



# *Parliamentary Briefing*

Animals in Scientific Procedures

23 October 1998

## HOME OFFICE LOSES HIGH COURT ACTION ON ANIMAL EXPERIMENTS SECRECY

**The Home Office agreed this week to pay all legal costs of the National Anti-Vivisection Society (NAVS) to avoid further High Court action over the blanket confidentiality policy applied to animal experimentation project licence applications.**

### Background:

The NAVS published its *'Accountability'* report in September 1997, which detailed the stonewalling by successive Home Office administrations on the issue of animal experiments. The report gave evidence from investigations of six UK laboratories, and outlined how the Home Office had failed to respond adequately to questions about decisions being made or indeed, enter into discussion or give other information. Even evidence gathered by NAVS which led to suspension of experiments in one lab, and revocation of a licence for another, was withheld for two years.

*Accountability* called for the new Government to break the deadlock on animal experiments, and allow the NAVS to bring in experts to review project licence applications, so that proposals to use animals could be challenged before the experiment takes place. The NAVS would then suggest non-animal alternatives, and conduct a database search for other research teams using other methods, or duplicating the work. Importantly, no names, addresses, or commercial details need be disclosed, as these are not relevant to the exercise.

*Accountability* also called for Nolan principles to be applied to the administration of the 1986 Animals (Scientific Procedures) Act (A(SP)A), and for the reconstitution of the Animal Procedures Committee along the lines suggested by Nolan. A scientific committee was suggested, charged with the task of looking to reduce and eliminate animal experimentation proposals wherever possible, and actively promotion non-animal research worldwide, through leadership by example.

*Accountability is about freedom of information*, and the NAVS wants to see any forthcoming freedom of information bill to apply to the administration of the A(SP)A.

Disappointingly, the Home Office would not enter into detailed discussions on these issues, nor give any substantive written response to the *Accountability* report.

### The High Court Action

As part of this campaign, the NAVS contended that successive Home Secretaries had overstepped their authority by applying a policy of blanket confidentiality on all applications for project licences. We said that S.24 of the A(SP)A did not in fact authorise the Home Secretary to assert that everything on a project licence application was confidential; the Home Secretary must use discretion about what is and what is not confidential. We received no satisfactory response, and threatened legal proceedings. When this failed, we commenced our application to the High Court for a Judicial Review of the Home Secretary's policy.

The judge granted our application for a Judicial Review, and at this point the Home Office agreed to change the policy and pay our legal costs in return for a cessation of the proceedings.

Although the Home Office has undertaken to change the policy, and not just the wording on the form, the NAVS has yet to test the outcome in practice.□