RS policy document 25/05

Royal Society response to the Department of Health's consultation on the review of the Human Fertilisation and Embryology Act 1990

In August 2005 the Department of Health launched a public consultation on the Human Fertilisation and Embryology Act 1990 to seek views on whether and how the law might be updated given the rise of new technologies, changes in societal attitudes, international developments, and the need to ensure effective regulation[1]. This document is the Royal Society response to the consultation.

The Royal Society takes an active role in policy discussions on the use of stem cells and therapeutic cloning in research[2], and we welcome the invitation to engage in this consultation. We have limited our response to key areas of the consultation where we have concerns.

We would firstly like to comment on a number of questions surrounding the UK's regulatory environment. As we commented in our response to the House of Lords Ad Hoc Committee on Stem Cells in 2001[3]), we believe that the framework established for the current Act continues to work well. The framework is still sufficiently broad to cover current research developments and the list of legitimate purposes for licensed research involving embryos remains appropriate. Furthermore we believe, as outlined in the current Act, that it is still reasonable for the research purposes to be defined in law and individual research projects to be approved by the relevant national body.

The Society is however cautious about the proposed merger of the Human Fertilisation and Embryology Authority (HFEA) with the newly formed Human Tissue Authority (HTA) to form the Regulatory Authority on Tissues and Embryos (RATE). We acknowledge this is a practical solution that will reduce costs and make administration more convenient. However, we would like reassurances before the merger goes ahead that it will not have a negative effect on the research community by making an already slow system for the approval and licensing of research even slower and potentially more complex.

Secondly, with regard to the research being conducted, the Society believes that the debates held in 1990 and in 2001 clearly discussed the fundamental aspects of research using embryos and is pleased that Government is not proposing to revisit them.

On specific research issues raised in the consultation we feel there is at present insufficient scientific justification for creating human-animal hybrid embryos to warrant the public disquiet that this is likely to engender. However, the situation is different regarding the creation of chimaeras by transplanting human embryonic stem cells into animal embryos. Such interspecific chimaeras may prove vital for rigorously testing the properties of human embryonic stem cells before contemplating using them therapeutically.

In summary, the Society is still supportive of the existing legislation and hope Government will build on the 1990 Act to encourage and promote good research in this field without adding to the already heavily regulated research environment.

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[1] http://www.dh.gov.uk/PublicationsAndStatistics/Publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en?CONTENT_ID=4123774&chk=556b/v

[2] http://royalsoc.ac.uk/cloning

[3] http://www.royalsoc.ac.uk/displaypagedoc.asp?id=11473

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