



Australian Law Reform Commission
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Via webpage

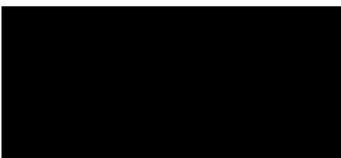
22 January 2026

Dear Australian Law Reform Commission,

The Australian Christian Lobby (ACL) is grateful for the opportunity to provide this second submission into the Review of Human Tissue Laws.

Thank you for giving our submission your careful consideration.

Yours faithfully,



Michelle Pearse

CEO, The Australian Christian Lobby

Second Submission regarding the Australian Law Reform Commission Review of Human Tissue Laws

AUSTRALIAN CHRISTIAN LOBBY

About Australian Christian Lobby

The vision of the Australian Christian Lobby (ACL) is to see Christian principles and ethics influencing the way we are governed, do business, and relate to each other as a community. ACL seeks to see a compassionate, just and moral society through having the public contributions of the Christian faith reflected in the political life of the nation.

With around 275,000 supporters, ACL facilitates professional engagement and dialogue between the Christian constituency and government, allowing the Voice of Christians to be heard in the public square. ACL is neither party-partisan nor denominationally aligned. ACL representatives bring a Christian perspective to policy makers in Federal, State and Territory Parliaments.

acl.org.au

The Australian Christian Lobby ('ACL') broadly supports voluntary tissue donation as it can provide lifesaving options for people in need. However, it is important that all legislation and policy in relation to the use of human tissue is underpinned by the principles that all human life is valued and should be treated with dignity. In this regard, the sanctity of human life, from conception to natural death, is paramount. It is also important that there are strong 'informed consent' protections for all human tissue arrangements, and strong penalties, regulation and investigative arrangements in place to prevent coercion.

However, we strongly oppose:

- the use of any human tissue from an aborted child (foetus) or surplus IVF embryos
- the commercialisation/financial compensation generally for human tissue which can lead to organ trafficking and egg harvesting and can further disadvantage vulnerable people
- all human cloning and embryonic research
- all commercial and all international surrogacy arrangements, including egg harvesting/donation, due to ethical reasons and the risks of modern slavery and
- relaxation of Voluntary Assisted Dying (VAD) Laws or the introduction of VAD via Telehealth, due to the risks of elderly abuse and coercion, particularly when relatives or friends require organs for transplants.

We also recommend stronger laws requiring transparency and disclosure to the consumer when aborted foetal cells have been used in either the research or production of a product.

These points were addressed in detail in our first submission. In this submission we focus specifically on Question 7 from the Review of Human Tissue Laws: Discussion Paper (2025):

Exclusions from the definition

Question 7

Should any of the following materials be excluded from human tissue laws, or excluded from the operation of human tissue laws for particular purposes, circumstances, or provisions of the new human tissue legislation?

- Human milk.
- Foetal tissue.
- Faecal tissue.
- Gametes (from deceased donors).
- Cell lines.

If you think some of the above materials should be excluded from human tissue laws (either completely or for particular purposes, circumstances, or provisions), why?

Are there other types of tissue that you think should or should not be regulated by human tissue laws?

In your response, you may want to consider **Proposal 5** (the objects of human tissue laws) **Proposals 40–44** (reforms relating to the prohibition of domestic trade) and **Proposals 32–39** (reforms relating to tissue donation for research).

Human milk

In general, human milk should be exempt from human tissue laws and have fewer restrictions. Traditionally, it was not uncommon for one mother to provide surplus milk for the benefit of other mother who may have trouble breastfeeding. These arrangements happen organically and should not be subject to legislation. These arrangements have been traditionally excluded from legislation¹ and there doesn't appear to be any problems arising from this practice. This practice doesn't pose any ethical issues and should be free of burdensome regulation.

Recommendation: That human milk should be included in human tissue legislation only where the donating mother is deceased.

Foetal Tissue

Foetal tissue should be included in human tissue legislation.

Tissue sourced from deceased foetal tissue should be treated with the same respect and dignity as other human remains. Legislative prohibitions on the use of aborted/terminated foetal tissue in medical research is important to ensure that abortions are not encouraged or even coordinated with medical research.

An example of the problems that arise from inadequate regulation and enforcement in this area is found in the 2015 exposé of Planned Parenthood Federation of America Inc.'s (PPFA's) lucrative side-line in the sale of foetal body parts. The Centre for Medical Ethics (CME) produced video evidence of senior PPFA employees negotiating prices for foetal body parts, in contravention of US Federal Law.² After rejecting the claims, PPFA launched a counter-offensive against the CME, claiming the video evidence had been deceptively edited, that foetal tissue harvesting was occurring only at a small number of clinics, and that reimbursement received for these 'services' to their clients was consistent only with the recovery of costs, which was legally permissible. This counter-suit gave the CME an opportunity to question PPFA staff under oath. Their evidence confirmed that PPFA was aware of payments received in exchange for foetal body parts at the highest level. The whole gruesome episode weakened public confidence in the ethical regulation of medical research.

Where unborn babies die of natural causes, it could be possible for parents' to donate these remains to medical research, as with other deaths. However, there must not be any direct or perceived incentive for mothers to terminate their child.

Recommendation: That legislation explicitly prevents aborted human foetal tissue from being used for any purpose.

¹ <https://www.health.gov.au/sites/default/files/documents/2022/02/donor-human-milk-banking-in-australia-issues-and-background-paper.pdf>

² 42 U.S. Code § 289g-2 - Prohibitions regarding human fetal tissue states: "It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce." <https://www.law.cornell.edu/uscode/text/42/289g-2>

Gametes

As noted by the *Discussion Paper*, a significant ethical concern about the use of gametes has previously arisen when a surviving spouse seeks to remove reproductive cells from the deceased spouse with the intention of creating new gametes. This raises ethical problems because it violates the consent of the deceased, in contravention of the government's campaigns around sexual consent.³ Although the posthumous extraction of reproductive material does not involve an explicit sexual act, consent would ordinarily be required by donors. Where the donor is deceased, securing consent is obviously impossible. Proceeding would involve intentionally creating a situation in which a child is deprived of their father or mother.

The wish of distressed surviving partners to 'keep a part of their spouse alive' by giving birth to their child is understandable but should not be facilitated.

Recommendation: That legislation explicitly prevents reproductive material being used when donors are deceased.

Cell Lines

We highly recommend greater transparency on products that have used aborted fetus, **foetal** cell lines, gametes or embryonic research for development and testing of their products. We note that some Christians conscientiously object to using certain vaccines and medicines because of its association with **foetal** cell lines. This is documented but difficult information to find⁴. Greater transparency would give the public confidence in products that didn't use these cell lines.

Cell lines are unfortunately already entangled with most vaccines and various research. These are obviously a different scenario to aborted **foetal** tissue collected today. For example, it's difficult to get consent for their use in hindsight. As specified, we highly encourage legislation that requires products to specifically and clearly disclose this.

Recommendation: Legislation compels products to clearly disclose their use in research or development of products.

³ <https://www.consent.gov.au/>

⁴ <https://www.health.gov.au/sites/default/files/documents/2020/04/questions-about-vaccination.docx>