

Animals get a voice

Alex Boxsell

Supporters of tougher protections for animals are hoping strategic litigation will help change corporate behaviour and improve conditions for about 500 million farm animals in Australia each year.

Animal law is becoming an increasingly serious discipline as barristers and corporate law firms sign up for what many are calling the next big social movement.

Animal protection group Voiceless will begin a 12-lecture series on animal law next week spanning seven cities in 10 days, hosted by major universities, legal profession groups and Allens Arthur Robinson, Corrs Chambers Westgarth, Mallesons Stephen Jaques and Minter Ellison.

The series comes as growing consumer demand for more humanely produced food, clothing and products reliant on animal testing is forcing governments and large companies to institute animal-friendly policies.

Last week Coles announced it would phase out the sale of pork from sows reared in tiny metal stalls from next year, while the Tasmanian government said last month it would ban the stalls by 2017. A federal review of food labelling law and policy, due to report in December, will assess the use of terms such as "free range", "corn fed" and "100 per cent natural" to sell products.

Voiceless corporate counsel Katrina Sharman says nine major universities will soon have offered animal law courses. Lawyers are now subjecting animal protection legislation to greater scrutiny, she says, as they discover 500 million farm animals largely fall outside the protective reach of the legislation.

Lawyers are also questioning whether it is acceptable for the law to classify animals as property, something that "is likely to be addressed through jurisprudence and potentially through strategic litigation in time", Sharman says.

Another speaker at the series, barrister Graeme McEwen, is chair



And these little piggies hopefully get a bit more space.

Photo: REUTERS

of the Victorian Bar's Barristers' Animal Welfare Panel, which comprises 100 barristers from NSW and Victoria — including 25 silks.

McEwen says the animal welfare regulatory regime needs reform because inadequate codes of practice that proscribe low standards render welfare acts impotent.

"If you confined an animal in an inappropriate manner, such as enduring confinement of a battery hen or a sow, without the code the act would apply," he says.

"The code of practice for poultry permits the confinement of a battery hen to a floor area less than the size of an A4 sheet of paper."

McEwen wants the federal government to drive animal law reform and says trade practices laws could be used to prevent producers from marketing their goods "under the guise of animals raised under ideal or enriched conditions".

The lecture series will feature the woman dubbed the mother of the animal-law movement, Joyce Tischler, who hopes to share the lessons

learned from 30 years of work in the US.

"We do research with animals, we eat them, we wear them, we use them for entertainment and all of that involves industry," she says.

"How we can be more humane in our treatment of animals is something that industry should be concerned about because consumers are going to be asking those questions, if they are not already."

Another speaker, Brisbane barrister Graeme Page, SC, of Brisbane Lawyers Educating & Advocating for Tougher Sentences, says the Coles announcement reflects the power of consumer demands.

BLEATS's 150 lawyer members work pro bono to prosecute cases for the RSPCA and agitate for tougher sentences against those who mistreat or neglect animals.

"It's really changing community attitudes which are driving an increase in interest in organic food and driving them against what they perceive to be cruelty in live exports and things like that," he says.