



## **PRESS RELEASE (April 25<sup>th</sup>, 2008)**

### **Judge suggests major changes to law governing secrecy of animal experiments**

A High Court judge has signalled that the law which governs secrecy surrounding animal experiments should be overhauled to allow greater transparency.

Mr Justice Eady made the unusually strong comments in an appeal ruling, following a case brought by the British Union for the Abolition of Vivisection against the Home Office over freedom of information.

The BUAV had asked to see licence information about what was to be done to laboratory animals, for what purpose and why the use of animals was deemed essential. The Government claimed this information was 'given in confidence' – even where it was not confidential. Under section 24 of the Animals (Scientific Procedures) Act (1986) such information cannot be given out, despite later Freedom of Information legislation.

The Information Tribunal agreed with the BUAV that the Home Office was wrongly withholding information from the public. Whilst the High Court judge, for technical legal reasons, did not uphold the ruling, he said it would be sensible to presume that the content of licence applications "should be generally available, but to allow for confidential schedules to be attached" – precisely the BUAV's position. He said that many would agree with the BUAV that as much information about animal experiments as possible needs to be publicly available to ensure that the Government is regulating them properly. The BUAV is not, and never has been, interested in information that identifies who is involved in animal experiments or where research takes place.

Since just before the introduction of the Freedom of Information Act (2000), researchers have composed brief summaries of their licence information for public viewing. However, the BUAV's fear that these abstracts downplay the suffering of animals was backed up by the tribunal, which said they created a "perception of positive spin". At the High Court, Mr Justice Eady added it is unsatisfactory for researchers themselves to decide how much of their information should be withheld from disclosure.

The Chief Executive of the BUAV, Michelle Thew, said "As much information as possible needs to be available about the true nature of animal experiments and animal suffering to allow the public to make informed decisions about whether this is right in the 21<sup>st</sup> century. The Home Office has repeatedly tried to downplay the extent of animal suffering, and by covering-up non-confidential information it prevents informed debate. We welcome the enlightened comments of the judge but will still be seeking to appeal his legal ruling because we think he got the law wrong – the Home Office should already be releasing far more information' .

## **NOTES TO EDITORS:**

The Chief Executive of the BUAV, Michelle Thew, is available for interview.

The High Court hearing was held on 10<sup>th</sup> April 2008 at the Royal Courts of Justice, Strand, London, WC2A 2LL before the Honourable Mr Justice Eady. The BUAV was represented by Daniel Alexander QC. Judgement was handed down on Friday 25<sup>th</sup> April 2008.

The Information Tribunal took place on 17<sup>th</sup> December at the Finance and Tax Tribunal, 15-19 Bedford Avenue, London WC1.. The full ruling can be found here: [http://www.bailii.org/cqj-bin/markup.cgi?doc=/uk/cases/UKIT/2008/EA\\_2007\\_0059.html&query=buav&method=boolean](http://www.bailii.org/cqj-bin/markup.cgi?doc=/uk/cases/UKIT/2008/EA_2007_0059.html&query=buav&method=boolean)

Section 24 of the Animals (Scientific Procedures) Act 1986 reads as follows:

24. (1) A person is guilty of an offence if otherwise than for the purpose of discharging his functions under this Act he discloses any information which has been obtained by him in the exercise of those functions and which he knows or has reasonable grounds for believing to have been given in confidence. (2) A person guilty of an offence under this Section shall be liable- (a) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both; (b) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both. The full text of the act can be found here <http://www.archive.official-documents.co.uk/document/hoc/321/321-xa.htm>

66 per cent of people in the UK would like to live in a world where no-one wants or believes we need to experiment on animals, according to a poll carried out earlier this year on behalf of the BUAV by independent research group NFP Synergy ([www.nfpsynergy.com](http://www.nfpsynergy.com))

76 per cent of the British public think the Government should, as a matter of principle, prohibit experiments on any live animals which cause pain, suffering, distress or lasting harm in a TNS national opinion poll commissioned by the BUAV in 2003.

The BUAV has been campaigning for over 100 years to achieve a world where nobody wants or believes we need to experiment on animals. We are committed to achieving our aims through reliable and reasoned evidence-based debate. We are proudly non-violent and respect the quality of life for all – animals and people.

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