

## REPORTS AND COMMENTS

### **Review of the *Animals (Scientific Procedures) Act 1986***

In the UK, the Animal Procedures Committee (APC) is a statutory committee that provides advice to the Home Secretary on the *Animals (Scientific Procedures) Act 1986* and his functions under it. The membership of the Committee is prescribed under the Act and at least two-thirds of the members must be either medical practitioners or veterinary surgeons or qualified in a relevant biological subject. One member must be a barrister, solicitor or advocate. At least half of the members must not have held a licence under the Act during the last 6 years, and the interests of animal welfare must be adequately represented. Given these restrictions, individuals are appointed in their own right, and not because of their membership of or employment by various organizations. This *Annual Report* is the last for which Professor Margaret Brazier was the Chair of the Committee, her place being taken with effect from February 1999 by The Reverend Professor Michael Banner. It is particularly important, as it contains the final Report of *The Review of the Operation of the Animals (Scientific Procedures) Act 1986* which covers the whole breadth of the functioning of the Act. It is interesting to note, that the Committee accept that there are opportunities for improving the Act's operation and enhancing its effectiveness. It is also the first APC *Annual Report* since Dolly the cloned sheep was produced, and the Committee have accepted that that this event demonstrated that there are ethical issues on which they not developed a position.

As the Act is based on the utilitarian cost-benefit principle of assessing applications for animal research, it is appropriate that the first recommendation of the Review is to reassess the principles involved in this process. In particular, an investigation of the factors that should be taken into account in assessing costs and benefits is proposed. A start has been made on this process, with the Chief Inspector (of the Animals [Scientific Procedures] Inspectorate) submitting a paper to the Committee. His paper outlines his views on the cost-benefit judgement, which he sees as a continuing process rather than an event, with continuous attention being paid to refinement of procedures throughout the lifetime of the licence. Some of the principles under which the Inspectorate makes these decisions have been substantially clarified. For example, it is stated that the essential determinants of benefit remain the likelihood of success, and how the results of the programme of work will be used – rather than the importance of the field to which the research relates. It is also now explicit that the Inspectorate no longer considers that the profitability of a company is a sufficient benefit to justify animal experimentation. Despite this clarification, the question of what counts as a benefit or cost is one of the points from the Chief Inspector's paper that has been identified by the Committee as an area for further consideration.

It has already been decided that the review of the Act will lead to procedural changes emphasizing the Committee's independence. These include the provision of a dedicated secretariat for the APC, removing the need to rely on the Inspectorate and the Animals, Byelaws and Coroners Unit. The Committee will establish their own website, and generally be more open in publishing their discussions. They will also be exploring ways in which additional information can be made available to the public concerning the use of animals in procedures. This is an area of particular sensitivity, as many scientists are understandably concerned about the actions of animal rights extremists.

An important change, in view of the scarcity of research funding for animal welfare, is that the Research Sub-Committee, now the Research and Alternatives Sub-Committee, have reviewed and are changing their policy on advice given to the Home Office on the administration of their research budget, and will be more proactive in determining research areas. More controversial suggestions, include the proposed changes to the Personal licensing system. Currently the personal licence is very specific about the procedures and species of animal that a licensee is entitled to use. It is now proposed that, in some limited cases, animals

will be specified by group (eg rodents) rather than by individual species. Procedures will also be specified in general terms (basic or advanced) corresponding to either Modules 1–3, or Modules 1–4 of the accredited training system for those responsible for carrying out scientific procedures on animals under the Act. These changes are intended to reduce the load on the Inspectorate and the number of technical infringements. However, they could also be interpreted as a reduction in the high standards of inspection and might allow a personal licensee to change to a different procedure or species without sufficient experience or training. That the Home Office will be consulting on this issue is, therefore, to be welcomed.

In response to a number of concerns, the Committee will also be establishing a Working Party to consider the issue of genetic modification and cloning. Some of these concerns clearly give the animals the benefit of the doubt: for example, apprehensions that animals might be released from the Act into commercial production before their welfare has been assessed under conditions pertaining outside the laboratory. Others seem to originate more from the users' point of view, such as the concern that the requirement for all transgenic animals be treated as 'procedures' makes no sense, as in many cases their phenotypes are normal. However these matters are resolved, it is clear that this is a time of change and development not only in animal experimentation but also in the functioning of the APC and the *Animals (Scientific Procedures) Act 1986*.

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*Report of the Animal Procedures Committee for 1997* (1998). The Stationery Office: London. 110pp. Paperback. Obtainable from The Publications Centre, PO Box 276, London SW8 5DT, UK and other usual HMSO sources. Price £13.60.

### **The welfare of circus animals**

On the instruction of the UK Government's All Party Parliamentary Group for Animal Welfare, the Circus Working Group was formed in November 1996 to examine animal welfare aspects of circuses and to review current legislation and husbandry practices. This Group, which included representatives from a number of organizations with relevant interests and expertise, made a 2-year investigation of circuses in England and Wales and published a report of its findings, deliberations and recommendations in October 1998. The Group looked into various issues including: the law, the numbers of animals in circuses, accommodation, training, physical and psychological effects, transport, and standards of veterinary care. Evidence was gathered through consultations and also through visits to circuses.

The Group found that, although the *Performing Animals (Regulation) Act 1925* requires that anyone who trains or exhibits animals must register with their local authorities and provide details of their animals, there is no reliable source of data on the total numbers kept in circuses. A 1989 survey undertaken by Kiley-Worthington (Kiley-Worthington 1990) concluded that there were 513 animals in circuses at that time. In 1997, there were 12 large circuses and 9 smaller ones touring Great Britain – and it seems likely that the current number of animals involved is of a similar order of magnitude to that found in the 1989 survey. Although few in number, these animals have a very high public profile – the Report cites the Association of Circus Proprietors as estimating that there are over 3 million paying visits each year to see performing animals in circuses.

The *Performing Animals (Regulation) Act 1925* gives local authorities powers to enter circuses and inspect both animals and circuses. However, there are no guidelines on standards of animal welfare and husbandry. Whereas the licensing of zoos under the *Zoo Licensing Act 1981* is dependent on their demonstrating adequate standards of husbandry, there is no such system for circuses and they are regulated by a system of registration rather than licensing. Local