

April 2015

Health & Research Ethics Section
Research Translation - Canberra
National Health and Medical Research Council
GPO Box 1421
Canberra ACT 2601

Dear Sir/Madam,

Re: Public Consultation on the *Policy on the Care and Use of Non-Human Primates for Scientific Purposes*.

Thank you for the opportunity to comment on the above consultation paper.

By way of background, Humane Research Australia (HRA) opposes the use of animals in research and teaching on both ethical and scientific grounds. It does not in any way condone the use of animals for scientific purposes regardless of whether or not their use is in accordance with any code of practice or policy. Instead, HRA supports humane alternatives in the pursuit of scientific advancement - these alternatives being, in HRA's experience, more reliable than animal-based experiments and data derived therefrom.

HRA comments on the paper as follows.

Importation of Primates

“The importation of non-human primates for research is regulated by both the Department of the Environment and the Department of Agriculture. The creation and implementation of a ban and any associated changes to the regulatory framework is outside of this review... ”¹

HRA questions this statement. The current policy regulated by the above departments allows for the use of imported primates in research and is therefore the primary tool by which the importation of primates for research purposes can be stopped – if such use was disallowed within the policy. Furthermore, the draft reads: **“Great apes must not be imported from overseas for use for scientific purposes.”²**

HRA's view is that if the importation of great apes for research is disallowed then there appears little reason why this same ban should not be extended to all non-human primates?

¹ Questions and Answers, page 4.

² Public Consultation draft, page 5.

The Policy states ***“Non-human primates that are imported from overseas must be captive bred and must be accompanied by documentation to certify their captive-bred status.”***³

Similarly, Indonesia has an official ban on the export of wild-caught macaques. In April 2009, the British Union for the Abolition of Vivisection (BUAV) published a report on its undercover investigation: ***“Indonesia. The trade in primates for research”***⁴ The report concluded that the ban on wild-caught macaques is a sham.

The report documents:

- concerns about compliance with Indonesian legislation as well as the Convention on the International Trade in Endangered Species (CITES) regulations;
- cruelty and suffering inflicted on macaques during their capture, confinement and transportation; and
- sub-standard welfare conditions at Indonesia’s Bogor Agricultural Institute, from where Australia’s imports have been sourced.

Ironically, there is no restriction on the number of monkeys trapped in the wild to replenish breeding stocks. Which generation of primates originally caught from the wild can be defined as “captive-bred”? Will F1 (offspring of wild caught animals) be deemed “captive-bred” or F2 and F3 (further generations)?

The welfare impacts of wild-caught primates include violence, stress and fear during capture and sudden confinement; indiscriminate tearing apart of family groups; broken social groups and remaining primates left without parents or siblings.⁵ Even if F1, or further generations (deemed captive bred) are allowed then the capture of the original animals is still being condoned and indeed supported.

HRA is calling for a ban on the importation (and exportation) of all primates for research purposes regardless of those primates being captive bred or wild bred.

Use of Great Apes

The NHMRC states that great apes are ***“the closest species to human beings with the most advanced social and behavioural skills.”*** And the draft policy states that ***“The use of great apes for scientific purposes in Australia is permitted only when their use: (i) will not have any appreciable negative impact on the animals involved, e.g. observational studies activities already being undertaken for management or veterinary purposes. (ii) will potentially benefit the individual animal and/or their species.”***⁶

We appreciate this special consideration for great apes, however as there is little difference between great apes and other primates in their capacity to suffer, their cognitive abilities and well-developed social structures, the protections afforded for great apes should be extended to all other primates.

³ Public Consultation draft, page 7.

⁴ <http://www.buav.org/our-campaigns/primate-campaign/buav-primate-trade-investigations/chainofsuffering>

⁵ www.savetheprimates.org/files/adiprimatephaseout220409.pdf

⁶ Public Consultation draft, page 5.

Governance

“NHMRC provides funding to the Australian breeding colonies to support the resources and facilities of the colonies and hence to support a consistently high standard of care of the animals. This funding does not provide NHMRC with control over the distribution of non-human primates to research projects.”⁷

NHMRC provides funding grants to research that involves the use of non-human primates. It therefore cannot be said that it has no control over their distribution. The funding by NHMRC using Australian tax payer monies enables the use of these animals and it is essential that NHMRC recognizes that it does indeed have influence of and responsibility for their use.

The 2003 policy required ***“Inspection by the AWC of facilities where non-human primates will be housed and used”⁸***

HRA strongly advises that this requirement be retained and that such inspections must be unannounced. There is little point in announcing an inspection that is intended to identify problems when such problems may be “covered up” ahead of an AWC visit. This achieves little in terms of the care of the primates and the education of their keepers. The need for unannounced inspections of research facilities will be more likely to identify statutory breaches or animal welfare problems, while also identifying training requirements for keepers.

Notification to NHMRC’s Animal Welfare Committee for activities involving non-human primates.

“Non-human primates must not be used for scientific purposes except when (i) no alternative to the use of non-human primates is suitable to achieve the stated aims of the project; and (ii) the potential effects on the non-human primates are justified by the potential benefits.”⁹

Recent scientific reports have shown that despite the genetic similarities, primates are not good models for human medicine.^{10,11}

As stated by Scientific Advisor Dr Jarrod Bailey of the British Union for the Abolition of Vivisection, *“Monkeys are very poorly representative of human biology and diseases, including crucial research areas such as HIV/AIDS, malaria, neurodegenerative diseases, cancer, and many others. They continue to be used in experiments due to their superficial similarity to humans, but it is increasingly clear that countless and important genetic differences exist, which combine to generate vastly different biologies, disease susceptibilities and pathologies. Monkey experiments are therefore inherently misleading, and can never reliably inform human medicine. The sooner science leaves them behind, the better - not just for monkeys, but also for billions of people relying on science for cures and treatments for diseases that blight their lives.”*

⁷ Questions and Answers, page 5.

⁸ Public Consultation draft, page 2.

⁹ Public Consultation draft, page 5.

¹⁰ J Bailey, Monkey-based research on human disease: the implications of genetic differences. *Altern Lab Anim.* 2014 Nov;42(5):287-317.

¹¹ A. Knight, 'Chimpanzee experiment: Questionable contributions to the biomedical process', *Alternatives to Animal Testing and Experimentation*, vol. 14, special issue, 2008, pp. 119-124.

Furthermore, HRA's view is that there should be better measures for implementing a higher uptake of alternative methods and a better auditing system to ensure that all avenues have been exhausted to seek alternatives. Currently all approvals are made by the institutional animal ethics committees which operate independently and can therefore be inconsistent in decision-making and risk duplication of research between institutions.

HRA believes it is imperative that there is legislative governance over such a highly-controversial use of intelligent and sentient species. It is inconceivable that any researchers be permitted to use them for such purposes without highly regulated governance and monitoring. Such governance and monitoring should entail the following:

- considering 'normal' AEC mechanisms are not adequate, a supra-ethics committee should be required to both decide and monitor all research using primates. The composition of that committee should comprise independent experts from all spectrums (scientific, ethical, welfare).
- maintenance of a full register so that an accurate national record is kept of all non-human primate use. This register should include full documentation showing where alternatives have been sought and how the primate use has been justified.
- there should be a requirement for the proposals to have documents from other similar institutions in the world where such research is undertaken that such research as is proposed has not been undertaken.
- the word 'potential' must be omitted from the requirement that the benefits of scientific knowledge gained will outweigh harm to the animal. It should be replaced with the word 'direct' which requires the investigator to demonstrate a **direct** benefit.

Considering the relatively low number of primates used in Australian research (in comparison to other animals), such an ongoing register and monitoring system should not be too onerous and is particularly important to establish for primate research due to the acknowledgment of their need for special consideration.

HRA would be happy to discuss this matter further.

Retirement/Sanctuary

“Provisions for non-human primates at the conclusion of their use must take into account their long term welfare. Retirement must be considered as an option if suitable in terms of the health and temperament of the animal, and space is available at a facility that can meet their species-specific physical, social and behavioural needs.”¹²

Depending on the type of research conducted on the animals, it is acknowledged that some may be left in such a traumatised and/or dilapidated state that euthanasia may be the most humane option. However HRA recommends that the decision to kill the animals at the end of their use must be determined by an independent and qualified rehabilitator rather than the researcher or the animal ethics committee. Some animals may still have the ability to sustain a quality life and HRA strongly feels it should be up to the rehabilitator to make the judgement as to whether a quality life can be attained. To merely dispose of these animals when they are no longer required is a total disregard of their individual worth. If their use has been funded by the taxpayers then the NHMRC and/or research institution must take responsibility to ensure that the wellbeing of these animals is guaranteed for the remainder of their natural lives. The establishment of a retired primate sanctuary could be funded primarily by the NHMRC and supported (and overseen) by animal welfare groups.

¹² Public Consultation draft, page 7.

HRA believes these animals deserve a dignified retirement in return for their 'contribution to mankind'.

Summary

On both scientific and ethical grounds, HRA is opposed to the use of primates for research purposes and considers that instead of updating policies, more emphasis should be placed on a commitment to sourcing non animal alternatives and phasing out the use of these animals.

In the interim however, the revision of guidelines should be an opportunity to introduce stricter requirements and policing of their use.

In terms of the draft policy, we urge the following actions:

- tighter regulation and monitoring of all primate research through creation of a national expert Animal Ethics Committee to ensure that there is no repetition and no alternatives to primate use
- a ban on the importation and exportation of primates for research purposes
- establishment of a retirement sanctuary for primates no longer required.

HRA is available and would welcome the opportunity to discuss any of the above or the consultation in further detail when mutually convenient.

Yours sincerely,

Helen Marston
Chief Executive Officer