



National Animal Ethics Advisory Committee

General Meeting

Thursday, 16 August 2018

9.00 am – 5.30 pm

Ministry for Primary Industries
TSB Tower, Level 1, Meeting Room 1
147 Lambton Quay, Wellington

MINUTES

Present

Grant Shackell (Chairperson), Terry Fenn, Malcolm Tingle, Craig Johnson, Arnja Dale, Bronwen Connor, Leasa Carlyon, Rob Hazelwood.

In Attendance

s 9(2)(a) (Senior Adviser Animal Welfare); s 9(2)(a) (Principal Adviser, Animal Welfare) and s 9(2)(a) (Secretary) for the entire day.

s 9(2)(a) (Manager, Animal Welfare); and s 9(2)(a) (Manager, Research & Evaluation) from 10.00 am.

Apologies

Craig Gillies.

G Shackell opened the meeting at 9.00 am and welcomed attendees. A Dale and M Tingle arrived at 9.05 am as a result of being held up in traffic. It was noted that s 9(2)(a) would join the meeting at 10.00 am after the closed session of the meeting had concluded.

Any Other Business Part One (Public Excluded Agenda)

The allocation of codes of ethical conduct for review in September was identified as an item of business for discussion under Part One of the Agenda.

Any Other Business Part Two (Open to the Public)

No other items of business were identified for discussion under Part Two of the agenda.

PART ONE (PUBLIC EXCLUDED AGENDA)

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no further introductory items of business to discuss, it was moved (G Shackell/C Johnson):

A: That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes*
- C 2. Action list review*
- C 3. s 9(2)(b) code of ethical conduct*
- C 4. Allocation of codes of ethical conduct for review in September*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<i>General subject of each matter to be considered</i>		<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>C 1.</i>	<i>Confirmation of previous minutes.</i>	<i>To protect the privacy of natural persons.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).</i>
<i>C 2.</i>	<i>Action list review.</i>	<i>As for C 1 above.</i>	<i>As for C 1 above.</i>
<i>C 3.</i>	<i>s 9(2)(b) code of ethical conduct</i>	<i>To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or:</i> <i>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the OIA.</i>
<i>C 4.</i>	<i>Allocation of codes of ethical conduct for review in September.</i>	<i>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(g)(ii) of the OIA.</i>

B: That s 9(2)(a) (Secretary), s 9(2)(a) (Senior Adviser, Animal Welfare) and s 9(2)(a) (Principal Adviser, Animal Welfare) remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous minutes

The draft minutes of the general meeting held on 11 May 2018 were reviewed. The following comments were made by A Dale:

- Page 10: The visit by the Minister to Wellington SPCA had not yet occurred.
- Page 11: Would s 9(2)(a) still be available to talk at the AEC workshop given he was now working at the Minister's office?
- Page 12: Was the name of the MPI Directorate, which s 9(2)(a) was now working for, correct?

In relation to the last two queries, s 9(2)(a) reported she would investigate and report back to the committee.

Moved (G Shackell/B Connor):

That the draft minutes of the meeting held on 11 May 2018 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

Action - s 9(2)(a) to reply to questions by A Dale.

C 2. Action list review

The list of actions agreed at previous meetings were reviewed. The following updates were provided:

Draft occasional paper on monitoring devices (action 2): G Shackell reported that he had talked to s 9(2)(a) about having s 9(2)(a) assist NAEAC with this piece of work.

Advise MPI of changes required to section 5 of the code template (action 17): It was noted that MPI had not received notification of the changes required.

G Shackell reported that he would like a letter to go back to code holders asking them what they liked about using the code template.

Draft non-compliance scenarios for AEC workshop (action 28): It was noted that C Johnson had drafted his non-compliance scenario for the workshop. A hard copy was circulated to committee members at the meeting. s 9(2)(a) reported she would circulate the draft as a mail out at well.

NAEAC to provide comment on MPI template/discuss review of template with s 9(2)(a) and accredited reviewers (action 31): G Shackell suggested that in 2019 the meeting with animal ethics committee (AEC) chairs be combined with the meeting with accredited reviewers.

Liaise with MPI's Agricultural Compounds and Veterinary Medicines Group (action 37): It was noted that former NAEAC member, s 9(2)(a) was now the Manager of this group.

Actions:

NAEAC to draft letter asking code holders what they liked about using the code template. s 9(2)(a) to circulate C Johnson's non-compliance scenario as a mail out.

C 4. Allocation of codes for review in September

The codes required to be reviewed in September were allocated to committee members as follows:

- s 9(2)(b)(ii) M Tingle and A Dale
- s 9(2)(b)(ii) B Connor and R Hazelwood
- s 9(2)(b)(ii) A Dale and B Connor
- s 9(2)(b)(ii) M Tingle and L Carlyon
- s 9(2)(b)(ii) C Gillies and C Johnson
- s 9(2)(b)(ii) R Hazelwood and Terry Fenn

C 3. s 9(2)(b)(ii) code of ethical conduct

G Shackell invited committee members to comment on the draft code of ethical conduct submitted by s 9(2)(b)(ii). It was generally noted that the code had not been drafted to the satisfaction of the committee. The following points were noted for clarification/amendment (adopting the references in the code):

- **Section 1:** G Shackell considered that the sentence 'and the replacement of sentience with less sentient animal species' should be deleted because no grades of sentience existed. Also, the use of words 'research, testing and teaching' needed to be consistent throughout the code.
- **Section 1.3:** The word 'advisory' should be deleted from this section.
- **Section 1.4:** This section should specify that the code applies to all staff that are engaged with animal research.
- **Section 2.2:** The section on AEC membership as drafted was unclear and inaccurate.
- **Section 3.3:** The timing for circulation of the agenda and minutes as stated seemed impossible.
- **Section 7.1:** The section on monitoring was not detailed enough.
- **Section 9:** The section on complaints was not detailed enough.

In the interests of time, it was agreed that further discussion of the code would need to be deferred. G Shackell apologised for asking the committee to review the code by email, one member at a time. It was noted that while this method may have generated a lot of comments on the same document it had meant every committee member had read the code prior to the meeting.

It was agreed that G Shackell would summarise the comments made by committee members and provide s 9(2)(a) with a list of points which s 9(2)(b) would need to clarify or amend in their draft code.

Actions:

G Shackell to provide s 9(2)(a) with a list of amendments required to the s 9(2)(b)(ii) draft code.
s 9(2)(a) to write to advise s 9(2)(b)(ii) accordingly.

PART TWO (OPEN TO THE PUBLIC)

s 9(2)(a) joined the meeting at 10.00 am for the discussion of NAEAC's draft operational plan. It was noted that s 9(2)(a) would be facilitating the operational planning session and s 9(2)(a) would be participating in the discussion.

O 1. Discussion and development of NAEAC's operational plan

Review and revise draft vision and strategy

The committee reviewed their vision statement: *providing world-class leadership that ensures the ethical use of animals for research, testing and teaching in New Zealand*. The following changes were suggested:

- 'Best practice ethical use and welfare outcomes of animals in RTT' should be changed to: 'Improve ethical use and welfare outcomes of animals in RTT';
- The pictorial above the key statement should include a rodent and a fish to represent the species of animals most commonly used in RTT and the picture of the cat deleted;
- 'Public discussion is open' should be changed to 'Public discussion is balanced';
- 'AECs are supported to ensure animals are used ethically' should be changed to 'AECs are supported in their function to ensure animals are used ethically';
- 'Ensure Part 6 fit for purpose' should be changed to 'Make recommendations to ensure Part 6 fit for purpose';
- 'Ensure documents fit for purpose and maintained' should be changed to 'Ensure NAEAC documents are fit for purpose and maintained';
- 'Advocate for 4 Rs' should be changed to 'Explore the fourth R';

- 'Identify and prioritise improvements' should be changed to 'Identify and prioritise system improvements';
- 'Ensure approved reviewers panel is independent' should be changed to 'Promote independent code of ethical conduct review process'; and
- 'Faster turnaround' should be changed to 'efficient and effective'.

It was agreed to make the above changes and circulate the revised vision and strategy.

Action: s 9(2)(a) to circulate revised vision and strategy.

T Fenn left the meeting at 10.20 am and returned at 11.20 am.

Status of support from MPI including Legal

s 9(2)(a) invited s 9(2)(a) to provide an update on MPI resourcing and secretariat support that was available to the committee.

It was generally noted that NAEAC should focus on the outcomes it wanted to achieve for animal welfare and prioritise these accordingly. That way, MPI could budget for, and provide, the necessary financial and secretariat/technical support.

s 9(2)(a) reported that:

- The Animal Welfare Science team, managed by s 9(2)(a), was available to NAEAC for technical support. In addition to this, s 9(2)(a) could also provide technical and scientific expertise to the committee;
- MPI Legal advice was available to NAEAC via the Secretariat. The committee could also seek its own legal advice if considered necessary;
- NAEAC did have a budget under the animal welfare cost centre, but it was up to the committee to prioritise items of work and advise the animal welfare manager accordingly;
- Communications and social media expertise was also available.

s 9(2)(a) outlined the work group sessions to follow which would allow the committee to identify the priorities they wished to progress over the next 5 years. As an example, the whole committee workshopped how they could work more efficiently and effectively to underpin the strategy. The discussion covered objectives; how the objectives could be achieved; who would be responsible for delivery; when it would happen; what the risks and mitigations were; and what success would look like.

The discussion on working efficiently and effectively was summarised on the whiteboard and then photographed for incorporation into the draft operational plan.

In relation to the review process, s 9(2)(a) reported that MPI could map out the process for the committee for their September codes meeting. In February 2019 a NAEAC working group could report back to MPI about what worked well and what did not in an attempt to refine the process.

G Shackell asked committee members before they left the meeting to provide a list of technologies they could use or access which would allow them to communicate with each other and review documents outside of meetings.

Actions:

s 9(2)(a) to map out review process.

NAEAC to establish a working group on code reviews to report back in February about how process can be improved.

NAEAC to list the different types of technologies they have access to.

Goal 1: Informed public discussion

A summary of the discussion as to how NAEAC can inform public discussion was documented on the whiteboard and then photographed for incorporation into the draft operational plan.

Goal 2: Full and frank advice, with solutions, are provided to the Minister and MPI DG

A summary of the discussion on full and frank advice was documented on the whiteboard and then photographed for incorporation into the draft operational plan.

Goal 3: AECs are supported to ensure animals are used ethically

A summary of the discussion on how to support AECs was documented on the whiteboard and then photographed for incorporation into the draft operational plan.

It was agreed to explore the fourth R (respect) relative to the other Three Rs as a starting point. A Dale and s 9(2)(a) agreed to circulate some material they had on the subject.

Action – A Dale and s 9(2)(a) to circulate information on fourth R.

Goal 4: A robust, ethical RTT system

A summary of the discussion on a robust and ethical RTT system was documented on the whiteboard and then photographed for incorporation into the draft operational plan.

In relation to working groups, it was noted that one already existed for the Three Rs award and animal welfare regulations. A working group for zebra fish, single housed animals and monitoring may also need to be established.

s 9(2)(a) agreed to collate all the discussion relating to NAEAC's goals and summarise in table format.

Action – s 9(2)(a) to collate feedback from operational plan discussion.

Review of operational plan

s 9(2)(a) asked committee members to rank the objectives that that had developed with a view to establishing when work on each one should start. A summary of that feedback would be provided as part of the draft operational plan.

Action s 9(2)(a) to provide summary on the ranking of objectives.

L Carlyon left the meeting at 4.00 pm.

Review of risks

G Shackell reported that he had drafted a table identifying potential risks over the next 5 years that could affect the committee's work programme. These included: committee turnover; the Minister not appointing members to her committees (possibly causing meetings to be inquorate); the Minister's Framework for animal welfare in New Zealand and the theme of an 'independent voice' as was raised during the animal welfare Hui; the general election in 2020 and the appointment of a new NAEAC chair in 2022. G Shackell asked s 9(2)(a) to circulate the risk table to the rest of the committee. s 9(2)(a) reported that there was no political appetite to establish a commissioner for animal welfare.

G Shackell asked s 9(2)(a) if MPI could create a one page document about the MPI secretariat that could be provided to new NAEAC members.

It was agreed that the NAEAC strategy working group would review the draft operational plan once circulated and advise next steps.

G Shackell reported he would circulate a copy of the 'wish list' he had drafted for s 9(2)(a).

Actions:

s 9(2)(a) to circulate risk register to committee members.

MPI to create document on MPI Secretariat for new committee members.

NAEAC strategy subcommittee to refine operational plan for November general meeting.

G Shackell to circulate 'wish list' to rest of committee.

G Shackell thanked s 9(2)(a) MPI staff and NAEAC members for their participation and closed the meeting at 4.50 pm.