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THE PRIME MINISTER

5 February 1988

Dear Lady Lothian,

Thank you for your letter of 17 January in which you express concern about the use of foetal material for research purposes.

The current position with regard to the statutory provisions, regulations and other restrictions placed upon medical or other experiments with aborted foetuses is as follows:

Any live-born child is fully protected by law whatever its gestational age. If a child born alive dies immediately after birth the provisions of the Anatomy Acts and the Human Tissue Act 1961, including the need to establish a lack of objection by relatives to research use, apply as they would to any other deceased person. In the case of a still-born child, these Acts do not apply and there is no statutory restriction on the use of all or part of the foetus for research.

The use of foetuses and foetal material for research was examined in 1972 by an Advisory Group chaired by Sir John Peel. In their report the Advisory Group considered the wide range of research programmes which might use foetal tissue and foetal material and concluded that "the contribution to

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the health and welfare of the entire population is of such importance that the development of research of this kind should continue subject to adequate and clearly defined, safeguards". These safeguards were spelt out in a Code of Practice which stipulated that research on pre-viable foetuses should only be carried out with the direct sanctions of the local ethical committee, and that where the Human Tissue Act did not apply, a precondition of research should be that there is no objection on the part of the parent. The use of foetuses and foetal material in research is controlled in accordance with this Code of Practice and there is no evidence that the requirements of the Code are being breached.

Yours sincerely
Raymond Shalton

Lady Lothian.