



National Animal Ethics Advisory Committee

Komiti tohutohu motu matatika kararehe

Tikanga hui General Meeting

Rā: 12 February 2021
Tāima: 9.30 am – 4.30 pm

Whaitua o rēhia:
Charles Fergusson Building
Level 1, Room 1.03
34-38 Bowen Street, Wellington

MINUTES

Komiti/Committee: Grant Shackell (Chairperson – via Skype for Business), Arnja Dale, Bronwen Connor, Craig Gillies, Rob Hazelwood, Jacquie Harper, Mike King, Nita Harding, Rachel Heeney, Dianne Wepa (via Skype for Business).

Nuinga/Attendees: 9(2)(a) (Senior Adviser, Animal Welfare), 9(2)(a) (Secretary), 9(2)(a) (Manager Animal Welfare), 9(2)(a) Policy Analyst, Regulatory Reform and Animal Welfare Policy), 9(2)(a) Systems Auditor, Systems Audit) for agenda item O 7; and 9(2)(a) MPI Graduate Development Programme staff member) as an observer.

Welcome

B Connor opened the meeting at 9.30 am with a karakia and introduced herself to committee members and meeting attendees via a pepeha.

Matangaro/Apologies

An apology for lateness was received by M King. G Shackell notified the committee he had to briefly leave the meeting mid-morning to attend a private appointment.

Moved: A Dale/B Connor:

That the apologies for the meeting be accepted.

The motion was put: carried.

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)

The following two items of business were identified as additional items of business for discussion under Part Two of the agenda.

C 2. 9(2)(a)

C 3. 9(2)(a), 9(2)(g)(ii)

A Dale asked if MPI officials should remain at the meeting for the discussion of agenda item O4. It was agreed it was appropriate for the committee to discuss its performance with MPI.

PART ONE (OPEN TO THE PUBLIC)

O 1. Election of Deputy Chair

The Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)) requires the committee to elect one of its members as its deputy chairperson, at its first meeting each year. R Hazelwood was nominated and elected as deputy chairperson for 2021.

Moved (G Shackell/A Dale):

That Rob Hazelwood be elected deputy chairperson of the committee for 2021, pursuant to the Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)).

The motion was put: carried.

O 2. Confirmation of previous minutes

The draft minutes of the general meeting held on 20 November 2020 were reviewed. There were no amendments.

Moved (A Dale/M King):

That the draft minutes of the meeting held on 20 November 2020 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

Action – 9(2)(a) to arrange for February minutes to be put on the MPI website.

O 3. Action list review

The committee reviewed progress with the actions agreed to at previous meetings. The following updates were provided:

Xenotransplantation (action 1): B Connor provided a recap on this action and why xenotransplantation had been discussed by the committee previously. It was agreed to keep a watching brief on this topic. In the meantime, B Connor agreed to recirculate the relevant Health Research Council 2007 guidelines and the Bioethics Council 2005 report on xenotransplantation. The committee agreed with the current state of thinking on xenotransplantation, having no current concerns about it.

Send R Hazelwood compliance text and decision trees (action 2): 9(2)(a) agreed to draft these and get MPI's Compliance team to review them.

Update draft guidelines in relation to dairy cattle and vertebrate pest species (action 7): N Harding reported she had done a little more work on this action noting that she was seeking advice on cattle, sheep, goats, horses and pigs before being in a position to send material to C Gillies.

Provide R Hazelwood with information on compassion fatigue (action 11): M King agreed to take over this action from A Dale.

Seek feedback on flowcharts from 9(2)(ba)(i) animal ethics committee (AEC) (action 16): C Gillies reported this had been given to the AEC Chair. 9(2)(a) was asked to check the version committee members had.

Include item on feedback (relating to the Good Practice Guide (GPG)) in the next AEC newsletter (action 21): G Shackell reported that the newsletter was due out shortly. The newsletter had not been circulated prior to Christmas because MPI had not published the media release relating to the Three Rs award recipient.

Actions:

B Connor to recirculate xenotransplantation papers.

9(2)(a) to draft compliance text and decision trees.

9(2)(a) to check flowchart version.

O 5. Discussion on developing guidelines for rehoming animals used in research, testing and teaching

G Shackell referred committee members to the memorandum and *New South Wales (NSW) Research Animal Rehoming Guidelines* circulated prior to the meeting. G Shackell sought feedback from the committee as to whether NAEAC should develop its own rehoming guidelines.

A Dale considered NAEAC should provide its own advice whether it be included in the GPG or as a separate document. R Hazelwood considered that a link to the NSW guidelines in the GPG would be a quicker solution than drafting new ones. After some discussion it was agreed to have an interim statement on the MPI website linking to the NSW guidelines and noting that organisations such as Helping You Help Animals (HUHA) and the New Zealand Anti-vivisection Society (NZAVS) are available

to assist with rehoming. NAEAC would then add drafting New Zealand specific guidelines to their work programme.

N Harding, G Shackell, R Heeney and A Dale agreed to be on the working group.

G Shackell departed the meeting at 10.15 am and R Hazelwood chaired the meeting in his absence.

Moved (R Hazelwood/N Harding):

That NAEAC adds a link to the NSW guidelines on their rehoming page on the MPI website noting that organisations such as HUHA and NZAVS are available to assist via MPI.

The motion was put: carried.

Actions:

9(2)(a)

to add rehoming statement to website.

NAEAC to add rehoming guidelines to its work programme.

G Shackell returned to the meeting at 10.50 am.

O 8. Update on review of NAEAC publications

The updated version of the *Culture of Care* publication was circulated prior to the meeting. MPI sought committee agreement on approving the text for publication. There were no amendments to the latest draft.

Moved (J Harper/N Harding):

That the 'Culture of Care' draft circulated prior to the meeting be approved for publication.

The motion was put: carried.

Action – MPI to publish new version of 'Culture of Care'.

O 4. Annual review of committee performance in 2020

The committee reviewed its internal performance in 2020. The following comments were noted:

- It was agreed that the committee had operated within its statutory role and responsibilities and had stayed focused on its strategic and operational plans.
- MPI's support of the Committee was in general, very good.
- In relation to accessing papers, the committee noted it could not download multiple documents from Piritahi to the desktop. 9(2)(a) agreed to ask MPI's external collaboration team about this.
- The committee has work plans but not hard deadlines. These should be provided for some activities.
- The setup of subcommittees seemed to some to be ad hoc. G Shackell reported that NAEAC subcommittees currently related to code reviews; the Three Rs awards; mātauranga Māori,

digital presence; animal welfare regulations; zebrafish; role of veterinarians in research; and the animal ethics committee (AEC) workshop. G Shackell agreed to tidy up the list so the committee could discuss the subcommittees at the next meeting. 9(2)(a) was asked to put this on the agenda for the May general meeting.

- The correspondence log was noted as a way of tracking and responding to queries.
- It was noted there was little external communication from the Minister's office back to NAEAC. For example, a formal response was not received in relation to NAEAC's advice on zebrafish. 9(2)(a) reported that MPI would follow up on this.
- The 2020 AEC site visit and workshop were cancelled due to Covid-19.
- NAEAC members attended AEC meetings when opportunities arose.
- Updating NAEAC documents was done well.
- It was noted that A Dale had delivered a paper on the value of the a '4th R' and that the subject had been highlighted in a recent AEC newsletter.

Actions:

G Shackell to tidy subcommittee list and circulate to members.

9(2)(a) to add subcommittees to May meeting agenda.

MPI to advise NAEAC on status of zebrafish advice.

O 7. Mini-tutorial: Feedback on audit of Animal Welfare Team's administration of Part 6 of the Act

9(2)(a) was invited to present the findings of the audit into the animal welfare team's administration of Part 6 of the Animal Welfare Act 1999. The audit was instigated by 9(2)(a) to ascertain how well the animal welfare team were performing their duties. It was noted that the trust and collaboration between NAEAC and MPI was exceptional and the management of the animal welfare team's administration of Part 6 of the Act was delivering to a high standard.

The audit involved interviews, observation and examination of documents across multiple levels of the administration of Part 6 of the Act by the animal welfare team. Interactions with research, testing and teaching organisations were not part of the audit. Following the audit two recommendations were made.

1. Assign a specialist adviser by secondment to formalise a quality management system for the research, teaching, testing functions of the Animal Welfare Group. This will ensure continuity of service.
2. In order to provide more robust first-hand knowledge by the regulator, the Animal Welfare Group should consider existing avenues for MPI to conduct (unannounced, if necessary) audits/reviews/inspections of individual research/teaching/testing organisations' projects, especially those that are parented under another code of ethical conduct.

The above recommendation was made because of the five-year code holder review period (considered to be too infrequent); the fact that competency and assessment of accredited reviewer qualifications was only made every 6 years; review reports were variable in terms of content; and accredited reviewers are third party entities so may be conflicted.

There was some discussion about MPI's animal welfare officers (compliance inspectors - who are warranted under the Act), performing unannounced visits versus system auditors performing the task. It

was noted that inspections did not need to follow a compliance model. G Shackell advised that in research organisations an animal welfare officer had a different meaning – that person was a veterinarian with responsibility for animal welfare at the institution level. It was noted that some accredited reviewers who were veterinarians and auditors would be more qualified at conducting unannounced visits than MPI animal welfare officers. It was noted also that there was nothing in the legislation stopping MPI personnel (such as system auditors) from being appointed as accredited reviewers.

Unannounced visits could be put on the list of topics for the next Act amendment.

In relation to monitoring frequency, B Connor reported that Physical Containment Level 2 laboratories were audited by MPI every 6 months. It was noted that accredited reviews of code holders could be conducted more frequently if there were concerns about the organisation.

9(2)(a) agreed to share the final report with ANZCCART and NAEAC and update the code review subcommittee workplan with the audit findings. While ex-NAEAC member 9(2)(a) was still a member of the subcommittee it was considered that an additional member be recruited. N Harding agreed to join the subcommittee. The committee asked 9(2)(a) if she would be interested in being involved as well. While 9(2)(a) had an interest, she could not commit to any NAEAC work without the approval of her manager. Instead, the subcommittee would include 9(2)(a) in its discussion about how some of the recommendations could be implemented.

It was generally agreed that each NAEAC subcommittee report back to the whole committee each meeting. G Shackell asked 9(2)(a) to action this.

Actions

- 9(2)(a) *to circulate final report to NAEAC.*
- 9(2)(a) *to update code review subcommittee workplan with audit review findings.*
- 9(2)(a) *to add subcommittee reports to next meeting agenda.*

O 9. NAEAC annual report for 2020

It was noted that a draft annual report would be available for the May general meeting.

O 14. Committee members' reports on recent presentations and attendance at conferences

No updates were provided on committee members presentations and attendance at conferences. The upcoming July 2021 Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) conference was noted.

O 13. MPI update

The MPI update, circulated prior to the meeting was noted.

O 12. MPI summary of CEC approvals, notifications and revocations

The MPI summary of code of ethical conduct approvals, notifications and revocations was circulated prior to the meeting. 9(2)(a) noted that 9(2)(ba)(i) only had one AEC now and had created a dedicated team within the company with responsibility for animal ethics.

O 6. Update on review of Part 6 work programme

It was noted that N Harding had already been added to the subcommittee. 9(2)(a) and A Dale asked the committee to approve the subcommittee's terms of reference, a copy of which was circulated prior to the meeting.

Moved (G Shackell/R Hazelwood):

That NAEAC agree to and approve the codes of ethical conduct subcommittee terms of reference.

The motion was put: carried.

O 10. Public attendance at NAEAC meetings

A background paper relating to transparency and public engagement was circulated prior to the meeting. In particular, the paper sought NAEAC's feedback on how it should interact with the public during its meetings.

R Hazelwood noted that the legislation did not provide NAEAC with a role relating to public engagement. Despite that, given that NAEAC had stated on MPI's website that members of the public were welcome to attend the open sessions of its meetings, rules regarding that engagement needed to be in place.

It was agreed that meeting attendance should be in person; members of the public would not have ad hoc speaking rights; but could request the opportunity to address a specific agenda item by asking the secretary prior to the meeting.

9(2)(a) and G Shackell agreed to draft the document relating to public attendance at meetings.

9(2)(a) departed the meeting at 1.55 pm.

Action – G Shackell and 9(2)(a) to draft document relating to public attendance at NAEAC meetings.

O 11. Approval of NAEAC's work plan/priorities for 2021

G Shackell referred committee members to the 2020 workplan Gantt chart. The following comments were made:

Informed public discussion: The addition of New Zealand guidelines on rehoming research animals was identified for addition to this section of the plan.

Good advice to the Minister and DG: Items 2.1.1 (zebrafish) and 2.2.2 (significant surgical procedures regulations) could now be removed from the plan.

AECs supported to ensure animals used ethically: Item 3.1.5 (plan and hold AEC chairs meeting) was identified as an action for the third or fourth quarter of 2021. As the ANZCCART conference was being held in July it might be an opportunity to meet with the Chairs at that time (if they too were attending the conference).

Robust ethical RTT system: Item 4.2.1 (exploring the value of the 4th R) could be removed because this was discussed in 2020.

R Hazelwood and G Shackell agreed to make the necessary changes to the workplan.

Action - R Hazelwood and G Shackell to amend workplan Gantt chart and send to 9(2)(a) for circulation.

O 15. NAEAC correspondence

The correspondence log was circulated prior to the meeting and the 'Singapore' letter noted. There were no other comments.

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/A Dale):

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

C 1. 9(2)(a), 9(2)(g)(ii)

C 2. 9(2)(a)

C 3. 9(2)(a), 9(2)(g)(ii)

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:

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 1.	9(2)(a), 9(2)(g)(ii)	<p>To protect the privacy of natural persons; 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 and 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 section 9(2)(a) and 9(2)(g)(ii) of the Official Information Act 1982.
C 2.	9(2)(a)	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.
C 3.	9(2)(a), 9(2)(g)(ii)	<p>To protect the privacy of natural persons; 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 and 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 section 9(2)(a) and 9(2)(g)(ii) of the Official Information Act 1982.

B: That 9(2)(a) (Secretary), 9(2)(a) (Senior Adviser, Animal Welfare), 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) and 9(2)(a) (Manager, 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. 9(2)(a), 9(2)(g)(ii)

9(2)(a), 9(2)(g)(ii)

9(2)(a), 9(2)(g)(ii)

9(2)(a)

9(2)(a)

C 3. 9(2)(a), 9(2)(g)(ii)

9(2)(a), 9(2)(g)(ii)

9(2)(a),
9(2)(g)(ii)

There being no other items of business to discuss, the Chair thanked committee members for their attendance including R Hazelwood for chairing some of the meeting in his absence. The meeting closed at 4.05 pm with B Connor performing the closing karakia.