

Navigating the Legal Landscape of Animal Research: From Novice to Legal Mouse-tro

Alexandra Whittaker¹

¹The University of Adelaide, Roseworthy Campus, SA 5371

Keywords: Law, Biomedical Research, Negligence, Contract

Abstract

Whilst animal research professionals typically consider and are well acquainted with the various pieces of animal welfare legislation that guide the use of animals in research, and enable the NHMRC 'Code', they may be less aware of other legislation that governs activities within research. This presentation aims to provide an overview of the legal considerations that professionals in biomedical research must navigate. Key topics include property law, veterinary practice acts, and breach of contract issues.

Property rights over research animals generally vest with the institution doing research. The main areas where challenges in relation to ownership may arise include where new strains are patented, where there are disagreements over treatment between researchers and their employer or when animals are leased from other entities for research or teaching purposes. Veterinary practice acts come into play in regard to individuals doing acts of veterinary surgery and mostly impacts laboratory animal veterinarians. Sometimes the dividing line between what constitutes an act of veterinary surgery and what needs AEC approval can be unclear. This needs consideration by vets and researchers prior to study start as it may dictate unexpected adverse event reporting requirements.

Finally, case law suggests that institutions leasing animals, or delegating responsibility for care to third parties, need to clearly understand their responsibilities as they are likely to still be liable for any damage caused by them in negligence law and under animal welfare acts should they be found to be in poor welfare. Institutions need to be aware that having contracts such as these does not nullify all legal responsibilities. Similarly, suppliers of animal products or services have responsibilities under consumer law and can be held liable for negligence.

By exploring these legal areas, this presentation aims to equip attendees with the knowledge needed to navigate the legal landscape of animal research effectively. Whether you are a novice or an experienced researcher, join us to become a "Legal Mouse-tro" and master the art of navigating the intricate legal maze of animal research!