

PART A: Four Questions on Notice for the University of Newcastle

Question on Notice #1 (See page 13 of the original transcript)

The Hon. EMMA HURST: One document highlighted a significant number of deaths—102 deaths—between April 2018 to June 2020, with 73 of those deaths directly related to the smoking tower. Asphyxiation, essentially, was the primary cause of death. We also heard this morning that one of the universities cancelled or made a decision not to approve any more projects from two deaths, but we are hearing that there were over 100 deaths in these projects. I am wondering why these projects are continuing to be approved and run by the university despite what seem to be quite significant numbers of deaths?

CHRISTOPHER McCARTHY: I can speak to a little bit about that in that I was a category A member on the committee with one of those events. I can't speak to all of those, unfortunately. There had been a failure of the machine at that time, which made the numbers obviously larger, rather than it being a series of smaller incidents, which is why the number was large. At that time the machine was shut down and investigations were performed and no processes were allowed to go forward until the ethics committee had received information from the engineers that the machine was safe to use. After that event there had been a cessation of all animals in that model until the confirmation had come through. Since that incident, engineering and ethics committee involvement put more stopgaps to try to ensure that that incident would never be repeated again. Since that time, the cause of that incident has never been repeated.

The Hon. EMMA HURST: How many animals died in that specific adverse event?

CHRISTOPHER McCARTHY: I don't have that detail before me immediately, but I can certainly take it on notice for you.

The Hon. EMMA HURST: Those 102 deaths occurred from various adverse events, is that what you are saying? But the only one that you were involved in was that particular one?

CHRISTOPHER McCARTHY: That was a series, is my understanding. The one that I was involved with, I believe there were maybe 20 deaths from the machine. Again, I would have to take on notice the exact numbers. I am sorry.

Answer

- The specific adverse event raised occurred in December 2016. The event involved 48 laboratory mice overall and 16 died.

Question on Notice #2 (see page 13 of the original transcript)

The Hon. EMMA HURST: Has the university or the Animal Ethics Committee received complaints about the smoking experiments, or anyone involved in the smoking experiments? If you have received complaints, can you talk a little bit about what those complaints have been?

CHRISTOPHER McCARTHY: I'm not aware of any obvious complaints but, again, I can take notice on that.

Answer

- Since Dr McCarthy became Chair of the University's Animal Care and Ethics Committee (ACEC) in 2020, the Committee has not received any direct complaints from researchers involved in studies that used the inhalation device.
- Since Dr McCarthy has been chair of ACEC, the CEO of Humane Research Australia has written to the University's research division roughly four times about this area of research. Some of that correspondence included cc's to the ACEC Chair, and the University responded to each of the letters / emails received.
- Since roughly 2019, the University of Newcastle has also periodically received post cards and emails generated from an ongoing Humane Research Australia campaign about research that exposed laboratory mice to smoke. We wish to advise the Committee that as of mid-July 2022, Humane Research Australia has removed all University of Newcastle references from its campaign materials, as the research instrument at the heart of HRA's concerns has been decommissioned and is no longer in use at the University of Newcastle.

Question on Notice #3 (see page 15 of the original transcript)

BRIAN KELLY: A number of our researchers are already pursuing alternatives for studying conditions such as chronic obstructive pulmonary disease and issues like use of cell cultures or organoids, that you heard about in other presentations.

Ms ABIGAIL BOYD: Is that something that your university is funding, or is it something where there happens to be people at your university that are funded to do it by someone else?

BRIAN KELLY: People will be seeking funding from our external funding bodies, like the NHMRC and so on, using those technologies. *I would have to take it on notice in terms of the specific funding that has been provided from the university through its internal grant scheme* and so on, or other initiatives that would have directly supported those activities. I can take that on notice and provide that information.

Answer

- To-date the University of Newcastle has not had a dedicated internal funding scheme to support researchers in developing alternative models, but it is something we are actively considering.

Question on Notice #4 (see page 17 of the original transcript)

The Hon. WES FANG: Dr McCarthy, we've heard a lot of criticism during this inquiry. It's quite targeted at some of the events that have happened. Given the scale of the testing and research that happens in your organisation, what percentage of the total research is made up by the events that have been highlighted during this inquiry? One per cent, half of one per cent?

CHRISTOPHER McCARTHY: Again, I would have to take on notice the exact percentage. But it is a very small percentage.

Answer

- At the time of the University's appearance before the Committee (1 June 2022), the active funding associated with research protocols that noted the potential use of the inhalation device was 0.3% of our total active external research funding.

PART B: Two Supplementary Questions from Committee Members

Supplementary question #1:

At the hearing, Dr McCarthy indicated that a number of issues associated with smoking mice experiments occurred 'before his time'. Can you please advise when Dr McCarthy joined the University of Newcastle Animal Ethics Committee?

Answer

- Dr McCarthy commenced as a member of the University's Animal Care and Ethics Committee in June 2014 and took up the role of Chair of the committee in May 2020.

Supplementary question #2

Can you please advise how many deaths have occurred in connection with smoking mice experiments at the University of Newcastle in the past 5 years in total?

Answer:

Calendar year	Number of deceased lab mice
2018	52
2019	24
2020	14
2021	1
2022	0
Five-year total	91

PART C: Additional information the University of Newcastle would like to supply to the Committee

Throughout the course of the inquiry, the Committee sought advice about studies at multiple universities that expose laboratory mice to smoke to help bring on the onset of respiratory conditions such as COPD. The Committee's questions about University of Newcastle research activities focused on the way mice were exposed to smoke.

Our work in this area has been winding down over the past few years, and at the time of the University's appearance before the NSW Parliamentary Inquiry, we only had handful of active protocols in this space.

Since early June, we have received confirmation from the Chief Investigators involved in this type of work that they have no plans to use the inhalation device that was at the heart of questions posed to the University. In fact, no laboratory mice have been exposed to the inhalation device since October of 2021. Our Animal Care and Ethics Committee also has not received any new ethics applications that proposed the use of the device. As a result, the University has decommissioned the instrument, and it is no longer operational.

Research in this space was always about increasing our collective understanding of how respiratory illness develops, so we can find better treatments for patients. Our studies have contributed to that goal.

The University of Newcastle has a long history in health and medical research, and our studies have a clear aim – to help people live better, healthier lives. We understand that involving animals in biomedical and biological studies can be a challenging subject for some, and we respect their point of view.

As we strive to deliver more medical breakthroughs, we want to assure the community, our research partners, and the NSW Parliamentary Inquiry that the University of Newcastle remains committed to advancing the Replace, Reduce and Refine principles of animal-based research and to the ethical treatment of animals in our care.

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