



# ANIMAL ETHICS AND WORKING WITH THE COMMUNITY

- All DEC staff conducting hands-on activities involving native wildlife are required to have their project approved by DEC's Animal Ethics Committee and carry the appropriate licences.
- The relevant legislation, codes of practice, and standard operating procedures should be observed.



# Legislation

- *The Animal Welfare Act 2002*

- ☐ replaced the *Prevention of Cruelty to Animals Act 1920*.
- ☐ The Animal Welfare General and Scientific Purposes Regulations followed in 2003.

- The purpose of the Act is:

- ☐ to promote responsible animal care and protection;
- ☐ to provide standards for animal care and use;
- ☐ to protect animals from cruelty; and
- ☐ to safeguard the welfare of animals used for scientific purposes.

- The Act covers:

- ☐ all live vertebrates, except humans and fish, and
- ☐ any prescribed invertebrates (no invertebrates are currently prescribed).



## Legislation continued...

- Under the *Animal Welfare Act* DEC, as a scientific institution, is required to be licensed and to operate according to the National Health and Medical Research Council (NHMRC) “Australian Code of Practice for the Care and Use of Animals for Scientific Purposes (7th Edition)”.
- The Department Corporate “Licence to Use and/or Supply Animals for Scientific Purposes” is issued by the Minister for Local Government and Regional Development (DLGRD). Note: this licence is simply printed off, you do not need to apply for it – copy in folder.



Legislation continued...

The Animal Welfare Act 2002 requires that the licensee (this being DEC) ensures:

- ☐ All staff comply with the conditions detailed on the licence
- ☐ That the licensee continue to abide by the Code of Practice
- ☐ That the licence is exhibited to the public at each place that animals are normally used or kept
- ☐ The requirement to display a licence does not include field sites but at those sites a copy of the licence must be with the person at the site.

■ Penalties:

- ☐ The Act provides for substantial fines and/or imprisonment and an individual found guilty of an offence can face a maximum penalty of \$50,000 or five years imprisonment.



## Legislation continued...

### ■ *Wildlife Conservation Act 1950*

- All DEC staff involved in hands-on activities with native wildlife must obtain a Regulation 17 licence and comply with the provisions of this Act and Regulations. A Regulation 16 licence is required for displaying native fauna for educational displays and public talks/displays.

### ■ *Occupational Safety and Health Act 1984*

- Regulation 2.5 states that “occupational zoonoses Q fever, anthrax, leptospiroses and brucellosis contracted by employees whose work involves handling of or contact with animal, animal hides, skins, wool, hair, carcasses or animal waste product must be reported”. “Zoonoses” are the collective term used to describe infectious organisms transmitted from animals to humans.



# DEC Animal Ethics Committee (AEC)

- Since 1990, DEC (formerly CALM) has operated an Animal Ethics Committee (AEC) following the guidelines provided in the Code of Practice.
- Since October 2002, DEC has agreed to assess the WA Museum and Australian Wildlife Conservancy animal ethics applications as well as its own internal projects to ensure staff use animals for scientific purposes in a humane fashion and in accordance with the Code of Practice.



## DEC AEC continued...

The need for the committee has arisen from:

- The higher profile of animal welfare issues in the community.
- Legislation has now been passed in WA in the form of the *Animal Welfare Act 2002* and Regulations.
- The requirements of some external funding agencies, such as the Department of Environment and Water Resources (C'wlth) for animal ethics approval before granting funds.
- The requirement of some Australian scientific journals for animal ethics approval before accepting articles for publication.



# Standard Operating Procedures

- In addition to the code of practice the AEC has developed a series of standard field operating procedures (SOPs) for routine research activities.
- SOPs assist proponents in preparing their applications and ensure projects follow prescribed guidelines.
- SOPs help the AEC in efficiently assessing proposed projects.
- The “Animal Ethics Standard Operating Procedure” is a living document and is continually updated by the AEC as new techniques arise and/or old procedures are improved or deleted. Note: these SOPs are under review.
- AEC must endorse all updates or additions to the SOP's.





## Standard Operating Procedures continued...

- Some staff may require endorsement from a vet to undertake invasive procedures such as inserting PITs, taking blood, DNA samples, anaesthetising animals, and/or euthanasing animals.
- Staff should not be performing this work without a letter of endorsement from a qualified and registered vet.
- A copy of endorsement to undertake invasive procedures must be sighted by the Executive Officer.



# Competencies

- All staff undertaking field work involving animals must have the relevant competencies and training.
- To ensure staff have the required skills to undertake a certain project the AEC requests a competency checklist be completed and attached to their application.
- Competencies must be submitted every three years to ensure any new skills obtained during that time are noted.
- This allows the committee to satisfy itself that works being undertaken are by competent and experienced personnel.



# Observational studies

- Observational work carried out on fauna may be subject to approval from the AEC.
- These projects DO require AEC approval:
  - *Spotlighting*. If this technique is to be used repeatedly, in particular along the same transect (e.g. eco-education, population monitoring) then AEC approval is required. However, if spotlighting is being conducted as a once-off then AEC approval may not be necessary (check with AEC first).
  - *Hair tubes*. Although they do not present any major threat they may cause minor distress to the animal, and in particular non-target species.



## Observational Studies continued...

- These projects DO NOT require AEC approval:
  - ☐ Call play-back to attract birds
  - ☐ Scat searches
  - ☐ Surveys for scratch marks on trees
  - ☐ Unelicited call surveys of animals
  - ☐ Visual observations during daylight hours
  
- Refer to SOPs for methodology, impacts and ethical considerations of field techniques.



# Projects in conjunction with another agency or institution

- If a DEC project is to be conducted in conjunction with another agency or institution, an Inter-institutional Agreement (Memorandum of Understanding) for the care and use of animals will need to be drawn up by the AEC's involved.
- It is essential that the other AEC is properly constituted according to the Code of Practice.



# Fauna projects on private property

- Private landowners wishing to conduct fauna research on their own property DO NOT require AEC approval but they must abide by the *Animal Welfare Act* 2002. Unless the landowner has a high degree of skill in this area it may be better for the *LFW* Officer to manage the project.
- If a DEC employee is conducting research on private property they DO need to seek AEC approval for the project.
- You DO NOT need to hold a licence if you are involved in a project as a volunteer, as long as the Chief Investigator of the project holds a licence.
- Schools (as a scientific institution) would need to obtain approval from their own AEC prior to establishing a project.



# Approval process

- Chief Investigator sends application to AEC Executive officer by email, fax or Australia Post.
- Chief Investigator is advised whether the project has been approved or not approved via email.
- In the spirit of minimising the impact on animals handled, all projects need to be resubmitted for consideration by the committee every 3 years.
- Chief Investigators are required to review projects and submit project renewals.



# Regulation 17 Licence

- A Regulation 17 licence allows an individual to take fauna for scientific purposes. The licensee must comply with the provisions of the *Wildlife Conservation Act 1950*, and *Regulations* and any notices in force under the Act and Regulations. The licensee must ensure that all due care is taken in the capture and handling of fauna to prevent injury or mortality.
- Staff involved in hands-on activities involving native wildlife must obtain a Regulation 17 licence prior to involvement. Licences are valid for three years and must be carried at all times when conducting hands-on activities involving native wildlife.





## Regulation 17 Licence continued...

- A member of the public can request to see a copy of the licence.
- Failure to show a licence is a breach of licence conditions and is subject to penalties.
- Licences are organised through:
  - Danny Stefoni, Wildlife Clerk
  - Nature Protection Branch
  - Ph: (08) 9334 0439
  - [danny.stefoni@dec.wa.gov.au](mailto:danny.stefoni@dec.wa.gov.au)



# Regulation 16 Licence

- A Regulation 16 licence allows an individual to display live native fauna at educational displays or public talks/displays.
- Where non-DEC staff are displaying live fauna for *LFW* purposes the *LFW* Officer should ensure that the person is licensed for the intended activity. A licence to keep a native animal does not infer the right to display it.
- Regulation 16 licences are not easily obtained. Refer all enquiries to Danny Stefoni.



# REPORTING REQUIREMENTS

- All AEC projects are required to submit annual reports relating to the number of animals handled, issues (if any) encountered and other project related outcomes. This is a requirement under section 2.2.37 of the Code of Practice.
- The statistics compiled from all DEC AEC projects are recorded and annual reports are sent to the DLGRD and the NHRMC, as part of the Department's corporate licence agreement.



# Further information

- The AEC webpage provides information on:
  - ☐ DEC statutory obligations
  - ☐ Animal Ethics Committee operations
  - ☐ standard operating procedures
  - ☐ application, annual report and amendment forms
  - ☐ competency checklist
  - ☐ links to animal welfare information
  - ☐ meeting dates and submission deadlines
  - ☐ frequently asked questions
  - ☐ AEC contacts
  
- The AEC webpage can be found on the “CALMWeb Home” page on the Department’s intranet Web Portal under “Other”:  
<http://calmweb.calm.wa.gov.au/>  
Click on the "Go to Animal Ethics Committee" button link.



# Contacts

- Executive Officer
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- AEC Chair
  - Dr Peter Mawson
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# Feral Animal Control

- AEC approval IS required for:
  - A proposal to humanely dispose of a feral animal which involves leg hold traps, new type of bait (e.g. other than endorsed 1080 bait forms).
- AEC approval IS NOT required for:
  - Feral control programs that are not for research purposes (new experimental technique), use considered industry best practice and can be conducted under a normal works program. Guidelines are available on the WA Department of Agriculture website.
- There is a separate code of practice for the destruction or capture, handling and marketing of feral livestock animals.



# For discussion

- There are a number of factors to consider if *LFW* Officers were to become involved in loaning traps to *LFW* members:
  - Legal issues – trapping pets, local government by-laws
  - Animal ethics – injury to animal, humane disposal
  - Native fauna – could be trapped inadvertently / injured
  - *LFW* would have to supervise closely and could be liable if anything goes wrong
  - Cost - loss of traps
- Landowners should be referred to the Department of Agriculture or the local government authority Ranger.