

## **The Christian Institute**

### **Written evidence to the Joint Parliamentary Committee on the Draft Human Tissue and Embryos Bill**

#### **Introduction**

1. The Christian Institute is a non-denominational charity established for the promotion of the Christian faith. We have 20,000 supporters throughout the UK, including around 3000 churches and church ministers from across the Christian denominations. We hold traditional, mainstream Christian beliefs about the family and the sanctity of life.

#### **Human-animal hybrids and chimeras (Question 8)**

2. The Human Tissues and Embryos (Draft) Bill permits the creation of a range of human-animal combinations, including cytoplasmic hybrids, transgenic embryos and chimeras. The supposed benefit of the creation of such human-animal embryos is the development of embryonic stem cell research with the goal of treating serious diseases and injuries. The end, however, does not justify the means. The production of human-animal embryos introduces great ethical concerns. Furthermore, evidence thus far suggests that non-embryonic stem cells are better suited to therapeutic use than embryonic stem cells.
3. The questionable ethical nature of human-animal embryos is apparent from the instinctive moral repugnance felt by many people.<sup>1</sup> Some have called human-animal hybrids an 'in vitro version of bestiality'.<sup>2</sup> Most people have an intrinsic sense of the divide between human and nonhuman. However, the very definition of what it means to be human will be called into question by the creation of human-animal embryos. There would be real difficulties in determining whether something was human or nonhuman, or something in between. This blurs definitions both legally and morally. In the case of a chimera, for example, is the embryo to be accorded full human status if it is only 50% human or to be considered an animal? Human rights and human dignity are dependent upon the distinctness of humanity from non-humanity. The creation of human-animal embryos is a significant step towards the erosion of the special status of human beings. In the creation of human-animal hybrids or chimeras there are intrinsic moral and ethical dilemmas which cannot be avoided except by prohibiting such experimentation.
4. Deliberately creating embryos which are part human and part animal is offensive to human dignity, offensive to moral and religious conscience and offensive to common sense. The supposed benefits (which are highly

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<sup>1</sup> This is recognised by the Human Fertilisation and Embryology Authority, *Hybrids and Chimeras. A consultation on the ethical and social implications of creating human/animal embryos in research*, April 2007, page 14

<sup>2</sup> Edinburgh Evening News, 11 April 2007

doubtful – see paras 6-8 below) cannot outweigh the moral cost. We must reject the purely utilitarian approach which says that we can do wrong that good may result.

5. A large proportion of the population, particularly though not only Christians, considers a human embryo to have a special status from conception, and thus ought not to be created for the purpose of research. The Warnock Report clearly gives greater legal protection to human embryos than animal embryos<sup>3</sup> and this has continued to be true in law. Many would oppose the creation of human-animal embryos because of the high moral status which they would attribute to the humanity of the embryos.
6. The production of human-animal embryos is fraught with a variety of risks which cannot easily be predicted. Any human-animal combination is likely to suffer developmental problems, such as the formation of tumours or failure to properly form organs. The potentially significant effects of having animal maternal mitochondrial genes alongside human nuclear and mitochondrial DNA is a particular concern for embryos produced by cell nuclear replacement.<sup>4</sup> Furthermore, human-animal combinations potentially provide the conditions for the rapid transmission of diseases previously only present in animals.<sup>5</sup>
7. There are enormous doubts that research undertaken using human-animal hybrids and chimeras will be successful, even on its own terms. The mixing of human and animal genetic material is likely to result in a far less stable entity than a fully human embryo, rendering its use as a vehicle for experimentation less viable. This is particularly true of cytoplasmic hybrids because of the risk of interspecies mitochondrial-nuclear DNA dysfunction. More fundamentally there is serious doubt about the relevance of experiments upon human-animal hybrids and chimeras to processes occurring in wholly human embryos. The development of a human-animal hybrid is likely to be very different from that of a human.
8. Furthermore, the weight of evidence indicates that the pursuit of embryonic stem cells, the primary motivation behind the use of human-animal embryos, is not the best avenue for developing the therapeutic use of stem cells. The use of adult and umbilical cord stem cells has been far more fruitful than the use of embryonic stem cells. As far back as the Donaldson report it was recognised that research 'contradicts the conventional wisdom that stem cells derived from adult tissue have restricted potential to differentiate'.<sup>6</sup> Studies have shown that adult stem cells can be pluripotent and research on adult cattle stem cells has shown them to be multipotent.<sup>7</sup> Research published recently has demonstrated that in mice stem cells can

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<sup>3</sup> Report of the Committee of Inquiry into Human Fertilisation and Embryology, HMSO Cmnd. 9314, July 1984.

<sup>4</sup> *Chimeras in the crosshairs*, Nature Biotechnology, Vol. 24 No. 5, May 2006.

<sup>5</sup> D Butler, *Last chance to stop and think on risks of xenotransplants*, Nature 1998, 391, 320-326

<sup>6</sup> Stem Cell Research: Medical Progress with Responsibility, Department of Health, June 2000, page 19.

<sup>7</sup> E.g. 'Old Cells, New Tricks', *New Scientist*, 19 August 2000; Reprogram your body, *New Scientist*, 3 March 2001

be 'reprogrammed' to be induced pluripotent cells, with research into the application of this process to humans underway.<sup>8</sup> The use of stem cells from the umbilical cord has proven very valuable in the treatment of blood disorders.<sup>9</sup> Nobody has ever successfully been treated using embryonic stem cells. Given the superior results of non-embryonic stem cells, the production of human-animal hybrids and chimeras is not necessary, and does not justify overriding the ethical objections to the processes involved in the development of embryonic stem cells.

9. The development of human-animal hybrids and chimeras presents grave ethical concerns and introduces as yet unclear hazards without producing benefits obtainable through other methods. A broad range of countries have already legislated against the creation of human-animal hybrids and chimeras as a result of such factors, including France, Germany, Italy, Netherlands, Belgium, Canada and Australia.<sup>10</sup> In the bioethics community, the UK is increasingly regarded by the international community as a rogue state, engaging in unethical and unnecessary research.

### **Removal of requirement to consider the need for a father (Questions 12 and 13)**

10. Sections 21 (2)(b) and 31 (2) remove the condition that a 'child's need for a father' is to be considered as part of the assessment of the welfare of children who may be born as a result of assisted reproduction services. We believe that a child needs both a mother and a father. The Government has previously indicated that it believes that 'marriage is still the surest foundation for raising children'.<sup>11</sup> A broad range of evidence indicates that the role of the father is of great significance to a child's welfare, playing a unique role complementary to that of the mother. Children who live apart from their father or who have no contact with a father have worse outcomes in childhood and adulthood across a range of outcomes. Father absence is linked with early sexual experience and teenage pregnancy even after control for other factors.<sup>12</sup> There is also 'powerful evidence' to indicate that the presence of biological fathers in the home reduces rather the risk of abuse.<sup>13</sup> Some studies suggest that father love is as influential upon the development of a child as mother love.<sup>14</sup>
11. No attempt has been made in the documents accompanying the Draft Bill to show how removing the requirement to consider a child's need for a father will be of benefit to the children born as a result of assisted reproduction. In contrast, since the father is linked closely to positive outcomes for a child, it is essential to continue to recognise the importance

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<sup>8</sup> *New Scientist*, 9 June 2007

<sup>9</sup> *The Independent*, 12 June 2007

<sup>10</sup> *The Guardian*, 18 May 2007

<sup>11</sup> Supporting Families (Green Paper), The Home Office, 1998, page 4, paragraph 8

<sup>12</sup> Ellis, B.J et al, 'Does Father Absence Place Daughters at Special Risk for Early Sexual Activity and Teenage Pregnancy?', *Child Development* Vol 74 No.3 May/June 2003, pages 801-821

<sup>13</sup> Clare, *A Masculinity in Crisis* London: Chatto & Windus 2000, page 187

<sup>14</sup> Rohner, R P and Veneziano, R, 'The Importance of Father Love: History and Contemporary Evidence', *Review of General Psychology* Vol 5(4), 2001, pages 382-405

of the father to a child's welfare in the Human Fertilisation and Embryology Act.

### Parenthood (Question 16)

12. Section 41 indicates that the husband of a woman who undergoes assisted reproduction using another man's sperm will automatically be considered the father of such a child, unless it is shown that he did not consent to the assisted reproductive process. The looseness of this law may cause spurious attempts to enforce fatherhood, including financial responsibility, on a husband who had no opportunity to refuse consent, perhaps because they were estranged. There could be considerable arguments over whether consent was given.
13. This draft bill encourages the formation of family units with same-sex parents. Section 48 automatically recognises as a parent the civil partner of the mother of a child born as a result of assisted reproduction. Sections 49 to 51 allow for a female partner of the mother to be recognised as a parent so long as there is no recognised father. The clear consequence is that 'no man is to be treated as the father of the child'. (Section 51(1)) This results in children, in law, having two female parents,<sup>15</sup> a highly confusing situation. And in the case of women who are living together, it gives full parental rights and recognition to a person with no biological relationship to the child, no history of living with and caring for the child, and no legal relationship to the child's parent. This is a radical and dangerous new departure in family law.
14. Section 59 indicates that the reference to the father of a child in any enactment, deed or any other instrument or document is to be read as a reference to a woman who is recognised as the parent of a child. This undermines the whole basis of the family and creates a legal fiction, asking people to believe something which is manifestly untrue.
15. Section 60 allows for civil partners or any two persons who are 'living as partners in an enduring family relationship' to be treated in law as the parents of a child if that child was born to a surrogate biological mother and the gametes of at least one of the partners was used to bring about the creation of the embryo.
16. As indicated in paragraph 9, the absence of a father normally has strong detrimental effects on a child's wellbeing. There are also particular disadvantages to a child who is brought up by homosexual parents. According to one of the largest studies, the children of homosexual parents often suffer from gender confusion and relationship problems.<sup>16</sup> Similarly

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<sup>15</sup> s.39 of the Bill only allows for one 'mother'. It treats 'parent' as a separate category from 'mother' and 'father'.

<sup>16</sup> Belcastro, P A et al, 'A Review of Data Based Studies Addressing the Affects of Homosexual Parenting on Children's Sexual and Social Functioning', *Journal of Divorce and Remarriage*, 20(1/2), 1993, pages 111-112; Wyers, N L, 'Homosexuality in the Family: Lesbian and Gay Spouses', *Social Work*, 32(2), 1987, page 146

another study has found that the children of homosexual parents tend to have difficulty at school and in social situations.<sup>17</sup> Indeed, the homosexual community itself is often resistant to parents and their children.<sup>18</sup>

17. Whilst anecdotal cases of children raised by a homosexual couple may be produced, the weight of evidence, and the moral sense of most people, indicates that children do best when raised by a mother and a father. It is wrong to legislate to allow and facilitate homosexual couples to become parents as a result of assisted reproduction and surrogacy.

### **Reproductive Cloning by the back door (Question 17)**

18. The Draft Bill supersedes the Human Reproductive Cloning Act 2001, which prohibited all reproductive cloning, prohibiting human reproductive cloning by virtue of the definition of permitted eggs and embryos at Section 16(5). However, Section 16(5) also allows for regulations to permit the implantation of an embryo which has received mitochondrial DNA from a second woman. This process would be carried out using a cloning procedure. This undermines the prohibition on reproductive cloning and may lead to calls to allow reproductive cloning procedures to avoid other genetic diseases or abnormalities.

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<sup>17</sup> Sarantakos, S, 'Children in Three Contexts: Family, Education and Social Development', *Children Australia*, 21(3), 1996, page 25

<sup>18</sup> Lott-Whitehead, L and Tully, C T, 'The Family Lives of Lesbian Mothers', in Laird J (Ed.) *Lesbians and Lesbian Families*, Columbia University Press, New York, 1999, pages 251-5