos being used for stem cell research. If according to my point of view it is not ethically and morally right for human embryos to be used for the purpose of stem cell research, then creating a statutory mechanism which only permits this to happen if the parents consent does not in my view change the situation. The objectionable purpose cannot be cured by the consent of the parents.

Finally, elsewhere in the legislation there is a prohibition on the creation of a human embryo for research purposes. It is inconsistent with a licensing system that permits research on excess embryos created before 5 April 2002. Consistency of the underlying principle in the legislation would suggest that if such a purpose is objectionable to the point of prohibition then this should apply to all embryos, not just to those yet to be created after the legislation commences.

Fourthly, are there benefits from embryonic stem cell research that adult stem cells cannot deliver? Adult stem cell research has been going on for, I understand, up to about 40 years or so. The recent explosion of interest in stem cell research has arisen from the possibilities that it offers regenerative medicine in the treatment of Parkinson's disease, heart disease and allegedly many other areas. There is some conflict within medical circles on this question. However, it does not appear clear that medical researchers promoting embryonic stem cell research have really made out a convincing case. Furthermore, there is the acknowledgment that progress in the use of embryonic stem cells faces

the near impossible obstacles of rejection by the immune system of the host and the high risks of stem cells developing cancers. However, I am not a medical scientist and I could be wrong, which brings me to my fifth point.

If I am wrong on the previous point and there are super benefits from embryonic stem cell research not available from adult stem cells, then I find it difficult to answer this final question: embryonic stem cell research has been under way world wide for some years. Approximately 100 stem cell lines have been developed by researchers around the world, some in Australia. Is there sufficient evidence that extra embryonic stem cells are needed beyond the current stockpile that is in use to advance stem cell research? Again, I am not a medical scientist but I doubt that the case has been made out. For these reasons, I will be voting against the bill in the second reading.