



HFEA CONSULTATION
REVIEWING THE LAW ON:

Fertility treatment regulation & embryo research

Overview

THE HUMAN FERTILISATION AND EMBRYOLOGY AUTHORITY (HFEA) "IS REVIEWING THE LAW ON FERTILITY TREATMENT REGULATION AND EMBRYO RESEARCH" PRIOR TO MAKING RECOMMENDATIONS FOR CHANGE.

This could lead to the greatest changes to the law concerning the use of embryos since the 2008 Human Fertilisation and Embryology (HFE) Act that allowed the creation of human-animal hybrid embryos and 'saviour siblings'. It also risks a further loosening of ethical safeguards.

As part of its review, the HFEA has launched a consultation in which it makes a "case for change" to current laws, seeking to extend its powers and expand research using human embryos.



THE CONSULTATION CLOSURES AT:
5pm on Friday 14th April

Consultation submission tool

The HFEA consultation survey is lengthy and covers multiple areas. Our consultation tool only includes the questions which relate to pro-life ethical concerns and leaves answers to all other questions blank. If you would like to complete the whole survey, please visit the **HFEA consultation website [here](#)**.

Please note that our consultation tool is designed for use by individual members of the public submitting to the consultation. If you are representing an organisation or wish to submit to the consultation in a professional capacity/from personal experience, please do so using the HFEA consultation website which is linked above.



ACCESS THE CONSULTATION SUBMISSION HERE:

righttolife.org.uk/HFEAconsultation

Background

Our email tool allows supporters to answer three questions of particular concern that appear to be buried near the end of the survey. We encourage supporters to select '**Strongly disagree**' in response to each of these questions:

1

Embryo banking

The survey asks "To what extent do you agree or disagree that consent for donating embryos should be extended to allow patients who wish to, to give consent to research embryo banking?"

Suggested answer: Strongly disagree.

Why is this a problem?

[Article 18](#) of the Council of Europe Convention on Human Rights and Biomedicine rightly prohibits "the creation of human embryos for research purposes".

At present, UK law does, however, permit such research - but only when consent has been given for the use of embryos for specific named projects. 'Embryo banking' would allow embryos to be

donated to a research bank to store embryos for future use.

This is liable to increase the perception of human embryos as disposable and incentivise further creation of embryos that are unlikely ever to be born. In contrast to UK laws, [Germany's Embryo Protection Act](#) does not allow the creation of human embryos unless they will be used for implantation. Permitting 'supernumerary' embryos that can be stored and later disposed of or used for research dehumanises embryos.

2

Innovation

The survey asks "To what extent do you agree or disagree that the Act should explicitly give the HFEA greater discretion to support innovation in treatment?"

Suggested answer: Strongly disagree.

Why is this a problem?

Embryology ought to be tightly monitored and yet the regulatory body is asking for a loosening of regulations to permit innovation through "controlled experiments". Allowing "innovative" experimentation

on human embryos by removing vital safeguards further dehumanises them. It seems that the regulator is advocating on behalf of those it regulates rather than ensuring ethical safeguards are rigorously upheld. For example, it proposes the removal of the "necessary or desirable" threshold for new forms of research to be permitted, potentially leading to a 'trial and error' approach that further treats human embryos as disposable objects for experimentation.

3

Removal of 14-day limit

The survey asks "To what extent do you agree or disagree that changes should be made to the Act to allow Regulations to be made (by secondary legislation or statutory instruments) to enable future amendments and extensions?"

Suggested answer: Strongly disagree.

Why is this a problem?

The preamble to this question outlines the desirability of doubling the existing 14-day age limit during which research on human embryos is permitted. This would allow research on embryos who are four weeks old. The HFEA also wants to "future proof" the HFE Act to allow it more easily to be modified to permit such changes via secondary legislation rather than changes to primary legislation.

While in the past it was not technically feasible to culture human embryos beyond formation of a primitive streak or 14 days post-fertilisation, culture systems have evolved, now introducing this [possibility](#).

In countries where embryo research is permitted, the 14-day limit has been adhered to across the

globe and was upheld as a vital safeguard by [each of the main UK political parties](#) when the 2008 HFE Act was passed. Many countries such as [Germany, Italy and Austria](#) do not allow embryo research at all. The use of embryos for research purposes should never be permitted but the HFEA's suggestion of a possible 4-week limit is deeply disturbing. At around [22 days](#), the central nervous system begins to form and by 28 days, the [heart](#) has begun to beat, the [brain](#) has begun to develop and a baby's eyes, ears and nose have started to emerge.

Indeed, the HFEA's proposal is based upon [recent guidelines](#) which do not include any explicit upper limit for research on human embryos. In 2017, Baroness Warnock, the chair of the commission that set the original 14-day limit, [warned](#) of a slippery slope if it were to be removed. It would be quite wrong for changes in embryology laws to be demoted to secondary legislation, where scrutiny would be reduced, rather than being introduced through primary legislation, where ethical considerations can be rigorously discussed in Parliament and MPs held accountable.

4

Comments

There is space for comments at the end of each of the two sections of the survey which relate to the above questions. If you wish to make comments, feel free to do so using the arguments mentioned

above. Otherwise, please skip to the next question.

Thank you for taking the time to respond to the consultation.



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