

Please accept this submission with respect to the National Animal Welfare Bill 2005:

It is clear that the intent of the act is to alleviate pain and suffering in animals, however I have concerns that this Act could in some situations actually reduce the oversight of animal research that is already in place. As a faculty member of a research institution we are already governed by comprehensive rules and strict oversight to minimize animal pain in experimentation. If this Act were to be passed as written it could eliminate the need for University animal ethics committees – this could lead to reduced oversight and delays in approval. As an individual involved in animal research I am perplexed by the added layer of bureaucracy that this act brings to animal experimentation for research purposes. I also have specific concerns regarding the use of horses in veterinary research. The Act, as currently written, could prevent or significantly restrict equine research.

Specific Issues of Concern:

An inspector is not qualified, through training, to possess or administer analgesics – all inspectors should seek veterinary guidance prior to administration of drugs.

Definitions:

***pain** refers to both psychological and physical pain and, in an animal, is taken to be the same sensation that an average, well human, having suffered the same trauma, would experience.*

What is pain – is the insertion of a needle into a vein considered to be pain or merely an inconvenience or discomfort? Is a rectal examination on a horse, a routine veterinary reproductive procedure, considered to be a painful procedure? I appreciate that animal pain is difficult to define but this current definition in the Act will lead to confusion and debate as to which procedures are “painful”.

***research** means a critical or scientific inquiry, study, investigation or experimental test, including a procedure involving interference with an animal’s condition of well-being, where pain or distress is likely to occur.*

This definition implies that all research involving animals will involve pain or distress. This is clearly not the case, in my opinion. It could be argued that simple blood sampling or rectal examination, for example, is not research as it is merely a discomfort, and therefore would not require the licensing of investigator, institution, or animal supplier. This could lead to reduced oversight and monitoring of animal research as it could be effectively argued the many studies are “exempt” from this Bill. Currently, our University animal ethics committees are required to approve all experiments involving animals, including those that do and do not involve pain. I firmly believe that maintenance of the status quo would provide better protection for research animals.

106 Acquisition of animals for research *The research unit operator must not purchase or otherwise acquire an animal from any person for use in the research unit other than:*

- (a) another licensed research unit operator; or*
- (b) a licensed supply unit operator.*

While this statement is applicable for a large percentage of basic research conducted within Australia it would be unworkable for certain types of veterinary research studies. It is important to note that clinical research trials do occur in the veterinary community and clearly these animals are not purchased from animal suppliers – they are used under informed consent. Depending on how one defines “pain” some of these studies may involve pain.

My primary research focus is in horses, where I conduct research to ultimately benefit the health and welfare of that species. There will likely be no licensed supply unit operators to supply horses for research studies. Currently for controlled research studies we typically rely on horse owners donating or selling animals in lieu of having them killed for pet food or rendered for fertilizer. This is often because the animal can no longer perform its expected function or the owner is unable to adequately care for the animals. The animals are treated humanly under the strict oversight of Animal Use committees. As I read the proposed legislation the private transfer of individual animals for use in research could not happen. This would essentially stop all horse research.

108 Management of pain *(1) Every animal used in a research unit in any experiment that is likely to cause pain to the animal must be anaesthetised.*
(2) The operator of a research unit must provide analgesics adequate to prevent an animal suffering pain during the period of its recovery from any procedure used in an experiment.

This statement is too vague to be considered as law. This is particularly true given the vague definition of “pain” in the act. It raises numerous questions, e.g., How long must they be anesthetized for; who is licensed to administer and maintain the anesthesia; is local anesthesia adequate, etc., etc.

I hope that the committee recognizes that the current wording of the Act will have negative effects on many aspects of veterinary research, particularly horse research.

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