

10 October 2016

Animal Welfare Action Plan
475 Mickleham Rd
Attwood
VIC 3049.

Email: animal.welfare@ecodev.vic.gov.au

Dear Minister,

Humane Research Australia (HRA) is a not for profit organisation that challenges the use of animal experiments and promotes more humane and scientifically-valid methods of research. We welcome the Victorian government's commitment to improving the welfare of animals and are grateful for the opportunity for us to provide comment on the Draft Action Plan (2016-2021) for "*Improving the Welfare of Animals in Victoria.*"

According to the latest available statistics, Victoria uses around a million animals in research and teaching every year. Nationally, Australia is the fourth highest user, behind only China, Japan and the United States¹. There is little in the draft plan that is specific to the use of animals in research, yet on almost every occasion we have raised our concerns with the federal government we are inevitably referred back to the state governments which are charged with authority in this area. The draft plan is therefore an opportunity to address these concerns and we therefore submit the following proposals for your consideration.

Lack of Transparency

Animal experimentation is a very controversial issue due to the harm caused to animals and the inefficacy of extrapolating data from animals to human patients. It is also shrouded in secrecy. If, however, we are to have an open and honest debate about the use of animals in medical research, then transparency and the exchange of information is essential.

Obtaining information about what actually happens to animals in research can be a difficult and frustrating process. Questions to the funding bodies are usually redirected to the state or territory departments responsible for animal welfare; and the state departments usually refer you back to the funding body – often the NHMRC. Requests for information – minutes of Animal Ethics Committee meetings, annual reports - are denied, and straightforward requests such as statistics are at best

¹Taylor et al, (2008)

“difficult” to obtain and do not provide an accurate account of the purpose for which the animals are used.

If you question a company or institution about their use of animals their standard response is that all animal use has been considered and approved by an Animal Ethics Committee, and that they adhere to strict animal welfare legislation. Our investigations suggest otherwise.

A 2013 opinion poll commissioned by Humane Research Australia², found 57% of respondents were not even aware animals are used in experimental research in Australia.

Those opposed to animal research have an obvious interest in more disclosure. They believe that if the public were adequately informed, there would be more pressure to stop or minimise it. But so arguably do those who see a need for such research and are concerned about the respect for animal welfare in laboratories.

Greater transparency is also supported by significant voices on the research side. More information, it’s argued, would dispel some of the inaccuracies about research coming from animal advocates. It would also help educate the public about what are seen by many in the biomedical community as significant benefits to humans.

But while it may be that all sides of the animal research debate desire transparency, Australia remains behind, making minimal effort towards openness, better communication, greater accountability and more public access to information.

A Freedom of Information application by HRA to obtain the names of license holders has recently been denied – such is the level of secrecy. Names of license-holders and copies of annual reports should be available to the public, particularly considering much of the research is funded through our tax dollars.

The European Union have addressed such concerns and Article 43.3 Directive 2010/63/EU now requires that non-technical summaries (NTS) are published by the European Member States in order to provide the public with access to information concerning projects using live animals.

NTS must include title, purpose, objectives and benefits, number and type of animals, predicted harms and application of the 3Rs (Reduction, Refinement & Replacement). They must be written in non-scientific language and accessible for five years.

Certain projects (including those which use non-human primates) must also undergo a retrospective analysis – a powerful tool to facilitate critical review of the use of animals. It is believed that this facilitates improved design for similar studies, raises openness of best practice and prevents mistakes.

Self-Regulated Industry

Animal experimentation is a self-regulated industry. Decisions are made by an Animal Ethics Committee attached to the particular institution. The presence of animal ethics committees, and in particular inclusion of a category C member (animal welfare representative), is often used by

²Nexus Research, May 2013

researchers to promote a 'clean' image of the research industry to the public - as an assurance that the care and use of animals is sanctioned by those with a concern for their welfare and/or rights.

There are many pitfalls in the current system.

- There is no requirement for animal welfare representatives to have the necessary qualifications to challenge the justification of animal use.
- There is over-reliance on researchers to have explored all possible alternatives to animal use.
- There is no central record of animal experiments (and sharing of unpublished information) meaning there is likely to be widespread repetition.
- There is inconsistency of decision-making between institutional committees.
- There is too much pressure on AECs to approve protocols in order to secure funding.

A radical overhaul is long overdue – a centralization of the decision-making process in order to avoid repetition of experiments, ensure for consistency and to guarantee that decisions are made based on expert knowledge of the alternatives available and the ethics of whether the experiment is even justified in the first place.

Incentives to develop alternatives to animals

73% of Australians support allocating a proportion of medical research grants to funding scientific alternatives to animal experiments.³ Personal discussions with researchers have revealed their acknowledgement of the challenges posed by using other species to extrapolate data to human medicine, however they have also expressed concern about a lack of resources and incentive to develop alternatives to animal use. Indeed this is an area in which Australia is greatly lagging.

Australia needs to provide more incentive for the development and validation of non-animal methods of testing. This would eliminate the wastage of precious resources as it would focus on research that is directly applicable to the human species.

Around the world, a number of government-funded initiatives are acknowledging the need to further develop and validate non-animal methods of research:

NC3Rs - The National Centre for the Replacement, Refinement and Reduction of Animals in Research is an independent UK organisation established in 2004.

ECVAM - The European Centre for the Validation of Alternative Methods (ECVAM) was established 1991.

ICCVAM - In the U.S., the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) was established in 1997.

ZEBET - established in 1989, is the Centre for Documentation and Evaluation of Alternatives to Animal Experiments, which forms part of the German Federal Institute for Risk Management, Berlin.

³ Nexus Research, May 2013

While other nations forge ahead in the area of alternatives research, Australia is missing an opportunity to excel in clinical translation and this is an issue that needs urgent addressing.

Rehoming of ex-lab animals

For those animals unfortunate to be caught in the research industry, there is very rarely a happy ending. If the experiments they are subjected to don't kill them, then they are often "disposed of" by a lethal dose of barbiturate.

In 2014 the Australian code for the care and use of animals for scientific purposes was updated and the following clause was inserted:

*"Opportunities to rehome animals should be considered wherever possible, especially when the impact of the project or activity on the wellbeing of the animal has been minimal and their physiological condition and behavioural attributes indicate that they can be introduced to a new environment with minimal, transient impact on their wellbeing."*⁴

The clause however, does not have any legal standing in that the Animal Ethics Committee need only consider rehoming. There is no legal requirement for them to do so.

The Beagle Freedom Bill has been passed in three states of the U.S. meaning that all tax-payer funded labs must offer their dogs and cats up for adoption through animal rescue organizations instead of just summarily killing (as is the standard operating procedure). It would be advantageous to introduce similar legislation within Australia however to do so under the current system would require separate legislative reforms under each state/territory jurisdiction.

Animals in Education

"The Australian code for the care and use of animals for scientific purposes" mandates the use of animals used in education and is legally binding. It states:

"Methods that replace or partially replace the use of animals must be investigated, considered, and where applicable, implemented" (1.18).

Teaching is the passing on of information that is already known. No further knowledge is obtained by using animals for this purpose. There are a huge number of alternative teaching methods available, which makes such use of animals unjustified and these alternatives should therefore be promoted rather than allowing the continuation of animal use in this area.

Current practices in Victorian schools include dissections and chick hatching programs – all of which raise many welfare concerns, and at the same time instil an attitude in students that animals are objects rather than sentient beings. They teach a profound disrespect for the life it aims to study. Many smart and caring students decide not to pursue careers in medicine, or nursing when they find out they are supposed to dissect animals. Dissection may be turning students away from professions where they are needed the most.

⁴Excerpt from Australian code for the care and use of animals for scientific purposes. (Page 67, Clause 3.4.2)

Do we really place such little value on the lives of those animals that we dispose of them, not in the pursuit of knowledge, but merely to pass on knowledge to others?

Teaching is an area in which we CAN replace animals and yet they are still being used.

Conflict of Interest

Lobbying for legislative change is itself a difficult and onerous process. It is even more difficult when those we seek to represent cannot speak out for themselves. The fact that we need to lobby such a vast array of government departments – some with a conflict of interest – makes a difficult task even more so.

The establishment of an independent body which would enable the oversight, consistency and regulation of all aspects of animal research is essential in order for each of these issues to be urgently addressed.

Summary

In conclusion, Humane Research Australia would like the following changes implemented through the plan:

- Greater transparency of animal research, through the provision of publicly accessible information such as names of license holders and annual reports of scientific establishments.
- An overhaul of the animal ethics committee system to ensure there is a centralised authority regulating the use of animals in research.
- Financial incentives for researchers to develop and validate non-animal methods of research.
- Mandatory rehoming of ex-laboratory animals wherever possible.
- The elimination of animal use in schools.
- Establishment of an independent body to enable the oversight and regulation of animal experimentation.

Thank you again for allowing us this opportunity. Should you require any further information or clarification, Humane Research Australia will be happy to discuss.

Yours sincerely,

Helen Marston

CEO, Humane Research Australia