

Article reprinted from *Cross+Way* Issue Spring 2008 No. 108

(C)opyright Church Society; material may be used for non-profit purposes provided that the source is acknowledged and the text is not altered.

THE HUMAN FERTILISATION AND EMBRYOLOGY BILL

By Fanny Mak

This Bill passed through the Lords at the start of February and is expected to become law in 2009. There are three main areas of concern:

Family

'No need for a father'

The new bill will remove the requirement for *in vitro* fertilisation (IVF) providers to evaluate the need a baby has for a father when considering an IVF application. It would then allow more lesbian couples and single women to get fertility treatment on the NHS. Gay rights groups argue that both men and women should have equal access to the treatment and that at present the law discriminates against women. The Government has argued, and gay rights groups agree, that this would not attack the role of fatherhood in a general sense.

The new bill would seriously undermine the distinctive roles of fatherhood and motherhood, which are both vital in a child's upbringing and neither of them can be omitted by human choice. The new bill would run against the mounting evidence that a fatherless child would be more likely to under perform at school and develop anti-social behaviour.

Redefining 'parenthood'

The new bill would allow homosexual couples who conceive through IVF treatment (through sperm or egg donation or surrogacy) to register as parents on the birth certificate. In other words, parents are no longer necessarily biologically linked to their children. There can therefore be two mothers or two fathers or one mother and one father in a family. Unlike adoption, which puts the interest of a child first, the new bill would put the 'rights' of an adult first. The traditional concept of family will be undermined.

Under the new bill, if a woman conceived using donor sperm, her husband would be automatically labelled as the father of the child, unless he can show he did not give his consent. The husband may not know that his wife was carrying another man's child.

Embryo research

'Hybrid' embryos

The new bill will legalise the creation of animal human 'hybrid' embryos for research purposes. A 'hybrid' embryo thus created would grow and develop stem cells. The stem cells are kept for research purposes and the embryo is destroyed.

The new bill would then redefine what a 'human' is, what human dignities and rights are. The created 'human' could be half human and half animal genetically and an embryo would be destroyed if it were no longer needed. This devalues human life and further downgrades the dignity of the embryo (something that the 1990 Act stipulated should be protected); it is unethical and will open the door for further experimentation and abuse of human embryos.

Scientists who support the Bill argue that there are not enough human eggs to produce the volume of stem cells they want for medical research. However, this argument is highly contentious because after ten years of research into embryonic research, there is no significant breakthrough in treatment. Meanwhile, the use of adult stem cells in curing disease such as spinal cord injury and Parkinson's disease has shown some successes.

Designer babies

The new bill would legalise the practice of pre-implantation testing of embryos so that children can be created to extract their tissues or cells for curing an ill sibling. At the moment, stem cells taken from umbilical cord blood are allowed to be used to treat patients with life threatening disease. The Bill would extend it to treat a seriously ill (not defined by the new bill) child, and stipulate that other tissues could be used. There is a real prospect of creating 'spare-part children' to supply organ transplants for their siblings in the near future.

Since only the perfectly healthy and fit for the purpose embryos are allowed to survive, the destruction of healthy embryos is inevitable. 'Spare-part children' are only allowed to exist in order to meet the medical need of their siblings; they might be seen as commodities rather than valuable individuals.

Cloning humans

Under the Human Reproductive Cloning Act 2001, reproduction cloning is prohibited because it is unethical. However, the Bill allows human cloning to become legal in certain circumstances and open the door for future regulation. Scientists worked on cloning think that cloning humans prevent the transmission of certain 'mitochondrial' diseases. However, it is not known whether it is safe.

Abortion

The new bill will open up the possibility of reforming abortion law. Both pro-life and pro-abortion groups are thought to put forward some amendments. There is a concern that the abortion law would be further liberalised.

The current law

In England, Scotland and Wales, abortion is allowed up to 24 weeks of pregnancy. Two doctors are required to give their consent for the operation to be carried out. Abortion up to birth is only allowed when the life of the mother is at risk or where the unborn child is seriously handicapped (however, 'seriously handicapped' may mean a child with an abnormality such as cleft palate). In Northern Ireland, abortion is only legal when the life of the mother is at risk.

Possible proposals facilitated by the Bill:

The following are not at present in the Bill but are amendments which people have attempted to include.

That abortion should be allowed on demand during the first trimester (roughly the first 3 months after conception) as abortion is seen as a woman's 'right'.

That the consent of the two doctors be dropped as it is seen as an obstacle to abortion.

Nurses be able to authorise and perform both early medical abortion and early surgical abortion.

To allow women to self-administer the second stage of early medical abortion (the first stage involves taking drugs to block the pregnancy hormones; the second stage involves taking drugs to induce a miscarriage) and have the induced miscarriage at home.

The abortion rate has increased dramatically since the 1967 Abortion Act. The rate of abortions per 1,000 women aged 15 to 44 has more than tripled from 1969 to 2004. According to the Department of Health, the total number of abortions of residents in England and Wales was 193,700 in 2006, compared with 186,400 in 2005, a rise of 3.9%. The number of teenage abortion has also increased. In 2006, almost 3,000 abortions were carried out on women who were at least 20 weeks pregnant in

England and Wales, a 44 per cent increase in less than a decade. Disturbingly, most of them were carried out for 'lifestyle' reasons (8 March, 2008, The Sunday Telegraph). There is a real danger that the number of abortions would continue to rise if the government makes it much easier for women to undertake abortion.

The Royal College of Obstetricians and Gynecologists has now set up a working group to review the latest developments in foetal abnormalities and how much pain can be felt in the womb (11 March, 2008, The Daily Telegraph). Both reviews would help to put further pressure on ministers to lower the 24-week limit for abortion.

Current position of the main parties on the Bill:

David Cameron backed the lowering of the abortion limit and allowed MPs a free vote.

Gordon Brown allowed a free vote on amendments relating to abortion but not on other aspects of the Bill.

Liberal Democrat MP, Evan Harris wants to table an amendment of the new bill to allow the creation of babies to be born from artificial gametes - sperm and eggs – to be used to create a human pregnancy through IVF. The technique involves taking embryonic cells from a would-be parent and making them to grow into artificial sperms. In other words, it is possible to create an egg and sperm from the same person, the would-be parent. The science has so far been used in mice and it would be a long way off for it to be used in humans. It is claimed that it would allow groups such as cancer sufferers who have been made infertile by treatment, and women who cannot have their own egg, to have genetically related children. However, the science would raise ethical problems and there may be unforeseen damages to the created babies, both genetically and psychologically.

Abortion rates per 1,000 women of ages 15 to 44

1969 - 5.3

1979 - 12

1989 - 15.5

1999 - 16.2

2003 - 16.6

2004 - 16.9

Fanny Mak is an occasional volunteer in the Church Society office.