

Inquiry into the Animal Care and Protection Amendment Bill 2022

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SUBMISSION INTO THE ANIMAL CARE AND PROTECTION AMENDMENT BILL

To

STATE DEVELOPMENT AND REGIONAL INDUSTRIES COMMITTEE

June 1 2022

ETHICAL USE OF ANIMALS FOR SCIENTIFIC PURPOSES

As stated in the explanatory notes, the general community has an expectation that inappropriate practices and behaviour that impact on the welfare of animals should be prohibited. However, the only reasons given for amending legislation so that you don't need to be a veterinarian to perform invasive experimental surgeries, is (1) that it may reduce the ability for research institutes to undertake research projects in Queensland and (2) Other Australian jurisdictions follow this course.

It is stated that animals will be protected through the Scientific Code. However, there are many flaws with this system, and it is far from perfect. **The problems with the Code:**

- It allows ethics committees to assess competency. Assessing competency is a learned skill and applied by universities and schools by experts in those particular disciplines. Ethics committees are there to justify pain in animals for a greater cause. It is not sufficient to say that there is a veterinarian on the ethics committee as that veterinarian is not required to supervise or observe the applicant to ensure competency. Generally, it is done by an animal attendant or supervisor with no requirements for his/her ability to assess who ticks a box on the ethics application that the person is competent.
- There is no requirement in the Code for veterinary oversight of invasive procedures.
- Complaints or adverse events are managed internally and do not need to be referred to an inspector if something seriously goes wrong.
- There is no reporting back to the state jurisdictions of adverse events and faults with the system are not allowed to be monitored or revealed. It is a closed system revolving around an ethics committee. It is nontransparent and secretive. The public has no idea of what is happening.
- The consequences of a non-veterinarian performing invasive surgery and anaesthesia is that while it might be ok in simple procedures, reactions of animals to drugs and stress vary and may require urgent veterinary intervention. A non-veterinarian is likely not to even be aware or recognize when major adverse events occur. Would humans be ok with a nurse performing their anaesthesia and surgery as compared to a specialist?

- There are no accredited training systems in the Code that require competency of its operators.
- There is inconsistency between how well ethics committees assess ethics applications. Ethics committees are only audited once every 4 years and generally they only have to provide a small selection of cases to be scrutinised. The choice of these cases is generally done by the institution overseeing the ethics committee. Of course, no institution will put up a case which went badly.
- Researchers often will justify their experiment by saying that there is no alternative. This is usually done by a tick on a box and a short statement that they may have done a literature search – note they do not have to produce that literature search. I am aware of situations where using live animals was justified when there was a biochemical assay that could have done the same thing.

Comment: Given that the ACPA has strengthened the protection of animals through:

1. Enhanced enforcement of legislation with higher penalties
2. The creation of an aggravated breach of duty of care provision that can result in jail time
3. The establishment of strict accreditation schemes for pregnancy diagnosis in cattle, which while far less invasive than experimental surgery, is required for the protection of cattle.
4. The provision of cctv in horse abattoirs;

Why is it then that animals subjected to experimentation are afforded a lower standard of animal protection?

The only argument given is that researchers may have trouble accessing veterinarians. There is a current shortage of veterinarians which was the same justification for introducing pregnancy testing in cattle by non-veterinarians.

Why is not the same protection available for experimental animals? It may be argued that the scope is quite large but there is no reason why there could not be different levels of competencies from simple sample taking and stitching to anaesthesia and surgical techniques. There are courses available now that could be adapted e.g., Vet technologist course at the University of Qld.

FINAL COMMENT

While many institutions perform very well, it is not universal. The community would be horrified if they knew what is happening with some animals in experimentation. The 29 May Sunday Mail published a two-page article on what is happening in some areas of research. There are plenty of ways to improve the system but taking away one small measure of protection which currently requires expert skills and replacing it with a non-regulated system is reducing animal welfare not increasing it. There is no way that the community would support that if they were fully informed.