

# BETWEEN THE SPECIES

## Telling it Like it is: A Proposal to Improve Transparency in Biomedical Research

### ABSTRACT

Recent proposals to improve public communication about animal-based biomedical research have been narrowly focused on reforming biomedical journal submission guidelines. My suggestion for communication reform is broader in scope, reaching beyond the research community to healthcare communicators and ultimately the general public. The suggestion is for researchers to provide journalists and public relations practitioners with concise summaries of their 'animal use data'. Animal use data is collected by researchers and intended for the public record but is rarely, if ever, given significant media exposure. By providing healthcare communicators with specific details about their animal use, researchers can inform people about a matter of serious public interest and help to promote a more open and publicly accountable animal research culture.

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## 1. Introduction

Few people outside the animal research and animal advocacy communities have a well-developed understanding of the nature and scale of animal-based biomedical research. While most educated people might know a little about the use of animals in research—for example, they might be aware of the distinction between research into medical conditions and toxicology research—it is reasonable to suggest that the vast majority of people who live in countries where animal research takes place are unaware of specific details that go to the heart of any ethical justification for using animals. Few citizens of countries in which animal research protocols are designed, approved and carried out, have any idea about the numbers of animals involved or the physiological and psychological challenges the animals may have endured. Yet this kind of information, call it ‘animal use data,’ is collected by regulatory authorities and is intended for the public record, but very rarely, if ever, is such data given significant media exposure. Media reports and press releases about animal research protocols sometimes mention the species of animal, but almost never is there mention of the number of animals used, and rarer still would be disclosure about the pain and suffering the animals may have experienced throughout the relevant protocol. Far from providing citizen stakeholders with information that bears directly upon their public interest in the issue, orthodox public communication about animal research invariably proceeds via embellished narratives of innovation, hope and scientific heroism (Braun 2007; Batt 2007; Woolshin, Schwartz and Kramer 2009).

The move to a more informed animal research communication culture, however, is gaining momentum. Recently, proponents of greater openness have suggested that medical journal submission guidelines should require authors to explain how

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they promoted the so-called 3Rs of animal research (Osborne, Payne, Newman 2009; Alfaro 2005). Some theorists have gone even further arguing that authors should provide substantive explanations of the costs and benefits of their research (De-geling and Johnson 2009). If these initiatives catch on, then they are likely to promote animal welfare by reinforcing existing animal ethics norms, or at least the 3Rs, within the research community. But, there are strong animal welfare-related public interest considerations in favour of extending communication reform beyond the research community. The public finance a great deal of animal research, yet most people would not be aware of how their taxes and donations may impact upon animals. As people enjoy the benefits of animal research when they consume pharmaceuticals or undergo surgical procedures that prolong or improve the quality of their lives, it seems reasonable to inform them of the costs to animals for which their consumer choices are to some extent causally responsible. And, animal welfare is an ethical concern of any thoughtful citizen who possesses the power to influence how research is regulated. Why, then, restrict communication reform to the few in the research community who have a professional interest, when many more citizen stakeholders with a public interest would also be well served by greater disclosure?

Extending a duty of disclosure to items of public communication would not require researchers to venture into unfamiliar or hostile territory. Increasingly, researchers are being called upon to publicly promote their work in order to enhance institutional prestige and increase funding (Peters 1995; Picard 2005). Indeed, prominent members of the animal research lobby in the UK have recently enjoined researchers to actively promote their use of animals through the media (Cressy 2011; Aziz and Stein 2011). When researchers once needed to tread

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carefully in the public sphere they are now well positioned in a mutually beneficial relationship of convenience with health-care communicators. The nexus between researchers, journalists and public relations practitioners is forged by a culture of authoritative prestige in research institutions and the prevailing market logic in contemporary mass market journalism. Journalists require content for news stories. Ideally, these stories need to be prepared as quickly and as cheaply as possible (Croteau and Hoynes 2001; Simons 2007). Media officers for research institutions rely on researchers to help prepare press releases that effectively pre-package “good news” stories (Schwitzer 2004; Woloshin, Schwartz and Fraser 2009). Far from being on their guard, Batt suggests that researchers can expect to be welcomed by the media with open arms:

The balance ethic may receive lip service as a principle of news reporting, but medical news is remarkably unbalanced. Several recent examinations have concluded that an upbeat and promotional tone prevails in health and medical reporting today (Batt 2009, 24).

It is unlikely that the dominance of the upbeat and promotional healthcare news narrative will be seriously challenged anytime soon. Short of sensational exposés based around a narrative of conflict between researchers and activists, there are scant other narrative options for promoting ethical disclosure about animal research through the mass media. This means that if the existing nexus between researchers and communication practitioners is to be put to good use in the service of transparency, then the prevailing good news narrative will to some extent act to constrain how communication reform can be extended beyond the research community to the public. While a good news story may not be the ideal vehicle for promoting greater openness

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about a serious topic such as the use of animals in research, it is the best that can be achieved in the circumstances.

## 2. Telling it like it is

In most countries of the developed world in which animal research is conducted, researchers collect data that would help to inform the public about the nature and scale of animal research. This information is kept by institutional authorities who are obliged to pass it on to regulatory authorities who collate the data for presentation to legislatures. Ordinarily, animal use data is subsumed in the executive summaries or appendices of voluminous annual report-style documents. While the public is able to view such documents, the impracticalities of the present system as a means of public communication are obvious. Most people have busy lives and few have the time or inclination to download let alone purchase and then sift through large documents. If Mill (1859, 53) was right that the benefits of public communication are maximised when people get exposed to material they find challenging or thought provoking, the very people who need to be exposed to animal use data are the least likely to have the practical or motivational wherewithal to view it. At present, such information is only likely to be viewed by people with a professional interest such as researchers, academics and policy makers, or members of the general public who have already made up their minds on the issue. Clearly, what is needed is a model for how to better connect citizens with information that is intended for the public record but invariably kept “hidden.”

The New South Wales Animal Research Review Panel Annual Report (2009) provides a statistical breakdown of the species of animals, the number of animals used in research protocols, the purposes of research protocols and, importantly, data

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indicative of what the animals went through in terms of pain and suffering. Procedures carried out in research protocols are categorised along the following lines:

*Observation with minor interference*

Animals are not interacted with, or, where there is interaction, it would not be expected to compromise the animal's welfare any more than normal handling, feeding, etc. There is no pain or suffering involved.

*Animal unconscious without recovery*

Animal is rendered unconscious under controlled circumstances (i.e., not in a field situation) with as little pain or distress as possible. Capture methods are not required. Any pain is minor and brief and does not require analgesia. Procedures are carried out on the unconscious animal, which is then killed without regaining consciousness.

*Major physiological challenge*

Animal remains conscious for some, or all, of the procedure. There is interference with the animal's physiological or psychological processes. The challenge causes a moderate or large degree of pain/distress that is not quickly or effectively alleviated.

In the UK, the Home Office animal research report does not provide as much detail about suffering as their Australian counterparts; instead, insight into the physiological challenges the animals endured needs to be extrapolated from statistics for levels of anaesthesia and research license categories, which are classified according to "severity of suffering" (Home Office 2010, 51; Ryder 2006, 99). Pain categories are not included

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in European Parliament statistics, but EU reports do include data pertaining to species and numbers of animals (Commission of the European Communities 2010). In the United States, the USDA annual report is more transparent including statistical returns under categories titled “No pain, No drugs,” “With pain, With Drugs” and “With Pain, No Drugs” (USDA 2010). While regulatory reporting regimes vary across countries, the fact that statistics are reported at all indicates that affiliated institutions must be collecting the data and, given it is then passed on to regulators for public dissemination, the public interest relevance of the data is beyond serious question.

One option for reform, then, would require researchers who are interviewed by journalists about their research findings, or who work in consultation with public relations practitioners preparing press releases about their research, to provide these healthcare communicators with concise summaries of the applicable “animal use data.” (Recall that “animal use data” includes the number of animals used in the protocols and an estimate of the level of pain and suffering the animals endured throughout the protocol.) While some scientists may have discipline, country specific, or quite technical understandings of pain and suffering, they are still qualified to make assessments about suffering that are meaningful from a lay person’s perspective. It can be left to researchers themselves acting in good faith in the spirit of the reform argument proffered here to present the information to communication practitioners in the most intelligible and practicable way. This may not make for a perfect fit between what happens in the laboratory and what is communicated to the public, but in policy and applied ethics few initiatives are perfectly realised as disciplinary constraints and practical realities will indelibly leave a mark.

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Once they have been provided with concise summaries of animal ethics data by researchers, how would communications practitioners include the data in their news reports or promotional material? One approach would be to weave the details into an existing narrative. For example, in a report or press release about a diabetes study in which rats were fed a high fat diet, the communications practitioner could say something like “A total of 27 rats were used in the study” and “At the completion of the study the rats were euthanized” or “During the study the mice were subjected to minor physiological challenges.” Communications practitioners are professional writers with the necessary skill and expertise to incorporate the relevant data in a concise intelligible fashion. In television broadcasts, a series of textboxes could appear over the screen, and over time as viewers become familiar with their meaning, a series of symbols could be used to convey the relevant data. Another approach could be a general disclaimer-type statement at the beginning or end of the narrative in much the same way as the origin of political advertisements are disclosed during election campaigns. Ideally, the animal ethics data would be included by the public relations practitioner when they prepare the press release. This would make it easier for the journalist who then just has to ensure that the details are not edited out before publication.

### 3. Objections

#### *Exposing “dirty linen”*

An obvious objection to this proposal concerns a researcher’s desire to not draw attention to their use of animals. After all, some members of the public may consider it as a researcher’s “dirty linen.” But, does animal use data really qualify as dirty linen? Humans have been using nonhuman animals for scientific purposes with almost unqualified legal, political and social

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sanction for thousands of years (Monamy 2000, 8). While it is true that there has been a vocal minority that has opposed animal research since its inception and continues to do so to this day, and while it is also true that there has been a small number of high profile controversies which have raised the ire (briefly) of the silent majority which is the researcher's natural support base (Rollin 2006), these do not serve to undermine the democratic legitimacy of existing animal ethics institutions. If any solid conclusions at all can be drawn from contentious opinion polls purportedly gauging public support for animal research (Hobson-West 2010; Haglen, Carlsson, and Hau 2003) it is that the abolitionist position espoused by the vocal minority lacks broad support and that a 'middle position,' in line with which research promising significant human benefits is adjudged acceptable so long as appropriate pain relief is administered to the animals, is the consensus view (Shapiro 1998).

Needless to say that the morality of research does not turn on whether it has broad popular support; but, given that there is even substantial disagreement among philosophers over suitable criteria for determining the correctness of abstract moral theories (Jamieson 2003), it is asking a lot to expect researchers to self-assess their conduct against standards laid down by either deontological or utilitarian animal rights theory. This suggests that so long as researchers are obeying the law and any applicable institutional norms and guidelines for the ethical conduct of research, it is unreasonable to view animal use data as a researcher's dirty linen. Accordingly, with social, legal, and political sanction behind its generation, researchers can view their animal use data as just another kind of specialised scientific detail pertaining to research protocols.

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Of course, the democratic legitimacy of the existing animal ethics landscape is not set in stone. Given the strong historical connection between animal research regulation and media controversy (Rollin 2006), researchers ought to welcome the development of mechanisms that will help guard against institutional complacency. In part, legitimacy hinges upon the existence of mechanisms within prevailing norms, regulations and associated institutions for responding, not only to interest group pressure on the back of media controversy, but also to the broader progressive trend in philosophical ethics, law and society at large toward increasing the status of animals. Research institutions could claim the mantle of democratic legitimacy were they to adopt Rollin's recent proposal to increase the representation of lay people on institutional ethics committees (Rollin 2006). While such a move has problems of its own (Schuppli and Fraser 2007) the basic idea of increasing democratic participation in animal research by soliciting lay involvement is sound. The reform proposal of this paper is consistent with the spirit of Rollin's proposal without bearing directly upon the make-up of ethics committees.

*Public interest ideals*

Some researchers may argue that they discharge their obligations to animals at the conclusion of their protocols or, at the latest, when they submit their findings for peer review. But the call for greater transparency in animal research is as much justified by the researcher's obligations to serve the public good as it is to care for the welfare of animals. Given increasing community concern about animal welfare (DeGrazia 1999, 28; Rollin 2006) reflected in harsher penalties for cruelty offences, a raft of new guidelines for the ethical conduct of research involving nonhuman subjects since the 1960s and 70s, and recent public controversy over animal experimentation in the UK (Aziz and

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Stein 2011) and USA (Rollin 2009), it is reasonable to suggest that the public have an interest in knowing more about animal research. Animal research may not be at the forefront of people's minds; indeed it may only be a matter of curiosity, but it does not need to be something they strongly desire to know in order to be considered a matter of legitimate public interest. If sound arguments can be made on free speech grounds for not censoring material such as pornography, fast food advertising, holocaust denial or depictions of animal cruelty then it is reasonable to suggest that giving greater exposure to facts about animal usage will enrich the political sphere. With the facts about animal use at their disposal, citizens can make more informed decisions about who to vote for at election time and where to send their charitable donations. Some might argue that the importance of pornography, advertising, holocaust denial, depictions of cruelty, etc is that they are the speech acts of individuals who have rights to inform the public debate (Dworkin 1999; Barnes 2010). On this view, the free speech defense of such material rests of the rights of makers and not on its utility for the receivers. But, exposure to challenging material affords a person with a unique opportunity to enhance their intellectual well-being. In a statement that goes to the heart of the free speech tradition, Mill made the point that the utility of sensitive material hinges as much on its reception as its production:

Where there is tacit convention that principles are not disputed; where the discussion of the greatest questions which can occupy humanity is considered to be closed, we cannot hope to find that generally high scale of mental activity which has made some periods of history so remarkable (Mill 1859, 35).

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*Communication ethics*

Researchers may object that my proposal is futile because it is unlikely that healthcare communicators will include animal ethics data in the relevant communications. This objection is understandable given it is not obviously in the interests of practitioners to construct material that may not paint their clients in the most favourable light, or might dampen the tenor of a good news story. But, as a suggestion for promoting ethical culture in the communication professions, there is nothing especially demanding about the insertion of animal use data into a piece of text. In theory, as in any ethical initiative, practitioners are being asked to give less weight to self-interested commercial considerations and more weight to other regarding considerations. In practice, it requires inserting a sentence or two, a few numbers or perhaps simply the term 'animals' into a larger narrative. Practitioners can be assured that the information is intended for public consumption and they are providing a service disseminating it to the public. There is no requirement on the part of practitioners to change their all important newsworthy narrative in any substantive way; all they need do is insert the relevant facts along the lines I have suggested.

The ethical resources exist in both journalism and public relations for including animal ethics data as standard practice in the preparation of healthcare communications. The almost universal journalistic duty to present material in the public interest that is more or less objective or 'fair, balanced and accurate' requires the journalist to conscientiously prepare texts with particular normative constraints in mind (Kieran 1997, 37; Sanders 2003, 42). Consideration of fairness and accuracy rule out a journalist misrepresenting the facts by embellishing or downplaying elements of the story; considerations of balance require the practitioner to be wary of 'single source stories' and

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consider any opposing views, including them where applicable (Schwitzer 2004, W11; Hirst and Patching 2007, 55). As animal ethics data informs (or could inform) the ethical arguments the animal protection movement seeks to present to the general public, the inclusion of such data satisfies journalistic norms mandating balance (Braun 2007).

Adopting the model would also be consistent with ethical norms gaining traction in the public relations field. In a pioneering work James Grunig (1984) provided taxonomy for prevailing public relations models based upon the extent to which they facilitate a dialogue between practitioner and receivers. He contrasted one-way or asymmetric communication models in which the practitioner's aim is to persuade the public through 'press agency' or 'spin' with two-way symmetrical models designed to promote understanding between clients and their 'publics.' As Fawkes makes plain, on Grunig's view, "The greater degree of exchange of information the more ethical the communication" (2007, 318). Public relations practitioners would be meeting conditions for dialogic communication by including animal use data in their communications because such information will give people pause for thought and may prompt them to seriously consider the arguments of the animal protection movement.

#### *Public awareness of animal research*

Some might argue that the public is better informed about animal research than I have suggested. But, my claim about widespread ignorance applies to certain pieces of information that go to the heart of the ethical debate over the use of animals. While people may have a general understanding of the nature of animal experimentation—they know that it takes place, they know that there is a distinction between research

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into medical conditions and toxicology research, etc— they are not well-informed about the information I am labelling ‘animal use data,’ that is, information about the numbers of animals and the physiological or psychological challenges they endured. Indeed, researchers themselves frequently lament public misconceptions about animal research (Aziz and Stein 2011). A common complaint is that the public is unaware that the vast majority of animal research involves invertebrates or rats and mice and most of it is either non-invasive or involves little pain and suffering. The proposal I am putting forward can be viewed by researchers as an opportunity to set the record straight.

One possible response is to accept that the public has a right or interest in knowing animal use data and agree that it ought to be more widely propagated, but reject the view that it is researchers who have a responsibility to reveal the information to healthcare communicators; instead, according to the objection, it is the healthcare communicators alone who are responsible for propagation and they have an obligation to ask researchers for the information. But, in the modern profit-driven mass media environment individual communications practitioners are under enormous pressure to produce stories quickly and cheaply (Croteau and Hoynes 2001; Stockwell 1999, 43). Widespread reticence on the part of communicators to ask for the information for fear of turning away a useful source of future stories is reasonably foreseeable. Widespread ignorance about the importance of animal use data is also foreseeable given that many communicators would not have been exposed to any animal ethics institutional norms and procedures, even if they work in a university. Placing an onus on the researchers helps to safeguard against reluctance and ignorance on the part of communicators.

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*Animal rights extremism*

Some researchers might be concerned that by disclosing animal use data they will be exposing themselves to violent retaliation by animal rights extremists (Cressy 2011). For over 30 years, extreme elements of the animal protection movement have waged an orchestrated campaign of threats, intimidation and property destruction against animal researchers and research institutions (Hadley 2009). In some cases, extremists have placed incendiary devices underneath the cars or at the homes of researchers (McKinley 2008). People who indirectly support animal research, such as laboratory supply companies and financial institutions that insure research organisations, have also been targeted by extremists in a campaign strategy known as “tertiary targeting.” In response to extremist activity, legislators on both sides of the Atlantic have passed new law enforcement measures that some commentators have labelled draconian (Monbiot 2011). The Bush administration passed the Animal Enterprises Terrorism Act which allows for terrorism style enforcement measures and harsh penalties to be brought to bear on extremism. For its part, the Blair government established a special police unit—National Extremism Tactical Coordination Unit—and amended the Serious and Organised Crime and Police Act to address tertiary targeting.

While some have pointed out that the new laws and police powers have led to significant injustices to opponents of research who in no way condone or use violence (Regan 2008), undoubtedly they have had the intended effect of curbing extremist activity. Prosecutions for extremist offences have increased with a number of ringleaders imprisoned for long sentences (Jha 2007). The National Research Foundation, the main clearing house for disseminating data on extremist activities to researchers in the US, has not up-dated its list of illegal ac-

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tivities since 2009. Moreover, many of the incidents on its list, even back to 2009, have only a tangential connection to animal research or are minor acts of vandalism outside research facilities. Even the director of the Research Defense Society, a peak animal research lobby group in the UK, acknowledges that the problem of animal rights extremism is largely solved:

What has been very noticeable is quite a sudden and very marked decline in targeting individual researchers around the country in a personal way. This has really struck me because it has been a major feature of animal rights extremism for 30 years since the Animal Liberation Front was founded in 1976. At any one time there would be many researchers around the country who were being actively targeted and now it has just gone (Randerson 2007).

The success of the recent laws suggests that even if animal rights extremism did increase in the wake of the wider dissemination of animal use data, then the authorities have the legal wherewithal to address the problem. But, as a matter of principle, should animal use data be kept hidden from the wider community out of fear that a relatively small number of people will be motivated to use violence? It would be difficult to reconcile answering yes to this question with a commitment to freedom of speech ideals. Unlike the recent Terry Jones controversy, in which amid much fanfare and triumphalism a Koran was burned for some spurious motivation, violence in the wake of the propagation of animal use data, in mundane fashion through news reports or press releases, is not reasonably foreseeable. It's not as if the data will be revealed in the kind of graphic manner that some argue was responsible for the public outcry that in the past has preceded worthwhile ani-

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mal research regulatory reform (Rollin 2006). Moreover, the motivation for propagating the data—to inform citizens about a matter of serious public interest—is entirely reasonable. In any event, in a recent survey published in *Nature*, only 15% of researchers who claim to have been “negatively impacted” by extremism reported “changing the direction” of their research (Cressy 2011, 452). This suggests that even if there was a spike in extremism following the propagation of animal use data, it may have little effect upon either the kind of research being done or the amount of research being done.

*Whither animal research?*

Some might argue that the wider propagation of animal use data may lead to a decrease in animal research due to the loss of public support. For the purposes of the argument, imagine that research decreased due to a reduction in research funds from private or public sources, or because of a skill shortage as people no longer regarded animal research as a desirable occupation. What would happen then? Ideally, alternative means of securing the benefits now produced by animal research would need to be found. An alternative research paradigm would include greater resources being put into developing the present range of alternatives to using animals—*in-vitro* methods (e.g. stem cell research), computer simulation, epidemiology, three-Rs, mathematical models, access to databanks, etc.—as well as the development of new alternatives (Monamy 2000, 71-96). A greater emphasis on preventative medicine is also foreseeable. More research into alternatives and greater policy emphasis towards preventative medicine would be widely endorsed as few proponents of the mainstream ethical position—the so-called middle position—would regard the use of animals in research as a good thing in itself over and above any of the benefits that it produces. If the goods produced by animal research can be

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secured without recourse to using animals then that is a win-win situation: a win for the animals that would have been used in research and a win for the people, and animals, that would have benefited from any animal-based research that would have occurred in the normal course of events.

But, it needs to be conceded that the demise of animal based research would likely come at a cost in terms of human and animal suffering and loss of life. However, as with any worthwhile change to how the world operates, these costs need to be counterbalanced by positive considerations and should not be overstated. Bear in mind also that the research community has deep pockets and enormous political clout, and will no doubt play its part in any debate stimulated by the wider propagation of animal use data. Indeed, the power of the research community is a consideration counting against dire predictions of the demise of research following adoption of this proposal. If, at the end of such a debate, animal research is severely curtailed, slowly decreasing or even more widespread than at present, then at least the debate would have taken place in a public sphere more ethically literate about animal research.

*Too modest*

A final objection is that my proposal does not go far enough and that substantive explanations about animal welfare ought to be included in health care communications. But the inclusion of animal use data along the lines I suggest can be regarded as more workable, as it is less demanding on both the researcher's and the communicator's time and affords less scope for the relevant details to be obscured in a complex narrative. A detailed narrative about the 3Rs in a news report could be a source for public confusion and will likely be regarded by a media practitioner as a "think piece" taking up valuable space and compro-

mising the prevailing healthcare news values (Peters 1995, 46; Braun 2007, 8).

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