

Second Defendant
Gideon Winward
First Witness Statement

Date: 28 February 2024

Appeal Number:

FIRST-TIER TRIBUNAL
(GENERAL REGULATORY CHAMBER)
INFORMATION RIGHTS

BETWEEN:

Appellant

-and-

THE INFORMATION COMMISSIONER

First Respondent

-and-

HOME OFFICE

Second Respondent

WITNESS STATEMENT OF GIDEON WINWARD

I, Gideon Winward, of the Animals in Science Regulation Policy Unit, Home Office, will say as follows:

1. I, Gideon Winward, am Head of Policy at the Animals in Science Regulation Policy Unit. My roles and responsibilities include advising the responsible Ministers on the

development and implementation of policy relating to the regulation of animals used, bred or supplied for use, in scientific procedures. In my role I engage with a wide range of stakeholders, from regulated establishments and science sector bodies, to non-governmental organisations concerned with the welfare of animals and abolition of the use of animals in scientific procedures.

2. I make this witness statement in support of the Second Respondent's Response to the First-Tier Tribunal (the Tribunal).
3. The contents of this witness statement are true to the best of my knowledge, information and belief. Where appropriate, I indicate which statements are made from my own knowledge and which are matters of information or belief.
4. Animals are used in scientific procedures for the benefit of human and animal health and the protection of the environment. Understanding how biological systems work enables the development of new medical technologies and almost all medicines available in the UK are tested on animals before undergoing clinical trials in humans.
5. The key applicable UK legislation is the Animals (Scientific Procedures) Act 1986 (ASPA), which enables the use of certain protected animals in scientific procedures for limited reasons provided protections are in place for animals. The law requires that animals may only be used in scientific procedures where there are no alternatives, where the minimum number of animals are used, and where animal suffering is minimised. Organisations that use animals in science require licences from the Home Office and are inspected on a regular basis.
6. The use of animals in science is a controversial issue. In recent decades, animal rights activists have taken extreme action that can cause harm to the physical or mental health or endanger the safety of individuals working at scientific establishments licensed under UK law.
7. Past examples have included the threat of, and actual, bomb attacks against individuals associated with, or believed to be associated with, the use of animals in science¹. Action

¹ <https://www.bristolpost.co.uk/news/bristol-news/bristol-university-animal-researcher-who-4239901>
<https://www.theguardian.com/science/2006/dec/08/animalrights.uknews>
<https://www.theguardian.com/uk-news/2014/apr/17/animal-rights-activist-jailed-six-years-huntington-life-sciences-debbie-vincent>

has also been taken against the relatives of those believed to be associated with establishments involved in the use of animals in science, such as the theft of the body of an elderly woman from her grave due to her relationship with individuals associated with an establishment breeding animals for use in science². Such examples illustrate the very real risk to the safety and physical and mental health of individuals associated with establishments using animals in science.

8. Sadly, these risks are not consigned to the past. This is demonstrated by more recent extreme animal rights activity impacting the health and safety of individuals at licensed organisations in recent years. Evidence for this was provided in the Home Office's correspondence to the ICO of 18 January 2023, which referenced the persistent harassment and intimidation of individuals going about lawful activity at a licensed organisation, of a nature sufficiently serious to require regular police intervention. The details provided in that letter were based on knowledge of incidents at a licensed organisation and information provided by the relevant Home Office policing team.
9. The letter of 18 January 2023 stated:

"The risk to health and safety is evidenced in a recent and ongoing example of an organisation licensed under ASPA having to seek police protection and a court injunction due to the threat to the safety of their staff. Individual workers at the site have been followed and targeted for intimidation and abuse, including at their own homes.

Between July 2021 and July 2022, 43 individuals have been arrested for 50 offences. The most common reasons for arrests are harassment, intimidation of persons connected with animal research organisation, obstruction of highway, criminal damage, assault on police and common assault. This activity has continued and in December 2022 a break in at a site resulted in the theft of animals and multiple arrests (14) by police."

10. Further to the information provided in that letter, I provide below further examples of incidents of behaviour that have been reported to the Home Office and inform the Home Office assessment of the risk to the health and safety of individuals that could result from the release of specific information about organisations licensed under ASPA:

- 10.1. Regular verbal abuse of staff as they enter and exit the site, including aggressive profanity.

² <https://www.theguardian.com/uk/2006/may/12/animalwelfare.topstories3>

- 10.2. Staff followed as they leave work.
 - 10.3. Staff car registration plates recorded and shared on social media with request to trace the owners.
 - 10.4. Targeting of staff at their family homes, with properties and vehicles vandalised and graffitied with 'scum' and 'puppy killer'.
 - 10.5. Staff receiving threatening letters at their home addresses.
 - 10.6. Verbal abuse of staff away from work.
 - 10.7. Targeting of staff with aggressive social media messages.
 - 10.8. Staff sent funeral plans, indicating threat of physical harm.
11. For the individuals impacted, these actions have caused anxiety and stress for the individuals and their family members, negatively impacted their private and family relationships, and caused some to resign their employment.
12. The Home Office is aware of further evidence of targeting of individuals at their own homes or work places for intimidation, including trespass, graffiti, breaking windows, and the use of smoke grenades, which can be found in open-source material³. It is reasonable to assume that there are other cases not reported online. The Home Office is also aware of allegations of attempts to pick the lock on an individual's family home, social media posts identifying an individual and their family, and an individual having to swerve to avoid a collision after being driven at by a known protestor.
13. The evidence available to the Home Office strongly suggests an ongoing threat to the physical or mental health and safety of individuals associated with scientific establishments conducting lawful activity licensed by the Home Office under ASPA. The Home Office takes the health and safety of individuals extremely seriously and believes it is not normally appropriate to release the names of establishments, held for the purpose

³ <https://www.northantslive.news/news/northamptonshire-news/protests-continue-animal-testing-firm-6681923>
<https://unoffensiveanimal.is/2022/08/03/activists-smash-windows-at-lab-animal-transporter-impexs-main-depot/>
<https://unoffensiveanimal.is/2022/01/28/animal-courier-impex-owner-confronted-at-home/>
<https://www.elystandard.co.uk/news/22739666.mbr-acres-releases-image-graffiti-message/>

of delivering regulation under ASPA, due to the risk to individuals associated, or perceived to be associated, with any licensed establishment. The Home Office understands that some licensed establishments may voluntarily choose to disclose information about their activities, which is rightly a decision for each licensed establishment taking account of their security arrangements and having undertaken their own risk assessment.

14. The Home Office recognises the importance of transparency and publishes extensive information about activity licensed under ASPA, including:

- detailed guidance on the operation of ASPA;
- anonymised non-technical summaries of all project licences authorising scientific procedures using animals;
- annual statistics on the number, type and purpose of all scientific procedures using animals; and
- annual reports detailing regulatory activity and anonymised non-compliance cases.

Statement of truth

I believe that the facts stated in this witness statement are true:

Signed *Gideon Winward*

Gideon Winward

Dated *28/02/2024*

