

Human Fertilisation and Embryology Bill

Brief on the House of Lords' Consideration of Commons Amendments 29 October 2008

Prepared by the Academy of Medical Sciences, Association of Medical Research Charities, Medical Research Council and Wellcome Trust.

The Academy of Medical Sciences, Association of Medical Research Charities, the Medical Research Council and the Wellcome Trust support the aspects of the Human Fertilisation and Embryology (HFE) Bill relating to research, which will modernise the law in this field and ensure that important scientific and medical research on human and human admixed embryos can be undertaken within a robust regulatory and ethical framework.

We welcome the support and debate that has been given to the provisions for research. We are grateful for the time and effort expended by parliamentarians from both houses in ensuring that research using human admixed embryos will be able to take place in the UK under clear legislation. This will allow doctors and scientists to further their research into many of the most debilitating diseases affecting humankind.

We support the key provisions of the Bill as they relate to research, including the provisions regulating the creation of human admixed embryos, and amendments to the specific consent provisions that will enable the use of existing cell lines and embryonic stem cell lines derived from children for research only.

We particularly welcome two Commons Amendments:

Definitions of Human Admixed Embryos

We support the inclusion of an additional category of human admixed embryo as in Commons amendment 3. This reflects previous debate in the House of Lords about the need for greater clarity in the definition of human admixed embryos. We believe that this amendment is helpful in resolving this and were pleased that the views of the scientific community were consulted during its drafting.

Provisions for consent

In previous parliamentary briefings we expressed concern that, as drafted, schedule 3 would potentially prohibit research on devastating childhood diseases using embryonic stem cells. We are pleased that the Government has considered these concerns during the course of Commons debates, and we strongly welcome amendment 92 which addresses this. This amendment provides for exceptional cases where research into childhood diseases and other serious conditions, which involves taking cells through an embryonic stage in order to derive embryonic stem cells, and which cannot be carried out using gametes or cells obtained from

adults or children with capacity to consent. Such research would never be undertaken lightly and we support the safeguards introduced by this amendment.

We understand that in drafting this amendment the Government has included a framework by which material could be used from adults who lack capacity to consent, with safeguards consistent with other existing legislation in this area. It is our view that it would be unusual for such material to be used - a fundamental ethical and legal principle is that it would only ever be considered if similar tissue were not available from adults with capacity. However, we welcome the amendment which ensures that the legal framework for consent in this area is consistent and clear.

The same amendment (92) also provides for access to existing holdings of tissue, with safeguards, for embryonic stem cell research. We welcome the recognition of the high value of existing tissue and cell collections, particularly relating to rare diseases.

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Briefings provided at earlier stages of this Bill's passage through Parliament are available on the websites of the above organisations