



A New Zealand Commitment to Continuous Improvement in Animal Ethics Committee Decision-Making: Giving Operational Effect to Key Principles

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Summary

The role of New Zealand's National Animal Ethics Advisory Committee (NAEAC), in addition to the provision of independent advice to the Minister of Agriculture and the Director-General (D-G) of Agriculture and oversight of the regulatory system governing use of animals in research, testing, and teaching (RTT), is to support the work of the 34 animal ethics committees (AECs) in the country. NAEAC clearly has a significant interest in ensuring that AECs have the information they need to make good decisions. To this end, NAEAC undertakes a number of activities to support the work of AECs. This paper describes those activities with particular focus on the biennial workshops for AEC members.

Keywords: animal ethics committee, New Zealand, workshops

1 Introduction

In New Zealand, the use of animals in RTT is governed by a self-contained set of provisions located within Part 6 of the Animal Welfare Act 1999 (the Act). The central focus of the Act imposes obligations on owners or those in charge of animals to ensure that the physical, health, and behavioral needs of the animal are met and, where practicable, to ensure that when the animal is ill or injured it receives treatment that alleviates any unreasonable or unnecessary pain or distress. In recognition that the manipulation of animals for RTT purposes may result in significant benefits to a wider group of people or animals, to society generally, or to the environment, Part 6 allows such manipulation under a strict set of conditions. Any individual or organization wanting to manipulate animals can do so only under a code of ethical conduct (CEC) approved by the D-G of Agriculture, and each individual project must first be approved by an AEC appointed by the code holder. CEC holders must undergo an independent review at a maximum interval of five years to ensure compliance with the Act and their own CEC.

2 Background

Currently, there are 30 code holders in New Zealand, two of which each have three AECs, giving a total of 34 such committees. An additional 85 organizations do not have their own code or AEC but are "parented" by another code-holding organization.

New Zealand used fewer than 250,000 animals in RTT during 2010. The most commonly reported species were (in order) mice, sheep, cattle, and fish. In terms of species groupings, production animals (cattle, sheep, deer, goats, and pigs) made up 45% of the total, with the major portion of these being used in animal husbandry research. Rodents and rabbits together accounted for

41% of the total animals. Against the trend in other countries, the proportion of genetically modified (GM) animals used in 2010 fell to less than 2% – a reflection of New Zealand's relatively modest involvement in biomedical research.

3 The role of NAEAC

The role of New Zealand's NAEAC, in addition to the provision of advice to the Minister of Agriculture and the D-G of Agriculture and oversight of the regulatory system governing use of animals in RTT, is to support the work of the 34 AECs in the country. In order to maintain the integrity of the system, NAEAC clearly has a significant interest in ensuring that AECs have the information they need to make good decisions. Can we expect consistency from a system where decision making is devolved to a number of different committees? They work from the same set of legislative requirements and have the same categories of membership, even if the focus of the different RTT institutions varies, but committee cultures are bound to vary. NAEAC's aim is to ensure that AEC members are provided with sufficient evidence in a form that can be understood by all so that they can clearly carry out the cost/benefit analysis necessary for a good decision to be made.

To this end the committee undertakes the following activities designed to provide opportunities for education and the sharing of experience.

3.1 NAEAC workshops

The biennial NAEAC Workshop is one of NAEAC's most valuable events in terms of supporting the work of AECs and individual AEC members. Four such workshops have been held since 2004, with approximately two thirds of AECs represented at each and an average of 55 AEC members attending. Content is provided in the



form of keynote presentations, breakout sessions on different issues, discussions on provocative topics, and panel discussions. Participants consistently state that there is enormous additional benefit in the sharing aspect, i.e., the lunchtime conversations – finding out what problems and solutions other committees face.

On each occasion, at least some keynote presentations are designed to challenge participants into perhaps looking at and thinking about the work they do in a different light. For example, at the 2010 meeting Professor Don Evans asked the question “*Are animals our equals?*” Other topics have included *Constraints, Character and Consequence; Ethics, Openness & Transparency; and Beyond the Three Rs*.

The break-out sessions aim to cover areas identified as causing some difficulty as well as those that address emerging issues – fetal pain, for example. These sessions may take place over two time periods, allowing participants to attend more than one topic. Topics covered in 2010 included:

- How do you determine how many animals need to be in a study? Lies, Damn Lies and Statistics.
- How should your ethics committee ensure that the protocols you approve are what actually happens?
- How do you determine what the grade of manipulation is likely to be? How do you report what it actually was?
- Why are GM animals so popular? How are they generated? What kinds of benefits and costs are involved?
- How to manage the risk associated with development of new experimental models.
- How do you ensure your processes are as good as the decisions you make?
- Applying the Three Rs in the classroom
- Role of the AEC, veterinarian, and scientist in establishing whether animals are “fit for purpose” prior to becoming scientific subjects – covering scientific requirements as well as health status and routine health monitoring of breeding colonies.

Debate is encouraged in sessions where participants are asked to discuss questions designed to stimulate and provoke. Examples have included:

- The Three Rs have become platitudes; something new is needed. Do you agree or disagree, and where would a replacement be found?
- The composition and procedures of AECs give insufficient recognition to the contribution of lay members. Does this reflect your experience?
- The determination of humane endpoints is essentially a subjective judgment. True or false?
- The time has arrived to revisit the question of whether lay summaries should be issued by AECs. Yes or no?
- The provisions of the Act, the presence on AECs of external members, and the role of the accredited reviewers are no longer sufficient assurance to the community of the integrity of New Zealand’s devolved regulatory system. What new measures should be considered?
- Will the use of GM technology dominate RTT, and will this require a change in the way that we do business?

In 2010, a particularly effective session posed a series of hypothetical research scenarios of increasing impact and complexity,

which were discussed by an “expert panel” with participation from the floor.

Evaluations from the last workshop held at the end of 2010 (25 from 56 participants responded):

- 100% felt the content of the workshop was relevant to them.
- 100% liked the format of the workshop (mix of presentations, workshops, and case studies).
- 92% felt there were adequate opportunities to talk to other people at the workshop.
- 96% said they would attend a similar workshop again.
- A number of respondents remarked on how much they enjoyed the philosophical discussions (“stimulating,” “thought-provoking”).
- While a majority would prefer the workshops to be offered more often, this is logistically unlikely.

3.2 Induction pack distribution

Many AEC members, especially the three appointed under the Act as external members (nominated by the New Zealand Veterinary Association, the Royal New Zealand Society for Prevention of Cruelty to Animals and a regional or local community council), may have little knowledge of this particular use of animals. NAEAC distributes the induction pack to AECs to hand out to new members. It includes the following documents:

- Welcome letter from the NAEAC Chair
- A Guide to Part 6 of the Animal Welfare Act 1999 – This publication provides a general overview of the use of animals in RTT, which comes under part 6 of the Act.
- A Culture of Care – A Guide for People Working with Animals in RTT.
- A Guide for Lay Members of AECs – This provides an overview for lay members to give them an understanding of the use of animals in RTT, the legislation, and their role on an AEC.
- Good Practice Guide for the Use of Animals in RTT – The purpose of this guide is to promote the humane and responsible use of animals for scientific purposes and to encourage those using and caring for such animals to adopt the highest standards of husbandry and animal care. It aims to set guidelines for what constitutes “good practice” in the management of animals in the RTT environment. It is not intended to be an exhaustive guide and it contains a list of publications for reference purposes for more specific and detailed information.
- Animal Use Statistics – This publication, while focused on the collection of annual statistics for the Ministry of Agriculture and Forestry (MAF), also has a section – particularly important to AECs – on grading the impact of manipulations.
- The Three Rs: past, present and future (W. M. S. Russell, *Animal Welfare*, 2005)
- The role and evolution of independent Government advisory committees: the New Zealand experience from 1985 to 2005 (Bayvel, 5th World Congress on Alternatives & Animal Use in the Life Sciences)
- The latest issue of MAF’s animal welfare-focused publication *Welfare Pulse*
- *Animals and Society* – a Royal Society of New Zealand Beta



publication that covers a variety of ethical issues relating to the use of animals.

- The latest NAEAC annual report

3.3 Development and review of NAEAC policies and guidelines for AECs

NAEAC has developed policies and guidelines for those issues that may have resulted in queries from AECs or in varying interpretations by different AECs. These include:

- NAEAC guidelines on application templates used by AECs
- NAEAC guidelines for AECs on adequate monitoring
- NAEAC guidelines for avoiding duplication
- Which AEC should assume the approval role?
- Conflict of interest
- NAEAC assistance to new animal ethics committees
- Commercial cloning
- Killing as a manipulation
- The production of genetically modified animals

3.4 Response to queries

NAEAC may be asked for guidance from individual AECs when they require clarification on legislation or ethical principles. These may involve questions where the Act intersects with other legislation, for example the Conservation Act or the Wildlife Act. Other examples include clarifications on whether a particular procedure constitutes a “manipulation” or not.

3.5 Distribution of AEC newsletters

An occasional series of communications with the aim of:

- Keeping AEC members up to date with NAEAC activities;
- Sharing advice that NAEAC has given on specific matters;
- Detailing upcoming events such as the NAEAC Workshops (see below);
- Calling for nominations for NAEAC’s annual Three Rs award;
- Encouraging AEC members to use NAEAC as a source of information or support.

3.6 Contribution to Welfare Pulse

The MAF animal welfare magazine Welfare Pulse is published three times a year. NAEAC contributes articles and updates to every issue, copies of which are distributed to all AECs.

3.7 Publication of the “occasional paper” series

The objective of this series of papers is to disseminate to a wider audience articles about the use of and regulation of animals in RTT. They appear in academic journals and in the proceedings of conferences, and as material prepared specifically for the series. The following papers have been published by MAF under the auspices of NAEAC since September 2008 and circulated to all AECs:

- Underreporting of the Three Rs deployment that occurs during the planning of protocols that precedes their submission to animal ethics committees (J. Mellor, J. C. Schofield, and V. M. Williams) – reprinted with permission from *AATEX 14, Spec. Issue*, 785-788, 2008.
- Regulation of animal use in research, testing and teaching in New Zealand – the black, the white and the grey (L. Carsons)
- Regulation of animal use in research, testing and teaching: Com-

parison of New Zealand and European legislation (N. Cross, L. Carsons, and D. Bayvel)

- Compliance monitoring: The University of Auckland approach (J. Stewart)
- Monitoring methods for animal ethics committee (D. Morgan)
- Planning for refinement and reduction (D. Fry, R. Gaines Das, R. Preziosi, and M. Hudson) – reprinted with permission from *ALTEX 27, Spec. Issue*, 2010.
- Avoiding duplication of research involving animals (D. Morgan)

These papers are available at: <http://www.biosecurity.govt.nz/regs/animal-welfare/naeac/occasional-paper>

3.8 Visits to regional AECs

NAEAC holds one meeting a year outside Wellington, enabling the committee to meet with AEC members in regional areas. NAEAC members are also available to attend AEC meetings in regional areas as required. This is seen as particularly important for newly constituted AECs.

3.9 AEC reviews

The legislation requires that any organization using animals in RTT must renew its CEC at least every five years. As part of this process the organizations are required to undergo an external review by an independent reviewer to confirm adherence to the Act and their own CEC in terms of their use and care of animals and the operations of their AECs. Because of their experience and involvement with a number of different institutions, reviewers are seen as having an educational role alongside their reviewing function, and their formal reports offer the opportunity to make recommendations that might facilitate and improve an AEC’s procedures, for example. NAEAC holds an annual reviewer teleconference that helps identify issues that may need addressing by the committee in terms of advice, policy, or guidelines.

4 Conclusion

The integrity of any regulatory system of ethical evaluation of the use of animals in RTT depends on the quality of the decision-making process. The aim of NAEAC, through the activities described and with the assistance of MAF, is to provide AECs with the information they need to make good decisions.

Further information on publications mentioned in this paper can be found at: <http://www.biosecurity.govt.nz/regs/animal-welfare/pubs/animals-used-in-research>

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