

Government proposals for the reform of the 1876 cruelty to animals act : summary of the supplementary white paper (Cmnd. 9521) : Scientific procedures on living animals / Research Defence Society.

Contributors

Research Defence Society (Great Britain)

Publication/Creation

London : Research Defence Society, 1985.

Persistent URL

<https://wellcomecollection.org/works/e3cjed5d>

License and attribution

Conditions of use: it is possible this item is protected by copyright and/or related rights. You are free to use this item in any way that is permitted by the copyright and related rights legislation that applies to your use. For other uses you need to obtain permission from the rights-holder(s).



Wellcome Collection
183 Euston Road
London NW1 2BE UK
T +44 (0)20 7611 8722
E library@wellcomecollection.org
<https://wellcomecollection.org>

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

**SUMMARY OF
THE SUPPLEMENTARY WHITE PAPER
(Cmnd. 9521)**

Scientific Procedures on Living Animals

Following on the publication of the proposals in the first White Paper (Cmnd.8883) a supplementary White Paper was issued in May 1985. This takes account of comments made by interested parties since the publication of the first White Paper and taken together they may be regarded as the basis of the Bill which was to be introduced in the Parliamentary session beginning November 1985. This has now been postponed to November 1986.

The main changes envisaged are —

The new legislation will control all the factors "which may have an effect on animals used in procedures, including impairment of health or well-being, morbidity and mortality. In future the conditions imposed on a project licence by the Home Secretary will control the overall "severity" of the procedures, with severity being interpreted to include all of these factors. The top severity limit will be an inviolable condition that an animal which is in severe pain or severe distress which cannot be alleviated shall be immediately and painlessly killed. The Government has also stated that it agrees with the general cost/benefit principle and in future the scientific merit of a procedure must justify any suffering which may be involved. In fact it has for some time been the practice to grant licences on this basis and this is a formalisation of that practice. As regards the severity of procedures, it will be necessary for project licensees to assess broad categories of severity, mild, moderate and substantial and they will have to reach agreement with the inspector that these levels are appropriate. Inspectors will have wider powers and in future can require an animal to be put down whenever they think the effects of a procedure are too severe.

The Home Secretary is intending to issue guidelines describing the factors to be taken into account in issuing project licences and how the new categories of severity are to be defined and applied.

The original proposals for project licence sponsorship have now been modified and it is now proposed that sponsorship in the sense of requiring an outside opinion to recommend a project will only take place if recommended by an inspector. He may then recommend referral to an "assessor".

If there are still doubts about the work after assessment it may be referred to the new Animal Procedures Committee. The name of proposed assessors will always be disclosed to the applicant before his application is referred for advice.

Animal Procedures Committee

It has now been decided that two-thirds of the members of this committee must be scientists, although not more one half the members may be current or recent holders of a licence.

Animals to be protected

Paragraph 22 of the 1983 White Paper outlined protection for mammalian foetuses and non-mammalian embryonic and larval young. The 1985 White Paper redefines this protection and says that for mammals, birds and reptiles it should begin halfway through the gestation or incubation period for the species.

Paragraph 23 of the 1983 White Paper proposed special authority would continue to be needed for the use of non-human primates but the special status given to cats, dogs and equidae would disappear. The 1985 White Paper restores cats, dogs and equidae to the previous position.

At all registered premises the person ultimately responsible for the observing the conditions of registration will be named. There will also be a named veterinary surgeon (who could be the same person).

Offences and Penalties

These have now been raised for the more serious offences to two years' imprisonment and an unlimited fine and will be tried in the Crown Court.

Appeals Procedure

The 1985 White Paper makes provision for representations to be made against a decision to refuse, revoke or cancel a licence or registration. The case will then be referred to an independent advisor whose views will be taken into account before reaching a final decision.

Fees

It was originally proposed in paragraph 54 of the 1983 White Paper to charge fees to licensees. This has now been dropped and it is now proposed to charge fees based on the number of procedures that took place in the previous year plus a standard fee on registered premises. Control groups are not expected to be included in the number of procedures, nor are foetal, embryonic and larval forms.

June 1985.