



Summary of MPs' Statements

Prohibition of Human Cloning for Reproduction and the Regulation of Human Embryo Research Amendment Bill 2006

House Debate: Hansard from 30 Nov 2006, 4 & 6 Dec 2006

Ref:

- Thursday 30th November 2006 - <http://www.aph.gov.au/hansard/reps/dailys/dr301106.pdf>
- Monday 4th December 2006 - <http://www.aph.gov.au/hansard/reps/dailys/dr041206.pdf>
- Tuesday 5th December 2006 - <http://www.aph.gov.au/hansard/reps/dailys/dr051206.pdf>
- Wednesday 6th December - <http://www.aph.gov.au/hansard/reps/dailys/dr061206.pdf>

Table of Contents:

Issue.....	2
ACL's position	2
Background	2
Responses to the Lockhart Report.....	2
Outcome of the Senate debate	3
The House of Representatives Debate	3
Analysis of the voting	4
Statements from ALP Members who supported the Bill.....	7
Statements from Liberal / National Members who supported the Bill	15
Statements from ALP Members who opposed the Bill.....	21
Statements from Liberal / National / Independent Members who opposed the Bill.....	25
Statements from Members who Abstained from Voting.....	35

Issue

Parliament has voted to allow the creation of cloned human embryos for destructive research. This effectively overturns a unanimous decision by the Parliament to ban human cloning in 2002.

ACL's position

[ACL opposes human cloning](#) whether for so-called 'therapeutic' uses or for reproductive purposes. Human life is precious, even in its very early stages, and it cannot be right to create a human embryo clone for the purposes of destructive research. Parliament unanimously voted to ban human cloning in 2002 and there have been no changes to either the ethics or the science since then that would justify any change to legislation. [Contrary to the hype](#), there is no proven potential for cloning as a method of finding new treatments for disease. Australia should take the opportunity to become a world leader in ethical biotechnologies such as cord blood and adult stem cells, which are already [delivering real therapies for a range of diseases](#).

Background

In 2002, Parliament passed the Research Involving Human Embryos Act, which allowed research on 'surplus' human embryos created as part of the IVF process but not selected for implantation. While the majority of Christians did not support this, it was justified in many politicians' view because the unused embryos would eventually die anyway. Parliament also unanimously passed the Prohibition on Human Cloning Act, which forbade the creation of cloned human embryos.

The 2002 Acts included a provision for review in three years' time. This review began in 2005, chaired by Professor John Lockhart. Many public submissions were received and hearings took place across the country. The small Committee was dominated by scientists and lacked a minister of religion or a community representative.

On 19th December 2005, the Lockhart Committee presented its [report](#). Just four days later, on 23rd December, a Seoul University internal review panel found that [Hwang Woo Suk](#), the acclaimed researcher on whose findings a great deal of the Lockhart Report was based, had intentionally faked his 2004 and 2005 research in which he had claimed to have created patient-matched embryonic stem cells through cloning. He was subsequently indicted and prosecuted in May 2006.

News that Hwang had faked his research is significant because his two papers in *Science* were the only peer-reviewed cases of obtaining patient-matched embryonic stem cells by cloning. Peer-review is the process by which other independent scientists review the paper submitted to a journal to evaluate the research. Unless an article is peer-reviewed it is regarded as opinion or anecdote. Hwang's work has been proven false and there is no other case of peer-reviewed patient specific embryonic stem cells anywhere in the world at this point in time. Therefore the claim that 'therapeutic' cloning can create patient-specific cells to treat disease has not been proven.

Responses to the Lockhart Report

The recommendations of the [Lockhart Report](#) were quite far reaching. The Committee recommended that the ban on 'reproductive cloning' should be maintained, but that so-called 'therapeutic' cloning should be introduced. As there would be difficulties in

obtaining the required number of human eggs from women, animal eggs should also be used, leading to the creation of animal-human hybrids (this was originally in Senator Patterson's bill but was not in the final legislation as it was removed in an amendment by Senator Andrew Bartlett). These cloned embryos would be allowed to develop for up to 14 days, when they would be destroyed as their stem cells were harvested. It would remain illegal to implant a cloned embryo into a woman's uterus.

After discussing the Lockhart Report, Cabinet decided that it was not disposed to make any changes to the 2002 laws, despite Lockhart's recommendations. However, others within the Liberal Party were very keen to act on the recommendations of the Lockhart Report. As a result of their lobbying, the [PM indicated that he would not stand in the way of a conscience vote](#) on the issue. Two Private Members Bills were put forward: one by Democrats Senator Natasha Stott Despoja and another by Liberal Senator Kay Patterson. The Senate Community Affairs Committee conducted an [Inquiry into the Legislative Responses to the Lockhart Review](#), which heard from those supporting and opposing the proposals.

The Senate Committee produced a [majority report in favour of cloning](#) and a [minority report opposing any change to the law](#). Senator Stott Despoja waived her bill in favour of allowing the private members bill from Senator Kay Patterson, which was deemed more likely to succeed because she was from the governing party.

Outcome of the Senate debate

Because the cloning bill originated in the Senate, it was debated there first, on 6th and 7th November 2006. It had a very narrow passage through the Senate, with 34 in favour and 32 opposed at the third reading. A summary of Senators' speeches is available [here](#). If just one more Senator had voted against the bill it would not have passed as a tied vote would block the legislation. The [painful uncertainty of some Senators was evident](#) with several undecided about how they should vote until just before the division was called. Some were still wrestling with their consciences as the vote was cast and it was reported that at least one woke up the next morning wondering [if he had done the right thing](#).

Certain amendments were passed by the Senate at the committee stage. Penalties for breaching the bill's provisions were increased from 10 years to 15 years. Senator Andrew Bartlett moved an amendment to prohibit the use of animal eggs, meaning that animal-human hybrid clones cannot be created. Unfortunately, there was no amendment to restrict the use of precursor cells from aborted female foetuses, meaning that such aborted foetuses could still be used as a supply of eggs.

While disappointing, this was much closer than predicted. The close result reflected the very effective opposition to the Bill by diverse groups from scientific, Christian, medical, women's and even civil libertarian groups. [Thousands of Australians emailed politicians](#) asking them to vote against the bill and ACL was able to have [15, 820 signatures](#) tabled in the Senate in a petition against the Bill, gathered through the [Make a Stand](#) website.

The House of Representatives Debate

The bill then moved to the House of Representatives, where it was debated from 30th November to 6th December. It was clear from the beginning that most MPs were likely to vote in favour of cloning. Summaries of MPs' speeches are provided below.

A common theme from those in favour of the bill was that it did not allow cloning: somatic cell nuclear transfer was simply the insertion of a cell into a human egg. Opponents of the bill pointed out that this was a deceptive position because somatic cell nuclear transfer was cloning, as the Lockhart report made clear.

Another aspect of the debate centred on when human life began and whether a cloned embryo had equal status to a normal human embryo. Pro-life MPs argued that life began at conception and that there should be no distinction drawn between different types of embryo. Other MPs argued that a cloned embryo did not have the same status as a normal human embryo and that, in any case, there should be no talk of human life because the cloned embryo would not be allowed to develop beyond 14 days, which was too early to be considered life.

An amendment was put forward by Michael Ferguson MP (Liberal, Bass) to ban the use of aborted female foetuses as a source of eggs for cloning. If the amendment had passed, the amended bill would have returned to the Senate, where it might not pass, given its close call last time. On the other hand, the Senate had not taken the opportunity to remove the use of aborted female foetuses when it had the chance. Nonetheless, those MPs in favour of cloning did not want to risk another vote in the Senate and voted against the amendment.

Those MPs who opposed cloning were divided on the value of the amendment. Some felt that they ought to do everything possible to remove the worst aspects of the bill and therefore voted for the amendment. Others felt that nothing could improve the bill and so voted against both the amendment and the bill.

Sadly, as predicted, the bill passed the House of Representatives by a comfortable margin of 82 – 62. It thus became legal for Australian scientists to clone human embryos for the purpose of destructive research.

Analysis of the voting

Those who opposed the Bill (noe)

Surname	First Name	Party	State
Abbott	Tony	Lib	NSW
Anderson	John	Nat	NSW
Andren	Peter	Ind	NSW
Andrews	Kevin	Lib	VIC
Baker	Mark	Lib	TAS
Baldwin	Bob	Lib	NSW
Barresi	Phillip	Lib	VIC
Bartlett	Kerry	Lib	NSW
Bowen	Chris	ALP	NSW
Burke	Tony	ALP	NSW
Burke	Anna	ALP	VIC
Byrne	Anthony	ALP	VIC

Those who supported the Bill (aye)

Surname	First Name	Party	State
Adams	Dick	ALP	TAS
Albanese	Anthony	ALP	NSW
Bailey	Fran	Lib	VIC
Baird	Bruce	Lib	NSW
Bevis	Arch	ALP	QLD
Billson	Bruce	Lib	VIC
Bird	Sharon	ALP	NSW
Bishop	Bronwyn	Lib	NSW
Bishop	Julie	Lib	WA
Broadbent	Russell	Lib	VIC
Brough	Mal	Lib	QLD
Cobb	John	Nat	NSW

Those who opposed the Bill (noe)

Surname	First Name	Party	State
Cadman	Alan	Lib	NSW
Causley	Ian	Nat	NSW
Ciobo	Steven	Lib	QLD
Costello	Peter	Lib	VIC
Danby	Michael	ALP	VIC
Draper	Trish	Lib	SA
Dutton	Peter	Lib	QLD
Ellis	Kate	ALP	SA
Emerson	Craig	ALP	QLD
Fawcett	David	Lib	SA
Ferguson	Michael	Lib	TAS
Forrest	John	Nat	VIC
Garrett	Peter	ALP	NSW
Hardgrave	Gary	Lib	VIC
Hartsuyker	Luke	Nat	NSW
Hayes	Chris	ALP	NSW
Howard	John	Lib	NSW
Hull	Kay	Nat	NSW
Jull	David	Lib	QLD
Katter	Robert	Ind	QLD
Kelly	De-Anne	Nat	QLD
Kelly	Jackie	Lib	NSW
Lloyd	Jim	Lib	NSW
Markus	Louise	Lib	NSW
McGauran	Peter	Nat	VIC
Mirabella	Sophie	Lib	VIC
Murphy	John	ALP	NSW
Neville	Paul	Nat	QLD
O'Connor	Gavan	ALP	Vic
Pearce	Chris	Lib	Vic
Price	Roger	ALP	NSW
Pyne	Christopher	Lib	SA
Quick	Harry	ALP	TAS
Randall	Don	Lib	WA
Richardson	Kym	Lib	SA
Ripoll	Bernie	ALP	QLD
Robb	Andrew	Lib	VIC
Rudd	Kevin	ALP	Qld
Schultz	Alby	Lib	NSW
Scott	Bruce	Nat	QLD
Secker	Patrick	Lib	SA
Slipper	Peter	Lib	QLD
Smith	Tony	Lib	VIC

Those who supported the Bill (aye)

Surname	First Name	Party	State
Corcoran	Ann	ALP	VIC
Crean	Simon	ALP	VIC
Downer	Alexander	Lib	SA
Edwards	Graham	ALP	WA
Elliot	Justine	ALP	NSW
Ellis	Annette	ALP	ACT
Elson	Kay	Lib	QLD
Entsch	Warren	Lib	QLD
Farmer	Pat	Lib	NSW
Ferguson	Laurie	ALP	NSW
Ferguson	Martin	ALP	VIC
Fitzgibbon	Joel	ALP	NSW
Gambaro	Theresa	Lib	QLD
Gash	Joanna	Lib	NSW
Georganas	Steve	ALP	SA
George	Jennie	ALP	NSW
Georgiou	Petro	Lib	VIC
Gibbons	Steve	ALP	VIC
Gillard	Julia	ALP	VIC
Grierson	Sharon	ALP	NSW
Griffin	Alan	ALP	VIC
Haase	Barry	Lib	WA
Hall	Jill	ALP	NSW
Hatton	Michael	ALP	NSW
Henry	Stuart	Lib	WA
Hoare	Kelly	ALP	NSW
Hockey	Joe	Lib	NSW
Hunt	Greg	Lib	VIC
Irwin	Julia	ALP	NSW
Jenkins	Harry	ALP	VIC
Jensen	Dennis	Lib	WA
Johnson	Michael	Lib	QLD
Keenan	Michael	Lib	WA
Kerr	Duncan	ALP	TAS
King	Catherine	ALP	VIC
Laming	Andrew	Lib	QLD
Lawrence	Carmen	ALP	WA
Ley	Sussan	Lib	NSW
Livermore	Kirsten	ALP	QLD
Macfarlane	Ian	Lib	QLD
Macklin	Jenny	ALP	VIC
May	Margaret	Lib	QLD
McArthur	Stewart	Lib	VIC

Those who opposed the Bill (noe)

Surname	First Name	Party	State
Thomson	Kelvin	ALP	VIC
Truss	Warren	Nat	QLD
Vaile	Mark	Nat	NSW
Vale	Danna	Lib	QLD
Vasta	Ross	Lib	QLD
Wakelin	Barry	Lib	SA
Windsor	Tony	Ind	NSW

Those who supported the Bill (aye)

Surname	First Name	Party	State
McClelland	Robert	ALP	NSW
McMullan	Bob	ALP	ACT
Melham	Daryl	ALP	NSW
Moylan	Judi	Lib	WA
Nelson	Brendan	Lib	NSW
O'Connor	Brendan	ALP	VIC
Owens	Julie	ALP	NSW
Plibersek	Tanya	ALP	NSW
Prosser	Geoffrey	Lib	WA
Roxon	Nicola	ALP	VIC
Ruddock	Philip	Lib	NSW
Sawford	Rodney	ALP	SA
Sercombe	Bob	ALP	VIC
Smith	Stephen	ALP	WA
Snowdon	Warren	ALP	NT
Somlyay	Alexander	Lib	QLD
Southcott	Andrew	Lib	SA
Stone	Sharman	Lib	VIC
Swan	Wayne	ALP	QLD
Tanner	Lindsay	ALP	VIC
Thompson	Cameron	ALP	QLD
Tuckey	Wilson	Lib	WA
Turnbull	Malcolm	Lib	NSW
Vamvakinou	Maria	ALP	VIC
Washer	Mal	Lib	WA
Wilkie	Kim	ALP	WA
Wood	Jason	Lib	VIC

Party Comparison of Voting

This table shows what percentage of MPs from each party opposed the introduction of human cloning for research purposes:

Party	Percentage of Party Opposed*
National	90
Liberal	46
Ind.	100
Labor	26

*based on those who actually voted.

Statements from ALP Members who supported the Bill

(opposed to ACL's position)

Hon Dick Adams, Member for Lyons, ALP

I want to focus on what I see as two essential elements-the science and the ethics... The Lockhart review considered the science and the Lockhart review considered the ethics. The Lockhart review made recommendations for change-changes that I believe would be to the benefit of both Australia and Australians.

Of course I accept people have religious and moral beliefs, and they are entitled to, but I am just not prepared to accept many of the arguments put forward regarding embryonic research resulting in the 'death' of a human being. There are several reasons for this. The main reason is that I do not believe it is the role of the parliament to enforce a particular religious view upon society. We are here to provide guidance and to make decisions for the good of the community as a whole, not just for some sections.

... while some religious groups are of the view that human life begins at conception, others such as Islam and Judaism consider that life only begins after the development of a fully formed foetus. It seems these religious groups are unopposed to IVF treatment for husband and wife only.

For those who put forward the so called 'slippery slope arguments' of how, if we proceed down the path proposed by this bill, we will have embryo farms and cloned babies or use fetuses for spare parts I argue this is why we need this bill-to stop those very things.

Alan Griffin, Member for Bruce, ALP

There have been too many scare campaigns based on pseudoscience or no science at all, and too many foolish statements about slippery slopes and the lack of research outcomes that ignore the facts...We need to distinguish the ethical and moral arguments from the scientific and biological ones and we need to understand that they both have a place and a right to be heard.

Cameron Thompson, Member for Blair, ALP

This empty egg is not an embryo in the sense that ideologues and some of those with an axe to grind in this debate would have you think. It is not implanted in a human uterus and at no time is it part of the human life cycle.

Hon Arch Bevis, Member for Brisbane, ALP

I cannot say that I know exactly when a human life begins, with its own spirit and identity, as an independent life. But I am clear in my own mind that it is certainly well after the maximum 14 days following fertilization provided for in this bill. An embryo at 14 days is not, in my mind, a separate human entity.

Lindsay Tanner, Member for Melbourne, ALP

I will ultimately vote in favour of this bill and I hope it passes but I have serious reservations about the path that we are heading down and therefore I – along, I suspect, with a number of others – would caution that it will take a lot of persuading to take us any further than this particular position.

I must confess that I was troubled by the original legislation that was introduced in the Senate, but I am pleased with the amendments that were made in the Senate and therefore I feel that I can vote for the legislation. Frankly I am not sure how I would have dealt with the original legislation had it not been amended in the way it has been.

The crucial question here for this parliament is whether we adhere to a basic philosophical position that ultimately boils down to the proposition that the end justifies the means...it is an incorrect way of looking at things to start from a utilitarian perspective only and then worry about moral and ethical questions later. In my view, if there is a clear moral or ethical dimension, as there obviously is in this case, that has to be our starting point...We do not ban things because there are alternative ways of achieving the same objective; we ban things because they are wrong. So the onus is on those who oppose this legislation to argue that the case is wrong.

I, with some reservations, will be voting for this bill, but I do make it very clear that, with regard to anything further in this pattern of legislation that emerges in the future – and I suspect it inevitably will – I will require a great deal of convincing to go further. I am already worried about where this trend is heading and I am worried about the outer limits of scientific ambit claims as to what should be permissible. Ultimately I believe there is such a thing as human nature and human dignity and that there are certain things, however irrational it might seem in certain lights, that should be no-go zones for us as the human race.

Sharon Bird, Member for Cunningham, ALP

I cannot conclude that an embryo of up to 14 days – the time proposed during which it will be used – is a life...For me, the proposed stem cells that are the subject of this bill – being a woman's egg with the nucleus removed and replaced by, for example, skin cells in order to regenerate an appropriate match for a particular person with a particular illness – are not the same as a fertilized egg in my body or in any other woman's body. Indeed, in that respect, I am quite comfortable with the position of this bill.

Ann Corcoran, Member for Isaacs, ALP

Because these embryos are created in an abnormal manner, it is considered by most scientists that they would not be able to grow into a viable foetus even if they were implanted into a woman's uterus...An embryo created for research using not sperm but a somatic cell is an entirely different type of embryo.

In my mind, the moral argument is whether or not we allow the creation of an embryo using SCNT – the purpose of that creation being to use the embryo for research which will destroy it. Given the difference between a normal embryo and one created in a different way for research, my decision to support this bill comes down to a balance between the benefits that the research might bring and a reluctance to embark on therapeutic cloning and the destruction of that embryo, although we are not sure of the potential of that embryo for life. To my way of thinking, we should allow therapeutic cloning because of the benefits it might bring us.

Hon Simon Crean, Member for Hotham, ALP

The basic ethical issue raised by many people is that this bill will permit the creation of embryos which will then be destroyed during the research process. Some people take the view that these embryos are human life – which should not be killed. However, we presently permit the creation of embryos for IVF. Once one embryo is allowed to develop

into a foetus and a human baby, the other embryos are discarded – effectively destroyed.

What we are proposing in this bill is the creation and destruction of embryos for the purpose of research into ways to preserve life and find cures for diseases. I believe that this process and its aims and IVF are equally worthy.

Brendan O'Connor, Member for Gorton, ALP

Human intervention in the creation and the ending of life presents us as legislators with a terrible array of scientific, moral and ethical concerns. Advances in scientific research keep altering the shape of the arguments and we find even the safest of our convictions tested.

The promise of the science is too great and the ethical difficulties too ill-defined – for me at least – or too narrowly held for us to condemn out of hand the use of therapeutic cloning for the production of embryonic stem cells. In truth, too many lives can be saved or dramatically improved by the use of this revolutionary branch of health sciences for me as a legislator to stand in the way of its development on the grounds that it offends some religious convictions.

Graham Edwards, Member for Cowan, ALP

I tend to respect all the views that are put to me on issues like this but I have only one vote and I will exercise that according to my conscience...I support the legislation.

Annette Ellis, Member for Canberra, ALP

I will avoid the term 'cloning' because it does, I think, give the wrong impression. SCNT is a better description of the process...Although it is correct to call this new entity an embryo, it is very different to an embryo created by egg and sperm...This bill will not allow the cloning of humans and I would never support such a proposal – and no-one else in here would either.

Martin Ferguson, Member for Batman, ALP

The ethical dilemmas surrounding the issue of embryonic stem cell research are founded in individuals definitions of when and how life is created...However, where the issue is complicated is whether or not you can speculate that the entity created by SCNT technology is an embryo. It is a question up for debate along with the question of whether this entity would develop into a foetus. Can an embryo only be created through the fertilization of an egg by a sperm? If not, could a human clone be produced through an entity created through SCNT technology?

The issue of human cloning is not up for debate today, although some people might be forgiven for thinking it was. This issue of embryonic stem cell research using SCNT technology processes is complex, yet too often the debate is obscured by emotive reactions and fear mongering that reduces the debate down to one that suggests the passage of this bill will allow scientists to create a human clone. That is not what this debate is about. ...many scientists see the term 'SCNT technology' as a more accurate one, as therapeutic cloning does suggest that cloning is taking place when this really is not the case. The SCNT process is not cloning, despite what those of us who do not have a scientific background would think.

What if it does provide a pathway to finding a cure for diabetes? I am not saying that any means should justify that end-such would be a dangerous approach. But I do support the bill as it presents an appropriate opportunity for advances that will ease human pain and suffering.

Joel Fitzgibbon, Member for Hunter, ALP

I have to decide what is more important: to back the cause of medical research into cures for some of the most debilitating forms of disease and their personal, social and economic costs; or on the other hand to err on the side of caution by concluding that the process that this bill seeks to sanction constitutes the destruction of human life as so many have argued. Unsurprisingly, given my record on these issues, my choice is the former. I am backing hope and opportunity over what is effectively a faith based view, and what is a scientifically unconvincing view, about the marriage of an egg – importantly, an egg which has had its DNA removed – and a body cell.

Jennie George, Member for Throsby, ALP

I have come down in support of therapeutic cloning, but only under very strict regulatory and legislative requirements. I do so for the following reasons: very importantly, reproductive or human cloning remains outlawed; embryos, no matter whether they are surplus IVF embryos or ones created without sperm through SCNT, will not be permitted to develop beyond 14 days; cloned embryos cannot be implanted into a human or an animals; and penalties of imprisonment of up to 15 years are foreshadowed in this bill.

The creation of human embryos designed for destruction – and this has been a major argument for those who oppose the bill – is in fact already enshrined in the practice of creating excess embryos for IVF purposes and, more recently, for stem cell research purposes. The committee viewed as inconsistent the position of accepting one destructive use and then denying another when both uses aim to alleviate a medical condition, be it infertility or a host of serious diseases.

While the bill contains serious penalties for forcing women to give up their eggs or paying for them, international experience increasingly shows that paying women for ova is the only way to guarantee sufficient supply. I urge extreme vigilance and caution.

Steve Gibbons, Member for Bendigo, ALP

I have given significant consideration to this bill and I believe there are stronger and more compelling reasons for supporting it than opposing it. Therefore I will exercise my vote accordingly. I conclusion, I ask my colleagues who would rather focus on fear than on hope to consider the wisdom of Morris Cohen who said, “Science is a flickering light in our darkness, it is but the only one we have and woe to him who would put it out.”

Julia Gillard, Member for Lalor, ALP

It is not known whether this entity [a cloned human embryo], if it were implanted into a woman, would result in a baby. However, it is the technology used to create Dolly the Sheep, and consequently, this entity needs to be acknowledged as having the theoretical potential to create a human life.

However, that does not resolve the question of whether it is right to create an entity that has a theoretical capacity to become a human being for the purpose of research...I have determined that, in my view, it is ethically permissible to allow the course proposed by the bill to facilitate research that is of unknown and unknowable potential. I do not

believe it would be right to not explore the potential of this research to cure the disease and disability which cause so much suffering.

I think we need to recognize with great courtesy and respect that there are those who cannot support this legislation, and in turn they must acknowledge that in this pluralist society there are many views on these issues and ethics is not the purview of any one group...I believe we need to distinguish the ethical and moral arguments from the scientific and biological ones, and we need to understand that both have a right to be heard...I support the bill.

Sharon Grierson, Member for Newcastle, ALP

I support the bill and the hope it offers for all Australians...People have said this line of research is unethical. I do not believe that. I believe it is more unethical for us to abandon these lines of research. I believe it would be unethical to give up on potential cures for disease, to give up on the hope that many people living with disease and disability rightly have for a cure or reversal of their disease.

...a number of stem cell scientists have left Australia, unfortunately, to work in less restrictive environments. Australia should be encouraging our top scientists to stay here...

Some have suggested that the closeness of the Senate vote means we should be wary of passing this legislation or that we should send it back to the Senate for further consideration. I cannot agree. In our democracy, one vote is all that is needed.

Jill Hall, Member for Shortland, ALP

To close the door and say that these things cannot happen is to remove hope in the lives of many people. It is also putting on hold research in Australia. It is making the treatments that will become available through this research, which will take place overseas, available only to those people who have the money to travel overseas. It would also lead to our brightest and best scientists moving from Australia and conducting their research overseas. I see an ethical issue here in depriving our nation of the research that can be done, people having to travel overseas, and only those people with money being able to access the treatments and cures that are developed through this research.

Julia Irwin, Member for Fowler, ALP

I can appreciate that other members of this House have strong opposing views on the matter and, in the end, the vote of all members will reflect their personal views...I can understand that some members and indeed many Australians have reservations; I can respect that. But having faced the prospect of having my own life and the lives of my children affected by Huntington's disease, I cast my vote today for hope. I am definitely still left with my Christian belief that it is right for mankind to seek ways to cure the sick and heal the infirm: these are the noblest of human endeavours...The door of hope should not be slammed shut by suspicion, fear and ignorance.

Harry Jenkins, Member for Scullin, ALP

One thing is clear – and I think I can talk for both houses of this Parliament; the members and senators of this parliament are unanimously opposed to any notion of the development of a full adult human through cloning. To suggest this is the thin end of the wedge, the slippery slope, does not take into account that those who are supporting this

bill do so in the knowledge that this legislation is very specific about the use of those embryos created by somatic cell nuclear transfer, that the regulations dictate the hurdles that are required for researchers who want to use this method and that there are very severe penalties for those who would want to do other things.

Hon Duncan Kerr, Member for Denison, ALP

I accept that I ought to give proper respect and to not cheaply denigrate any views held by a large number of my fellow Australians, but I do not believe that I can close my judgement in respect of particular belief systems that are not shared universally by the community...in the end, neither religion nor popularity ought to determine the outcome of the vote in this House...In the end, we are alone in this House, making a judgement as we best see fit. In this instance I propose to vote for the bill.

Catherine King, Member for Ballarat, ALP

In essence, the argument for me in this bill is: do I have the right to allow my moral objection to the creation of human embryos purely for stem cell research to stand in the way of the potential alleviation of suffering for people with debilitating medical conditions? The answer for me has to be no...So while I do have concerns about this bill I have to ask myself: if I was faced with my own child suffering from a debilitating medical condition, would I deny them the use of technology developed using embryonic stem cells derived from somatic cell nuclear transfer? And the answer is, of course, no I would not. I will therefore be supporting the bill.

Hon Dr Carmen Lawrence, Member for Fremantle, ALP

Where we tend to part company with one another in these debates is when questions arise, as they inevitably do in the biomedical sciences today, about the point at which life begins – the point at which our energetic defence of human life should be engaged – and, indeed whether it is possible to identify with any precision the point when we are really dealing with an individual human being, a person, rather than a collection of cells...There are proponents for almost every point from conception to birth for the beginning of life and I think we all need to recognize that these judgements are somewhat arbitrary.

It is unreasonable I think to insist just because some people think an activity is unethical – particularly from a belief standpoint – that activity should be rendered illegal, especially when the basis for that assertion is in a religious belief which not everybody shares...Our sense of goodness, our ethical framework, would be the way it is with a God or without a God.

Jenny Macklin, Member for Jagajaga, ALP

Embryonic stem cell research is the latest in a long line of confronting sciences. We are yet to see if embryonic stem cell research will be proven effective against a range of diseases and conditions, but in my view that is not a reason to prevent this research from occurring.

One thing I am deeply concerned about with SCNT is the possibility of exploitation of women through embryonic research or any other form of research. ... The way to stop exploitation is to give women the power to make decisions about their bodies and reproductive lives.

The IVF debate raised the same issue that we face today: should we create an embryo knowing that it could be destroyed? ... We have over time reconciled ourselves to the consequences of IVF and the creation of excess embryos.

I cannot deny that this is a difficult decision, but I support this bill knowing the hope that it offers to diseases sufferers.

Bob McMullan, Member for Fraser, ALP

I am comfortable supporting this bill. Its essential character is to allow scientists options within a rigorous ethical framework. In my view, looking at the potential of the research, you need a case not to do it; you need a profound argument against doing.

I know some people have religious beliefs that lead them to that strong case for not doing it. I do not share those beliefs but I respect them. But if you do not come from that perspective, then I have difficulty seeing what the case against the legislation is – the case of closing off the option.

Julie Owens, Member for Parramatta, ALP

There are a number of people in my electorate for whom this bill is so profoundly repulsive that their relationship with this government will be quite significantly damaged if this bill is passed. They will be personally hurt that they live in a society, which they believe would create an embryo in order to harvest it for someone else's gain. I do not believe that this bill does that but, in considering this bill, my ethical dilemma is how I, as a representative, find a path through these conflicting views of the need by some to find cures for appalling diseases and the revulsion that others have for some of the contents of this bill.

Before I even saw this legislation, I started to consider what lines I would not cross in relation to stem cell research. There were three. The first is quite obvious: I would never support a bill that allowed the creation of an embryo specifically for it to be harvested. If I believed this bill did that, I would not be supporting it. Secondly I would not support a bill that allowed the cloning of a human being... Thirdly, I would not be supporting this bill if I believed it would lead to a market in eggs or embryos in any way. But I do not believe this bill does any of those three things. I believe that it will benefit many of the people who live with illnesses, particularly some of the worst illnesses.

We are talking in this bill about a human egg from which the nucleus has been removed and in which a human somatic cell, such as a skin or blood cell, has been implanted. Then the cell is forced to divide through chemical and physical stimulation. Under a purely scientific definition, these dividing cells are embryos but to my mind there is a great deal of difference between a human embryo created through the fertilization of a human egg by human sperm and a cell forced to divide by somatic cell nuclear transfer.

Laurie Ferguson, Member for Reid, ALP

I stress that I am sensitive to the perspectives expressed by people opposed to embryonic cloning. Nevertheless, I endorse this bill as I am convinced the legislation will enable Australian scientists to work towards finding cures to diseases such as type 1 diabetes and motor neurone disease.

Tanya Plibersek, Member for Sydney, ALP

The answer to what has changed is that every single day our body of scientific knowledge expands...To make decisions in this place and imagine they are decisions made once and for all and that they will never be subject to change, particularly in areas like scientific research where there is such vast change is unrealistic.

I respect the views of the member for Hughes [Danna Vale] and she has every right to them but I do not believe that government can be run according to the religious beliefs of some people. If we follow that path we will end up with a theocracy like Iran or in a Christian sense, with the Spanish Inquisition. We have to accept that not everyone in the Australian community shares the religious views of the member for Hughes and we cannot make laws based on her religious views, even if they do represent a significant stream in the Australian community.

She also said that without religion there is no morality. I have to take issue with that. I know many very moral people whose moral framework is based not on a fear of being punished in the afterlife but on a belief that every single day we have a responsibility to do the right thing by other human beings to the best of our ability.

I also take issue with the idea that this type of research is killing human life and the statement that some people have made that this is taking a life to save a life...The embryos that we are considering in this bill are unfertilized.

Stephen Smith, Member for Perth, ALP

I acknowledge that I have been troubled by this piece of legislation and have had to put in some careful thought and some time before coming to a conclusion...After much deliberation I have come to the conclusion in my own conscience that this legislation is worthy of support and is in the public good on the basis of the medical and scientific research that may well see the alleviation of illness, pain, disease and suffering from our fellow citizens.

Maria Vamvakinou, Member for Calwell, ALP

Many opponents of the bill believe that embryonic stem cell research crosses the fundamental threshold of the basic right to life. There opposition is based on an absolute moral claim...such opponents of the bill not only attribute full human personhood, dignity and moral status to the embryo from the moment of its fertilization but also endow the same rights to an unfertilized human donor egg, given its potential to be a human life.

In talking about cloning in the context of embryonic stem cell research, we are talking about copying cells that carry a particular disease in order to better study that disease – not about cloning a new human being – and about research undertaken with the aim of alleviating human suffering.

Hon Warren Snowdon, Member for Lingiari, ALP

Of course, when we are discussing stem cell research, it is hard not to consider the many advances in medical treatment which have taken place in the last half-century. With such advances, the initial response is often one of apprehension – apprehension about interfering with the natural order or disrupting the moral fibre of our society.

Aquinas did not think that an early embryo possesses a rational soul. Rather it has a vegetative soul initially, then a sensitive soul. These are subsumed within the rational

soul later in the process of development. I am no theologian but I was attracted by this discussion...The contemporary Catholic position, as I understand it, is one in which an early-stage embryo is considered a living human organization...But St Thomas Aquinas, as I pointed out, had a different perspective...I present this, not because I am an expert or have any particular knowledge of the subject but simply to say that there are different views within the Catholic church and that you can have a rational view about this discussion that can lead you to a conclusion that you are able to support stem cell research using embryos...So I feel comfortable in my position as a Catholic in being able to support this legislation...I will take great pride in supporting this legislation.

Wayne Swan, Member for Lilley, ALP

It is fair to say I have felt somewhat torn. But I am a great believer in the power of scientific research to improve our lives. Equally, I believe our central purpose in public life must be to defend and promote human dignity.

Everyone in this debate starts from the same proposition or the same belief that life is precious and we must do everything we can to value and protect human life. However, the two sides to the stem cell debate take that proposition in very different directions. On one side, they say that if you block this research you are shutting off what might be the quickest route to saving many lives. On the other side they say that if you promote this research you are toying with the foundations of life. The truth is there is truth in both propositions.

I support this bill. I believe that the essential protections in this bill will prevent the abuses contained in the dire warnings that come from those opposing the bill. On the other hand, the life saving cures possible through this research could well in time save the life of someone we love.

Kim Wilkie, Member for Swan, ALP

I cannot in all conscience stand by and oppose this bill and in doing so put hurdles in the way of medical research which would benefit so many so significantly. I say that as a Christian, someone who believes in the Christian way of life and beliefs. I believe we cannot stand in the way of treating these sorts of diseases and finding cures.

Statements from Liberal / National Members who supported the Bill

(opposed to ACL's position)

Hon Julie Bishop, Member for Curtin, Liberal Party

The hopes of many injured and sick Australians and their families rest with stem cell researchers and, while we do not currently know whether that research will eventually deliver the 'miracle' that many hope for, I believe we should support the work of these researchers. It will be through their work that the scientific research of the 21st century will transform all of our lives. As in centuries past, science will again be the key to our success, our progress – as long as the world remains open, endlessly modifiable, unprejudiced. I cannot in all conscience stand in the way of the only ray of hope available to sufferers of devastating and debilitating disease and injury. In this instance, science, for me, has a moral authority as well as an intellectual authority.

Hon Warren Entsch, Member for Leichhardt, Liberal Party

This bill will allow the use of unfertilized eggs as well as fertilized eggs for the creation of stem cell lines. To me the crux of this debate is about balance – balancing the need of our scientific research community in its quest to find better ways of understanding and treating disease and injury and the hope this gives to literally hundreds of thousands of victims and their families with the need to protect the sanctity of human life.

The emotive arguments I have heard that this legislation is leading us down the slippery slope towards the frightening prospect of creating half-man half-animal beings should be left to the scriptwriters.

Hon Fran Bailey, Member for McEwen, Liberal Party

I remember as if it were just yesterday the words of the medical specialists who informed me soon after the birth of my first daughter that her critical, life-threatening condition was due to something called long-segment Hirschsprung's disease...When I asked my daughter's specialists why there was not a treatment that could help her,

Hon Theresa Gambaro, Member for Petrie, Liberal Party

As a Roman Catholic, I take my faith and the issues around human life very seriously. However, about four years ago my father was diagnosed with Parkinson's disease, a debilitating and wasting disease for which currently there is no cure...Despite the great potential already seen in the adult stem cell field, I believe scientists must be given the greatest opportunity to find remedies for many diseases that are currently incurable, including Parkinson's. I know that embryonic stem cells are in the early stages of development but I feel that we should not close off this avenue.

I cannot look [my father] in the eyes and say that I will not be supporting this bill – a bill that will one day find the cure for Parkinson's and Alzheimer's diseases, multiple sclerosis and diabetes.

Hon Bruce Billson, Member for Dunkley, Liberal Party

I do not see this as a contest between the virtues and the possibilities of different forms of research. I am optimistic every day that new insights will be gained from a whole range of human endeavour and enterprise, whether it be adult stem cell research, embryonic stem cell research or the other kinds of medical research that go on every day in this country and in other parts of the world. I am interested in what it is trying to achieve and whether there are safeguards against excesses or a rampant enterprise in research which loses focus and which moves away from healing and life giving into something else. This is why I am supportive of Senator Patterson's amendments, and I commend her for her work.

Joanna Gash, Member for Gilmore, Liberal Party

There is no disputing the scientific evidence that embryonic stem cells present the greater potential, but that means that cells have to be harvested from human embryos. Therein lies the conflict in this debate, which has collided with prevailing Christian-Judaic values and beliefs of our Western society...it is a debate over the morality of harvesting stem cells from embryos and at what stage we view the embryo as a living being. We can look at this in two ways: either from an emotional and spiritual point of view or dispassionately and pragmatically...

The more people I come across with Parkinson's disease, MS, spinal injuries, blindness, cancer and many other debilitating diseases, the more I am convinced that the time has come to modify the values that were installed in us that were the product of a bygone era. I believe there is a moral and societal obligation to pursue this research. But such a direction should only be done within the strictest guidelines and in accordance with prevailing community standards.

Russell Broadbent, Member for McMillan, Liberal Party

I bring an open mind and an honest heart to this debate. I have not the arrogance to believe that on all matters I hold the one true view, that my opinion is necessarily the correct and only one.

My background is in retailing – selling suits, shirts and ties. I do not pretend to understand the science behind modern medical progress. However, I do understand the impact the medical advances of the last half century have had on our health and wellbeing.

The ethics of depriving the community of potential cures should also be considered...The continued prohibition of the sort of research this bill will allow will be a disaster for medical research in Australia in my opinion...The effect will be that we crash backwards in terms of medical research...I am asking now that somatic cell nuclear transfer be given the same opportunity as adult stem cell research.

Petro Georgiou, Member for Kooyong, Liberal Party

There are a number of potential therapeutic benefits that may come from stem cells derived from cloned embryos that could not come from other types of stem cell...I reiterate that most of us are not scientists but we should be prepared to trust what the majority of scientific and medical specialists in this area are telling us and what the unanimous advice of the Lockhart Committee has revealed to us.

Hon Joe Hockey, Member for North Sydney, Liberal Party

Ultimately, my decision must be based on my own belief of when life starts and the implications of providing a green light to research in the area most closely aligned with the beginning of life. I cannot divorce my own faith from these deliberations. Based on the provisions of the bill, I do not believe that we are sacrificing life in order to research and develop a better quality of life for others.

The Jesuits who taught me at school instilled in me a strong sense of faith and compassion. They also taught me about the importance of a free and informed conscience. Provided my conscience is clear then my decision to support the bill must be based on sound medical reasoning.

Kay Elson, Member for Forde, Liberal Party

This legislation allows us to go down a path that may significantly ease the suffering of many people. That is essentially why I have decided to support this bill. The possibilities of stem cell research are very exciting and varied. Not all those possibilities may eventuate but they are definitely worthy of pursuit...My hope is that one day we will see real results with this research...I would not like to be counted as someone who stood in the way of that important progress so I support this bill and commend it to the House.

Hon Greg Hunt, Member for Flinders, Liberal Party

My judgement and mine alone is that a 14 day old somatic cell nuclear transfer set of cells is more than just tissue but, as with Aquinas, that it is body alone and not a person compromising an indissoluble balance of body and mind. I give my judgement and my reasons. In that situation, ultimately, given the nature of the egg, given the intention for its use and the human pain that it can relieve, I conclude that for me embryonic stem cell research using the techniques available and described in this bill is a morally justifiable and ethically valid means to achieve an end of enormous potential benefit to many thousands of people. I am delighted to support the bill for those reasons.

Hon Bruce Baird, Member for Cook, Liberal Party

There is no doubt that this bill deals with a deeply personal and highly emotive aspect of science and morality. There is no question though that the community largely sees the advancement of medical science to help cure or to treat disease as a major priority...

I am aware of the argument put forward by opponents of this legislation that therapeutic cloning represents the destruction of human life. I do not accept that. Compassion, not moral fundamentalism, should be our guiding principle. Somatic cell nuclear transfer is not creating human life in the way that I understand human life to be defined. The injection of DNA into a female egg is not the same as human sperm and a human egg conceiving life...

There are many opponents to this bill and they are very noisy opponents. They, of course, invoke the right to life. Yet when I consider the plight of many Australians at home and abroad, the plight of so many people around the world today and the immense suffering that is out there, I think those who speak of a right to life have a very narrow focus... This legislation is also about the right to life – the potential for a better quality of life. It represents an opportunity not just to preserve life but to enhance it as well.

Hon Malcolm Turnbull, Member for Wentworth, Liberal Party

I record my appreciation here for the life and worth of John Lockhart, who I have known for nearly 30 years. He was a generous mentor when I was a young lawyer and he and his wife Juliet, who is here in the House today, were out friends and indeed my constituents.

...simply stating a human egg on a particular path, either through fertilization or cloning, is a necessary condition for developing a human being, but it is simply not a sufficient one. A range of conditions must also be present. These conditions include successful implantation in the womb – and it should be noted that at least 40% of embryos produced naturally within the womb do not implant.

It seems to me that our society has already reached a conclusion to the effect that an embryo at this very early stage is more in the nature of a potential than an actual human being and that the rights of this microscopic bundle of cells are not equal to those of a foetus let alone a newborn baby.

Dr Dennis Jensen, Member for Tangney, Liberal Party

We are discussing the possibility for scientists to have the opportunity to research under strict license the outcomes of this process in assisting people who have diseases to live

better lives. There are important safeguards in this legislation with strong checks and balances to allow research to go forward.

Michael Johnson, Member for Ryan, Liberal Party

... I strongly support this bill and that I will be voting for it.

This is a profoundly important bill because it is about giving people hope that some of the most terrible diseases on the face of our planet, which inflict immense suffering on people, can be cured at some time in the future.

Stem cell derived from embryos have the greatest potential to become a wide range of other cells found in various tissues and organs within the body.

Michael Keenan, Member for Stirling, Liberal Party

...there is no question in my mind that of the constituents who contacted me many more oppose the passage of this bill than support it...Although I will be voting for this bill I still have substantial hesitations about doing so.

I believe what we are discussing here today can best be understood as human cellular material, not a human life. The collection of cells, which is about the size of a grain of sand, does not have the potential to become a human being. It has never been in contact with sperm...More importantly it does not have the primitive streak which is the first real sign of life. As someone who was raised a Catholic, I fully understand that this is a deeply offensive view to many people but it is my considered view.

Michael Hatton, Member for Blaxland, Liberal Party

The thing that drives me in relation to matters such as this is my personal experience of people who are suffering and have suffered...It is within our power to give hope to them and to others that blighting diseases such as these may be eradicated from the face of the earth...I believe that this bill is in fact on the side of the angels and in particular of those young children who have come to this House who have type 1 diabetes. They deserve hope that their lives will not be blighted by that dreadful disease.

Hon Sussan Ley, Member for Farrer, Liberal Party

I do not believe that the possibility of this group of cells having a contingent potential for human life in any way outweighs the probability that it has potential to save human life. If you take a stand against SCNT you must by definition take a stand against IVF and its associated surplus embryos; you must take a stand against contraception, even for women who risk their health by having children.

I do not accept that on the one hand you have science and on the other hand you have religion. You do not. The talents given to our scientists to preserve human life and better the human condition through medical research are surely gifts from God, whatever god you may happen to believe in...This is not about religious business, scientific business, or ethical business, this is about the business of being human, and the business of being human is essentially about compassion.

Peter Lindsay, Member for Herbert, Liberal Party

I expect to be absent from the House when the vote is taken...but I would like the parliament to note that, were I present, I would vote for the bill.

This member was not present when the vote was taken.

Hon Ian Macfarlane, Member for Groom, Liberal Party

One belief is not morally superior to another. They exist side by side in Australian society. There will never be full agreement in our society on when life begins or indeed on how it begins. For this reason, I do not agree that a certain type of medical research should be described in black-and-white terms as immoral, simply because it does not fit the moral beliefs of some Australians...Rather than a ban, what is justified in the light of the moral objections of some Australians is to replace a ban with tight regulation.

Margaret May, Member for McPherson, Liberal Party

We need to ensure that the recommendations of the Lockhart review are adopted and implemented. Australia has been a leader in stem cell research. The vast majority of the scientific and medical community in Australia and overseas believe that SCNT has tremendous potential to reduce human suffering. We do not want to fall behind international researchers in this area of science. As a country we need to be sharing in the international collaborations, research knowledge and intellectual property that will accompany this science.

Hon Gary Nairn, Member for Eden-Monaro, Liberal Party

In making that somatic cell you will not be allowed to let it develop beyond 14 days. I suppose this is the area where people have differing views. I do not see that as creating a human being to then destroy as some people do. As I said, it is an unfertilized egg, as opposed to human life, that is used and then stimulated by, say, somebody's skin cell to form that human tissue. In that respect, I cannot accept the argument that you are creating a human life to destroy.

This member was not present when the vote was taken.

Hon Dr Brendan Nelson, Member for Bradfield, Liberal Party

I think some of those who are a little overenthusiastic to support this legislation need to listen very carefully to those who are opposed to it, because the science is hard – in fact the science is very hard. But what is much more difficult and much more important is how we as human beings come to terms with living with that science in vast ignorance of the long term consequences of the decisions we make.

I consider myself a Catholic, albeit a far from perfect one. But, as with Edmund Burke, I am here to be a representative, not a delegate, whether it is of my electorate or indeed my own religious conviction...But throughout my life I have often thought that through that quiet introspection – the deep, silent, secret pursuit of understanding and wisdom through prayer – we ultimately have a responsibility to translate that prayer that inspires hope into something which may be practical. In a climate of moral diversity – one in which we live in vast ignorance of the consequences of the decisions we make – I will support this bill.

Andrew Southcott, Member for Boothby, Liberal Party

As a medical student and doctor before coming into parliament, I remember being inspired by reading the stories of historic medical advances ...I should point out that the chance of an SCNT embryo being a viable embryo is less than one percent.

The weight of opinion in the scientific community is in favour of this bill proceeding. The weight of opinion in the medical community is in favour of this bill proceeding.

I support the bill.

Hon Dr Sharman Stone, Member for Murray, Liberal Party

My strong support for this bill in the House comes from my satisfaction that we will continue to have in place proper and adequate protection to ensure that human clones do not occur. Human cloning is abhorrent to most Australians...I support this bill because of the good it might do in relieving suffering and distress in human populations. All medical research has begun decades from its final outcomes. We cannot expect cures tomorrow. But we must persist in giving our scientists every assistance in pursuing what is for human good.

Dr Mal Washer, Member for Moore, Liberal

Any attempt to have further amendments in this House will be totally unacceptable as we all know the bill would not survive a review by the Senate.

Australia's most eminent scientists believe this will be the next great step towards achieving treatment for the chronic and disabling diseases that are so prevalent among our population.

The legislation for approval of SCNT exists in many countries throughout the world including the USA, the UK, Sweden, Singapore, China et cetera. If this parliament does not approve of this technology, it seems likely that at least three Australian states will legislate to have it legalized.

Opponents of this legislation seem to base their opposition on the destruction of SCNT embryos which is necessary to harvest the patient specific ES cells even though there has been no sperm involvement. There is no possibility of forming life without intra uterine implantation, which is totally illegal with severe jail penalties. The hollow ball of insensate cells the size of a grain of sand, containing the DNA of a patient with an intractable disease is designed only for the purpose of cellular culture therapy. For more than 20 years, sperm / egg embryos have been destroyed in the treatment of infertility by IVF. More than 30% of women of reproductive age take the oral contraceptive pill which prevents implantation of sperm / egg embryos. So let us support the majority of Australians who welcome this research...

Statements from ALP Members who opposed the Bill

(agreed with ACL's position)

Kevin Rudd, Member for Griffith, ALP

In my mind each side of this debate is driven by, in the main, a deep compassion for human life – a deep compassion but differently understood. Therefore, this is a debate where no side should be arguing any absolute moral position, as if they have a monopoly of moral conscience.

Many have asked what influence the Christian churches should have on ethical debates of this type. I have said before that the Christian churches are as entitled to engage in

this debate as anyone else in the community. The Christian churches do not have a monopoly when it comes to questions of ethics. Fundamental ethical questions can be shaped by a range of theological and philosophical traditions.

...I find it very difficult to support a legal regime that results in the creation of a form of human life for the single and explicit purpose of conducting experimentation on that form of human life. Furthermore, I am concerned about the crossing of such an ethical threshold and where that may lead in the long term. For these reasons I will not be supporting the legislation based on the information that is currently available to me.

I claim no moral superiority in this view whatsoever...Some say that if you have such views on the creation of human embryos for experimentation it mandates a classically conservative approach to a range of questions. I do not agree. I do not believe that Christian beliefs mandate a conservative position on human sexuality. These are very much matters for the individual – individual choices which should be respected, just as the privacy of people's personal relationships should be respected.

However, questions concerning the protection of human life, in my mind, are of a different quality and therefore in my mind require a different quality of response. On the question of Christian teaching and beliefs, of course beyond these questions there are much broader questions of social justice and what we do in terms of the great questions of poverty and injustice in our country and around the world today.

Tony Burke, Member for Watson, ALP

There are two areas in which this bill crosses an ethical line that I do not believe it is appropriate for us to cross. For these reasons alone I am opposed to the bill. The first reason is that I am opposed to cloning – simple as that. I am opposed to cloning even at the earliest stages.

The second line this bill crosses...this time round we are saying that this embryo is only created for this purpose of experimentation. That is a really big ethical difference...No matter what level of dignity people want to give an embryo at that blastocyst stage, most people agree that you are dealing with something more than just ordinary body tissue. The question is: at what point does it become special enough that you are willing to say, "I'm going to draw a line and not allow science to cross it." I believe we are at that limit. I really do.

Dr Craig Emerson, Member for Rankin, ALP

This becomes the new ethical definition: if an embryo has social or relational significance we should respect it and protect it; if an embryo does not have social and relational significance we should not worry about its destruction. What a subjective judgement that is. Who is going to go around Australia and the world deciding whether a particular embryo has a social or relational significance? That is very worrying. It is very dangerous territory to have such subjective judgements made outside of this parliament by people who just determine on the basis of their own view of the world whether a particular embryo that has been created has social or relational significance.

Chris Bowen, Member for Prospect, ALP

We are charged with determining the limits. We are charged with determining the limits. We are charged with determining what is appropriate and what boundaries we as society are prepared to place on research. We are charged with balancing different arguments

between the potential benefits of and the protection of what is or has the potential to be human life.

As I have said in similar debates before in the House there of course has been a separation between church and state. There can be no separation between religion and conscience. But it is not only a matter of religion. You do not need to be an adherent to any particular faith or church to believe that cloning human life is a huge step – a step not to be taken lightly and a step not to be taken without undoubted justification.

Kate Ellis, Member for Adelaide, ALP

I have heard it has been assumed that I would support this bill. Ultimately I have come to the conclusion that I cannot...I do not normally regard myself as conservative. I am not one who is basing this decision on their own religious convictions, though I do admit that at times recently I have been quite envious of those whose faith has made this a black-and-white issue with an unquestioned conclusion. For me, that was not the case.

Many of us here know the pain of watching loved one suffer. I certainly know that in my own experience. I clung to any hope available and I absolutely understand others doing the same. I support stem cell research. I hope that this research eventually provides remarkable results...But I support adult stem cell research, I support umbilical cord stem cell research and I support stem cell research using surplus IVF embryos. I cannot, however, support this proposal.

There are two factors on which my decision is based. The first is my deep reservation and indeed opposition to human cloning. Like many within the community I am absolutely and entirely opposed to human cloning. I see it as unthinkable. I believe many others have tried to gloss over the fact that this is at the heart of this proposal...

The second factor which ensures that this proposal is well beyond the line that I draw for myself has been well covered by previous speakers. This bill proposes creating human life solely for the purpose of then destroying it.

Kelvin Thomson, Member for Wills, ALP

Let me commence by saying that I think the less intrusion we have of religious convictions into our political and legal systems, the better. One of the greatest challenges we face in our time is the challenge of religious fundamentalism. But the fact that I do not believe our law should be shaped by people's religious views does not mean that there are no moral or ethical issues at stake here or that without religion it is open slather and scientists can do whatever they like.

I also remember the embryonic stem cell debate four years ago. The advocates of embryo stem cell research said at that time, 'Excess embryos, yes: cloning, no.' I also accepted this argument. Now they show up saying, 'We've changed our mind about cloning. We want to finesse that ban we put in place to allay your concerns before. We don't want a ban any more.' From my point of view I am not convinced. The protections which were put in place against abuse before were very important and very basic protections. It may be that the time will come when they should be removed but in my view we are not there yet...I do not say that there are no circumstances in which I would support embryo stem cell research but I will not support the bill at this time.

Peter Garrett, Member for Kingsford Smith, ALP

...we have to realize that there is ample evidence that the original purpose of technologies is often time usurped...the one that comes to mind most clearly for me is the research that originated the splitting of the atom, with the consequent development of nuclear weapons.

No-one is not mindful of the impact that suffering has both on loved ones and their families. Indeed, suffering of that sort will befall some of us, regrettably, in this chamber. But I do not believe the issue before us can be resolved only on those grounds. It is a complex matter we are debating, where reflections of religious belief and values concerning how we view life inform the debate. I have to report to the House that I have received a number of representations from people, including those who practice stem cell research, expressing their desire for the bill to pass. But it is the case that the majority of representations to me, including a number from members of the medical profession have been opposed to the bill and have urged my opposition to the bill.

...an embryo created by therapeutic cloning has a legal barrier to it becoming a life, but the fact remains that it can become a life. And the fact that it will be destroyed in the present, in the course of its creation, and that it has fewer rights as a consequence of that destruction seems to me to be a very deep philosophical and rational hole that we have dug ourselves into.

Chris Hayes, Member for Werriwa, ALP

This is not a religious debate as it is certainly not, as some would have it, an argument between science and superstition. The debate...is based solely on ethics and the recognition of basic human values. From the outset, can I say that I firmly believe we cannot seek to alleviate the suffering of some by creating and then destroying another human life.

Many mistakenly attribute the advances in stem cell research to embryonic stem cell development when in fact to date, the most significant developments have occurred through adult stem cell research.

Bernie Ripoll, Member for Oxley, ALP

I honestly believe that since the first debate in 2002 – in which I voted, like every other member of this parliament against the cloning aspect of embryonic stem cell research – there has been no compelling evidence of further information that would change my view in favour of the amended bill before us today.

For me, this bill is a question about not crossing that ethical boundary, that fragile ethical line between research and destruction of life, which must not be crossed, no matter the so-called promises are made.

John Murphy, Member for Lowe, ALP

I put to this House that nothing has changed scientifically since it voted resoundingly on a conscience vote against the very legislation before us tonight. The only thing that has changed is that we are now being duped into believing that this bill will not permit cloning of human beings. Against, SCNT is cloning, and cloning is SCNT. They are the same thing. The science has not changed. The only thing that has changed is false and misleading semantics...

Even if human embryonic cloning does deliver on the promises it makes to long-suffering persons with diseases, the destruction of a human being is not outweighed by the benefits it might possibly bring. In any event, those purported benefits are based on a false hope...

This is nothing more than a slick selling cycle. The 2002 prohibition on cloning bill was only a decoy for a short period of time. Now the cloning lobby is attempting to seduce a significant number of politicians to approve cloning... This bill permits cloning, which is incompatible with human dignity and the protection of human life...

This House, if it passes this bill, will permit the creation of human embryos for the sole purpose of harvesting body stem cells.

Gavan O'Connor, Member for Corio, ALP

I am surprised we are debating this matter again so soon after the previous debate some years ago on stem cell research which saw the collective wisdom of the parliament at the time reject human cloning for embryonic stem cell research...

I am not insensitive to the suffering of those with chronic disabilities. I am somewhat at a loss to understand, when the evidence strongly favours the use of adult stem cells in such situations, why the stronger scientific push favours experimentation on human embryos.

Is the case for change based on a new premise? No, I do not think so. The debate still revolves around the taking of a potential life for existing life. Our generation thinks that it is the only one and is willing to rob future life to sustain present life. It is this kind of thinking that has led to problems in all sorts of areas.

Statements from Liberal / National / Independent Members who opposed the Bill

(agreed with ACL's position)

Hon John Howard, Member for Bennelong, Liberal Party

As somebody who comes from what might loosely be called the mainstream of Protestant Christianity, I can recognize that Christian people of good conscience can reach diametrically opposed views on this legislation... I do not think the science has shifted enough to warrant the parliament changing its view, and for that reason I am going to vote against this bill. I am also, for another reason, going to vote against this bill – that is I think we live in an age where we have slid too far into relativism. There must be some absolutes in our society. That is in some senses a religious or Christian view, but it is also an ethical view and it is a view of society that a person of no faith can hold very strongly... My own view is that to vote in favour of this bill is to embrace a relativist view of society and of the value of human life and what leads to it. This does, to use that cliché, get us perilously close to if not on to the slippery slope. It is a very big step indeed; it was a step this parliament was not willing to take some years ago and I, therefore, will vote against the legislation.

Hon Tony Abbott, Member for Warringah, Liberal Party

Why should we bother over what is done in test tubes to a few cells when there is the potential to cure horrible diseases...Indeed listening to the more enthusiastic proponents of [cloning] it is as if not cures were ever found before embryonic stem cell research and no cures will ever be found without it. But the bill is important because every single one of us began as a group of cells similar to those whose fates we now decide.

The NHMRC...says that SCNT is controversial because: the resulting embryo could in theory lead to cloned human beings....This is not the scaremongering of the church and its more zealous supporters. This is the National Health and Medical Research Council pointing out the dismal prospect created by this bill and the slippery slope which we are now on.

Hon Peter Costello, Member for Higgins, Liberal Party

It is because of the good that people believe this research can do that they are prepared to support the cloning of human embryos. The cloning of human embryos is not something we would support of and for itself. It is a matter that certainly gives me disquiet. That disquiet arises from the fact that, by cloning an embryo, we are producing a genetic replica of an existing person.

According to this [the Lockhart Report's] argument, the fact that an embryo is marked for death at the outset deprives it of moral significance. This appears to me to be a rather self-serving argument. The argument is that because we have marked it for no significance it has no such significance and it dodges the underlying question: was it right to create the cloned embryo for this purpose in the first place? I find this a very troubling proposition.

Hon Mark Vaile, Member for Lyne, National Party

I believe that the object of this bill is morally wrong. It is an example of how good people can be seduced by the prospect of miracles into making terrible mistakes.

It would be wonderful to be able to cure all of these diseases but I believe the cost is too great if it can only be done by experimenting on cloned embryos and then destroying them. It would introduce a great and devastating sadness into the heart of our health system. Everyone cured with these treatments would have to live with the knowledge that their health was only possible because of the deliberate creation and then destruction of human lives...I believe that we must not attempt to achieve good ends through what I believe are immoral means.

Hon John Anderson, Member for Gwydir, National Party

I contribute to this debate with a somewhat heavy heart, because I am astounded that in just four years, on the basis of such extraordinarily little evidence of any scientific movement, we have gone from a position of resoundingly rejecting cloning to one in which we are now seriously proposing that it be adopted. We have brushed aside all of those warnings that we really were on some sort of slippery slope, yet any objective analysis of how quickly we have moved on this issue would suggest it has been an extremely well oiled slippery slope. One wonders just what we might be asked to adopt or support next if we adopt this measure.

As Cardinal George Pell has warned, this bill would allow the creation of two classes of human beings: those intended to live and those marked for death...We need to be very careful about saying that some person has a value, some life has a value or some potential life has a value because it has a relational significance and is wanted and another does not because it does not have the same significance...That is the fundamental reason to oppose this bill. Rather than including others in our common humanity, it allows the creation of human embryos destined for destruction: human beings with no father, no mother and no family; human beings reduced to mere laboratory material.

I seek leave to table an electronic document containing nearly 19,000 signatures collected by Make a Stand. The document states that the signatories 'are opposed to human cloning, which includes therapeutic cloning.'

This bill, like the 2002 legislation, has a built in review process. In my view, this review is designed to facilitate a further slide down the slippery slope...What more could scientists want?...Let me mention two of the most likely proposals that will face this House in 2011...Firstly, there is likely to be a demand that women be paid for providing the thousands of human eggs that are likely to be needed if cloning is every going to produce results...Secondly, we will be told that the real answer to the organ shortage and to the need for tissue for therapies is at hand. Scientists could transfer a human embryo clone to a woman's body for a few weeks, certainly less than 20 weeks, which is the cut-off for legal abortion in some states, and the foetal clone would then be removed and dissected to obtain whole organs – liver or pancreas or whatever – or tissue such as brain tissue for treating the child or adult patient from which the foetus had been cloned....

We should reject this bill because it dehumanises a whole class of human beings and represents a further slide down the slippery slope into barbarism that will treat some human beings as raw material to be cannibalised at will for the benefit of other human beings.

Hon Kevin Andrews, Member for Menzies, Liberal Party

Having read the Lockhart Report and much subsequent scientific research literature, I believe that the committee has failed to adduce any adequate evidence that would justify overturning the ban on the deliberate creation of embryos, including by SCNT, for destructive research. I therefore oppose this bill. I also oppose this bill for a more critical reason – namely that by passing this bill the Parliament of Australia will legitimize the treatment of humans as commodities...Instead of nurturing our offspring, we as a human species will have agreed to plunder them...Having commodified the child, we are now told that we should objectify life itself, turning us all into potential spare parts.

Mark Baker, Member for Braddon, Liberal Party

My decision reflects a fundamental commitment to preserving the value and sanctity of human life, while also having a strong desire to promote vital medical treatments for the wider Australian community. Whilst I recognize the very fast pace of research developments for both adult and embryonic stem cell research the evidence presented at this point of time does not allow me to support the legalizing of embryonic stem cell therapy. I do however urge the parliament to maintain a vigilant and continuous review of the developments overseas, especially in light of some of the major research

organizations stating publicly that technology was advancing to the state that harvesting embryonic stem cells may be able to be undertaken without harm to the embryo.

Hon Chris Pearce, Member for Aston, Liberal Party

I oppose human cloning. In examining this bill and the Pandora's box of issues that surround it I have arrived at a point where I believe the potential consequences of this bill are profoundly disturbing...First, I oppose the deliberate creation of embryos for the purpose of their destruction...Second, reproductive and therapeutic – in reality the more appropriate word would be destructive – cloning are based on the same technology. I believe the use of one will inevitably lead to the use of the other...My third reason for not supporting this bill is based on the fact that there remain very significant medical and scientific issues about the use and suitability of this technology for humans.

Hon Peter Dutton, Member for Dickson, Liberal Party

The bill before us today represents a progression beyond the boundaries set down by the parliament four years ago. It is for this reason that in my mind there remains great uncertainty about claims made by proponents of this bill as to the outcomes that will be arrived at. It is ultimately the reason that I will not be supporting the bill that is before the House.

Anthony Smith, Member for Casey, Liberal Party

Four years ago, we were asked to allow research on existing embryos which had been created but which would otherwise be of no use or destroyed. To that, I said yes. Today we are asked to give permission to create cloned embryos for research. To that I must say no. Four years ago after careful consideration, I strongly believed the proposition that was advanced did not cross the ethical boundary. Today, I strongly believe the proposition advanced in this bill would cross that boundary and for that reason I will not vote in favour of the bill.

I do not criticize the scientists and medical experts for advancing these propositions although I must note in this debate that by no means are all the medical or scientific communities united on this bill. I do not criticize them because it is their purpose to strive for new frontiers. However, it is society's role, and particularly this parliament's role, to determine the boundaries and legal framework. That is what we are here for.

Alby Schulz, Member for Hume, Liberal Party

Stem cell research has enormous potential for good in the community. The ethical question is not about whether or not to use the stem cells; it is about the source from which the stem cells are extracted.

I believe that many politicians in this place and in the Senate have certainly compromised their principles and integrity by doing a complete about-face on this very important issue. They will have to live with the reasons why their very definite and strong contributions to the previous debate in 2002 have now been compromised.

I speak for the majority of Hume constituents who have contacted me. By far the majority were in favour of adult stem cell research continuing but were fearful of embryonic stem cell research...Research at Swinburne University of Technology has found, "almost 30 % of the sample was not at all comfortable with using cloned embryos and the majority of the sample (63.4%) scored under the mid-point."

Kerry Bartlett, Member for Macquarie, Liberal Party

I remain fundamentally opposed to the creation of life for the purpose of its destruction in the process of research, no matter how honourable the aims of that research. Scientific and medical research cannot be driven by a utilitarian, pragmatic approach. Our decisions cannot be made on the basis of what is attractive, what is achievable or even what is possible. They must be made within an ethical and moral framework.

We would all like to see cures for Alzheimer's disease, Parkinson's disease, motor neurone disease, diabetes and a range of other diseases listed as potential beneficiaries of this research. But crossing the threshold which allows the creation of human life for destruction in the process of research is not the way to do it. The implications involved in that approach, in the rejection of the absolute sanctity of life and in the domination of utilitarianism are far too profound.

Sophie Mirabella, Member for Indi, Liberal Party

Should this bill be passed, we will have entered the brave new world of the new utilitarianism – a moral and ethical minefield and a dark step into the unknown with potentially disastrous outcomes. Therapeutic cloning is a step in the wrong direction – a depraved practice reflecting nothing more than the turpitudes of modern scientific egos in their race to the bottom of the ethics ladder...For my part, I will not support legislation that essentially places some lives in a different category to others; where human life is downgraded to an interchangeable commodity placed in the hands of ambitious scientists; where the powerful embryo experimentation and the cashed-up biotech lobby groups can operate free from the constraints that the rest of society operates under; and where we fall further down the slippery slope through allowing the wanton destruction of human embryos in the name of scientific extremism...I do not believe we can airbrush out of existence the immense moral and ethical concerns that arise through the deliberate creation of life only to be harvested for the so-called benefit of others.

Kay Hull, Member for Riverina, National Party

In 2002 I stood in this House and made a speech and, having made a difficult decision, I voted in favour of the research on surplus IVF embryos that were to be disposed of because they were no longer required...At the same time I strongly opposed any attempt to introduce therapeutic cloning. At that time, the very best scientists and researchers met with us on a constant basis and every time I was guaranteed as a member of this Parliament that therapeutic cloning would not be necessary...

In 2002, there was significant pressure applied by those affected by spinal injury and I had a very strong feeling about this. These people applied pressure and urged us to support embryonic stem cell research; yet in 2006, from my knowledge and my research of these licences, there has not been a single clinical trial involving embryonic stem cell research for spinal injury. So the availability of embryonic stem cells for research purposes has not at this time yielded any viable success to assist me with this debate.

Phillip Barresi, Member for Deakin, Liberal Party

Unfettered scientific research is a proposition that few in any civilized society would support. Yet what we find today, just four years later, is a call to go another step closer to eventual human cloning, no matter what safeguards we are told are built into this bill or, for that matter, the title of the bill itself...My concern is that the ultimate cumulative change derived from permitting a series of small gradual steps will be far beyond anything we would deem appropriate in one large move.

Tony Windsor, Member for New England, Independent

I am not here to represent my conscience; I am here to represent the conscience of the people who elect me...In this case, the people who have contacted me and showed their views to me are opposed to this legislation. That does not mean that everybody in the electorate is opposed to it; of course not. But the majority of people who have taken the time to contact and relay information to me or my office have voiced a view that they would like me to vote against this particular piece of legislation. And that is what I intend to do.

I will be opposing the legislation, not necessarily because of my private view or my conscience but because the majority of the people who have taken the time to express their view to me or to my electorate office oppose the legislation.

Hon Bob Baldwin, Member for Paterson, Liberal Party

Since...2002, my resolve has strengthened not weakened...I believe in the sanctity of human life. My faith and values are not for sale – not for my personal benefit, not for my family and not, indeed, for anyone else. I do not believe in creating a life so that it can be experimented on and then destroyed, all in the name of science. As I have stated in this House many times, I am a Christian, with a faith so strong that it is not negotiable.

Peter Andren, Member for Calare, Independent

In my contribution to the 2002 debate...I stated: I have come to the conclusion that research into adult stem cells is proving more productive than research involving embryos, and I have grave concerns about the destruction of human embryos whether excess IVF or not.

Nothing in the four years since August 2002, the Lockhart Review included, has convinced me, or arguably any other reasonable and objective observer, that this has changed...I must say that the overwhelming number of submissions, emails and letters to me on this issue, in almost all cases, individual and highly personal accounts, have firmed me in my opposition to this bill.

As I said last time, why don't we free up the many millions of dollars to be spent on this ethically indefensible research and redirect it to improve the living conditions of those hundreds of millions of people around the world who will never enjoy the benefits of medical research and are battling diseases long controlled in the West, on top of poverty and the exploitation of their labour and resources?

David Fawcett, Member for Wakefield, Liberal Party

The claim is there that somatic nuclear cell transfer is not cloning. But the deputy chair of the Lockhart review, Professor Skene, admitted to the Senate committee that the produce of SCNT is in fact a cloned embryo, because, as the Professor said, it is conceivable that that embryo could in fact develop into a foetus if it were implanted...

Those arguing the case for are also claiming that science has advanced since 2002, when this House and parliament solidly refuted and rejected the concept of therapeutic cloning. But I note that the only peer-reviewed report quoted in the Lockhart review was by the Korean researcher, Professor Hwang, and that has been subsequently exposed as fraudulent.

While all of the speakers in this place have said quite categorically that they oppose reproductive cloning, in the [UN] General Assembly other countries – many of whom have quite a lot of respect in the world, such as Ireland – voted for reproductive cloning. In fact, of the member nations, one-third voted for it, one-third voted against it and one-third abstained. So potentially the weight of world opinion could take us down the next step, which is looking at reproductive cloning throughout the world.

Hon Alan Cadman, Member for Mitchell, Liberal Party

I appeal to the House to exercise a great deal of caution in this area. I think there are things which need greater transparency and greater opportunity for parliament to examine. On an ethical basis at the end of the day I would oppose this anyway but purely on the science I think there is good reason to reject this legislation.

Ian Causley, Member for Page, National Party

I do not come to this debate from a particularly religious background, but I am a Christian and I value quality of life and I value life. I come to this debate saying to myself, 'If we are going to create an embryo' – and that is exactly what we are going to do – 'then that, to my way of thinking, can develop into life.' This is not an embryo as usual... We are going to create a clone; we are going to create a twin. If I have some research done, a twin of me is going to be created for 14 days in the name of research... I find it difficult to accept this bill. I find it difficult to say that we are going to create an embryo and in 14 days kill the embryo and use the cells for research. I do not think I can go down that track.

Steven Ciobo, Member for Moncrieff, Liberal Party

The principle struggle for me, the exhausting wrestle with conscience, is that I find both sides have the moral imperative... I do not know when life begins. I do not know if it begins at the time of conception, some hours or days later or weeks after that. For this reason, I cannot possibly support a shallow, and in my view morally repugnant argument that claims that it must not occur within the first 14 days and, furthermore, even if it does, it does not matter because what we are talking about is a cloned human intended to be used for research for the extraction of stem cells.

Surely this intellectually deficient argument can be exposed as the pathetic excuse it is by simply posing the following questions: what if research were to demonstrate that even greater scientific breakthroughs could be reached if only the embryo were left to develop to 28 days, to 36 days or to 72 days? Would supporters of this bill be comfortable with that threshold? Where does this magic number of 14 days come from?... It is my sincere hope that the bill fails.

Michael Ferguson, Member for Bass, Liberal Party

I foreshadow amendments to prevent the creation of a human embryo using eggs from an aborted female foetus... I have grave reservations about the moral direction of this bill and I cannot vote for it. This bill goes against what I believe about human life and what my constituents have been consistently telling me. It is against my conscience and I firmly believe no good can come of it.

There is no scientific inquiry which does not run the risk of ethical concerns. Many in this place have in the past expressed outrage at the scientific research by Japanese scientists on whales. No-one can question the validity of the science but we all know that the science is ethically very questionable.

I say again that the most appalling aspect of this bill is the proposition that licenses may be issued to authorize the creation of a human embryo using precursor cells from an embryo or foetus. The technical term 'precursor cell' is defined in the existing legislation as a cell that has the potential to develop into a human egg or human sperm. In plain terms, the proposal is that a human embryo could be made using eggs taken from an aborted female unborn child. I say again: the proposal before us tonight is that a human embryo could be made using the eggs taken from an aborted female unborn child.

I will be moving an amendment that will give the House the opportunity to remove the even more abhorrent provision that I have described. If left as it stands, this provision would allow a human embryo to be created by a deliberate act of will by a scientist from the eggs of a second or third trimester aborted baby girl.

Hon Robert Katter, Member for Kennedy, Independent

Today, speaker after speaker has told us that this embryo, which they choose to call a 'somatic cell nuclear transfer product' will not become a human being. That is what they have said. There is not one single scientific resource that I have been able to access that does not say that that will happen, albeit many will fall by the wayside. But if you put A with B you will end up with a human being so long as something does not destroy it along the way. When you say, 'this will not create a human being,' the substance of what you are saying is a flagrant lie. Dolly was created from this technology. They set out to create a sheep and they created a sheep... If you put A and B together here you will get a human being, albeit that a lot of these embryonic stem cells might die along the way. But all of us start life as little human beings and very few of us reach 95 because we die along the way.

Einstein said: 'I want to know God's thought. The rest is detail.' Mendel, of course, was a monk. He lived in a monastery. He was religious. After Pasteur made his discovery and saved many lives – probably one in four of us what not be here now if it was not for Pasteur, his inoculations and his breakthroughs – people asked, 'What mountains do you have left to climb?' and he said, 'My greatest ambition has not yet been achieved and that is to achieve the simple Christian faith of a Breton fisherwoman. ' So here were the giants of science...

De-Anne Kelly, Member for Dawson, National Party

We were all at one stage as small as embryos. Embryos are tiny collections of cells, which are very small, but if allowed to grow out, they will form a whole new human being. I am very concerned that this legislation, if passed, will allow the creation of human embryos – some to live and some to die. I believe it is morally wrong to take the youngest of humans – with their souls – and sacrifice them when they have no voice to speak in their defence. I believe God gives us each an immortal soul and that, if we have that soul at birth, we probably have it three months before birth, and perhaps 8 ½ months before birth. We are making a decision to sacrifice other human beings who have no voice to speak for themselves.

Jackie Kelly, Member for Lindsay, Liberal Party

I never thought I would see the day when this parliament introduced legislation more bizarre than fiction... You can call them SCNT cells, stem cells, pancreatic cells or what you like, but if this cell is implanted in a uterus it will give birth to a clone... Denying that this bill makes cloning possible is feeble at best. It is cloning.

This bill also insists on a woman consenting to the use of her eggs. Good luck, because you have not had much success with the eggs already available and these women have already gone through the arduous hormone treatment and very painful egg extractions. You are not getting my eggs for that effort!

I have sought to amend this bill to satisfy all the concerns I have, but it is fundamentally flawed... We said no to cloning four years ago. Let us say no again...

Paul Neville, Member for Hinkler, National Party

I appreciate the difficulty of grappling with an issue like cloning of embryonic stem cells but I also have an unshakeable view on the sanctity of human life and the heavy responsibility on us as legislators to get this right... The fact that the bill passed the Senate by only one vote is a clear indication of the level of unease in the wider community over this legislation.

Louise Markus, Member for Greenway, Liberal Party

Although I would generally approach such matters from a conservative point of view, having a strong belief that life begins at conceptions, I have approached this matter from the outset with an open mind, attending the many briefings by scientists and reading as much as possible to inform my decision.

The Lockhart review's recommendation to pursue this was based on the work of Korean researchers, Professor Hwang being one of them, which was publicly retracted as fraudulent not long after the report was released. I find it personally very difficult to support the recommendation and the subsequent bill with a foundation or basis of or link to fraudulent, falsified, and possibly deceptive claims.

Lockhart himself noted that logic does not define a moral difference between embryos formed from SCNT and those formed through natural fertilization. Are they not both forms of human life? If planted into a womb, they have the potential to develop fully – fully human. What value are we going to place on human life? When ought someone to value human life – only sometimes, in 2002 but not in 2006?

Christopher Pyne, Member for Sturt, Liberal Party

There have been a lot of people talking about moving amendments to this bill. There was a feeling that an amendment should be moved to prevent the use of aborted female fetuses for the extraction of stem cells for research purposes, which I think would be a useful change to the bill... I think this bill has many defects, not just of a technical nature but of a principled nature and a philosophical nature.

This bill is about whether we believe that an embryo should be created for human life or whether there should be two classes of embryo: one created for death and one created for human life... I reject the notion that somatic cell nuclear transfer is not capable of human life. I reject the notion that just because we call something by a different name, it is not the same, as we understand it.

Hon Andrew Robb AM, Member for Goldstein, Liberal Party

Our common humanity dictates that we all want cures for terrible diseases. This is not in question with this proposed legislation. The question is: do the ends justify the

means?...For my part, I do not believe that it is ethical to produce human embryos for the sole purpose of research and destruction and I will vote against this legislation.

To create human life for the sole purpose of experimenting upon it and then destroying it challenges our respect for the dignity of human life; it challenges our respect for our own humanity. As such, this bill goes to some serious ethical questions surrounding human life. In this context, suggestions that opposition to the bill is based on ignorance, religious superstition and insensitivity to the plight of those with debilitating diseases is deeply offensive.

Alby Schultz, Member for Hume, Liberal Party

... stem cell research has enormous potential for good in the community. The ethical question is not about whether or not to use the stem cells; it is about the source from which the stem cells are extracted.

The political strategy to redefine the cloning of an embryo by describing it as an SCNT-somatic cell nuclear transfer-is certainly something which has changed. This change has occurred because certain medical scientists believe it was easier to confuse and mislead people into thinking that cloning and SCNT were different scientifically and ethically.

I believe that many politicians both in this place and in the Senate, have certainly compromised their principles and integrity by doing a complete about-face on this very important issue... I speak for the majority of Hume constituents who have contacted me. By far the majority were in favour of adult stem cell research continuing but were fearful of embryonic research.

...the only research claiming to have produced a human clone that has ever been published in a peer reviewed journal and the only research claiming to have successfully derived human embryonic stem cells from a human clone-has now been shown to be comprehensively fraudulent.

I also note in closing that a number of scientists who gave evidence to the Senate committee failed to disclose that they held patents in areas directly related to their research as well as having significant shareholdings in biotech companies directly involved in embryonic stem cell research.

Patrick Secker, Member for Barker, Liberal Party

Unlike on other bills that have dealt with abortion and embryo stem cell research, where I had made up my mind on those issues probably thirty years ago, on this one I tried to have an open mind. The reason I did that was that it was a new sort of idea.

I would suggest that the term 'therapeutic cloning' has been conjured up in an Orwellian attempt at doublespeak and it seems to have succeeded...'Therapeutic' of course gives the idea that it is somehow good for you.

Four years ago, we all voted against cloning. Every member of the Labor Party, every member of the Democrats, every member of the Greens, every Independent, every Liberal and every National Party member voted against cloning. What, may I ask has changed in four years? Very little, except the minds of some people, I might unkindly suggest.

Hon Peter Slipper, Member for Fisher, Liberal Party

My own position is that life begins at conception. I do not believe life should be manipulated following conception and I do not believe that life should be killed in therapeutic causes... whichever way you look at it, human cloning does create human life. The creation of human life for it to be destroyed, in whatever positive medical sense, is something that I personally cannot accept.

Hon Danna Vale, Member for Hughes, Liberal Party

The defining issue in this bill is how our society will value human life in the future... Whether begun by fertilization of the ovum by sperm or by somatic cell nuclear transfer – which was the process used to create Dolly the Sheep – the single cell human embryo has all the necessary genetic information to direct its own development as a living human being.

The one allegedly scientific advance that the Lockhart Committee used to justify its recommendation to overturn the parliamentary ban of 2002 was the Korean experiment under Professor Hwang, which turned out to be a monumental fraud and a hoax on the scientific community... As the report is based on bad research, its recommendations must now be regarded as scientifically indefensible... In 2002, this House duly and rightly concluded that it was desirable and appropriate that this unique creation [human life] be spared the indignity of being reduced to disposable, experimental laboratory material. So, beside the flawed Lockhart Report, I again ask: What has changed?

Statements from Members who Abstained from Voting

David Tollner, Member for Solomon, Country Liberal Party

Unfortunately I must inform this place that I have been given no clear direction at all from my constituents on this matter. I have received two pieces of correspondence in favour of supporting the bill and two pieces of correspondence opposing support for the bill... I took it upon myself to go out and actively canvass the issue in my electorate to find out what people really think... what we found was that sentiment was split fifty-fifty down the middle and that this issue, if our straw poll reflected the views of constituents, is not a matter of high importance to the vast majority of people in Solomon. Therefore, due to this bill offering hope to people with dreadful afflictions but at the same time being ethically and morally debatable and due to the fact that I have

Prepared by:

ACL National Office

February 2007