



ACCOUNTABILITY

animal experiments & freedom of information

· The assessment of projects under the Animals (Scientific Procedures) Act 1986

· The licensing process

· The Animal Procedures Committee

· The application of Nolan principles

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- a parliamentary briefing

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Appendix:
Profile of current members of the APC



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1. Introduction

There is undoubtedly considerable public disquiet that cruel, unnecessary or repetitive research continues on animals in British laboratories. Bland government assurances that our legislation is the 'best in the world' do not convince a public now familiar with video and photographic evidence of the reality of animal experimentation. The secrecy with which the law is administered only hardens the conviction that there is something to hide.

Well documented evidence from the NAVS and others has shown that government guidelines and the 'Code of Practice for the Housing and Care of Laboratory Animals' are not diligently enforced and that the Home Office leans towards protection of vivisection industry interests rather than towards serving the public will.

It has taken undercover investigations to expose serious abuses within the system. In March 1997 a Channel 4 investigation led to the threat of the revocation of the Certificate of Designation for Huntingdon Life Sciences and the prosecution of former staff members. Similarly in 1996, revelations by the NAVS led to the revocation of the Certificate of Designation of Charing Cross & Westminster Medical School until new procedures were implemented.

It is understandable that there is little faith in the current system. The law should be seen to be working.

The NAVS proposes that there should be a mechanism by which unnecessary or repetitive research can be challenged before it takes place. Surely, only the widest possible scientific consultation befits a proposal to deliberately inflict pain and suffering on an animal? After all, such infliction of suffering would in other circumstances be illegal, and render the person responsible liable for prosecution.

This means putting this information into the public domain. We need to know not just what research has been allowed, but why.

Potentially, there is a positive role for the existing Animal Procedures Committee (APC) within this, but it is vital that the Committee be transparent in all its workings and be reconstituted to bring an end to its dominance by vested interests. Such a move would reflect the recommendations of the Nolan report, which we discuss in more detail later. We can even foresee the possibility of the APC becoming a major force for scientific advancement and change worldwide.

The Animals (Scientific Procedures) Act 1986 was sold to a concerned public as providing greater protection for animals. The spirit of the Act is "*protection of animals against avoidable suffering and unnecessary use in scientific procedures*". Although the Act acknowledges the interests of science and industry, we would submit that far too much unnecessary confidentiality and protection has been given to industry interests, at the expense of the animals which we were assured would be protected under the heavily-promoted new 'dual licensing system'.

Our conclusions and recommendations are at page 25.

2. Background

The public desire to progress from reduction to elimination of animal experiments was expressed in the 1986 Animals (Scientific Procedures) Act: Section 5(5) of the Act states that:

“The Secretary of State shall not grant a project licence unless he is satisfied that the applicant has given adequate consideration to the feasibility of achieving the purpose of the programme to be specified in the licence by means not involving the use of protected animals.”(our emphasis), and

Section 20(2) that:

“In its consideration of any matter the Committee [the Animal Procedures Committee] shall have regard both to the legitimate requirements of science and industry and to the protection of animals against avoidable suffering and unnecessary use in scientific procedures.”(our emphasis)

The Act is administered through the Home Office, in the Animal Procedures Unit and the Animals (Scientific Procedures) Inspectorate (ASPI). These inspectors are drawn from animal experimentation fields, and are qualified in medicine or veterinary science.

In addition an advisory committee (a quango), the Animal Procedures Committee, is set up with the remit to advise Secretary of State on aspects of the Act and his functions under it.

There were extensive debates in parliament during the passage of the 1986 Act, which was described as “enabling” legislation that would allow the Home Secretary to improve controls without the need to return to parliament. Thus, no animal protection was included on the face of the legislation.

And yet 10 years after the passage of this legislation there remains increasing frustration at the lack of progress and access to information on this issue. The overtly secret way in which the the Act is administered *in itself* gives rise to suspicion and public concern.

In 1996, the number of animal experiments in the UK increased¹ and disturbingly, this included an increase in cosmetics testing, despite that project licence applications for cosmetics tests on animals are referred to the government’s Animal Procedures Committee (APC), a move designed to allay public concern.

Although the NAVS does not regard cosmetics testing as the most important issue, the Home Office response to the announcement of these figures goes to the heart of the problem of government attitudes. This increase, from 1,900 in 1995 to 2,800 in 1996 was mainly comprised of ingredients testing, but also 252 finished product tests. Only 58 procedures were to satisfy UK legislation alone; 620 were for non-legislative reasons. Such an increase in this area flies directly in the face of both public opinion and EU objectives, and yet, when the NAVS agreed to appear on a BBC news programme to discuss this issue in August of this year, the Home Office barred a member from the APC from appearing on the programme to explain this increase in light of the APC’s responsibility for consultation on cosmetics tests.

Who approves the licence applications?

Contrary to a widespread public assumption, the Animal Procedures Committee (APC) does not assess all applications to experiment on animals. Only applications for cosmetics, tobacco, or experiments designed to cause substantial pain in primates, or use of wild-caught primates, are referred to the APC by the Inspectorate.

The A(SP)Inspectorate (ASPI) assesses all licence applications, and recommends approval by the Secretary of State (who may choose to refer them to the APC):

- for designated experiment or animal supply establishments,
- for personal licences (to work on animals), and
- for **project licences** (to use animals in a series of experiments or procedures)

Under the A(SP) Act, several people have responsibility for welfare of animals:-

- (a) 'Designated Establishment Certificate' (licence) holder,
- (b) 'Project Licence' holder,
- (c) 'Named Veterinary Surgeon,
- (d) 'Named Day-to-Day Carer' (usually the head animal technician/manager; officially described as 'the animal's friend').
- (e) Animal Technician (daily carer)
- (f) 'Personal Licence' holder,

The applications for **project licences** outline the aims of the project, the animals to be used, how much they are expected to suffer (pain estimates are officially classified as 'mild', 'moderate', or 'substantial'), the experiment protocols, methodology. Applications should be supported by a discussion of the proposed work, references to scientific papers, and a rationale for using animals as opposed to non-animal methods.

In assessing each project, the ASPI is charged with weighing up the cost to animals in suffering against the potential benefit to be derived from the experiments – the 'cost-benefit analysis'. In addition, the ASPI should check that all possible non-animal methods have been explored.

Investigations by the National Anti-Vivisection Society (NAVS) into the use of animals in British laboratories have revealed that project licence applications can be awarded within days. The ASPI and the Animal Procedures Unit claim that this is because informal discussions with applicants held beforehand enable the formality of the application to be dealt with quickly. However, there is neither the opportunity nor public record available for those with an interest in the matter to be informed about the exploration of non-animal methods, or consultation with other experts, or the reasons for the decision to award the licence.

It is at the stage of initial application for a project licence, or application to renew a project licence (which can be a five year period), that vigorous assessment is needed of the possibilities of non-animal methods, as laid out in Section 5(5) of the Act. This is a huge task, of course. Science is international, extensive searches of worldwide activity would be needed, but in order for the

public to have genuine confidence in the government's desire to see animal experiments reduced and replaced, this task must be addressed. It is not acceptable for ministers, or the Home Office Animal Procedures Unit, or the ASPI to simply say that they are "satisfied" with the decisions made – the public wants to see that the effort is being made.

The lack of response to public concerns were displayed in March of this year when it was admitted at a London conference that the Home Office A(SP) Inspectorate does not even have a comprehensive database of all known alternative methods in the "3-R" group – that is methods which *refine* procedures, or *reduce* or *replace* the use of animals.

It is difficult to be convinced that the ASPI can properly fulfil the Home Secretary's obligation under the Act to ensure that non-animal methods have been fully explored before a licence is issued.

Yet, in 1996, 4,012 project licences were awarded, for the use of 2.7 million animals¹.

1. *Statistics of Scientific Procedures on Living Animals*, Great Britain, 1996, Cm3722, HMSO.

3. Secrecy vs Transparency

Central to the need to achieve an open debate on this issue in order to allow an informed public to make up their own minds, is the issue of transparency, and open administration. Two key areas need to be addressed in order to achieve this:

- (a) Wider, public, assessment of project licence applications
- (b) The composition and remit of the Animal Procedures Committee

Despite the principles outlined in the first report of the Committee on Standards in Public Life in 1995 (the Nolan report) – open government, public scrutiny transparency of decision-making processes, and accountability,¹ nothing has changed within the Home Office.

The Nolan report emphasises that holders of public office should be as open as possible about the decisions they take, and give reasons for them: “*restrict information only when the wider public interest clearly demands*”. On appointment to committees and other duties: “*Holders of public office have a duty to declare any private interests relating to their public duties....*”¹.

The issue of public confidence through scrutiny of appointment processes and decision-making is also addressed and is relevant to the Home Office. Nolan states that: “*In a democratic society it is important that the actions of those in public office should be subject to scrutiny by the representatives of the people... ..scrutiny in a broad sense to include internal checks, external supervision and direct scrutiny by the public through greater openness...*”¹

The concern that has been generated by the working practices of the Home Office and the APC are reflected in Nolan: “*Public concern has in many cases been magnified by a perception of excessive secrecy in quangos.the refusal of some public bodies to provide information even where it had previously been in the public domain; the excessive use of commercial confidentiality to justify withholding information; and difficulty in finding where information could be obtained...*”¹

Importantly, access to information is addressed in the context of public awareness of the presence of the information, where they can obtain it, what information they can and cannot have, and why they cannot have certain information: “*On access to information, we believe attention needs to be given to ensuring that members of the public are aware of these codes of openness, and can understand what information they have the right to see; what information they do not; and why*”¹.

It is recognised that animal experimentation is a major area of public concern – opinion polls and MPs’ letterboxes have demonstrated this for twenty years. Yet not only has the decision-making process been secret but so too, have the decisions themselves.

The Home Office does not publish a detailed account of how the ASPI weighs animal suffering against potential benefit. The only explanation given is of the broad principles in a booklet giving guidance on the Act, which is intended for animal users rather than the public. Details of project licences are not made public, and neither is the rationale behind decisions.

Indeed, the shroud of secrecy surrounding animal experimentation is extensive -

- The appointment of Inspectors is secret, and contact details for ASPI offices are kept secret; *...all our offices are ex-directory and we are careful about releasing inspectors' names...* Robert Watt, Chief Inspector, ASPI²;
- it is not easy for members of the public to find out what qualifies Inspectors and how to get in touch with them;
- the licence application process is strictly secret, the Inspectorate sees the completed application forms and back-up material, unless they decide to consult further;
- requests for information are not dealt with in a serious manner; in response to requests for information on the licensing process, the Home Office somewhat contemptuously pointed out that blank application forms are on the Internet. There is no culture of public service or obligation;
- information on funding is difficult to obtain;
- the annual statistics are published through HMSO but are opaque, and do not provide the necessary rationale behind decisions in order to make an informed judgement;
- the Home Office appear to promote one side of the debate on animal experiments;
- there is no published information on how new members to the APC are appointed; the Home Secretary simply announces that new people have been appointed after the fact; minimal information is then given, (usually in response to parliamentary questions).

In summary, the problem is that information is closely and jealously guarded. That which is made available is not provided in an easily accessible format. Minimal information is provided when requested, and the enquirer is forced to come back time and again with increasingly detailed questions in order to get to the truth; questions are avoided altogether, and at times responses appear to have been written by scriptwriters from the TV programme "Yes, Minister".

In recent years, the NAVS has conducted undercover research into the use of animals in six British laboratories. On each occasion, we are told that the ASPI has conducted an investigation – but even the results of this investigation are kept secret! Interviews with laboratory staff remain confidential, the Inspectorate's report and recommendations are confidential, with the need for commercial confidentiality, security, and Section 24 of the Act cited as the catch-all to restrict information.

Some of the information requested does indeed become caught up under Section 24 of the Act, and this needs to be changed. However, most is covered by the confidentiality undertakings given to applicants by the Home Office on all of the application forms – whether project, or other licences³.

Section 24 of the Act states that: *"A person is guilty of an offence if otherwise than for the purpose of discharging his functions under this Act he discloses any information which has been obtained by him in the exercise of those functions and which he knows or has reasonable grounds for believing to have been given in confidence."*

For example, in March 1996 the NAVS submitted a report to the Home Office on the use of animals at Charing Cross and Westminster Medical School and the

Institute of Neurology, both in London. The result of a two-year undercover investigation, this report included details of inhumane killing and disposal of live animals with dead bodies at Charing Cross, and excessive suffering of cats after spinal nerve damage experiments at the Institute of Neurology. We also criticised the award of a further project licence for brain experiments on monkeys, and the physical and psychological condition of a 'companion' monkey in a deprived environment⁴.

The response four months later was a two-page letter dismissing our findings and requests for clarification, ignoring questions on the decision-making process within the ASPI. We had asked whether some of the experiments we cited had been referred to the APC, with no response; nearly forty questions about the experiments, licences, and procedures as well as requests for comments from the ASPI and APC were in the most part ignored⁵. We also asked in this report for transparency on the APC appointments process, but these were sidestepped with a statement that new members are announced in parliament. Again, Section 24 of the Act was cited as the reason that further information could not be supplied, and we can only conclude that S.24 now includes apparently unlicensed animals which are not being used in experiments. No details of any ASPI investigation of the laboratories were given to either the NAVS, or in response to questions by members of parliament⁶.

Over a year later (in July 1997) and only as the result of further questions in parliament, was it revealed that the ASPI had revoked the Certificate of Designation (designated establishment licence) at Charing Cross until new procedures were in place, and that the work on cats at the Institute of Neurology had been suspended until the cause of the excessive suffering was identified⁷.

Obviously, the NAVS had identified problems within these laboratories that had escaped the attention of the ASPI, (including evidence of breaches of the *Code of Practice* which were not addressed). Yet quite unnecessarily, the Home Office refused to provide any information about this until pressed on the issue a year later.

People want to see transparency in the processes of government, and they want to see justice being done. If an individual breaks the law the legal process is public and transparent. Justice is *seen* to be done. When a vivisector breaks the law or the government's *Code of Practice*, and an animal suffers or dies as a result, the perpetrator is protected by a shroud of secrecy organised by our own Home Office.

The Home Office has simply stonewalled requests for more publicly-available and easily-digestible information by claiming that much information is already in the public domain - even to the point of suggesting that members of the public should go to science reference libraries to find out details of animal experiments! For example, standard responses from two Home Office ministers: "*The debate about the use of animals in scientific procedures should be as open as possible..... Those involved in animal procedures also publicise their findings in scientific journals and encourage informed discussion about their work...*"⁸ and: "*The debate about the use of animals in scientific procedures should be as open as possible.... Those involved in animal procedures also publicise their findings in*

*scientific journals and encourage informed discussion about their work...”*⁹

This is all very misleading, as the most pertinent information is not in the public domain. The only way we have to assess whether animal experiments work or not is through what the experimenters themselves tell us, after the event. Anyway, it is in the general nature of the activity that most research on animals is never published.

Finally, we are told to have confidence in the decision-makers:

*“The general public can be reassured that the very high professional standards of the Inspectorate ensure that animals are protected within the terms of the licences and of the Code of Practice for the Housing and Care of Animals Used in Scientific Procedures.”*¹⁰

It is also not reasonable for the public at large to be expected to take the vigilance of the ASPI, and even the APC, on trust. A modern democracy ensures transparency, public access to information and open, accountable government.

It is hard to find another industry which generates such public concern, and yet is so manifestly unaccountable.

A government committed to freedom of information must include all of the issues that the public feel the most strongly about - otherwise the promise of open government is meaningless.

1. *Standards in Public Life*, First Report of the Committee on Standards in Public Life, Cm2850-I, May 1995.
2. *Inside Track*, Issue 13, November 1996 (Home Office staff newsletter)
3. Annual Report of the Animal Procedures Committee, 1990, S.4.
4. *Access Denied*, NAVS, 1996.
5. Pages 8,9,10,11,12 to 36 of Access Denied report, NAVS, 1996.
6. Letter from Home Office to NAVS, 1 July 1996, various correspondence, and Notice of Motions, March 1996.
7. *Hansard*, 30 July 1997, response to Mike Hancock, MP 258.
8. Charles Wardle, standard letter, 3.5.94
9. Baroness Blatch, standard letter, 30.8.94
10. Baroness Blatch, standard letter, MP, 17.11.94

4. Put it to the Test

The majority of medical research is actually conducted without using animals by normal test tube methods, tissue cultures, and/or combinations of epidemiology, computer modelling, and clinical research. The inertia over replacement of the use of animals with more sophisticated methods stems from outdated government product-testing regulations, and a minority of out-of-touch researchers who have usually built a career on the animal experimentation method. This minority claim that animals are only used when absolutely necessary. Why not put this to the test.

Once a project licence to experiment on animals has been awarded, the debate about the experiment or procedure becomes academic. Defensive positions are taken up for a variety of reasons including status and danger to funding if criticisms about techniques are perceived have any value. It is important therefore, for the debate to take place before any licence is awarded.

Now is the time to bring real impetus to the drive to reduce and eliminate animal experiments by bringing in expertise from outside the closed corridors of the Home Office.

Technical details of applications for project licences must be laid open to public scrutiny to allow interested parties to consult outside experts to suggest non-animal methods. No product details, locations, or personnel details need be included; these are irrelevant to the task. This way, full and broad scientific appraisal can take place on all proposals to use animals before a licence is awarded.

Surely, only the widest possible scientific consultation befits a proposal to deliberately inflict pain and suffering on an animal? Such a decision is a serious and momentous one, therefore it must be acknowledged within the procedures that a decision is being made to allow someone to do something which is morally abhorrent, and is outlawed for every other sector of the community. Such a waiver must come with greater responsibilities, restrictions, and accountability; other expertise must be brought in, and the ethical debate must be in the public domain.

Public scrutiny of project licence applications and the widest possible scientific consultation would have the advantage of allowing government to utilise the scientific research resources of NGOs, whilst boosting public confidence in the review process.

The Home Office's contention that to provide more information would put experimenters at risk is a red herring. We have not asked for this information, and we have repeatedly stated that names of researchers and their locations is unnecessary. Indeed, this is at odds with the Home Office assertion that animal experimenters publish their work therefore interested parties can obtain background information if they wish.

4.1 The Investigations

Currently, the only way for the public to discover what is going on in animal laboratories in the UK is for the NAVS to send in undercover investigators. When we conduct an investigation and provide a critique of the work being

carried out is also the only time when the public get to see what goes on, and hear that there is another point of view on the science.

Clearly a single example of a blatantly unnecessary experiment should call into question the effectiveness of the licensing system, yet investigations conducted by the NAVS in the last five years have discovered numerous examples:-

- experiments on animals for products previously animal-tested, that have been in human use for ten years, and where the effects on humans and species differences already known (heart drug)¹.
- re-testing on animals of a weedkiller which had been on the market for twenty years, so the effects on people and the environment should have been well established¹.
- animal testing of an anti-malarial drug already tested on animals, taken by over a million patients worldwide¹.
- experiments on animals where human tissue is available, and culture dish option is not only available but is in use elsewhere (hepatitis A, hepatitis DV, kidney research, heart research)¹.
- experiments on animals for a drug, an appetite suppressant, already taken by five million people worldwide, so human effects are known².
- scientifically questionable experiments on animals (migraine/brain research), incorporating a theory the relevance of which had been discredited by human studies ten years earlier².
- experiments on primates where a project licence was awarded in just 3 days, reportedly after consultation with the local A(SP)Inspector and for continuation of a research programme. No indication has ever been given of the breadth of scientific consultation on this licence; yet other scientists question the relevance of this work. The NAVS has asked many questions about the vigour of the assessment and review process on this application. We also asked whether the Animal Procedures Committee had been consulted. No information has been forthcoming².
- repetitive experiments on animals where the artificial model was acknowledged not to reflect the human condition (arthritis)³.
- repetitive experiments, involving a 'substantial' level of pain, with drugs already being used in humans and species differences had already been identified (anti-inflammatory/arthritis drugs)³.
- inducing an artificial condition in animals where scientific authorities have pointed to differences between human disease and animal models, and recommended human studies as the way forward for such a disease (multiple sclerosis)³.

4.2 Implications of the Feldberg Inquiry

In 1991, the Medical Research Council (MRC) reported upon their inquiry into the facts of a series of incidents where an animal experimenter, Professor Wilhelm Feldberg, was burning animals which were drifting in and out of consciousness, and cutting open semi-conscious and struggling animals⁴. Some of the incidents

were filmed, and the distress felt by the animals was obvious. (Feldberg had been conducting experiments in this area for around thirty years).

The MRC Inquiry found that both the ASPI and the 'Named Veterinary Surgeon' responsible for the welfare of animals in this lab had known for three years that animals used by Feldberg would be in jeopardy⁴.

All of the levels of 'responsible persons' named in the Act failed these animals, and the MRC inquiry noted:-

- **The ASPI do not consider it to be their job** to seek out and report upon improper laboratory procedures;
- **The 'named day-to-day carer'** did not consider it to be his job to check on animals once they were out of the animal house and in the hands of researchers;
- **The 'designated establishment licence holder'** knew what was happening, but did not think he had the authority to stop it;
- **The 'named veterinary surgeon'** only spent one day a week at the lab, which used 1,000 animals each week, on 50 projects.

Furthermore, it was found that Feldberg had deliberately flouted his licence conditions, and made it clear in his discussions with the investigators who filmed him that he did not worry about performing repetitive experiments because he did not read the published work of others in his field. Significantly, Feldberg was only exposed through an investigation by an animal welfare group, Advocates for Animals.

Despite the glaring failings of the system, the Home Office continues to promote it as rigorous and effective. For example in a press release in February 1993, Home Office minister Charles Wardle said that:

"We have the most rigorous and extensive systems for ensuring that only justifiable research takes place, and for policing the operation of approved work."

In his notes for editors he included that:

"Every research project is separately licensed.....after rigorous consideration..."

Every establishment in which research is carried out is 'designated'.....

The holder of the Certificate of Designation is made personally responsible for ensuring that all the animal work carried out in their establishment complies with legal and administrative controls.....

The certificate also designates named persons responsible for the day-to-day care of the animals and a veterinary surgeon or other suitably qualified person who can provide advice on the animal's health and welfare.."

This is in a similar vein to standardised letters from the Home Office going back over the last ten years, giving assurances of the safeguards; for example, a standard letter for a member of the public dated 5.7.94:

"Most importantly, the Act introduced a dual licensing system: a personal licence to ensure the competence and suitability of those who carry out animal procedures, and a project licence requiring detailed information about the work which is to be performed and the justification for it. The Act provides for the careful control of pain

and suffering and its minimisation.....”

The fact that there is nothing new in the issues we raise here is disturbing in itself. Questions about proper scrutiny of project licences applications and the composition of the Animal Procedures Committee have been raised since the passage of the Act: In 1991, following a discussion of the Feldberg case, justification of project licences, and other matters arising in the annual report of the Animal Procedures Committee, Lord Houghton of Sowerby said in the House of Lords:

“..It is therefore no good passing all the responsibility to the laboratory or to the scientists. The work authorised by the Home Secretary must be justified. How can we be satisfied that it has been properly scrutinised?... How shall we achieve some monitoring system of project licences issued by the Home Secretary?..

“ ..I suggest that there should be a monitoring committee, a body of referees, or assessors, appointed to whom the automatic right of audit should be granted so that a judgement can be made.....

“ Is the Minister keeping under review the composition and balance of the Animal Procedures Committee? Of the list of 21 members only one name has no letters after it. Presumably that person is the well-informed layman who sits with 20 experts in the law, philosophy, veterinary surgery, medical surgery and so forth. What is his mission?... ”.

In summary, only wider consultation on project licence applications will enable a proper assessment to be made. A reconstituted Animal Procedures Committee could both assess projects and put them out to interest groups for wider consultation. Submissions with objections to the use of animals and suggestions for alternatives could be returned the Animal Procedures Committee.

1. *Labs Unlocked*, NAVS, 1994.
2. *Access Denied*, NAVS, 1996.
3. *Vivisection In Britain*, NAVS, 1991.
4. *Report of the Inquiry into the Operation of the Animals (Scientific Procedures) Act 1986 and the administrative procedures within the MRC in relation to experiments carried out by Prof. WS Feldberg*, Medical Research Council, 1991)
5. Home Office, press release, 5.2.93.
6. *Hansard*, 27 November 1991, 1382

5. The Animal Procedures Committee

The Animal Procedures Committee (APC) is set up under Sections 19 and 20 of the A(SP) Act, to advise the Home Secretary on matters concerned with the Act and his functions under it. The Home Secretary may refer matters to the Committee for its consideration. The Committee is also free to select subjects for study. The APC elaborate on the advice they provide to the Home Secretary in their annual report, stating that they *“advise... on how to maintain the balance between the benefits derived from research and the costs to animals”*¹.

Members are appointed by the Home Secretary for a four year term, and can elect to stay for a second term. The names of the new APC members are announced each year, usually when a Member of Parliament puts a question in the House, and just the individual's name and occupation are given. Otherwise we must wait for up to a year for this news in the APC's *Annual Report*.

The Act sets out the composition of the committee:

- (a) A chairman and at least 12 other members;
- (b) at least two-thirds to be doctors, vets, or those with qualifications or experience in a biological subject approved by Secretary of State as relevant;
- (c) at least one barrister, solicitor or advocate;
- (d) but at least half must not have held an animal experimentation licence within the past six years.

The chair of the APC is paid, and both chair and committee members receive expenses. Meetings can vary between four and eight times a year.

The Home Office defends its refusal to provide more information on the appointments process with a standard response: *“All appointments to the APC are publicly announced and meet the criteria for appointment of members set out in Section 19 of the Animals (Scientific Procedures) Act 1986.”*

There are also three Standing Sub-committees:

the Research Sub-Committee ; advises on the priorities for research and evaluates proposals. Members: Broughton Pipkin (chair), Boden, Cripps, Milburn, Purchase².

the Education and Training Sub-Committee ; considers all applications for recognition of accreditation schemes by the Home Office and offers advice on education and training. Members: Christopher (chair), Broughton Pipkin, Flecknell, Suckling².

the Primates Working Group; reviews the current use of non-human primates. Members: Iversen (chair), MacArthur Clark, Ward².

Section 19(b) of the Act states that: *“..in making appointments to the Committee the Secretary of State shall have regard to the desirability of ensuring that the interests of animal welfare are adequately represented.”*

The APC is consulted on project licence applications for cosmetics, tobacco, or use of primates, but this is a relatively small percentage of experiments or procedures. The Home Secretary may also consult the Committee on other

issues, as he deems fit, and the Committee considers the 'cost-benefit' analysis for project licence applications referred to it. As we said earlier, it is the ASPI that makes the recommendation to the Home Secretary for the majority of applications¹.

The composition of the APC, as well as its predecessor committee under the old 1876 Act, has always been an issue of concern to our supporters. The NAVS sought the reconstitution of the 'Home Secretary's Advisory Committee' under the previous 1876 Act because this was overloaded with pro-vivisection interests. As the 1986 Animals (Scientific Procedures) Act passed through parliament, we again saw the same pattern of industry interests dominating the new APC.

In order to make public the unbalanced make-up of this body, the NAVS has tracked some of the changes on the Animal Procedures Committee in recent years:-

In December 1994, the NAVS published a profile of the membership of the APC in which showed that 12 out of the 15 members had a past or present involvement in the vivisection industry, either in conducting experiments, or supplying lab animals, or in other industry roles. Some of the APC members had either worked for, or been funded by, organisations whose project licence applications could come before the Committee³.

Also in December, the Home Secretary appointed further APC members; some replaced retirements. The NAVS produced a profile of these new members: of 8 new members appointed, 6 had a direct vested interest in the vivisection industry:-

- 2 academic/experimenters;
- 3 were from commercial contract testing laboratories;
- 1 from a pro-vivisection campaigning group;
- 2 academics/neutral;

Thus 11 out of 14 APC members had a current or recent involvement in the industry, whether commercial or academic⁴.

This updated profile was submitted to MPs in March 1995, prompting questions, and an Early Day Motion. A Home Office announcement followed in May that three new animal welfare representatives had been appointed to the APC "*with immediate effect.*" The new appointments were Ms Cindy Milburn (animal welfare), Mr Les Ward (animal welfare), and Dr Jacqueline Southee (animal experimenter/animal welfare).

Finally, at May 1995 the composition was 13 out of the 18 APC members with a current or past interest in the industry, plus some of whom were even active campaigners for animal experiments⁵. Not a committee to inspire confidence.

We have since updated the membership profile of the Animal Procedures Committee, and this is at the Appendix.

However, the NAVS and our supporters have not been alone in our concern about the composition and powers of the Animal Procedures Committee. In a speech in the House of Lords in March 1993, responding to the APC Report of

1991, Lord Houghton of Sowerby said:

“...there are only two, or possibly three, out of the 19 members who can be said to have as their principal interest the welfare of animals. That is too small a proportion of the whole.the Government might consider adding one or two more people whose ...purpose.....is to try to protect animals....

The committee is not an auditor; it is not a supervisor; it is not there to sit in judgement; it is a regulatory body. It has powers of regulation under the Act itself. In the course of that it is desirable, however expert and concerned many professional scientists may be, to have the voice of the public (the interests of the people at large) represented on the committee.

.... It must be taken on trust. We must take the Animal Procedures Committee on trust; to a large extent, that committee must take on trust the Home Office which authorises the work to be done. The Animal Procedures Committee does not do that ...the procedures committee should have regard to public attitudes..

...I should like the committee to examine rather more closely the project licences granted so that it can gain an idea of what the Home Office is doing. We are largely in the hands of the inspectorate which is the vetting body for such applications. Only extreme cases are put before the procedures committee.It should have a critical approach as to how the Home Office is exercising its responsibilities.”⁶.

Certainly neither the supporters of the NAVS, nor the wider public that supports us so strongly, are prepared to take anything on trust. Only complete transparency, accountability and the opportunity to challenge animal experiments before they take place will be acceptable.

1. Report of the Animal Procedures Committee for 1994, Cm2996 HMSO.
2. Report of the Animal Procedures Committee for 1995, Cm3280, HMSO.
3. 'Who's Who on the Animal Procedures Committee', *The Campaigner* Jan-Mar 1995.
4. *The Campaigner*, Apr-June 1995.
5. *The Campaigner* Jul-Sep 1995.
6. *Hansard* 1 March 1993, 510

6. Reform of the APC

Surely, to really gain public confidence, the APC should be a public-interest body; it should be an auditor and it should sit in judgement; it should be critical of the work of the ASPI in order to reduce animal use and maintain standards.

All project licence applications should be referred to a reconstituted, more balanced, and more powerful APC with the remit to positively favour non-animal research. Our experience has shown that when the will is there, non-animal methods can and are produced.

Most importantly, it should be a publicly-appointed body properly reflecting the desire of the public to see animal experiments replaced with non-animal techniques.

There needs to be a formal, public interview and appointment process for the APC. Profiles of APC candidates must be published.

It is extremely disappointing to find that there has been no change of tone in Home Office responses with the change to a new government. Letters from Lord Williams dated 9.7.97, and to Members of Parliament dated 1.8.97 use the same standard replies as under the previous government.

In a letter dated 10 July 1997, a Home Office letter states that: *“...In the Animal Procedures Committee, the Home Secretary already has an excellent source of independent advice...”*

This is no difference from a letter from the Home Office dated May 1996 which stated that: *“In the Animal Procedures Committee (APC)... the Home Secretary has a source of sound and balanced advice. He is satisfied that the membership of the APC adequately reflects current public concerns...”*

We are still waiting to see a commitment to real change:

- A more powerful body assessing all project licence applications with the remit to actively favour alternatives to the use of animals.
- wider consultation on project licence applications with input from interest groups such as the NAVS.
- Information on how candidates for the Animal Procedures Committee are identified, approached, interviewed, and appointed should be published; advisory panel to assess suitability of candidates for the APC. Profiles candidates, showing connections with the industry should be made available.

This government should be determined to bring the debate about animal experiments out into the public arena where it belongs, rather than amongst vested interest groups behind the closed doors of the Home Office.

6.1 Nolan & The Animal Procedures Committee

The APC is an advisory body composed of a group of experts advising the government, and can therefore be defined as a “Non-Departmental Public Body” (NDPB) - a quango. In 1995, the Committee on Standards in Public Life

published its first report, *“Standards in Public Life”* (the Nolan report). This had clear recommendations on the issue of appointments to quangos/public bodies.

Nolan starts from an outline of the seven principles of conduct which underpin public life, and advises that public bodies should draw up Codes of Practice incorporating these principles of selflessness, integrity, objectivity, accountability, openness, honesty, leadership.

Each of the principles is defined, and on accountability, pertinent to our discussion here, Nolan says: *“Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office”*. It goes on to put the case for openness about decisions taken, providing reasons for decisions, and that bodies should: *“restrict information only when the wider public interest clearly demands.”* The issue of vested interests is also dealt with, by the recommendation that holders of public office have a duty to declare any private interests relating to their public duties.

We would submit that a career interest in the continuation of animal experiments, or an industry interest in terms of animal or cage supplying, or contract testing, is a private interest relating to duties on the Animal Procedures Committee.

The Nolan report also makes recommendations on the composition of advisory committees and boards, that they should *“represent an appropriate mix of relevant skills and background.”* It is also recommended that although Ministers should continue to make appointments, an independent Public Appointments Commissioner should be appointed to regulate and monitor the public appointments process, produce reports, and draw up a code of practice; any departure from these procedures should be documented and capable of public review.

Recommendations include the setting up of advisory panels to contribute to a formal appointments process, to advise Ministers making appointments: *“Formal and impartial assessment of candidates is essential.All candidates whom Ministers consider for all appointments should have been approved as suitable by an advisory panel... All appointments should be made after advice from a panel or committee which includes an independent element
The suitability of each candidate should be assessed by an advisory committee.”*

Specific recommendations in Nolan on appointments to public bodies include publication of job specifications, person specifications, and that a wide range of candidates should be sought through advertising, executive search, consultation with interested bodies, including user groups, databases of interested people.

The importance of independent monitoring is emphasised, together with the seriousness of the current situation, where the public have lost confidence in the fairness of appointments, openness in the appointments process, proceedings of quangos, and lack of democratic accountability.

The Government’s Public Appointments Unit submitted their plans to the Committee on Standards in Public Life, and these have been recommended in

the report:

- (a) improve the transparency of the process of appointing candidates to public bodies by documenting procedures and recording the reasons for decisions; reasons can be disclosed;
- (b) widen the range of methods to obtain candidates; document details of the job to be done, qualities and experience, appointment term;
- (c) more openness by announcing appointments and making lists of appointees available to the public;
- (d) increase the rigour of the process, through the routine use of references and interviews;
- (e) ensure standards of probity through the early identification of potential conflicts of interest

These would counter the current problems the Committee on Standards in Public Life identified, which were that detailed information about how appointments to quangos is made is rarely available, and the lack of checks and balances in the appointments process.

The Committee on Standards in Public Life believes that committees should contain a balance of relevant skills, interests, and backgrounds, because, *“If the members are too similar in background and outlook there is unlikely to be the sort of healthy internal debate which is conducive to good decision making...it is after all the role of the non-executive to maintain an attitude of constructive scepticism.”* It is also recommended that such a move would improve public confidence.

The Nolan report recommends an independent element be added to a panel or committee to scrutinise the candidates for appointment to public bodies and take part in the appointments process, concluding with *“We recommend that all appointments to executive NDPBs or NHS bodies should be made after advice from a panel or committee which includes an independent element.”*

“All candidates, regardless of how they are nominated, including those put forward by Ministers, should be scrutinised by a panel before being recommended for appointment.”

The Nolan report recommends interest-groups play a role: *“The committees or panels should be appointed by the relevant Secretary of State after wide consultation. It may often be appropriate for a body or bodies with major interests in the policy areas in question to be given rights of nomination. Each panel or committee should have at least one independent member and independent members should normally account for at least a third of the membership”.*

On lack of public confidence in boards and quangos generally, the Nolan report describes very succinctly the concerns we have expressed about the Animal Procedures Committee: *“Some of the major concerns about appointments focus on openness (providing information about appointments) and transparency (making it clear what the appointment process is and how it works).unclear how names are gathered for consideration, what criteria these names are considered against and how the person appointed is chosen.widespread perception of secrecy has undermined public confidence.”*

The importance of having a written appointments procedure which is available to members of the public is also emphasised.

In recognising the balance to be struck between openness and the privacy of individuals, Nolan says that: *“The procedures should be as transparent as possible, but we do not believe that information about individuals should be placed in the public domain until such time as they are appointed and can therefore be said to have entered public life.”*

Although we acknowledge the right of individuals to their privacy prior to entering public life, this recommendation would present a grave problem for appointments to the Animal Procedures Committee. If this Committee is to change at all, it is essential that before candidates are appointed there is full disclosure of their involvement with the vivisection industry, whether as an animal or cage supplier, animal experimenter, or contract testing laboratory. All connections with pro-vivisection and anti-vivisection groups need to be publicly disclosed. We would submit that full disclosure on animal experiments prior to appointment is in the public interest.

We are in general agreement with the Nolan Draft Code of Practice for Public Appointments procedures, and would like to see this implemented for appointments to the Animal Procedures Committee. A small part of the information in this Draft Code is already kept, but it is not publicised.

On other Nolan recommendations we would comment:-

- Reports on new appointees on a quarterly basis would be welcomed.
- The input of ‘user groups’ into the appointments process must be treated with caution – we already have the problem that the APC is dominated by animal users. If there were a balance of anti-vivisectionists to pro-vivisectionists, together with non-animal using researchers to help vet project proposals, a potentially more effective APC could be created.
- We welcome the comment in this report that while not all practices can be simply transferred from one context to another, variation from best practice should be based on a conscious choice, capable of being justified in public.

We agree that in a democratic society it is important that the actions of those in public office should be subject to scrutiny by the representatives of the people. For the Home Secretary, the Animal Procedures Unit at the Home Office, the Animal Procedures Inspectorate, and the Animal Procedures Committee, this scrutiny must come through greater openness to the public.

We believe that the APC should be like a non-executive board as described in the Nolan report, guiding and controlling the executive management (the Animal Procedures Unit and the Inspectorate), and being prepared to challenge decisions, uphold, improve, and set standards. Importantly, it should also take active steps to promote the use of non-animal alternatives to other countries. And finally, to reiterate, any changes need to come from a basic change in emphasis – it is crucial to the public perception of the APC that detailed background

information on connections with the vivisection industry are disclosed.

We wholeheartedly agree with the comments in the Nolan report that public concern is magnified by perceptions of excessive secrecy in quangos.

We also welcome the “Standard of Best Practice for Openness in Executive NDPBs and NHS Bodies” outlined in the Nolan report, and would like to see these standards adopted for the Animal Procedures Committee.

Standards in Public Life, First Report of the Committee on Standards in Public Life, Cm2850-1, 1995.

7. Local Ethics Committees

The NAVS has put the argument that the debate about animal experiments takes place at the wrong time; we believe that the debate about the use of animals should take place before a licence to use animals is granted.

Currently, the use or otherwise of animals is discussed behind closed doors amongst a tightly-knit animal-using scientific community. This is unacceptable and two main areas to must be addressed:

- (a) This issue is one of great public concern, and the ethical debate belongs in the public arena, not shut away in the laboratories and corridors of Whitehall;
- (b) A far wider consultation on the value of a series of experiments and what non-animal alternatives are available needs to take place before project licences are granted. Without this there is no credible attempt to prevent unnecessary research on animals.

The Home Office has consistently opposed these suggestions by claiming that such wider consultation would:

- (a) breach commercial confidentiality
- (b) leave laboratories and workers open to 'extremist' activity (ignoring the fact that such work may be published anyway, and that name and locations are not required for this task)
- (c) that the Home Secretary has full confidence in the ASPI and the APC and has all the expert guidance and opinion he needs.

As we discussed in our section 'Secrecy vs Transparency', this ignores the fact that firstly, the technical details of the experiment are all that is at issue - identity of the product is irrelevant; secondly, the widest possible consultation should take place before licences are granted, and the Home Office does not have access to all of the necessary resources - database resources and expert opinion can be provided by the NAVS and similar organisations; thirdly, the 'extremist' argument is spurious - information already in the public domain includes addresses of laboratories, names of scientists together with the names of the projects, animals being used, and names of funding bodies (albeit in a highly specialised format).

As an alternative, some groups have proposed local ethics committees be formed at all circa 350 licensed animal experimentation laboratories to give ethical clearance to project licence applications before they reach the Home Office. There are serious flaws in such a suggestion:

1. The composition of the local ethics committees: Finding suitable appointees, and domination by colleagues of the project licence applicant. The relationship between committee and researcher is likely to be close, if not personal, leading to obvious conflicts of interest.
2. Committee access to outside experts and database information to allow proper judgement.

3. Cost of circa 350 extra committees.
4. Its purpose - public relations, ethical clearance by a science-led group.

7.1 The Boyd Group Proposals on Local Ethics Committees

Since 1993, a group of individuals associated with the research councils, the Home Office, animal experimenters, academics, animal welfarists, vets, and pro-vivisection campaigning groups have met in secret to discuss openness and accountability, the cost-benefit analysis, and other issues. Discussions identified three main areas: local ethics committees; methods to reduce and replace the use of animals; and weighing the cost to the animal against the likely benefits from experiments.

Taking its name from, and chaired by Kenneth Boyd of the Institute of Medical Ethics, this group announced itself as breaking new ground in establishing common ground between opposing sides, despite its lack of official support from the mainstream groups. Disturbingly, the Boyd group was presented as being composed of individuals rather than representatives of animal welfare groups. No organisations were formally invited, and subsequently the three largest national anti-vivisection groups criticised the Boyd plans. Despite this, Boyd group proposals were presented in the media as the fruit of discussions between pro-vivisection interests and anti-vivisectionists, involving the leading anti-vivisection groups. For reasons of the secrecy of the meetings, lack of information on the Group's membership, structure, or terms of reference, the NAVS staff have not attended Boyd Group meetings.

In 1995, the Boyd Group published their first discussion document, *“Ethical Review of Research Involving Animals”*. This outlined their proposals on the establishment of local ethics committees to oversee animal experimentation project licence applications.

7.1.1 Composition of the Local Ethics Committee

Boyd suggests that the local ethics committee should be comprised of:

- the Named Day-to-Day Care Person (as under the A(SP)Act);
- the Named Veterinary Surgeon;
- animal experimenters and other scientists;
- lay people, including someone specifically representing animal welfare interests

The committee would thus be dominated by those already in control of animal experiments, whilst giving an ethically clean bill of health to projects approved by the committee. Boyd suggests that the composition of this committee would help to *“foster an atmosphere of public trust and confidence in the work”*.

Furthermore, finding 350 people local to animal experimentation institutions with the time, background, and knowledge to take on such a task would be extremely difficult.

Dominated by pro-vivisection members, colleagues of the project licence applicants, and constrained by excessive confidentiality, they will not have the resources to make any real impact on the use of animals in research.

7.1.2 Access to Databases and Outside Experts

In order to make a proper judgement, any committee needs access to expert opinion, and information resources about work being carried out worldwide.

Research is an international business; local ethics committees will not have resources, are unlikely to be in a position to monitor research nationwide let alone worldwide, and so they are unlikely to have much impact on duplication of research. Furthermore, it is unlikely that time will be available to research an alternative proposal, from what will be a part-time committee.

Finding experts requires extensive contacts – these may not be available at each institution. Thus, it is unlikely that outside experts will be brought in to review proposals.

7.1.3 350 Extra Committees - Cost and Bureaucracy

The total administrative and financial burden would be enormous. Bureaucracy will be increased, existing statutory responsibilities in relation to the APC and the ASPI will be duplicated. Access to information, record-keeping, training of committee members, advertising for candidates, secretariats, will all cost. Who will pay?

Boyd suggests that the implications of further costs should be *“weighed against the benefits which could come from avoiding the kind of adverse publicity that can be engendered by particular cases... ethics committees could help to improve the effectiveness and efficiency as well as the public acceptability of work involving animals.”*

7.1.4 Purpose of Local Ethics Committees - Public Relations

The core of the problem with the Boyd Group proposals for local ethics committees is the purpose for which they are formed. Instead of a vigorous assessment of the use of animals in research, they appear mainly concerned with helping animal experimenters to deflect criticism, and allay public fears about the decision-making process and use of animals.

One of the three main objectives of ethics committees stated in the Boyd discussion document is that *“It should improve public confidence in the review process.”* The committees could be *“helping to improve the soundness of, and public confidence in, decisions in this area.”*

It is also suggested that such a committee can help the Designated Establishment Certificate Holder: *“in particular, helping them to feel comfortable about, and able to defend, work carried out at the institution.”* The committees are also seen to have broader educational functions, one of which is to *“help to improve public confidence in decisions about the ethical acceptability of scientific work involving animals.”*

The Boyd Group summarise the effect of ethics committees outside of the institution and with the public as: *“The very existence of ethics committees... would engender public confidence in decisions about the ethical acceptability of scientific work involving animals.*

“A further role for ethics committees could be to facilitate communication with the public when work within the institution is subject to criticism. Not all scientists

have... communication skills required to explain the necessity or potential benefits of their work to a lay audience. An ethics committee... however could encourage or assist them.... to prepare a brief statement, in lay language... Such a statement, showing that these matters had been seriously considered, could be of considerable assistance to the Certificate Holder and to the scientists involved, if it became necessary to respond to public criticism.”

In summary, we believe the local ethics committee option to be likely to suffer from severe shortage of suitable and/or qualified lay people, unnecessarily costly, part time and too full of close working colleagues of the applicants, as well as a duplication of effort. Primarily, they sidestep the central issue to the debate – accountability. If the public has been unimpressed with one committee and a group of inspectors working secretly within the Home Office, why should they be impressed by a further 350 committees operating with the same level of confidentiality within the institutions using the animals?

All of the information that needs to be opened up to public scrutiny is already collected at the Home Office. Only the corridors of power need to be opened.

Ethical Review of Research Involving Animals, a role for institutional ethics committees?, Boyd Group, March 1995.

8. Conclusions

It is urgent that a mechanism be established by which animal experiments can be put to the test before they take place.

The public should be given as full a picture of animal experimentation in the UK as possible in order to be able to make an informed judgement.

8.1 Project Licence Applications

- 8.1.1 Applications for licences to experiment on animals should be placed in the public domain.
- 8.1.2 Scrutiny of applications and rigorous assessment by a wide range of interested parties, able to put forward objections and suggest non-animal, or alternative, methods. Special arrangements for input from special-interest groups, not just user groups.
- 8.1.3 Individuals and organisations given adequate time to make submissions.
- 8.1.4 All licences and certificates awarded under the Animals (Scientific Procedures) Act 1986 should be in the public domain. Legitimate areas of confidentiality can still be maintained.
- 8.1.5 Review working practices of Inspectorate, open up to public access; redefine as publicly accessible department, to take enquiries from the public; investigate matters of concern reported by the public. Publish results of all investigations.

Licence information is already collected centrally at the Home Office through the existing application process. It is merely a matter of providing public access.

8.2 Reconstitute the APC

- 8.2.1 Implementation of Nolan principles and recommendations.
- 8.2.2 Documented and published appointments procedure to include information on how candidates are identified, approached, interviewed, and appointed.
- 8.2.3 Advisory panel to assess suitability of candidates for the APC – to consist of special-interest groups, not just animal user groups.
- 8.2.4 Disclosure of vested interests and mechanism for objections before appointment to the APC .
- 8.2.5 Reconstitute into an executive board and auditor, overseeing all applications, guiding and controlling the executive management – the APU and the ASPI – challenging decisions, uphold and set standards.
- 8.2.6 An objective should be to actively favour alternatives to the use of

animals; promote the use of non-animal alternatives amongst regulators, including the EU and other countries.

The APC could be an international force for modern science, committed to change and promoting change elsewhere.

- 8.2.7 Report as an auditor, more critical assessment of work carried out than at present; report on progress; report on export of ideas abroad.
- 8.2.8 Where a methodology is scientifically discredited, the APC should be able to enforce and publish a list of proscribed procedures. This could build up the criterion by which a licence to experiment on animals might automatically be refused. For example if any information gained were outweighed by data from human studies or use, or previous animal tests, or more sophisticated techniques.

APPENDIX

Profile of current Members of the APC

At August 1997, there were 19 members of the Animal Procedures Committee:-

- 12 have either an interest or background in the industry,
- 4 are neutral,
- 2 are solely animal welfare representatives,
- 2 further animal welfare representatives with a animal experimentation background (one retired).

Update:

In March 1997, Channel 4 broadcast an undercover investigation at Huntingdon Life Sciences (HLS), where workers were seen to slap and punch beagle puppies. Legal action ensued, and the Home Office subsequently threatened to revoke HLS' Designation Certificate if a set of new conditions were not met by November. The NAVS said that Dr David Christopher, Director of Laboratory Sciences at Huntingdon and a member of the Animal Procedures Committee, should be removed. In August, Dr Christopher resigned (as this report went to publication). To date, neither the Home Office nor Dr Christopher have issued a statement.

Prof Margaret Brazier LLB (Chair)
(Appointed July 1990, Chair 1993)

Professor of Law, University of Manchester¹. Has written on medical ethics but does not appear to have any background in either pro-or anti-vivisection campaigns.

Prof Ronald S Anderson BVMS PhD MRCVS
(Appointed December 1994)

Professor of Animal Husbandry, University of Liverpool¹. Anderson's career over the past 30 years has involved animal experiments, according to scientific papers, mostly concerned with veterinary procedures or investigations². Anderson is opposed to live animal exports, and his opposition has been published in the letters section of the *Veterinary Record*³. Recent projects include nutrition in dogs⁴.

Prof Margaret Boden, FBA MA ScD PhD
(Appointed December 1994)

Professor of Philosophy & Psychology, University of Sussex¹. Interest in artificial intelligence; project at School of Cognitive and Computing Science on interactive creativity programmes⁵.

Prof Barry Bridges, BSc MD
(Appointed January 1990)

Formerly Director, Medical Research Unit, Queen's University, Belfast.

Examples of work with animals include project using greyhounds:-

It is known from clinical experience that patients receiving more than one electric shock during cardiac defibrillation have a poor prognosis. To try to find out why, Bridges gave a varying number of defibrillation shocks to 41 anaesthetised greyhounds. He concluded that an increased number of shocks is associated with increased heart failure and death⁶.

Prof Fiona Broughton Pipkin, MA DPhil(Hon) FRCOG
(January 1990)

Professor of Perinatal Physiology, University of Nottingham¹.

Examples of experiments using animals include:-

Insertion of long-term carotid artery and jugular vein catheters into sheep and their developing foetuses. Broughton Pipkin then studied the effects of drugs on the sheep and foetus, before or just days after the sheep gave birth⁷.

To determine the effects of haemorrhage on a particular blood constituent, blood was pumped from anaesthetised rabbits to perfuse rat stomach, chick rectum and rat colon *in vitro*; the blood was then returned to the rabbits. The effects of the blood on the *in vitro* organs were studied⁸.

In anaesthetised pigs, foetuses were exposed so that blood could be withdrawn from the umbilical artery. In some foetuses, the composition of the blood was studied whilst 20% of the blood was progressively removed⁹.

Pregnant sheep were anaesthetised, their uteri exposed, and returned to the body with only the foetal lambs' heads protruding. A constituent of the foetal lamb blood was studied whilst up to 25% of the lamb's blood was removed¹⁰

Current papers published include a review of earlier work on sequencing human and rat genes, use of transgenic animals, and enzymes in pregnant sheep¹¹.

Dr David Christopher, BSc PhD
(December 1994)

Director of Research Laboratories, Huntingdon Life Sciences¹, a contract testing laboratory. HLS is paid by manufacturers of a variety of products to test their products on animals. Animals used by HLS include mice, rats, beagle dogs, primates, guinea pigs, rabbits, quail, and chicks.

Dr Yvonne Cripps, LLB LLM PhD
(December 1994)

Reader and Director of Studies in Law, Emmanuel College, Cambridge¹.

Prof Robin Dunbar, BSc PhD
(January 1997)

Professor of Psychology, University of Liverpool¹.

Ethologist, mainly interested in the study of primates in the wild. Recent papers published on subjects such as social grooming in primates, social behaviour and evolutionary theory, social behaviour of primates¹².

Prof Paul Flecknell, MA VetMB PhD DLAS DECVA MRCVS
(December 1994)

Director, Comparative Biology Centre, The Medical School, University of Newcastle¹.

President of British Laboratory Animals Veterinary Association¹³.

Member of the editorial board of *Laboratory Animals*, the lab animal industry journal, and of its governing council¹⁴.

Flecknell has published experiments on cats, beagle dogs, and rats¹⁵.

In 1994, Flecknell reported on lung transplant experiments in beagle dogs, funded by the Chest, Heart and Stroke Association¹⁶.

Recent publications include use of anaesthesia, euthanasia of experimental animals, anaesthesia in pigs¹⁷.

Mr John Gregory, FIAT
(January 1997)

Fellow of the Institute of Animal Technology¹.

Zoology Department, Royal Postgraduate Medical School (in 1993). Chaired the Institute of Animal Technicians Congress at University of Warwick in April 1995.

Gregory is an animal technician and would be responsible for day-to-day care of laboratory animals. Technicians also occasionally assist researchers with their work.

Prof Susan Iversen, MA PhD ScD
(January 1990)

Professor and Head of Department of Experimental Psychology, Oxford University¹, a lab with a large primate house. Iversen previously worked at Merck, Sharpe & Dhome's Neuroscience Research Centre from 1983 to 1993¹⁸.

Experiments include: Monkeys put in restraint chairs and given a drug which induces panic-like symptoms. The effects on blood pressure and heart rate were measured. In another test, monkeys were held in the lap of a familiar technician. The same drugs was injected and changes in behaviour noted. These included urination, pacing, panting, tremor, penile erection, freezing, lip smacking, threat gestures, scratching, cage shaking and restlessness¹⁹.

In other experiments, baboons, cynomolgus, rhesus and African green monkeys were anaesthetised and implanted with amphetamine capsules. After recovery their behaviour patterns were studied, with the animals showing hallucinatory effects. The researchers wrote: "*species differences during the acute phase were apparent.*"²⁰.

Rats were fitted with cranial catheters, tubes into the brain, for infusion of a monoclonal antibody against a particular normal brain chemical. The effects were studied by giving the animals electric shocks to their feet²¹.

In 1995, work at Merck was published on conditioned emotional response tests

on rats and monkeys given benzodiazepines²².

In 1997, work published included a review on testing drugs for Alzheimer's disease on rodents and monkeys²³, in which Iversen states that: *"one must be cautious because, clearly, there are fundamental differences between animal and human cognition. Language, planning and thought are impossible to study in animals"*.

Iversen is chair of the APC's 'Primates Working Group'; other members are MacArthur Clark, and Ward. Remit is to review the current use of non-human primates²⁴.

NB: Susan Iversen's husband, Leslie Iversen, is Director of Merck Sharpe & Dohme's Neuroscience Research Centre, and an Hon. Vice President of the pro-vivisection group, the Research Defence Society²⁵.

Mrs Judy MacArthur Clark, BVMS DLAS MRCVS
(December 1994)

Director REC Europe Ltd., consultant in laboratory animal science and ethics¹, for example to Pfizer. Past President, Royal College of Veterinary Surgeons.

MacArthur Clark is a leading speaker for the Animals In Medicines Research Information Centre (AMRIC), a pro-vivisection group set up for the 1983-86 campaign leading up to the 1986 Animals (Scientific Procedures) Act²⁶.

Activities include the 1993 launch of a pro-vivisection film for schools, in which MacArthur Clark appears in her capacity as a President of the RCVS, supporting animal experiments²⁶.

At 1995, member of the Farm Animal Welfare Council (FAWC). Chair of the RCVS Board for Laboratory Animal Science²⁷.

Miss Cindy Milburn, MSc MIBiol
(April 1995)

MSc zoology. UK Director, International Fund for Animal Welfare. Previously Special Projects Director for the World Society for the Protection of Animals¹.

Member of the Farm Animal Welfare Council; Banner Committee on the Ethical Implications of Emerging Technologies in the Breeding of Farm Animals; Farm Animal Welfare Co-ordinating Executive Animal and Theology Working Group.

Joined the RSPCA's Education Department in 1979; appointed department head in 1982, gave talks and took part in school debates on animal experiments. In 1989, moved to Earthkind as Administrative Director, then to WSPA.

Milburn states that she brings her previous experience to the APC; responsible for production of WSPA's compendium on the subject for eastern European groups; lobbies on the patenting of animals, and xenografts. On her appointment to the committee, Milburn said that she hopes to work for the day when animals are not used in experiments.

Dr Iain Purchase, BVSc PhD MRCVS FRCPath FIBiol
(December 1994)

Director, Central Toxicology Laboratories, Zeneca¹; involved in contract testing of products.

Purchase's career in vivisection includes long-term feeding of cancer-causing chemicals to beagles. His lab tests a variety of chemicals (not medicines) "*old and new*" for their poisonous effects²⁸.

Recent publications include toxicity testing for threshold of chemical carcinogenesis on animals, a review paper²⁹.

Dr Jacqueline Southee, PhD
(April 1995)

Manager, In-vitro Toxicology, Microbiological Associates Ltd¹.

Previously Scientific Executive, Fund for the Replacement of Animals in Medical Experiments (FRAME)³⁰.

PhD animal physiology. Research Technician at University of Nottingham School of Agriculture in 1981. Southee then moved to FRAME in 1987 where she took the post of Scientific Executive. Left FRAME to become Manager of In-vitro Toxicology at Microbiological Associates Ltd., in 1991³¹.

Papers published between 1986 and 1990, mostly concerned with the oestrus cycle of ewes, working with the AFRC Research Group on Hormones and Farm Animal Reproduction; some papers in conjunction with Bristol University. These involved a range of procedures; some animals' wombs were removed, others were cut open, the womb brought to the outside and manipulated; some had silicone implants containing hormones. Ovulation was induced by injections via a tube fixed into the jugular vein³².

Southee recognises the scientific limitations of animals and promotes the development of alternatives, but believes that animal experiments have played a major role in medical progress., and that standards of animal care in British laboratories are extremely high³³.

Southee has effectively taken over from a previous FRAME appointee. Previously, FRAME provided Michael Balls, who has now left FRAME and the APC to take up a position heading up the EU's European Centre for the Validation of Alternative Methods (ECVAM) in Italy.

FRAME actively supported the passage of the A(SP)Act, along with Clive Hollands of SSPV (now Advocates for Animals); it is worth noting that whilst the large anti-vivisection groups who opposed the Act have been excluded from the decision-making process, those that supported it have seemingly been rewarded with a place on the committee.

Prof Michael Spyer, BSc PhD DSc
(January 1990)

K. Michael Spyer. Professor of Physiology, University College London¹ (Royal Free Hospital Medical School).

Member of the pro-vivisection Research Defence Society, of which he is a past Hon. Secretary (1987)³⁴.

Experiments include: Birmingham University - holes were drilled in the skulls of 19 anaesthetised cats and electrodes used to stimulate part of the brain. This was moved about until it caused defence reaction, e.g. changes in heart rate and blood pressure. Other experiments were performed on nine rabbits and six more cats (all anaesthetised), in which electrical activity of the phrenic nerve in the neck was monitored³⁵.

Further published papers on animal experiments in 1994³⁶.

Spyer has in the past been funded by the British Heart Foundation³⁷, (which funds the pro-vivisection lobby group, the Research for Health Charities Group³⁸).

Animal experiments published on work at the Royal Free since 1995 include stimulation of the laryngeal nerves in cats, provoking lack of breathing, slowing of heart rate and low blood pressure. In another experiment, arterial nerves were stimulated in artificially ventilated cats³⁹.

Further work funded by the British Heart Foundation includes central neural control of the cardiovascular system; also neurochemical basis of central cardiovascular control, funded by the Wellcome Trust⁴⁰(another founding member of the pro-vivisection lobby group, the Research for Health Charities Group³⁸).

Dr Anthony Suckling, BSc PhD
(January 1992)

As of 1997, Deputy Director of RSPCA; previously Director of Scientific Affairs¹. Joined RSPCA in 1990 as Chief Scientific Officer. In 1991, appointed to the Animal Procedures Committee⁴¹.

At St. Thomas' Hospital, in the late 1970's and in 1980, Suckling reported injecting a virus into mice to study damage to the central nervous system⁴². Then, at York University, he carried on a similar line of research⁴³.

Suckling created an animal model of MS, known as Chronic Relapsing Encephalomyelitis (CR-EAE) in baby guinea pigs. He regarded this as the best available animal model of the human disease⁴⁴, and his last paper on the subject was published in 1989⁴³.

CR-EAE is produced by injecting the ground-up spinal cords of guinea pigs into other guinea pigs, along with other substances which together increase the immune response. Symptoms can include weight loss, weakness of hindquarters, increasing degree of unsteadiness, abnormal gait with some hindlimb dragging, paralysis, and incontinence⁴⁵.

Much of this work was funded by the Multiple Sclerosis Society, and some by the

Wellcome Trust, both members and funders of the pro-vivisection campaigning group, the Research for Health Charities Group³⁸.

NAVS criticised this line of work carried out by others in our 1991 report on vivisection at St. Bartholomew's' Hospital Medical School⁴⁶.

In relation to his appointment to the APC with a background in the use of animals, Tony Suckling said: *"The decision to leave was a personal choice because the work was no longer acceptable to me."*

The NAVS view is that although we are pleased at such a change of direction, we do not think it appropriate for someone with such a long career in animal research to be appointed as the animal welfare representative (taking over from a previous RSPCA appointee) so shortly afterwards.

Prof John Turner, BSc PhD
(January 1997)

Professor of Evolutionary Genetics, University of Leeds¹.

Most recent projects include "Interpolation of climatic surfaces for Britain and Europe", "Control of Diversity", an ecology project. Earlier projects include subjects such as "Biological basis of ethics."

In 1988, published an article entitled "The nature and defence of academic freedom, particularly as applied to scientists", in *'The Price of Academic Freedom by Academic Freedom of Responsibility'*⁴⁷.

Mr Les Ward
(April 1995)

Director, Advocates for Animals¹.

Ward was appointed Assistant Director of Advocates for Animals (formerly the Scottish Society for the Prevention of Vivisection - SSPV) in 1979; became Director in 1991, after the resignation of Clive Hollands. Hollands remained as a consultant to Advocates⁴⁸.

Clive Hollands was active in bringing about the current legislation on animal experiments as an organiser of the Committee for the Reform of Animal Experimentation (CRAE), which formed an alliance with FRAME and the BVA.

During the passage of the 1986 Bill, Clive Hollands was invited to join the Home Secretary's Advisory Committee on Animal Experimentation, an advisory body working under the old 1876 Cruelty to Animals Act.

This committee was the forerunner to the Animal Procedures Committee, set up under the new 1986 Animals (Scientific Procedures) Act. Hollands was invited onto the new committee once the Act was passed.

In 1990, when the SSPV became Advocates for Animals, the group issued a statement that there had been a *"...change in policy. Whilst Clive Hollands continues to fight for animals 'in committee' [meaning the APC], effectively but often painfully slowly, Les Ward has been preparing... to start campaigning again in earnest."* With Hollands gone, Advocates claimed they were able to adopt a more vigorous campaigning role in the fight against vivisection and other animal

abuses⁴⁹.

In this vein, Ward was responsible for Advocates' launch of the Feldberg investigation. This report resulted in the Medical Research Council's admission of the inadequacies of the current inspectorate and licensing system.

More recently, Ward has been a founder member of 'The Boyd Group', a coalition of animal experimenters and anti-vivisectionists which has put forward proposals for local 'ethics committees' at each animal experimentation establishment⁵⁰.

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