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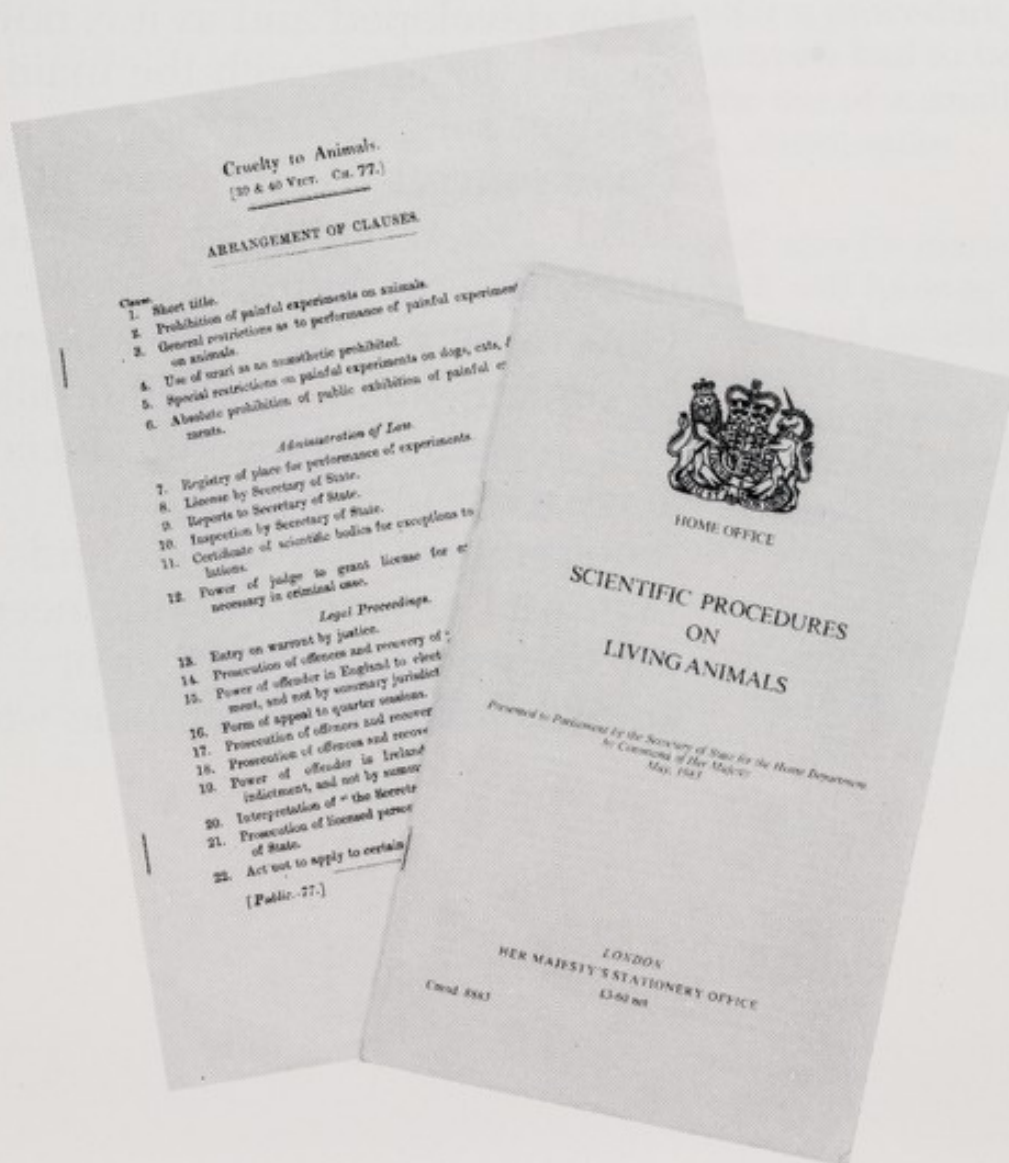
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GOVERNMENT PROPOSALS FOR THE REFORM OF THE 1876 CRUELTY TO ANIMALS ACT



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The Research Defence Society

The RDS has been asked by many lay people to clarify the position concerning current and proposed legislation for the protection of animals used for scientific experimentation. It is proposed, therefore, to give a brief summary of the 1876 legislation as it has developed and as it is now applied, together with the main changes suggested in the Government's White Paper of May 1983. The White Paper gives no more than an indication of the Government's intentions and may be further modified when a Bill to give effect to them is introduced. They attempt to balance the requirements of academic and industrial research with the need to use the minimum number of animals in the most humane way.

History of the 1876 Act

This was introduced with the support of many scientists in order to regulate the conditions under which animals were used for scientific experiments, partly because the nature of some experiments carried out on the Continent was giving rise to concern. In those days the number of experiments was very small, only a few hundred, and nearly all involved physiological procedures, i.e. required surgical interference which, in its turn, involved the use of anaesthesia. The use of anaesthetics for all surgical interference with animals was made compulsory under the 1876 Act and has remained so since. Between the 19th century and the present day very large changes have taken place in the use of animals for scientific research. Surgical procedures now form only a very small proportion of the total number of experiments which is one reason why the statistics show that only 20% of experiments are carried out under anaesthesia. On the other hand, there have been very great increases in the testing of medicines and vaccines, in the testing of food additives and chemicals for safety as well as for new surgical techniques such as transplant operations. In addition, behavioural and psychological experiments have increased in number. These changes of direction in scientific research could not have been anticipated in 1876 but the administration of the Act has been extended by the Home Office, the responsible authority, in order to take account of these changes. The present system involves the licensing of all those who need to carry out experiments and their licence stipulates (according to experience) the nature of the work that is permitted. A licence application is only granted after the licensee has the approval of a Head of Department and it has been countersigned by a Professor in a relevant discipline (medicine, physiology, pharmacology, etc.) and by a President of one of the relevant Royal Colleges, e.g. the President of the Royal College of Physicians. Even after these signatures have been obtained, the Home Office may still refuse the licence or stipulate additional conditions under which it is granted. Procedures may only be carried out on registered premises and the Home Office Inspectors have the right to immediate access to inspect these and the work being carried out by licensees. Failure to conform to the conditions of the licence may result in its being withdrawn, which would effectively terminate the career of the licensee.

This then is the background against which must be set the proposals of the White Paper (Cmnd 8883).

The White Paper

The United Kingdom is not the only country to have regulations controlling the use of animals for experimental work but it was the first and it is relevant here to note that a draft European Convention, now awaiting ratification by the Council of Ministers in Strasbourg, embodies many of the more important features of the 1876 Act. It will, therefore, come as no surprise that the Government's proposals in the White Paper seek to update and modify the 1876 Act rather than to make drastic changes. The main proposals of the White Paper are:

1 To retain the present system of registration of all premises but to make changes in the licensing system. In future it is proposed that there shall be two licences. One, a personal licence for each licensee giving details of what he may or may not do according to experience and secondly, a project licence which gives a considerable amount of detail to the Home Office of exactly why the experiment is necessary, how it is to be conducted, how many animals are required, which species are to be used, the time scale envisaged and so on. There will be a person specifically responsible for seeing that the experiment is carried out in accordance with the project licence in each establishment. It is proposed that project licence applications shall be sponsored by an independent assessor before being submitted to the Home Office for approval.

The effect of introducing project licensing will be to give the Home Office much more detailed information about all experimental work.

2 The Home Office Inspectors are to be given powers to oversee not only animals used for experimental work but also those bred for this purpose. Any establishment breeding animals for experimental purposes will in future be subject to registration and inspection.

3 In the past the Home Secretary has been advised by an ad hoc advisory committee on difficult applications. It is

now proposed to make this body a statutory one and to make it responsible for producing an annual report to Parliament.

4 Whereas the 1876 Act covered only vertebrates, the White Paper has enlarged the scope of the species protected and the procedures included, e.g. by adding the production of anti-sera and the passaging of tumours, breeding for physical defects and interference with the embryo and foetus.

Other changes to current legislation include the right, previously prohibited, to use animals for acquiring manual skill. This is a direct consequence of the development of micro-surgery. It will also be possible to keep an animal alive after a procedure involving anaesthesia whereas previously all animals had to be destroyed. This latter provision will result in the use of a smaller number of animals since many were being put down, quite unnecessarily, after only very minor procedures.

In addition to these technical changes, there will also be many others relating to accommodation facilities which will have to be brought in over a period of time. Meanwhile, the total number of animals used for scientific purposes has continued to fall steadily and the obligation in both the current and proposed controls to ensure that alternatives to animals are used whenever possible will, it is hoped, enable this trend to continue, assuming that new categories of testing are not added in the interests of safety.

Scientists fully accept the need to update the current legislation to ensure that the best modern practices are being applied.

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