

Opening Remarks of Bishop Anthony Fisher OP to the Senate Community Affairs Committee, Inquiry into Legislative Responses to Recommendations of the Lockhart Review, Senate Committee Room, Canberra, 20 October 2006

Mr Chairman and Senators: On behalf of the Australian Catholic Bishops I thank you for the opportunity to address this Senate Inquiry. The issues raised by the bills you are examining, and the Lockhart Report behind them, are of great importance. Parliament's decisions on such key questions will have a profound impact upon how human dignity is acknowledged and human life is revered in Australia.

The somewhat truncated Lockhart Inquiry failed to canvass many issues it should have. At the time of the Inquiry there was plenty of hype about embryonic stem-cells as cure-alls, and the supposed need for fresh IVF embryos, human clones and, of course, lots of government funding. No-one guessed that as well as embracing these practices the Committee was minded to favour human-animal hybrids, multi-parent embryos, embryos from eggs from aborted foetuses, redefining some embryos as non-embryos and limiting Parliamentary scrutiny in this area. Certainly there was no effort by the Committee to test public reaction to such proposals at the hearings. Ethical considerations were also excluded and one, narrow ethical perspective adopted.

We risk a similarly truncated discussion of the Patterson and Stott-Despoja bills. After a very short period for public examination and submissions on the bills and only three days' hearings, you are expected to report almost immediately. Despite some good newspaper articles there has been little opportunity for public information and digestion of the bills. I suspect that only a tiny proportion of the general public know what these bills are about. Few understand what cloning is, let alone all the words now being used to cover it up. Few would guess it is proposed to allow human-animal crosses, cloned embryos with only one genetic parent, hybrid embryos with multiple genetic parents, embryos whose genetic mother is an aborted girl foetus, and so on, and that these will all be destroyed after experimentation and dismemberment for parts. Such proposals are repugnant to most ordinary people if properly explained – which might elucidate the unseemly rush to get them through with little public discussion and careful choice of euphemisms.

The Lockhart Committee's mandate was to examine whether "in the light of any changes in the scientific or community understanding or standards since 2002" the legislation warranted amendment. The Committee proposed many changes to the law but offered no evidence of changes in scientific understanding or community standards since 2002. In the absence of very persuasive argument for change, we believe the legislation should remain at least as protective as it is at present, whatever inconvenience this causes some in the embryo industry.

In our submission we make it clear that the Catholic Church embraces stem cell research as long as it is conducted in ethical ways. Our scientific advice is that ethically-derived stem cells from adults and cord blood also hold out the most promise therapeutically. The present bills propose that we cast aside ethical considerations – such as the foundational principle of medical research ethics, *primum non nocere*, first do no harm – in pursuit of experimental goals, commercial opportunity, retention of researchers and seductive claims of treatment for almost everything. Too little attention is being given to the moral 'Rubicon' which will be crossed in the process.

We argue in our submission and elsewhere that cloning the human being is ethically abhorrent. Human beings are not plants or farm animals. To clone them is a failure of respect for the human being who is manufactured and a denial of universal human dignity. To create human beings by this method *in order to destroy them* only aggravates the offence. So-called "therapeutic" cloning is much *more* unethical than so-called "reproductive" cloning because not only does it create human life in an immoral way, but it does so with the object of killing that human being for parts.

Whatever people might say in debates about abortion, IVF, embryo experimentation and the 2002 laws, we have never before given a legislative fiat (and subsequent funding) to the creation of human beings *especially for destruction*. We have never before proposed the creation of two classes of human beings: those intended for life and those marked for death. We implore our leaders not to cross this line.

Some people have tried to exclude Catholic voices from this debate. They accuse us of superstition and erect a quite false opposition between science and religion. We should be very clear about this. The Catholic Church is the oldest and largest healthcare provider in the world. Its worldwide network of universities, medical schools, teaching hospitals, hospices and nursing homes provides the best that contemporary medical science and nursing art have to offer. The Church is a major funder and host for medical research. Many of Australia's top professionals are proud to be part of Catholic healthcare and research. So the Church is not 'anti-science'.

But we do ask that science be carried out in ethical ways and this concern is no monopoly of Catholics. *Primum non nocere* is a doctrine from the pre-Christian evolution of the medical profession. It has been a fundamental principle in every morally respectable culture ever since. It is the stuff of 'Philosophy 101' and 'Medical Ethics 201' and there is nothing peculiarly Catholic about that.

To say, as some advocates of the Lockhart Report have done, that when there is a difference of moral position you must always opt for the permissive position is, I think, disingenuous. People at one time disagreed about slavery. People today disagree about state execution, torture of terrorist suspects, discrimination against certain minorities. To say that these are moral matters about which the state cannot adjudicate and which should therefore be permitted is absurd.

In 2002 all MPs voted against cloning and indeed against any method of creating human beings for any purpose other than implantation in a mother. In 2005 the United Nations adopted the *UN Declaration on Human Cloning*, which calls upon Member States to adopt all measures necessary to prohibit all forms of human cloning. Australia voted in favour of this Declaration. There are no new facts, no new arguments, no evidence of a seismic shift in community attitudes since 2005 or 2002. Yet the moral disgust expressed by prominent objectors to human cloning and the solemn condemnation of the creation of human embryos for experimental purposes by our political leaders back in 2002 has turned to admiration of both proposals in four short years. In the face of such strategic incrementalism – 'the salami technique' – would anyone imagine that today's proposed shift in the dividing line between scientific curiosity and ethical standards is the last? What ethical horror is next in line for us four years from now?

Not all of morality, let alone all Catholic teaching, is appropriate matter for law in a pluralist democratic society such as ours. But both Church and state must remain vigorous defenders of the life, dignity and rights of all, especially the most vulnerable. We join all Australians in hoping for new developments in biotechnology and medicine that will improve the health and wellbeing of all. We believe there are and always will be ways of achieving such results without compromising ethics or further polarizing our community. We only ask that every member of the human family be given 'a fair go'.