

To stop experiments is not only to stop enquiry and to return to a dark age of ignorance but is to say to the present sufferers of incurable disease that they should give up hope.

To return to the question of pain. Scientists are not in the business of causing pain and suffering to living things but clearly there are degrees of pain and distress. In his anniversary address to the Royal Society in 1983, Sir Andrew Huxley discussed this problem and said: 'If we denote degrees of pain and distress by the sequence of adjectives 'trivial', 'mild', 'substantial', 'severe' and 'excruciating', I think I can best state my position on experiments for the advance of scientific knowledge by saying that, provided a proposal is scientifically promising, it should normally be permitted if the pain and distress involved is only 'mild', but if 'substantial', then the proposal should be scrutinised with care before being approved. Severe but short-lived pain should be permitted only exceptionally, eg, perhaps occasionally for the investigation of pain itself; severe and enduring pain, or excruciating pain, never. I do not believe that this would result in any large proportions of applications being turned down, for the reason that practically all experimenters in this country have a responsible attitude toward their experimental animals and only put up proposals if a strong case for their justifiability can be made'.

On this scale of painful stimuli, 'mild' may be taken to mean a prick from a needle such as many of us have experienced when giving a blood sample. There is no doubt that the problem is a difficult one, and care must be, and indeed is, taken to keep the intensity of pain to an absolute minimum. Experiments on whole animals whose systems are studied will involve pain no more than is necessary to give an injection of anaesthetic from which the animal will not recover.

This then brings us to the moral issues. I believe there are few moral absolutes. Many years ago Bertrand Russell wrote in another context: 'The fundamental facts in this as in all ethical questions are feelings; all that thought can do is to clarify and harmonise the expression of those feelings'. It is not possible in this space to discuss the moral issue at length and in any case I am not a moral philosopher. However, one or two points can be made.

The anti-vivisectionist position has received support recently on the basis of a utilitarian argument where animal suffering is weighed in the balance against the benefits to be derived, the weight of evidence on this view going against the benefits. One important feature of this view is that there is presumed to be an equality between human and animal suffering. The difficulty is that we have no way of showing this to be so and in any case no way of balancing the presumed losses against the evident gains.

It is to be clearly understood that it is not denied that animals respond to painful stimuli, in some cases in a similar way to man. On that evidence it must be conceded that they experience pain. The problem for the biologist is that the outward signs of the response to a painful stimulus in a primitive species are those of reflex action; the same type of reaction to that which can be seen in paraplegic man where the patient does not experience any pain whatsoever. The difficulty then is whether or not the particular animal feels pain as we might. Clearly we cannot know the answer to the question but a legitimate doubt about the nature of their perception is raised insofar as animals with simple nervous systems are concerned. The practical answer is that we anaesthetise all vertebrates except under special and carefully controlled conditions for minor procedures.

The anti-vivisectionist view entails a belief in equal consideration for the welfare of man and animals. The contrary view is stigmatised with the horrid neologism, speciesism, when it might just as properly be called humanism if a name is needed. We adopt the point of view of human beings and place

the concerns of man foremost in our consideration. This is not to say that animals do not have interests nor that they may be killed gratuitously.

Animal experiments must be conducted with care and thoughtfulness, and of course within the law. Scientists welcome the law, the licensing procedures under which we work, the independent inspectorate, and the additional protection that is thereby given to animals. Scientists are not above the law and are not a party to committing gratuitous assaults on animals or man.

Lastly, it should be remembered that even though we may place man first in our scheme of things, many of the advances in human medicine have been of enormous benefit in veterinary medicine. Without animal experiments in medical research we will all be the worse; we work for a scientific, rational basis for medicine and an advance in understanding the natural world.

The following references may be helpful:

1. Huxley, A F (1984). Anniversary Address by the President, *Proc Roy Soc A*, 391, 215-230.
2. Paton, W (1984). *Man and Mouse, Animals in Medical Research*. O.U.P.
3. All England Law Reports (ii) 1947, 217-241. National Antivivisection Society v Inland Revenue Commissioners.

Legal Considerations in the Retention of Post-mortem Material

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Concern has been expressed to the Forensic Pathology Subcommittee of the Standing Advisory Committee on Histopathology about legal problems in connection with the retention of material from autopsies. This arose from a legal action brought against a pathologist in respect of a coroner's autopsy.

The situation is radically different depending upon whether the autopsy is at the behest of the coroner or is a 'hospital' autopsy.

Coroner's Autopsies

Where a pathologist is directed by a coroner to perform an autopsy, the pathologist is not only empowered, but actually *obliged* to retain any tissues which upon further examination may assist in the ascertainment of the cause of death.

Where further litigation, either civil or criminal, is in prospect, relevant tissues must be retained against the possibility of later examination by a medical representative of any interested party. In respect of such retention, the pathologist has the statutory protection of the Coroner's Rules, which state: 'A person making a post-mortem examination shall make provision, so far as possible, for the preservation of material which in his opinion bears upon the cause of death, for such period as the coroner thinks fit'.

It is a matter of interpretation as to whether the pathologist should seek specific direction from the coroner upon each occasion that he wishes to retain certain tissues: it is common practice for the permission of the coroner to be implied rather than given expressly on each occasion, similar to the usual blanket permission granted by most Coroners in respect of organ donation from coroner's cases.

This statutory permission to retain organs from coroner's autopsies strictly applies only to those tissues where further