TEACHING
ANIMAL LAW
BEST PRACTICES

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Animal law a strong draw for students

Micheal Pelly  The Australian  March 07, 2008 12:00AM

Animal law is proving so popular in universities that it could match the current popularity of environmental law within a generation, according to the head of the Australian Law Reform Commission.

Professor David Weisbrot said changing consumer habits and the prevalence of animal welfare legislation meant the dozen faculties that have offered animal law in Australia and New Zealand were simply responding to demand.

This year animal law is being studied at the University of NSW, which ran the first course in 2005, Griffith University and Wollongong University.

New courses are on the agenda for 2009 at Sydney University, Monash University, Bond University and Flinders University.

"When I was a law student in the early to mid-1970s, very few law schools taught environment law but within just a few years this area had exploded," Professor Weisbrot said.

"Soon, every law school was offering the subject, and now many offer master's degrees specialising in this field.

"It's the same with animal law. Almost no one was teaching this as a discrete subject just a few years ago.

"You might have got the odd 'dangerous animals' case in a torts class, but now there are 85 law schools teaching it in the US, including Harvard."
Animal law subjects in Australia

- Australian National University (ACT)
  - LAWS2234 Animals and the Law (Alex Bruce)
- Bond University (Qld)
  - LAWS13-216 Animal Law
- Flinders University (SA)
  - LLAW3268 Animal Law
- Griffith University (Qld)
  - 5069LAW Animal Law (Stephen White)
- Macquarie University (NSW)
  - LAW496 Animal Law
- Monash University (Vic)
  - LAW4230 Animal Law
- Southern Cross University (NSW)
  - LAW10487 Animal Law
- University of Melbourne (Vic)
  - LAWS40088 Animal Law
  - Animals and the Law 732704
- University of New South Wales (NSW)
  - LAWS3144 Animal Law
- University of Sydney (NSW)
  - LAWS3410 Animal Law
- University of Technology Sydney (NSW)
  - Animal Law and Policy in Australia
- University of Wollongong (NSW)
  - LLB366 Animal Law
Animal law textbooks

- Alex Bruce, *Animal Law in Australia: An Integrated Approach* (LexisNexis, 2012)

- Deborah Cao, *Animal Law in Australia and New Zealand* (Thomson Reuters, 2010)


- Peter Sankoff and Stephen White (eds), *Animal Law in Australasia: A New Dialogue* (Federation Press, 2009)
Animal law textbooks

Animal law textbooks

- Peter Sandøe and Stine B Christiansen, *Ethics of Animal Use* (Blackwell, 2008)
- Peter Singer and Jim Mason, *The Ethics of What We Eat* (Rodale, 2006)
- Steven M Wise, *Rattling the Cage: Toward Legal Rights for Animals* (Perseus, 2001)
Workshop objectives

1. Share ideas and experiences
2. Think about animal law in new ways and from new perspectives
3. Identify best practices in subject design and delivery
Chewing on a live mouse:

a. shows admirable courage and determination.

b. is hilarious.

c. is disgusting, ew!

d. is morally wrong.
Moral status

- Humans only
- All animals
- All living organisms
- All entities including holistic entities
Teaching animal law: Best practices

- Overall goal in teaching animal law
- Learning objectives
- Assessment
- Learning activities
Overall goal

- What are we trying to achieve by teaching animal law to law students?
South Luangwa National Park
Poaching
Human wildlife conflict
Retaliation killing
Snaring
Wild animal welfare issues
Domestic animal welfare issues
Farm animal welfare issues
Chipembele provides a holistic education experience by uniting conservation education and human-wildlife conflict education.
Research objectives

1. Do the knowledge, attitudes and behaviour of conservation club students differ from those of non-conservation club students?

2. Does peer-to-peer learning and intergenerational learning influence the behaviour of friends and families of conservation club students?

3. How do the knowledge, attitudes and behaviour of families of conservation club students differ from that of families of non-conservation club students?

4. Has the Chipembele Human Wildlife Conflict booklet lead to student and family behavioural change?
1. Do the knowledge, attitudes and behaviour of conservation club students differ from those of non-conservation club students?
‘From what I have been taught I will go and teach them [my family and friends]. From what I have seen they now understand the disadvantage of poaching and killing animals. Some others have improved, lot of people have started planting trees for shade’.

- Conservation Club Student 2
2. Does peer-to-peer learning and intergenerational learning influence the behaviour of friends and families of conservation club students?

‘My friends they were hunting and poaching impala and puku with dogs and wire snares but now no, they stopped’.

- Conservation Club Student 7

‘I encouraged my friends to not use catapults. Now they have stopped’.

- Conservation Club Student 10
3. How do the knowledge, attitudes and behaviour of families of conservation club students differ from that of families of non-conservation club students?
4. Has the Chipembele Human Wildlife Conflict booklet lead to student and family behavioural change?

- All non-conservation club students and family members reported changing their behaviour as a result of information provided in the booklet.

- The primary behavioural change was the investment in chilli fences and/or chilli bricks as a form of elephant control and the modification of individual responses when confronted by elephants.
Overall goal

- What are we trying to achieve by teaching animal law to law students?
Overall goal

- ANU: ‘The purpose of the course is to introduce students to the legal, ethical, regulatory, economic and social issues that are associated with human interaction with animals.’

- Bond: ‘This subject focuses on the ethical and legal issues arising out of the commercial use of animals and animal products.’

- Flinders: ‘This topic will provide an introduction to animal law and familiarise students with the regulation of animal protection and use of animals in Australia.

- Griffith: ‘Drawing on different ethical perspectives on the significance of animals, this course examines prevailing regulation of the treatment of animals.’
Overall goal

- Melbourne: ‘The subject examines Australian law which aims to protect the welfare of animals.’

- Monash: ‘This unit examines the ways in which Australian law defines and regulates the relationship between humans and animals.’

- Sydney: ‘This unit of study examines the ways in which the law defines and regulates the relationship between humans and animals.’

- Wollongong: ‘This subject explores the way in which the law constructs the relationship between human and nonhuman animals.’
Overall goal

- What are we trying to achieve by teaching animal law to law students?
Overall goal
Learning objectives

ANU

- Be able to locate the growing area of animals and the law within the wider legal and regulatory framework

- Critically evaluate the legal and philosophical characterisation of animal interests

- Examine the principal legal and regulatory schemes involving animals and understand the guiding theory behind those schemes

- Evaluate the principal animal welfare and anti-cruelty legislation and the enforcement of that legislation by interest groups

- Examine the legal differentiation of animals according to their status as carers, guide dogs, etc
Learning objectives

- Examine the extent and regulation of scientific research protocols involving animals, especially biotechnological research.
- Examine the extent and regulation of farming of animals for food and animal byproducts.
- Examine the international dimension of animal regulation through treaties and other agreements.
- Examine the case for on-going reform in animal interest regulation.
Learning objectives

Bond

- Understand and be able to describe various philosophical theories underpinning the relationship between humans and animals
- Understand the legal status of animals and the historical development of animal law generally
- Understand and be able to critically analyse the welfare model of animal law
- Understand and be familiar with the specific legislative regimes (legislation and industry codes) that apply to different categories of animals in Australia
- Be able to engage in discussion regarding areas of potential legal reform regarding animal welfare and the role that lawyers can play in any potential reform
Learning objectives

Flinders

- Introduce students to the major issues and debates surrounding animals in Australia and ensure that these students develop a confident understanding of these issues

- Assist students to participate in considered debate on the issues surrounding animal law

- Encourage students to engage in critical reflection on the current law as it relates to animals

- Allow students to apply their knowledge and understanding of animal law issues to develop their own positions in relation to the protection and use of animals
Learning objectives

Griffith

- Understand the legal status of animals, including the historical evolution of this status
- Be familiar with the ways in which different categories of animals are regulated by law
- Be able to identify and critically assess the animal welfare foundations of the law relating to animals, as well as alternative conceptions of how the treatment of animals could be regulated
- Have a sound understanding of both Australian and international perspectives on the legal regulation of animals
Learning objectives

- Have engaged with the role lawyers can play in addressing the interests of animals
- Be able to engage in self-directed research of issues in animal law, individually and as part of a group
- Be able to successfully communicate results of research in a seminar format and in essay form
Learning objectives

Melbourne

- To raise awareness of the intricate and overlapping network of law purporting to protect animal welfare
- To develop and sharpen skills to navigate the network of laws
- To challenge the way in which, and the extent to which, the law should protect animals and those people who commit acts said to be in the interests of animal welfare
Learning objectives

Monash

- Understand and be able to critically evaluate competing philosophical theories that underpin legal and regulatory schemes involving animals

- Be familiar with the legal status of animals and the historical development of animal law generally; Be familiar with the different legislative regimes (legislation and industry codes) that relate to the regulation and protection of animals and be able to critically assess them

- Be able to engage in discussion regarding the case for ongoing reform regarding the regulation and welfare of animals
Learning objectives

- Be familiar with Australian and overseas jurisprudence relating to animal rights and be able to critically assess such jurisprudence
- Understand the international dimensions of animal regulation through treaties and other agreements
- Be able to research and write clearly, concisely and logically on issues relating to animal law
Learning objectives

Wollongong

- Describe the legal regulatory framework governing animal welfare in Australia
- Discuss the theoretical assumptions underpinning animal welfare legislation
- Identify animal welfare issues arising from the language and structure of the Prevention of Cruelty to Animal Acts 1979 (NSW)
- Identify problems in the enforcement of animal welfare laws
- Critically evaluate the adequacy of Australian law in supporting animal welfare/rights
Learning objectives

1. What do we want students to know?
2. What do we want students to be able to do?
3. Who do we want the students to be?
What do we want students to know?
What do we want students to be able to do?
Who do we want students to be?
Assessment

- How do we determine if the learning objectives have been achieved?
  - Knowing
  - Doing
  - Being
## Assessment

<table>
<thead>
<tr>
<th>Institution</th>
<th>Assessment</th>
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</thead>
<tbody>
<tr>
<td>ANU</td>
<td>research seminar, research essay</td>
</tr>
<tr>
<td>Bond</td>
<td>seminar performance, oral presentation, research essay</td>
</tr>
<tr>
<td>Flinders</td>
<td></td>
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<tr>
<td>Griffith</td>
<td>seminar presentation, research essay</td>
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<tr>
<td>Melbourne</td>
<td>research paper</td>
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<tr>
<td>Monash</td>
<td>research assignment, final exam</td>
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<td>Sydney</td>
<td>optional assignment, final exam</td>
</tr>
<tr>
<td>Wollongong</td>
<td>two assignments, class participation</td>
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</tbody>
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Assessing ‘knowing’
Assessing ‘doing’
Assessing ‘being’
Learning activities

- How do we help our students to achieve the learning objectives?
Topics

1. Introductory Concepts - Legal status of animals, outline of the regulatory framework
2. Theoretical Background - Philosophical foundations of animal rights and animal welfare
3. Companion Animals - Sentencing for animal cruelty, veterinary malpractice
4. Companion Animals - Companion animal care and management
5. Scientific Experimentation - Regulation of scientific experimentation and biotechnology
6. Torts and Criminal Law - All relevant aspects of torts and criminal law pertaining to animals
7. Animals in the Entertainment Industry – Circuses, zoos, horse racing, rodeos
8. Wildlife Protection - Endangered species, recreational hunting, feral animal regulation, Indigenous approaches to animal welfare
9. The Agribusiness Chain - Husbandry practices and intensive farming, land transport, stock routes, feedlots
10. The Agribusiness Chain - Live export, the practicalities of legal practice in the rural sector
Topics

Griffith

1. Introduction, history, context
2. The Legal Status of Animals I: What is an Animal?
3. The Legal Status of Animals II: Animals as Property
4. Animal Welfare, Animal Interests and Animal Rights
5. Regulation of the Welfare of Companion Animals I
6. Regulation of the Welfare of Companion Animals II
7. Regulation of the Welfare of Farm Animals
Topics

8. Animals in the Wild, Zoos, and Entertainment I
9. Animals in the Wild, Zoos, and Entertainment II
10. Animals, Technology and Scientific Research
11. Animal Law Advocacy and Legal Reform
12. Animal Law in an International Context
13. Justice for Non-human Animals
Topics

Sydney

- Legal issues relating to companion animals
- Torts and animals
- Animal welfare legislation and its enforcement
- The regulation of the agricultural use of animals and role of model codes of practice
- Animal welfare standards and free trade
- Live export of animals
- The regulation of the use of animals in science
- Issues relating to wild animals, including hunting, pest animals, and endangered species
Learning activities – ‘knowing’
Learning activities – ‘doing’
Learning activities – ‘being’
Thank you.