

LEGISLATION REVIEW COMMITTEE
Review of the *Human Cloning Act 2002* and the
***Research Involving Human Embryos Act 2002*.**

MEDIA RELEASE

19th December 2005.

**LOCKHART REVIEW SUPPORTS STRONG REGULATION OF
RESEARCH INVOLVING HUMAN EMBRYOS**

The Hon John Lockhart AO QC, a former Federal Court Judge, who has been chairing an independent review of Australia's *Prohibition of Human Cloning Act 2002* and the *Research Involving Human Embryos Act 2002* has delivered the Review Committee's findings to the Australian Government today.

The Minister with portfolio responsibility for the legislation, the Hon Julie Bishop MP, Minister for Ageing, has tabled the report out of session in the Senate and the House of Representatives and referred it to the Prime Minister in his capacity as the Chair of the Council of Australian Governments (COAG).

Mr Lockhart said the two Acts deal with difficult ethical issues about which people have different and deeply held views and the Review Committee was very impressed at the depth and passion of the submissions and personal presentations made to it over the course of the review.

The Committee received 1035 written submission and heard personal presentations from 109 people across every State and Territory in Australia. The Committee also consulted with State and Territory Government representatives.

Mr Lockhart said there was clearly overwhelming support from the general public and the medical and scientific communities for maintaining a strong regulatory framework to oversee work being conducted under the two Acts, including the maintenance of an effective system of licensing and monitoring.

"The Committee has concluded that, based on its wide consultations, there is a need for an augmentation of the current system to allow research, within a rigorous ethical framework, into emerging scientific practices that will assist in the understanding of disease and disability," Mr Lockhart said.

"The Committee believes that it is important for Australia to maintain its role as a leader in the advancement of high quality and ethically sound scientific research and medical practices. To this end, we support the continued use of both adult and embryonic stem cells under existing guidelines for research and do not recommend that any additional legislative restrictions be applied.

"The Committee also acknowledged the importance of establishing a national stem cell bank in Australia, recommending that consideration be given to it being operated at the Australian Stem Cell Centre at Monash University in Melbourne.

“The Committee heard strong arguments for reform on experimental fertilisation techniques to improve assisted reproductive technology treatment, and we have recommended increased regulatory flexibility to facilitate research in this important field.

"On the contentious issue of Somatic Cell Nuclear Transfer (SCNT), sometimes known as therapeutic cloning, the Committee has given its support for SCNT and the creation and the use in research of certain other types of experimental embryos in the very early stage of their development and under strict ethical and scientific regulation.

“The Committee agreed that the existing prohibitions in place to prevent reproductive cloning and the placement of prohibited embryos in the body of a woman should be maintained.”

The report is available on the review's website at www.lockhartreview.com.au

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MEMBERS OF THE LEGISLATION REVIEW COMMITTEE

The Honourable John Lockhart AO QC (NSW) CHAIR *Field of law*

The Honourable John Lockhart is a highly regarded member of the international legal community. He was a Justice of the Federal Court of Australia from 1978 until 1999. He has been a member of the Appellate Body of the World Trade Organization, Geneva, Switzerland since 2002 and was appointed as the Deputy Chair of the International Legal Services Advisory Council in 2004. Mr Lockhart has highly relevant experience in chairing high level committees that deliberate on contentious issues.

Associate Professor Ian Kerridge (NSW) *Field of ethics, philosophy and science*

Associate Professor Kerridge is a highly regarded clinical ethicist and specialist haematologist. He is Associate Professor in Bioethics and Director of the Centre for Values, Ethics and Law in Medicine at the University of Sydney and Staff Haematologist/Bone Marrow Transplant Physician at Westmead Hospital, Sydney. Associate Professor Kerridge has highly relevant skills and expertise demonstrated through his work and publications in the fields of health ethics.

Professor Barry Marshall (WA) *Field of community and science*

2005 Nobel Laureate, Professor Marshall is Research Professor of Microbiology at the University of Western Australia and also brings generalist scientific expertise in addition to his abilities in community representation. He is a highly awarded scientist of international renown who is also a successful community advocate both in Australia and overseas. He is a specialist gastroenterologist who is noted for his discovery of the link between the bacteria *Helicobacter pylori* and gastric ulcers. Professor Marshall and a colleague won the 2005 Nobel Prize in Physiology or Medicine for this discovery.

Associate Professor Pamela McCombe (QLD) *Field of medicine and science*

Associate Professor McCombe is a Consultant Neurologist and a Visiting Medical Officer at the Royal Brisbane Hospital and holds the position of Associate Professor, Department of Medicine at the University of Queensland. She is Chair of the Wesley Research Institute Research Committee and Chair of the Scientific Program Committee of the Australian Association of Neurologists.

Professor Peter Schofield (NSW) *Field of science*

Professor Schofield is a renowned neuroscientist. He is Executive Director and Chief Executive Officer of the Prince of Wales Medical Research Institute, Senior Principal Research Fellow at the Garvan

Institute of Medical Research and Conjoint Professor at the Faculty of Science and Faculty of Medicine at the University of New South Wales. Professor Schofield's skills and expertise are in a highly relevant scientific discipline to the review subject matter.

Professor Loane Skene (Vic) *Field of law and ethics*

Professor Skene is a renowned lawyer, ethicist and academic. She is Pro Vice-Chancellor, Professor of Law in the Law Faculty and an Adjunct Professor of Law in the Faculty of Medicine, Dentistry and Health Sciences at the University of Melbourne. Professor Skene has highly relevant skills and expertise demonstrated through her work and publications in the fields of health law and ethics.