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WHY THE LOCKHART RECOMMENDATIONS ON HUMAN CLONING SHOULD NOT BE IMPLEMENTED

The **key recommendation** of the Lockhart Report is that:

Human somatic cell nuclear transfer should be permitted, under licence, to create and use human embryo clones for research, training and clinical application, including the production of human embryonic stem cells, as long as the activity satisfies all the criteria outlined in the amended Act and these embryos are not implanted into the body of a woman or allowed to develop for more than 14 days.

This recommendation **should not be acted upon** because:

1. HALF THE MEMBERS OF THE LOCKHART REVIEW, INCLUDING THE TWO APPOINTED FOR THEIR EXPERTISE IN ETHICS, WERE ALREADY ON THE RECORD AS SUPPORTING HUMAN CLONING FOR RESEARCH. THE RECOMMENDATIONS MERELY REFLECT THEIR PERSONAL VIEWS.

Associate Professor **Ian Kerridge** ([June 2001](#)): "Therapeutic cloning has massive potential. Animal work has shown promising insights into how it can be used to repair tissues that can't normally repair themselves or for which there is a shortage. **There are strong moral imperatives to do stem cell and cloning research.**"

Professor **Loane Skene** ([1 March 2000](#)): "Even if one regards reproductive cloning as contravening human dignity, surely the same is not true of therapeutic cloning. A person's 'dignity' is best respected by trying to save the person's health and life. Even if embryonic cells are used, I do not believe that any 'dignity' interest of the embryo outweighs the interests of a dying or diseased person."

Professor **Peter Schofield** ([9 October 2001](#)) "Parts 4 and 5 of the [Human Reproductive Cloning and the Trans-Species Fertilisation] Bill [NSW] will allow research on human stem cells, including embryonic stem cells and their use in **human therapeutic cloning**. **This is to be commended** as it provides both a regulatory basis by which exciting and significant new developments in medical research can be progressed while providing clarity and simplicity about lines of investigation that will not be permitted because of overwhelming ethical concerns."



2. THE LOCKHART REVIEW RELIED ON FRAUDULENT SCIENCE

Unfortunately for the credibility of its findings the Lockhart Review happened to coincide exactly with six month period in the history of science and society from June to December 2005 when **the whole world was conned into believing** that Korean scientists led by Professor Hwang Woo Suk had achieved major breakthroughs in human cloning.

The Australian Stem Cell Centre's [submission](#) put it this way to the Lockhart Review:

“Some notable advances would include both the **initial proof-of-concept of human SCNT and a subsequent greatly enhanced efficiency of SCNT** by Professor Woo Suk Hwang from Korea. At the time of the previous legislative debate, human SCNT had not been achieved and there was some controversy in the field as to whether it was in fact possible. Within the last three years, **Professor Hwang has shown that it is indeed possible** and, in his recent paper in the journal Science [published 17 June 2005 the same day the Lockhart Review was established], he **has shown that it can be performed with a level of efficiency that greatly increases its potential therapeutic application. Thus, this technique is no longer theoretical; it has been proven, optimised, and is being performed in laboratories throughout the world.**”

No wonder the Lockhart Review (already disposed to support human cloning for research) was wowed!!

The Lockhart Report, recommending, **on the basis of these persuasive submissions from stem cell scientists keen to catch up with the Koreans**, that the creation of human clones for research be allowed was handed down on **19 December 2005**.

Just four days later on 23 December 2005 an academic panel at Seoul University found that the 11 patient specific embryonic stem cell lines reported as created by Hwang did not exist. They were pure fabrication.

This means that no one any where in the world has produced even a single human embryonic stem cell line from a single human embryo clone. The impetus cited by pro-cloning scientists to review the ban on cloning simply never existed.

The news got worse. On 10 January 2006 Seoul University found that Hwang's earlier 2004 research in which he reported the creation of 30 human embryo clones was also fraudulent. **This finding means that there is no independently verified evidence that anyone anywhere in the world has created a single human embryo clone.** Claims to have done so in the UK and in China (using rabbit eggs) have never been published in a peer reviewed scientific journal.



3. THE LOCKHART REVIEW FAILED TO DISCLOSE THAT OVER 80% OF THE 1035 SUBMISSIONS RECEIVED OPPOSED ANY CHANGE TO THE PROHIBITION ON HUMAN CLONING FOR RESEARCH.

While recording the total number of submissions received ([page 18](#)) as 1035 and giving a breakdown of these as 921 from individuals, 98 from organisations, 8 from government agencies and 8 from members of parliament nowhere in the Report are we given any indication of the weight of the submissions for or against relaxing the prohibition on human cloning for research. An independent analysis of the Reports by Do No Harm has found that in fact over 80% of the submissions were opposed to relaxing the prohibition on human cloning for research. The Report repeatedly refers to “some”, “several” or “a number” of submissions arguing for or against human cloning but carefully avoids communicating any impression of the balance of opinion.

4. THE LOCKHART REVIEW IN ASSESSING COMMUNITY ATTITUDES ON HUMAN CLONING FOR RESEARCH IGNORED THE KEY PUBLISHED RESEARCH PAPER.

The Review failed to even mention the most [in-depth research](#) on Australian attitudes to human cloning conducted by researchers from Swinburne University of Technology and published in 2004. “The results suggest that the majority [63%] of Australians were comfortable with the research using adult cells, but **were not comfortable with scientists using cells created by cloning.**”

5. THE LOCKHART REVIEW IGNORED ITS OWN TERMS OF REFERENCE AND EXCEEDED ITS BRIEF.

The Review accurately summarised its brief in its [Issues Paper](#) as follows: “The purpose of the reviews is to assess the scope and operation of the existing regulatory framework. **It is not the purpose of the reviews to revisit the underpinning community debate and rationale for the legislation.** Rather, it is to review the two Acts in **light of changes in scientific or community understanding or standards since 2002**, and any indications that the provisions are no longer appropriate and/or practical in their application.”

However, as the report by [mpconsulting](#) found (page 20): “The Committee’s considerations appeared to be based around the potential of SCNT for the treatment of illness and **the Committee’s own resolution of the ethical issues.**”

In other words the Lockhart Review chose to exceed their brief by revisiting the underpinning community debate of 2002 and resolving the ethical question on the creation of human embryos by cloning specifically for research differently that the Parliament had [resolved](#) this very same ethical question, without dissent, in its vote on the Prohibition of Human Cloning Act 2002.