

Why do animals need lawyers?

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Lawyers for Animals (LFA) was established in 2005 by myself and another solicitor, Meredith Shumack. Neither of us had ever set up a volunteer organisation before. It was simply a result of our gnawing consciences and growing awareness that, with legal skills, we might finally be able to do something big for animals. Working without precedents has not been easy, but I can now proudly say we are well and truly on our way!

Why do animals need lawyers? To quote Voiceless (voiceless.org.au – a national group working to create policies and laws that protect animals), “every day in Australia thousands of animals are shot, beaten, tortured, starved, imprisoned and harmed in incalculable ways. We eat them, wear them, hunt them, race them, experiment on them and make them perform for us on command”. Because of this, and because the law classifies animals as mere property, LFA believes lawyers need to give animals a voice.

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LFA tries to cut through the welfare v rights debate for animals by having the unifying aim of reducing suffering. There is little to deny that animals are sentient creatures, able to feel pain, suffering and joy, and that the current legal situation for them is abysmal.

Most Australians, for example, would be surprised to know that the vast majority of animals in this country – some 500 million production animals – have been excluded from the protection of animal welfare legislation. The various state and territory animal welfare Acts provide industries with an exemption from cruelty prosecutions if they follow a relevant Code of Practice (sometimes called “guidelines”). Confining pregnant sows to tiny stalls, or keeping 23 chickens per square metre in indoor sheds while stuffing them with crippling growth hormones, for example, are not considered cruelty offences, because they are permitted under a Code.

Codes of Practice have proved to be a fundamental impediment to proper observance of animal welfare across Australia: they water down proper animal welfare standards to suit producer interests and there is minimal compliance with or enforcement of even the little protection that Codes prescribe. Most factory-farmed animals in Australia never see the light of day, feel the earth beneath their feet, walk freely, stretch their wings or limbs, exercise, forage for food or engage in normal socialisation. LFA believes that all species of animals should be protected by genuine and responsive anti-cruelty legislation, not just the companion animals we love.

LFA seeks to reform the law by:

1. challenging weak protection laws and policies;
2. supporting cases which promote our objectives;
3. promoting awareness in the community and the legal profession about animal law, including the adoption of “Animal Law” in the syllabus of law schools; and
4. working with industry, government and the community to bring about positive change and law reform for animals.

Membership of LFA is open to legal professionals, law students and others who care about the welfare of animals. You do not have to be a vegetarian to join us, or belong to a particular political group. We just want your help! Probably the most useful thing new members can do is join our Law Reform Sub-Committee. We will then work with you to identify a project you will contribute to or manage in your own time. Details about us can be found at www.lawyersforanimals.org.au.

“Animal Law” as an area of study and practice has developed rapidly internationally in recent years – particularly in the US. It is still fledgling in Australia, but the fact that three universities are introducing it as a subject, and that five national, state and territory “animal law groups” have sprung up recently, is a sign of great hope. All of these groups are run by, and largely composed of, young lawyers. Never forget that it is we who will create change!

Young lawyers have tremendous potential to facilitate law reform and to provide a voice for those who are otherwise defenceless. Having a law degree is not only a means to a satisfying career, but also a special tool with which to make a substantial difference to the plight of animals. This is a great privilege which we hope young lawyers will recognise by joining LFA. There are many groundbreaking projects we are undertaking, but they will only come to fruition through the commitment of members – maybe someone like you!

With thanks to Voiceless (voiceless.org.au) and Animals Australia (www.animalsaustralia.org).

