

# Animal Ethics and Welfare procedure

## Section 1 - Preamble

(1) This Procedure is effective from 11 August 2020.

## Section 2 - Purpose

(2) This Procedure sets out how the University ensures the welfare of animals when using live animals for research or teaching purposes, and during work conducted as part of University business.

## Section 3 - Scope

(3) This Procedure applies to all persons conducting University business that involves the use of live animals and imposes specific responsibilities on persons caring for or using animals for scientific purposes, including:

- a. Deakin staff and students who care for or use animals for scientific purposes in research or teaching, regardless of where the work is carried out, and
- b. non-Deakin investigators listed on a Deakin Animal Ethics Committee (AEC) application or who conduct scientific procedures in a Deakin Scientific Procedures Premises Licence (SPPL) room.

## Section 4 - Policy

(4) This Procedure is pursuant to the [Research Conduct policy](#).

(5) The University will uphold the principles of the [Australian Code for the Care and Use of Animals for Scientific Purposes](#) (the [Code](#)). Respect for animals will underpin all decisions and actions involving the care and use of animals for scientific purposes, demonstrated by:

- a. using animals only when it is justified
- b. supporting the wellbeing of the animals involved
- c. avoiding or minimising harm, including pain and distress, to those animals
- d. applying high standards of scientific integrity
- e. applying Replacement, Reduction and Refinement (the 3Rs) at all stages of animal care and use
- f. ensuring researchers know and accept their responsibilities.

(6) The University will actively seek to avoid unnecessary use of animals by replacing learning, teaching and assessment methods involving animal use with alternatives (such as computer simulations, supervised clinical experience, ethically-sourced tissue preservation, dissection models and mannequins) where possible.

(7) Deakin staff and students involved in the care and use of animals for scientific purposes must be aware of and comply with the requirements of the [Code](#) and other relevant legislation and regulations at all times.

# Section 5 - Procedure

## Animal Ethics Committee Approval

(8) Deakin will maintain Animal Ethic Committees (AECs) responsible for ensuring, on behalf of the University, that all activities (including fieldwork observation) relating to the care and use of animals for scientific purposes are conducted in accordance with relevant legislation and the [Code](#). The AECs will conduct business in accordance with the [AEC terms of reference](#) and this Procedure.

(9) Deakin staff or students who intend to use animals for research or teaching purposes must submit an [AEC Application](#) for review by Deakin's AEC. Work must not commence on a project prior to approval by Deakin's AEC.

(10) In reviewing AEC applications, the AEC will only approve projects that are ethically acceptable and conform to the requirements of the [Code](#).

(11) All Deakin AEC applications must identify a Principal Investigator (PI) who is a paid member of staff at the University and has the ultimate responsibility for the care and use of animals in the project. The role of PI does not relieve the individual responsibility of each investigator who works with animals in the project.

(12) All investigators listed on a Deakin AEC application must undertake education and training, and competency assessment, in accordance with [Deakin's AEC training requirements](#).

(13) Investigators must maintain records of animal care and use according to the [Code](#) and [Research Data Management procedure](#) and provide records on request by the University, AEC and authorised external reviewers.

(14) Principal Investigators must submit:

- a. an [Annual report](#) to the Deakin AEC. The AEC will review the report and decide whether the project may be continued, suspended, modified or discontinued
- b. a [Final report](#) to the Deakin AEC at the conclusion of a project
- c. the Animal Welfare Victoria Annual Animal Returns by 1st March each year to the Animal Ethics Office.

## Amendments to an approved AEC project

(15) Requests for amendments to an approved AEC project must be made using the [Amendment to previously approved project form](#) and submitted to the Animal Ethics Office. A project must not proceed in its amended form unless approval is obtained by the AEC.

(16) The AEC may authorise an AEC Executive to approve minor amendments to approved projects or activities.

(17) Decisions of the AEC Executive must be:

- a. unanimous - where a unanimous agreement is not reached, the matter will be referred to the next AEC meeting.
- b. ratified at the next quorate AEC meeting.

(18) The AEC Executive must not approve new applications.

## Conscientious objection to teaching activities involving the care and use of animals

(19) Deakin Unit Chairs who intend to use animals for teaching purposes must obtain approval from Deakin AEC and ensure that such use is included in the course information published in the University Handbook and Unit Guide.

(20) Students may make a conscientious objection to participating in Deakin teaching activities involving the use of live animals:

- a. for animals defined under the [Prevention of Cruelty to Animals Act](#); and
- b. where the teaching activity is part of a core unit.

(21) Students who have a conscientious objection to participating in Deakin teaching activities involving the use of animals must apply to the relevant Unit Chair in writing of the objection and its basis and scope prior to census date.

(22) The Unit Chair will refer the matter to the Course Director, who will consider conscientious objection sensitively at all times and may seek advice from other University staff.

(23) The Course Director will determine whether:

- a. the conscientious objection is well-founded, and if so,
- b. whether alternative teaching, practice or assessment arrangements can be provided, without diminishing academic rigour or compromising unit or course learning outcomes.

(24) Students should note that in some courses and units it will not be possible to make alternative arrangements to accommodate a conscientious objection to animal use activities.

(25) Students with a conscientious objection which cannot be accommodated may consult with the relevant Course Director about the possibility of other enrolment options. If students choose to remain enrolled in the relevant unit or course, they must participate in all required activities.

(26) Records of conscientious objections and approved alternative arrangements must be maintained by the responsible Course Director in the School/Institute.

### **External projects using animals at another institution within Australia**

(27) Staff and students who are listed on a project approved by an AEC at another institution within Australia, must submit an [External project using animals at another Institution or in a country other than Australia form](#) and provide a copy of the animal ethics application approved and animal ethics approval notice from the other institution for noting by Deakin's AEC.

### **External projects using animals at another institution in a country other than Australia**

(28) Projects conducted in countries other than Australia must:

- a. comply with the governing principles of the [Code](#), provided that such compliance does not breach relevant local legislation
- b. not be conducted in another country to avoid compliance with the [Code](#).

(29) Researchers or teachers should discuss a proposal to use animals in another country with Deakin's Animal Ethics Office, to assist with compliance with the [Code](#) and relevant local processes.

(30) Staff and students conducting research in another country where a local animal ethics approval process exists must obtain approval from the local institution's AEC (where required by local laws) and submit the [External projects using animals at another Institution or in a country other than Australia form](#) with a copy of the approved external AEC application and approval notice, for review by Deakin's AEC. Deakin's AEC will:

- a. approve the application if it is satisfied that the outcomes would be equivalent to those expected through application of the [Code](#), or

- b. require a full application for approval by the Deakin AEC.

(31) Staff and students conducting projects in another country that does not have an animal ethics process, must submit a full application for review by Deakin's AEC.

(32) Deakin's AEC must be satisfied that animal care and use in the other country is adequately monitored and may appoint an agent or delegate to conduct the monitoring and inspection on its behalf. Deakin's AEC may request submission of copies of relevant documents such as facility records, monitoring sheets, photographs and videos in ensuring monitoring of projects.

### **Project collaborations using animals involving more than one institution and/or AEC**

(33) Deakin investigators who are involved in a project using animals that involves more than one institution and/or AEC, must contact the Animal Ethics Office to ensure procedures or agreement between collaborating institutions are developed and implemented to address section 2.6.4 of the [Code](#), prior to commencing any work on the project.

(34) The Principal Investigator must:

- a. submit a Deakin [AEC application](#);
- b. provide a copy of the external collaborating institution's AEC application and approval notice; and
- c. the collaboration procedure/agreement between Institutions/AECs

for review by Deakin's AEC.

### **External Institutions that use Deakin's AEC**

(35) Requests from an external institution to use Deakin's AEC for review of their projects will only be considered if:

- a. approved by the Deputy Vice-Chancellor Research or nominee
- b. the external institution holds or intends to obtain a licence to carry out scientific procedures involving animals authorised by the Victorian licensing authority.

(36) Where approval is granted to use Deakin's AEC, a formal agreement between the external institution and Deakin must be developed in consultation with Deakin's AEC and include (but not limited to) terms addressing matters described in clause 2.6.2 of the [Code](#).

### **Unexpected Adverse Events**

(37) Immediate action to address animal welfare must be taken by the person who first notices an unexpected adverse event. Alleviating unanticipated pain and distress must take precedence over an individual animal reaching the planned endpoint of the project, or the continuation or completion of the project. If pain or distress cannot be alleviated promptly by the person(s) attending the animal, assistance must be obtained from animal facility staff and/or the Animal Welfare Officer. If humane killing of an animal is required, it must be performed by a competent person.

(38) Notification that an unexpected adverse event has occurred must be made within 24 hours of the event. The person attending the animal must submit written notification describing the event to the Principal Investigator and copied to the Animal Welfare Officer, Animal Ethics Office, and Animal Facility Supervisor.

(39) The Animal Ethics Office will forward the notification to the AEC Chair to determine if an extraordinary AEC meeting should be called to address any unresolved animal welfare issues and/or considerations of modification, suspension or cancellation of animal ethics approval.

(40) An investigation into the adverse event must be undertaken to identify causal and contributing factors, as well as

conclusions and recommended actions to prevent future such incidents. Investigators should consult with the Animal Welfare Officer and Facility Manager for this investigation.

(41) When there is an unexpected animal death (animal dies unexpectedly or is humanely killed due to unforeseen complications) for unknown reasons, a necropsy should be performed by a person competent in post mortem procedures in order to determine, if possible, the cause of death.

(42) The Principal Investigator must submit an [Unexpected adverse events report](#) to the Animal Ethics Office by the next AEC meeting submission deadline.

(43) The AEC will review the report and ensure the care and use of animals for scientific purposes for the project remain in accordance with the [Code](#). Actions may include noting the report, requesting further information, modifying a project or placing conditions, or where necessary, suspending or withdrawing approval for the project or activity.

### **Complaints concerning AEC process or decisions**

(44) Complaints concerning the AEC process or decisions must be made in writing to the Animal Ethics Office and should clearly set out the basis of the complaint.

(45) The overseeing AEC Chair and Senior Animal Ethics Coordinator will meet with the complainant to attempt to resolve the matter within 10 working days of receiving the complaint.

(46) If the matter is not resolved, it will be referred to the Senior Adviser, Research Governance and Integrity who will review the complaint and prepare a report for the AEC.

(47) The report will be forwarded to the overseeing AEC, which may review its processes in reaching its decision. The ultimate decision regarding the ethical acceptability of any activity lies with the AEC and cannot be overridden.

(48) The complainant will receive a written notification outlining the decision and the reasons for the decision.

### **Complaints concerning the care and use of animals**

(49) Complaints concerning the care and use of animals should be made in writing to the Animal Ethics Office and clearly set out the basis of the complaint.

(50) If a complaint relates to activities that have the potential to adversely affect animal wellbeing, the Animal Welfare Officer may direct researchers to cease activities immediately.

(51) Where the complaint relates to the care and use of animals in an approved AEC project, the matter will be referred to the AEC. For all other complaints concerning the care and use of animals, the matter will be referred to the Manager, Research Integrity for investigation.

### **Referral to external agency**

(52) If a complaint remains unresolved after all internal processes have been exhausted, the Deputy Vice-Chancellor Research will identify an external person or agency to whom the complaint can be referred to for a final determination.

### **Allegations of non-compliance with the Code**

(53) Allegations of non-compliance with the [Code](#) will be managed according to [Deakin animal ethics breach process](#).

### **Authorship for animal study publications**

(54) Deakin researchers must comply with the [Research Authorship procedure](#). Staff and students who are not directly

involved in conducting scientific procedures on live animals but intend to be author on a publication that requires animal ethics approval, must be satisfied that ethical approval has been obtained and the animal studies were conducted in accordance with the [Code](#).

## Use of animals in media or theatre

(55) Staff or students who intend to use animals in the production of films, media appearances or theatrical performances must notify the Animal Ethics Office via email before the use of the animal/s. The notification must state the:

- a. animal/s to be used
- b. purpose of animal use
- c. duration of animal use in relevant media, and
- d. consideration of any negative impacts on the animal's welfare.

(56) Any intended use must comply with the [Prevention of Cruelty to Animal Act 1986 \(Vic\)](#) and will be assessed by the Animal Welfare Officer against the recommendations in the [Victorian Code of Practice for the Welfare of Film Animals](#) and the [New South Wales Code of Practice for the welfare of animals in films and theatrical performances](#).

(57) Animals must not be used in media or theatre until approval is received from the Animal Ethics Office.

## Animals on Deakin University campuses

(58) Animals (other than for scientific purposes) are not allowed on the University's campuses, except in the following circumstances:

- a. where a statutory entitlement applies, including under the [Disability Discrimination Act 1992 \(Cth\)](#)
- b. animals used in research and/or teaching that are approved by an Animal Ethics Committee and/or Deakin's Scientific Procedures Premises Licence
- c. animals used for promotional purposes, environmental enrichment or as pets as approved by the Deakin Animal Management Governance Committee.

(59) To obtain approval to have an animal on campus staff and students must submit the [Permission for approval to have animals on Deakin University campus form](#) to the Animal Ethics Office for consideration by the Deakin Animal Management Governance Committee.

## Animal Welfare Officer

(60) The Animal Welfare Officer is authorised by the institution to ensure that activities proceed in compliance with the [Code](#) and the decisions of the AEC, and has the power to intervene on matters or activities that have the potential to adversely affect animal wellbeing.

# Section 6 - Definitions

(61) For the purpose of this Procedure:

- a. Animal: as defined by [Prevention of Cruelty to Animal Act 1986 \(Vic\)](#), A live member of a vertebrate species including any—
  - i. fish or amphibian that is capable of self-feeding; or
  - ii. reptile, bird or mammal, other than any human being or any reptile, bird or other mammal that is below the normal mid-point of gestation or incubation for the particular class of reptile, bird or mammal; or

- iii. A live adult decapod crustacean, that is (i) a lobster; or (ii) a crab; or (iii) a crayfish; or
  - iv. A live adult cephalopod including (i) an octopus; or (ii) a squid; or (iii) a cuttlefish; or (iv) a nautilus.
- b. Animal Ethics Committee (AEC): a committee constituted in accordance with the terms of reference and membership laid down in the [Australian Code for the Care and Use of Animals for Scientific Purposes](#)
  - c. AEC Executive: the AEC may establish an AEC Executive that consists of the Chair (or Deputy Chair) and a Category C or D member (see clause 2.2.23 of the [Code](#)).
  - d. Animal welfare: as defined by the [Australian Code for the Care and Use of Animals for Scientific Purposes](#), an animal's quality of life, which encompasses the diverse ways an animal may perceive and respond to their circumstances, ranging from a positive state of wellbeing to a negative state of distress.
  - e. Ethical approval: the review and approval of proposed research or teaching activities by an AEC with regards to its adherence to the [Australian Code for the Care and Use of Animals for Scientific Purposes](#).
  - f. Principal Investigator: A paid Deakin staff member who is competent with respect to the wellbeing of animals used in the project and who has the ultimate responsibility for the care and use of animals in the project and will:
    - i. ensure that all people involved in the project understand and accept their roles and responsibilities
    - ii. ensure that procedures and resources are in place so that all people involved in the care and use of animals in the project can meet their responsibilities, including their education, training and supervision, as appropriate
    - iii. obtain all relevant permits, permissions associated with the project.
  - g. Scientific Procedures Premises Licence (SPPL): a license under section 29 of the [Prevention of Cruelty to Animals Act](#) to cause or allow scientific procedures to be carried out on the premises listed on Deakin's SPPL.
  - h. Scientific purposes: as defined in the [Australian Code for the Care and Use of Animals for Scientific Purposes](#), all activities conducted with the aim of acquiring, developing or demonstrating knowledge or techniques in all areas of science, including teaching, field trials, environmental studies, research (including the creation and breeding of a new animal line where the impact on animal wellbeing is unknown or uncertain), diagnosis, product testing and the production of biological products.
  - i. Teaching activity: any action or group of actions undertaken with the aim of achieving a scientific purpose, where the scientific purpose is imparting or demonstrating knowledge or techniques to achieve an educational outcome in science, as specified in the relevant curriculum or competency requirements.
  - j. The 3Rs: The [Code](#) requires the application of the 3Rs ('replacement', 'reduction' and 'refinement') at all stages of animal care and use. The 3Rs are part of the fundamental framework for the ethical, humane and responsible care and use of animals for scientific purposes in Australia. The principles are: Replacement of animals with other methods; Reduction in the number of animals used; Refinement of techniques used to minimise any adverse impact on animals.
  - k. The Code: The National Health and Medical Research Council (NHMRC) [Australian Code for the Care and Use of Animals for Scientific Purposes](#).
  - l. Unexpected adverse event: as defined in the [Australian Code for the Care and Use of Animals for Scientific Purposes](#), an event that may have a negative impact on the wellbeing of animals and was not foreshadowed in the approved project or activity. An unexpected adverse event may result from different causes, including but not limited to:
    - i. death of an animal, or group of animals, that was not expected (e.g. during surgery or anaesthesia, or after a procedure or treatment)
    - ii. adverse effects following a procedure or treatment that were not expected
    - iii. adverse effects in a larger number of animals than predicted during the planning of the project or activity
    - iv. a greater level of pain or distress than was predicted during the planning of the project or activity
    - v. power failures, inclement weather, emergency situations or other factors external to the project or activity that have a negative impact on the welfare of the animals.

- m. Unexpected animal deaths: When an animal dies unexpectedly or is humanely killed due to unforeseen complications.
- n. Wellbeing: as defined in the [Australian Code for the Care and Use of Animals for Scientific Purposes](#), an animal is in a positive mental state and is able to achieve successful biological function, to have positive experiences, to express innate behaviours, and to respond to and cope with potentially adverse conditions. Animal wellbeing may be assessed by physiological and behavioural measures of an animal's physical and psychological health and of the animal's capacity to cope with stresses and species-specific behaviours in response to social and environmental conditions.



## Status and Details

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