

By email



Our ref: 13/01/21/gs/033

request-146580-3b2e630d@whatdotheyknow.com

Mr Luke Steele

14 February 2013

Dear Mr Steele

Re: Request for information concerning scientific experimentation undertaken at NIBSC

Thank you for your request made under the Freedom of Information (FOI) Act 2000 received on 21 January 2013, for information concerning scientific experimentation involving animals undertaken at the National Institute for Biological Standards & Control (NIBSC).

Please find below our responses to the questions you have raised.

1. Minutes, By species; how many animals were used and subsequently procured as part of research at NIBSC in 2011?

I can confirm under Section 1(1)(a) of the FOI Act, that the Health Protection Agency (HPA) does hold information of the type requested. However, we consider it to be exempt from disclosure under Section 38(1)(b), on the grounds that release of this information into the public domain would, or would be likely to, endanger the safety of our staff, as a result of an increased risk of illegal intrusion onto our premises, and physical abuse towards our staff both inside and outside their place of work.

The Section 38 exemption is a qualified exemption, and we have therefore considered the public interest arguments for and against disclosure. In determining this issue, we felt that whilst greater openness and transparency on the use of animals for research might improve public understanding on why this is sometimes necessary for the benefit of both humans and animal species, we ultimately concluded that the risk posed by activists who maintain that there are no circumstances where animal research is warranted, poses a very real and actual risk to our staff, whom we have a duty to protect.

In addition, we have taken into account the outcome of the recent case referred to the Information Commissioner's Office (Decision No. FS50303734 - Information Commissioner v Keele University, dated 28th March 2011) and consider that our response is consistent with the ICO's conclusion that the public interest in maintaining the exemption under Section 38(1)(a) and (b) outweighs the public interest in disclosure.

2. By species; how many animals were bred for research purposes at NIBSC in 2011? In the case of rodents, please list by genetic strain and specify for which patents are held?

Health Protection Agency

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3. Copies of any minutes from, or communications relating to, Ethical Review Committee (“ERC”) meetings, or boards of a similar nature for which your establishment uses a different title, for 2011?

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I would like to take this opportunity to draw your attention to our commitment to reduce the use of animals in work at the HPA. Continual input is made into new approaches for considering the refinement and reduction of animal use for testing of medicines.

Significant developments have been made in the validation of new assays that provide substantial advantages in terms of reduction in animal numbers or alternative procedures that do not rely on animal use. In the meantime, some *in vivo* procedures will continue to form an essential aspect of ensuring the safety of medicines, but work continues to reduce those requirements by refining the assays whilst still ensuring the highest possible safety standards for the public and animals.

I hope you have found this information helpful. If you have any queries regarding the information that has been supplied to you, please refer them in the first instance to myself. If you are dissatisfied with this response and would like a copy of the HPA complaints procedure then please contact the HPA Complaints Manager at: Health Protection Agency, 61 Colindale Avenue, London NW9 5EQ.

Please note that you have the right to an independent review by the Information Commissioner’s Office if a complaint cannot be resolved through the HPA complaints procedure. The Information Commissioner’s Office can be contacted by writing to Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely

**Freedom of Information Officer
Health Protection Agency**

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