



National Animal Ethics Advisory Committee

General Meeting

Friday, 20 November 2020
12.30 pm – 5.00 pm
Charles Fergusson Building
Level 1, Room 1.01
34-38 Bowen Street, Wellington

MINUTES

Present

Grant Shackell, Arnja Dale, Craig Gillies, Bronwen Connor, Mike King, Nita Harding, Dianne Wepa (via Skype for Business) and Rachel Heeney for part of the meeting (via Skype for Business).

In Attendance

s 9(2)(a) (Secretary), s 9(2)(a) (Senior Adviser, Animal Welfare), s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Manager, Animal Welfare); and s 9(2)(a) (Systems Auditor, Systems Audit).

Apologies

An apology for lateness (due to a prior meeting) was received from NAEAC members A Dale and M King and s 9(2)(a) from MPI. J Harper and R Hazelwood were unable to attend the meeting.

Moved: B Connor/N Harding:

That the apologies for the meeting be accepted.

The motion was put: carried.

Welcome

G Shackell opened the meeting at 12.45 pm with a karakia and introduced himself to committee members and meeting attendees via a pepeha. For the benefit of committee members, G Shackell introduced s 9(2)(a) who was attending the meeting as an observer.

Any Other Business Part One (Open to the Public)

No additional items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two (Public Excluded Agenda)

N Harding raised the issue of acknowledging the role of animals in science as an additional item of business for discussion under Part Two of the agenda.

PART ONE (OPEN TO THE PUBLIC)

O 1. Review of NAEAC work plan

The committee reviewed its 2020 work plan. The following updates were provided:

1.1.4 Promote public presence at meetings – it was agreed that standing orders or rules regarding how the committee would interact with the public at their meetings were required.

1.3.1 Provide tool for public to contact NAEAC – G Shackell reported that 2021 would be his last year as Chair of NAEAC and that he would like to see an application developed for people to use in the research, testing and teaching (RTT) space.

2.2.3 Review Part 6 – fit for purpose – this work would continue in 2021.

3.1.4 Plan and hold AEC workshop – this would next be held in 2022.

3.2.1 Update Good Practice Guide (GPG), code template and AEC induction pack – documents providing information and advice would be reviewed on an annual basis. At the previous animal ethics committee (AEC) Chairs meeting there had been some discussion on animals used for RTT entering the food chain. A flowchart, identifying the process that is followed to allow this to happen was identified as a potential future piece of work.

It was agreed to review the workplan for the 2021 year at the February general meeting.

M King, A Dale and s 9(2)(a) arrived at the meeting at 12.55 pm.

O 2. Update on review of the *Good Practice Guide* including incorporation of *A Guide for Lay Members of Animal Ethics Committees*

s 9(2)(a) reported that she had submitted the revised Guide to MPI Communications on 5 November 2020. At this stage she was still waiting to hear back from the design team about timeframes and who would be doing the work.

O 3. Update on review of *Code of Ethical Conduct Template*

s 9(2)(a) reported that the updated version of the code template had been posted on the MPI website on 9 November 2020.

O 4. Update on review of *Culture of Care*

s 9(2)(a) reported that she was in the process of incorporating the feedback received on the publication. It was her intention to submit a revised draft of the text to NAEAC for final review before sending it to MPI Communications for re-design.

O 5. Update/approval of grading flowchart

The updated grading flowchart B Connor had drafted was circulated prior to the meeting. There was some discussion relating to the flowchart following the 5 domains model. B Connor noted the type of manipulation performed on an animal would determine its mental state and AECs should be considering mental state when assessing impact grades. It was noted that the focus of the flowchart was to help users grade the impact of animal use (impact being the total sum of all procedures that the animal was exposed to) and report appropriately to MPI. The following changes were noted:

Box 1: Under the heading *Disease/injury/impairment* delete "Studies on methods of killing pest animals" and replace with "A new or experimental method being used to hunt or kill the animal".

Boxes 1 - 5: Delete all headings called "Mental state" and replace with "Manipulation".

B Connor agreed to make the necessary changes and send s 9(2)(a) a revised copy.

To ascertain if the flowchart was helpful to users it was agreed to send it out to AECs with a covering letter. A Dale agreed to run the amended flowchart past SPCA nominees, and C Gillies agreed to run it past the Department of Conservation (DOC) AEC.

D Wepa left for another meeting at 1.30 pm.

The committee discussed the AEC approval flowchart. A Dale asked how this flowchart related to the one on the Schools' AEC website? G Shackell advised it was a version of it – the Schools' flowchart updated. It was agreed that this too should be made available on the MPI website and that it be sent out for feedback.

Moved (G Shackell/M King):

That the grading and AEC approval flowcharts be finalised and sent out for feedback before being put on the MPI website.

The motion was put: carried.

Actions:

A Dale to seek feedback on flowcharts from SPCA nominees.

C Gillies to seek feedback on flowcharts from the DOC AEC.

G Shackell to write a letter to AECs.

s 9(2)(a) to circulate flowcharts and letter to AECs seeking their feedback.

O 6. MPI summary of CEC approvals, notifications and revocations

s 9(2)(a) provided an update on code approvals and notifications since the last meeting. The following matters were noted:

- **s 9(2)(b)(ii)** had not previously had an arrangement to use an AEC;
- MPI had established a second parenting arrangement to perform Mycoplasma bovis surveillance work; and
- **s 9(2)(ba)(i)** had received approval from the Director-General of MPI to use non-human hominids.

It was recalled that when NAEAC had considered the non-human hominid application it had not been able to recommend that MPI approve the work until the applicant had submitted the application to an AEC. **s 9(2)(a)** reported that MPI's decision was to approve the application on condition that AEC approval was sought and provided. **s 9(2)(ba)(i)** needed to come back to MPI with evidence of that approval before any work could get underway.

There was some uncertainty whether NAEAC members had seen the draft decision document before it had been finalised and sent to **s 9(2)(a)**. G Shackell agreed to check the status of deliberations relating to this matter. It was generally agreed that eight working days should be afforded to committee members to review decision documents before they were finalised.

Action – G Shackell to check when decision document was circulated to NAEAC members for comment.

O 7. Discussion on the value of a '4th R'

A Dale invited comments on the paper she and **s 9(2)(a)** had drafted relating to respect for animals being the 4th R. G Shackell believed that NAEAC did not have the capacity or international influence to request other countries to adopt respect as the 4th R. He considered that for this view to become universally accepted, as a start, people would need to start thinking about it. G Shackell suggested that A Dale and **s 9(2)(a)** use this paper as a starting point to draft something that could be published in a peer-reviewed journal. A Dale agreed to discuss the matter with **s 9(2)(a)**.

In the meantime, it was agreed that NAEAC did support the concept of respect as the 4th R. G Shackell reported he would include an item on Respect as the 4th R in the next AEC newsletter. G Shackell thanked A Dale and **s 9(2)(a)** for their work on the paper and for raising it with the committee.

Moved (A Dale/G Shackell)

That NAEAC supports the concept of Respect being the 4th R.

The motion was put: carried.

O 8. Committee members' reports on recent presentations and attendance at conferences

G Shackell reported he had prepared a presentation for the New Zealand Association of Science Educators conference and had received positive feedback from meeting organisers. The presentation titled: *Using animals for teaching or research: animal ethics considerations* was circulated for information prior to the meeting.

G Shackell also reported on a meeting he and National Animal Welfare Advisory Committee (NAWAC) Chair, Gwyn Verkerk had had with MPI's Director-General Ray Smith on 18 November 2020. Among the questions discussed at the meeting was: "how do we really know that we have a good welfare system and how do the people in your sector know that they are world leading?"

There was some discussion about whether NAEAC should obtain metrics from AECs about New Zealand's animal welfare system. [redacted] mentioned a piece of research undertaken by the Market Insights team at MPI that could be shared with NAEAC. [redacted] reported it was up to NAEAC to decide if it wanted to address or answer the Director-General's questions in any way. Suggestions for engagement included speaking to the Director-General about this again or inviting him to a future meeting. It was noted the MPI animal welfare policy team were reviewing the national animal welfare strategy so there may be an opportunity to learn something through that process. The Director-General thought it important for both Chairs to meet with the Minister before the end of the year.

M King reported he had recently presented to MPI on the Māori animal welfare research Otago University were undertaking.

Action - MPI to share Market Insights research with NAEAC.

O 9. Mātauranga Māori

G Shackell referred committee members to the memo and supporting documents related to this agenda item. The committee fully supported the recommendations from the Mātauranga Māori subcommittee for both committees to use more Te Reo Māori, honour tikanga at meetings and meet local iwi when travelling.

G Shackell noted that the karakia he opened the meeting with today (from [redacted] s 9(2)(a)) was different to the one he had used previously. G Shackell asked committee members if they were in favour of adopting the new karakia. There was no objection to the change. It was agreed to add the karakia to the next meeting agenda and for committee members to take turns reciting it and introducing themselves in Te Reo.

D Wepa returned to the meeting at 2.20 pm.

For the benefit of D Wepa, G Shackell recapped the discussion that had just occurred. Regarding the previous discussion from G Shackell's meeting with the Director-General, D Wepa suggested an evaluation could be carried out on the part of NAEAC's practices. Regarding the karakia, D Wepa was in favour of committee members taking turns to recite it. D Wepa noted that changes to the [redacted] s 9(2)(a) karakia could be made later if considered necessary by the committee.

G Shackell agreed to circulate the opening and closing karakia to committee members; B Connor agreed to open the February meeting; and C Gillies agreed to open the May meeting. G Shackell agreed he would seek approval for the NAEAC introduction to animal use in RTT to be translated into Māori.

Actions:

G Shackell to circulate opening and closing karakias to committee members.

G Shackell to send MPI the translation request.

R Heeney joined the meeting at 2.30 pm.

O 10. MPI update

The MPI update circulated prior to the meeting was noted. s 9(2)(a) advised that the judgment on the use of farrowing crates and mating stalls had been received. Some of the minimum standards in the pigs code of welfare and some of the regulations issued relating to pigs had been deemed unlawful and invalid. MPI was now seeking advice from Crown Law regarding next steps.

O 11. NAEAC correspondence

G Shackell referred committee members to the correspondence log circulated prior to the meeting.

A Dale sought clarification around MPI's response to Otago University's query on decapods. s 9(2)(a) advised MPI would provide a summary of its decision.

It was agreed to check whether the monitoring sections in the Good Practice Guide (GPG) and code template were consistent after an AEC had identified some differences. The differences were supposed to be corrected prior to the revised versions of the GPG and code template being published. G Shackell asked s 9(2)(a) to find the relevant email from the AEC.

The committee discussed how it could engage with new accredited reviewers. Suggestions included inviting the reviewer to attend an NAEAC meeting and/or having a local NAEAC member meet the reviewer. It was agreed to circulate the terms of reference for the Part 6 subcommittee as the document contained useful background information relating to the relationship between MPI, reviewers and NAEAC.

Moved (M King/B Connor):

That new accredited reviewers are invited to meet all NAEAC members.

The motion was put: carried.

G Shackell asked committee members for feedback on the draft letter to the Minister responsible for animal welfare, Hon Meka Whaitiri. There were no comments.

Moved (G Shackell/N Harding):

That the draft letter to the Minister be finalised and sent to the Minister's office.

The motion was put: carried.

In relation to the decision document on the reappointment of an accredited reviewer, B Connor advised she appreciated that in future CVs would be requested.

Actions:

MPI to provide advice on decapod query.
s 9(2)(a) to find email from AEC.

O 12. Meeting dates for 2021 including site visit

The following meeting dates were confirmed for 2021:

- General meeting Friday 12 February, in Wellington;
- Site visits on Monday 10 May followed by general meeting on Tuesday 11 May, in Auckland;
- Liaison meeting with ANZCCART on Wednesday 28 July (last day of ANZCCART conference) followed by general meeting on Thursday 29 July in Queenstown; and
- General meeting on Monday 15 November followed by joint meeting with NAWAC on Tuesday 16 November in Wellington.

O 13. Confirmation of previous minutes

The draft minutes of the general meeting held on 1 September 2020 were reviewed. There were no amendments.

Moved (B Connor/M King):

That the draft minutes of the meeting held on 1 September 2020 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

O 14. Action list review

The committee reviewed progress with the actions agreed to at previous meetings. It was noted that a number of actions had already been completed since the actions list was issued. The following updates were provided:

Investigate speakers for nominated mini-tutorial topics (action 11): s 9(2)(a) reported that she and s 9(2)(a) could provide a mini-tutorial on the desk-top audit of the animal welfare team. The committee also suggested hearing from the Three Rs Implementation Award winner when they were in Auckland in May.

Revision of ANZCCART euthanasia guidelines for Good Practice Guide (GPG) (action 15): It was agreed that the committee were not revising ANZCCART's guidelines rather looking to see how information on euthanasia relevant to the New Zealand situation could be incorporated into the GPG. It was noted that C Gillies would provide information relating to pest species.

Seek code holder/AEC feedback on NAEAC's GPG and code template (action 17): It was noted that this was something that could be highlighted in the AEC newsletter.

Action – Include item on feedback (relating to the GPG and code template) in next AEC newsletter.

PART TWO (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/B Connor):

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

- C 1. 2020 John Schofield Three Rs Implementation Award*
- C 2. Feedback from attendance at the s 9(2)(b)(ii) AEC meeting*
- C 3. s 9(2)(ba)(i) AEC meetings*
- C 4. s 9(2)(b)(ii) review report*
- C 5. NAEAC AEC service award*

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. 2020 John Schofield Three Rs Implementation Award</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.</i>
<i>C 2. Feedback from attendance at the s 9(2)(b)(ii) AEC meeting</i>	<i>As above; and/or To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.</i>	<i>As above; and/or 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 Official Information Act 1982.</i>
<i>C 3. s 9(2)(ba)(i) AEC meetings</i>	<i>As above.</i>	<i>As above.</i>

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 4. s 9(2)(b)(ii) review report	<p>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</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	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 Official Information Act 1982.
C 5. NAEAC AEC service award	To protect the privacy of natural persons.	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.

B: That s 9(2)(a) (Secretary), s 9(2)(a) (Senior Adviser, Animal Welfare), s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Manager, Animal Welfare) and s 9(2)(a) (Systems Auditor, Systems Audit) 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. 2020 John Schofield Three Rs Implementation Award

G Shackell referred committee members to the Three Rs Award subcommittee decision document that was circulated prior to the meeting. The decision document summarised the deliberations of the subcommittee when they met to consider the applications for the 2020 award. s 9(2)(ba)(i)

[REDACTED]

[REDACTED]

[REDACTED]

The motion was put: carried.

C 2. Feedback from attendance at the s 9(2)(b)(ii) AEC meeting

A Dale referred committee members to the paper she had drafted that was circulated prior to the meeting. The paper had highlighted a number of matters that A Dale thought appropriate to bring to the attention of the whole committee.

There was some discussion relating to NAEAC's role in giving advice to AECs on their processes given NAEAC members attended AEC meetings in an observational capacity. s 9(2)(a) encouraged NAEAC members to consider ways of assisting AECs.

s 9(2)(b)(ii)

The matter identified by accredited reviewer s 9(2)(a) in her two-year review of s 9(2)(b)(ii) was noted.

D Wepa departed the meeting at 4.35 pm.

s 9(2)(a) departed the meeting at 4.40 pm.

C 3. s 9(2)(ba)(i) AEC meetings

The committee had already discussed s 9(2)(ba)(i) letter out of session but thought it appropriate to discuss at the November meeting as well. Committee members agreed it was not appropriate for AEC meetings to be routinely conducted using an online format. G Shackell agreed to draft a letter based on committee views and circulate the draft for comment.

Action – G Shackell to draft letter to s 9(2)(ba)(i) and circulate to NAEAC members.

C 4. s 9(2)(b)(ii) review report

This matter had been discussed under agenda item C2.

C 5. NAEAC AEC service award

G Shackell referred committee members to the documentation relating to this agenda item circulated prior to the meeting. A number of nominations for the AEC service award had been received from s 9(2)(b)(ii). It was noted that s 9(2)(b)(ii) was consolidating its committees and as a result Invermay had closed and Grasslands was going to close shortly. While the individual contribution of nominated/retiring members was noted, it was agreed that overall, both committees and provided exceptional service to animal ethics over a period of 30-odd years. Therefore, it was agreed that both committees, not individual members, receive an award.

Action – s 9(2)(a) to arrange service awards.

G Shackell asked N Harding to speak to the item she wanted to raise under Part Two of the meeting. s 9(2)(ba)(i)

s 9(2)(ba)(i)

Due to time pressures and travel commitments, it was agreed to investigate this further in the new year.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and closed the meeting at 4.55 pm with a karakia.