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JOINT COMMITTEE ON DRAFT HUMAN TISSUE AND EMBRYOS BILL SET OUT CONCERNS

The Joint Committee set up to scrutinise the Draft Human Tissue and Embryos Bill have today set out their concerns with some of the key proposals in the Bill.

The Committee's main recommendations lie in three areas: the regulatory regime proposed by the Government, issues around the approval of inter-species embryo research and ethical issues surrounding fertility.

Regulatory regime

The draft Bill proposes merging the existing regulatory authorities currently dealing with human tissue and embryos. The proposed merger of the Human Fertilisation and Embryos Authority (HFEA) and the Human Tissue Authority (HTA) into the Regulatory Authority for Tissue and Embryology (RATE) is rejected by the Committee who argue that the two areas are distinct and should be regulated separately.

The Committee point to overwhelming and convincing evidence they received against establishing RATE. They say that while the HTA is concerned entirely with the policing of consent the HFEA has to deal with the much more complex moral and ethical issues surrounding the use of human embryos.

The Committee recommend that the HFEA and the HTA should be retained as separate authorities and would provide better regulatory oversight than RATE. They argue that the economic savings, efficiency and co-operation between the two bodies—set out by the Government as benefits of establishing RATE—could be better achieved by maintaining the existing regulators.

Interspecies embryos

The Committee are also critical of the Government's approach to the regulation of inter-species embryos created for research purposes. They argue that the Government has set up a false distinction between 'true' hybrids and other forms of inter-species embryo with the former banned but the latter permitted.

The Committee argue that the sections in the draft Bill relating to inter-species embryos should be put to a free vote in both Houses of

Parliament in their entirety. **They recommend that if Parliament supports proposals to allow inter-species embryo research under licence, any decisions on what type of research is allowed under licence should be made by the regulatory authority. This should be done on a case by case basis, depending on the research applications received.**

Ethical issues surrounding fertility

A major ethical issue raised in the draft Bill is whether children born as a result of donor conception should have the right to know they are donor conceived. The Committee argue that, as the State has a direct involvement in assisted conception, it has a moral duty not to be party to a deliberate deception about the person's genetic history. The direct involvement of the State makes the situation of children conceived via sperm, egg or embryo donation different from those conceived naturally who may also not know their true genetic parentage.

The Committee say they recognise the force of the argument that the fact of donor conception should be registered on the person's birth certificate. This gives the parent the incentive to inform their child but allows them to do this at the time and in the manner of their own choosing. It also goes some way to address the value of knowledge of genetic history for medical purposes. **The Committee call on the Government to give this further consideration as a matter of urgency.**

A second ethical issue the Committee considered was the Government's proposals to remove the requirement to take into account the need of the child for a father from the current conditions of every licence to provide IVF treatment services. **The Committee recommend a free vote in both Houses on the issue. The balance of view of the Committee is that the provision should be retained but in a form that makes clear (in keeping with other provisions in the draft Bill) that it relates to the need for a second parent.**

Commenting, Phil Willis MP, Chairman of the Committee, said:

“The Joint Bill Committee have produced a bold Report which gives the Government clear guidance to abandon proposals to combine the Human Fertilisation and Embryo Authority with the Human Tissue Authority into a new Regulatory Authority for Tissue and Embryos.”

“On the question of research using inter-species embryos the Committee is quite clear that it wishes to see a greater role for the

regulator within a broad permissive framework set out by Parliament.”

Other recommendations in the report include:

- A joint Parliamentary bioethics committee
- Government action to ensure NICE guidelines on the provision of IVF treatment are implemented across the country by all Primary Care Trusts
- Clarity about the ban in the draft Bill on human cloning and the creation of embryos for IVF treatment from the genetic material of two women (without the need for fertilisation by sperm)
- Government action to fulfil its duty to be more active in informing public understanding of bioethics issues

Notes to Editors

1. The members of the Committee who conducted the inquiry are:

Baroness Deech	Mr David Burrowes MP
Baroness Hollis of Heigham	Ms Katy Clark MP
Lord Mackay of Clashfern	Dr Ian Gibson MP
Lord Jenkin of Roding	Robert Key MP
Baroness Neuberger	Chris Mole MP
Lord Selsdon	Dr Doug Naysmith MP
Bishop of St Albans	Geraldine Smith MP
Lord Turnberg	Ms Dari Taylor MP
Lord Winston	Phil Willis MP (Chairman)

2. The Report, *Human Tissue and Embryos (Draft) Bill*, Joint Committee on the Human Tissue and Embryos (Draft) Bill, HL 169-I/HC 630-I, ISBN 9780104011348, is published by The Stationery Office, price £17.50.
3. The second volume containing oral and written evidence, *Human Tissue and Embryos (Draft) Bill*, Joint Committee on the Human Tissue and Embryos (Draft) Bill, HL 169-II/HC 630-II, will be published w/b 6 August by The Stationery Office.
4. The report will be available shortly after publication at:

http://www.parliament.uk/parliamentary_committees/humantissue.cfm

Press: For embargoed copies of the report or to request an interview with Phil Willis MP on Tuesday 31st July please contact Owen Williams (Committee Media Officer) on 020 7219 8659.

Witnesses/DoH: Embargoed copies of the Report can be collected by witnesses and UK Government Departments* from the reception of 7 Millbank, House of Commons, London SW1P 3JA from 11.30am on Tuesday 31st July.

*(If you would like to collect an embargoed report, please call 020 7219 8387 or e-mail: htedraftbill@parliament.uk)