

## **1986.2. The Human Embryo Experimentation Bill 1985**

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### **HSV Opposes Harradine's Human Embryo Experimentation Bill**

A Senate Select Committee has been convened to study the Human Embryo Experimentation Bill introduced by Senator Brian Harradine. The Bill seeks to prohibit basic procedures used in the in- vitro fertilisation (IVF) treatment and Commonwealth funding of embryo research. A parallel situation exists in the United Kingdom. Enoch Powell has his Unborn Children (Protection) Bill and the Warnock Committee has been investigating ethical and legal issues of IVP .

Both Bills are based on the premise that life begins at the moment of fertilisation of the egg cell and seek to accord moral status to, and prevent research on, such cells. The Catholic bishops of Australia also have called for a halt to embryo research. The Warnock report recommends the use of early embryos for research and points to its many benefits for human welfare. In a comment on this subject Mary Warnock says, “. . . and since moral indignation is one of the most delightful of passions to indulge in, I believe that there is a real danger that the indignant will win the day and all research using human embryos will be brought to an end. Those who believe in the need for this research have a duty to argue their case as widely, but also as intelligently, as possible.”

The HSV's submission to the Senate Select Committee chaired by Senator Tate is based on the following beliefs:

- 1. That human life does not begin at conception.* Ova and sperm are alive before they join at fertilisation; more than 50% of such united cells fail to implant; further, one in five undergo spontaneous early miscarriages; [and] several further precarious steps are required for the successful development of a healthy foetus. Several popular methods of contraception are based on the prevention of implantation of embryos. The early embryo is an aggregate of cells, the majority of which will form tissues other than the embryo proper, i.e. the discarded afterbirth.
- 2. That human life begins with the development of sentience,* i.e. the stage where the foetus becomes capable of physical awareness. Prior to that state, conferring legal, moral or social status on the embryo is irrational. We cannot accept the argument that natural or divine forces must not be interfered with. Such forces have not been kind or beneficial to humanity: plagues, deformities and famines are the ways of nature. It is only through intervention such as vaccination and agricultural development that life for many humans was improved. The IVF procedure joins many medical interventions which enhance the quality of life, in this case for infertile couples.
- 3. The IVF procedure is stressful to the participants,* it is costly and has a high rate of failure at present. It is therefore necessary to fertilise excess ova and select the best for implantation; it would be irresponsible to implant defective embryos as required in this Bill.

To improve the success rate of embryo transfer and to minimise the risk of deformity to the foetus, it is essential to gain further knowledge through embryo research.

4. *That embryo research is also essential to the prevention of genetic and congenital defects, to improvements in the reproductive and contraceptive processes, the safe use of medication, prevention of prematurity and treatment of infertility.* As the freezing of unfertilised ova becomes now possible, the supply of redundant embryos for research will diminish. We support the laboratory creation of human zygotes for the purpose of research. Such practice has been recommended by the British Medical Council (*Lancet*, 2 Feb. 1985, p. 270). Many women who undergo sterilisation are willing to donate their ova, obtained during the procedure, for use in approved clinical research.

5. *That embryo creation and research should be carried out only in accredited institutions under license and governed by legislation rather than guidelines.* Such legislation however, should be formulated by a broadly based National Ethics Council free from political, medical or sectarian influences. The overriding aim of such legislation should be to establish a code of practice which limits research to obvious and immediate benefits to human existence. Such legislation would require periodic revision in the light of new knowledge.

### **Conclusion**

We therefore oppose the Human Embryo Experimentation Bill 1985 on the grounds that it lacks rational basis and that its implementation would deprive the community of the many benefits of such research. Our statement is based on information gained at seminars on IVF in 1982, research on this subject for our submission to the Waller Committee and from recent literature: the Family Law Council report, *Creating Children; Test-Tube Babies*, ed. Walters & Singer; *The Reproduction Revolution* by Singer & Wells; the Warnock Committee reports; the Enoch Powell Unborn Children (Protection) Bill and Senator Harradine's speech to the ANZAAS Congress "The Case for Legal Protection of the Human Embryo".

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