



Melbourne lawyers Meredith Shumack and Caitlin Evans

# Lawyers dogged about animal rights

**Reducing and eliminating the suffering of animals is the focus of a new lawyers' group.**

A new lawyers' group concerned with tackling animal welfare laws has been set up in Victoria, adding to the growing interest and involvement in this emerging field across Australia.

Young Melbourne lawyers Meredith Shumack and Caitlin Evans set up Lawyers for Animals in April and have been buoyed by the response so far.

"There has been overwhelming interest," said Ms Shumack, who is president of the group. "The group as a core seems to be growing on a weekly basis."

Ms Evans, who is vice-president, said the group's aim was to address weak protection

laws for animals and to reduce their suffering.

She said a dichotomy existed in the law whereby it offered greater protection for animals where there was less economic interest involved.

"Where there is an economic interest, there's the least protection, but in fact the numbers of these animals outweigh companion animals by millions and that's where the greatest abuses are happening," she said.

The mission statement of the apolitical group says legislative protection and enforcement of animals' rights were "manifestly inadequate" across Australia.

"Widespread animal misery and suffering are thereby perpetuated. This injustice should invoke our compassion, not our indifference," the statement says.

The group works to reduce and eliminate animal suffering Australia-wide by:

- challenging weak protection laws and policies;
- supporting cases which promote its objectives;
- promoting awareness in the community and the legal profession about animal law, including the adoption of "animal law" in the syllabuses of law schools; and
- working with industry, government and the community to bring about positive change and law reform for animals.

Animal law has moved into the mainstream in the US with a growing number of US lawyers choosing to specialise in the area of animal law, and the subject being taught in more than 35 law schools.

In Australia, it appears the subject is gaining momentum. The University of New South Wales (UNSW) this year introduced the first animal law course in the country.

Run as a Masters of Law course over the summer, it was also open to undergraduate law students and non-degree students.

Sydney consultant in health law and animal law, Geoffrey Bloom, who conducted the program, said 18 people completed the course in February and he expected to run it annually.

"One undergraduate student flew in from Perth to attend and another girl, who had completed her law degree at UNSW, flew in from Hong Kong, where she lived, to attend the course," he said.

The course covered ethical and political issues, legal aspects of animal exports, farming, animal experimentation, companion animals, zoos and veterinary surgeons.

Ms Shumack said Lawyers for Animals hoped to encourage the introduction of similar courses in Melbourne law schools.

In other developments in the field in Australia, Sydney multi-millionaire Brian Sherman last year set up the non-profit philanthropic animal rights group, Voiceless.

Voiceless pledges to work to modify or create policies and laws that protect animals.

One of its initiatives is Voiceless Law Talk, an online forum which contains questions, comments, information and opinions about matters of animal law in Australia.

The forum is restricted to Australian lawyers, law students, law graduates and legal academics.

The online forum aims to facilitate discussion on the latest animal law cases, current and prospective laws affecting animals, and educational events.

The growing interest in animal law is also reflected in the strong numbers that attended a public forum on animal rights and welfare, which was held on 18 May as part of Law Week.

More than 60 people attended the forum, which included guest speakers Graeme McEwen QC, Lyn White of Animals Australia, Ms Evans and Ms Shumack.

Bureau of Animal Welfare principal veterinary officer Kate Blaszak likened the growing interest in animal welfare law to being at the stage where the environment movement was at 20 to 30 years ago.

She welcomed the formation of Lawyers for Animals, saying the bureau was keen to receive independent, legal feedback from such groups.

"There is not enough critical review, discussion and objective legal debate in relation to animal welfare issues," Ms Blaszak said.

"We need to raise an apolitical discussion about animal welfare issues and then look at the legislation from a critical, legal perspective.

"This will ultimately make obvious cases of animal cruelty easier to prosecute and avoid the loss of obvious cases on legal technicalities."

The bureau administers the *Prevention of Cruelty to Animals Act (POCTAA) 1986*, the *Domestic (Feral Nuisance) Animals Act (DFNA) 1994* and the *Impounding of Livestock Act 1994*, and recommends legislative amendments to the state government.

Each year about 120 prosecutions are undertaken under POCTAA in Victoria. Of these, about half are submitted by the RSPCA, 35 per cent by Victoria Police, 10 per cent by the Department of Primary Industries, and the remainder councils.

Ms Blaszak said the bureau best understood the complexities of the legislation and accompanying regulations, and she encouraged lawyers to approach it for further information, interpretation and consultation to assist relevant cases.

RSPCA chief inspector Kevin Apostolides was also enthusiastic about the formation of Lawyers for Animals.

"Whether the RSPCA agrees with what they come up with is not the issue," he said.

"The more people we have looking at these things and putting forward suggestions, the better."

Mr Apostolides said legislative improvements in animal welfare had been made in recent years, but there was still more that needed to be done.

"There are lots of areas where it is extremely frustrating for investigators to find that they have technicalities put in their way, or some very minor piece of evidence gathering that is prevented because of restrictions," he said.

"That simply means people are getting away sometimes with offences that they shouldn't be getting away with."

Ms Shumack and Ms Evans were initially brought together after they separately contacted peak animal welfare body Animals Australia with concerns about animal welfare.

Ms Shumack said her involvement was the result of a lifelong commitment to the issue.

As a member of Lawyers for Forests, she had started questioning why there wasn't a similar group concerned with animal welfare issues.

Ms Evans has also held a long-running interest in animal welfare.

"I have a lifelong conviction that animals are not just our property to abuse as we wish, that they should be respected as independent entities . . . that you can reduce suffering even without radically overhauling any of the institutions or systems of production that we have now.

"Animal welfare is an area of law reform that hasn't been focused on nearly enough."

For more information on Lawyers for Animals, see [www.lawyersforanimals.org.au](http://www.lawyersforanimals.org.au). Details of Voiceless can be obtained from [www.voiceless.org.au](http://www.voiceless.org.au). ●



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