



# LAWS5048

## Animal Law

Session 3, Online-scheduled-weekday 2024

*Macquarie Law School*

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### Disclaimer

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## General Information

Unit convenor and teaching staff

Unit Convenor

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Contact via Email

Tutor

Tess Vickery

[tess.vickery@mq.edu.au](mailto:tess.vickery@mq.edu.au)

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Credit points

10

Prerequisites

160cp in LAWS or LAW units

Corequisites

Co-badged status

Unit description

This unit is concerned with the role of the law in regulating our interactions with animals. It considers important philosophical, ethical, legal and regulatory questions regarding the treatment of animals. How should animals be treated in modern-day society? Why are some animals afforded greater protections than others? How does one determine what is necessary and unnecessary harm in the treatment of animals? Should animals be conceptualised as personal property or afforded some or all of the protections available to legal persons? Students will be exposed to a range of ideas that will inform their analysis of the contemporary animal welfare legislative framework. Regulatory arrangements will be examined and contrasted in relation to: companion animals; farm animals; animals used in commercial food (or other) production; wildlife, including protected species; and animals used in scientific experimentation, zoos and circuses. Significant international developments in animal law will be considered, and avenues for public interest litigation explored. Students will be presented with practical case studies, a rich diversity of perspectives from a range of expert speakers and the opportunity to research particular areas of interest. This unit is designed to be thought-provoking and to challenge previous conceptions and assumptions regarding non-human animals.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

**ULO1:** Critically research, analyse and critique the key law, theories and literature on regulation of the use of animals.

**ULO2:** Identify legal issues and apply relevant legal principles to hypothetical problems involving the use of animals.

**ULO3:** Carry out and present independent research on animal law issues, including the ways in which values and ethical issues affect animal law and policy.

## General Assessment Information

### Penalty for late submission

Unless a **Special Consideration** request has been submitted and approved, (a) a penalty for lateness will apply – 5 marks out of 100 credit will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted seven days (incl. weekends) after the original submission deadline.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Participatory tasks at the intensive seminar sessions</a>	40%	No	Second day of online tutorials
<a href="#">Research essay</a>	60%	No	2025-01-19

### Participatory tasks at the intensive seminar sessions

Assessment Type <sup>1</sup>: Participatory task

Indicative Time on Task <sup>2</sup>: 10 hours

Due: **Second day of online tutorials**

Weighting: **40%**

In class presentations, discussion and problem solving

On successful completion you will be able to:

- Critically research, analyse and critique the key law, theories and literature on regulation of the use of animals.
- Identify legal issues and apply relevant legal principles to hypothetical problems involving the use of animals.
- Carry out and present independent research on animal law issues, including the ways in which values and ethical issues affect animal law and policy.

## Research essay

Assessment Type <sup>1</sup>: Essay

Indicative Time on Task <sup>2</sup>: 20 hours

Due: **2025-01-19**

Weighting: **60%**

Students will prepare a written response to one of several set questions demonstrating advanced legal research skills with appropriate analysis and argument supported by relevant authoritative cases and commentary.

On successful completion you will be able to:

- Critically research, analyse and critique the key law, theories and literature on regulation of the use of animals.
- Identify legal issues and apply relevant legal principles to hypothetical problems involving the use of animals.
- Carry out and present independent research on animal law issues, including the ways in which values and ethical issues affect animal law and policy.

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<sup>1</sup> If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

<sup>2</sup> Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

## Delivery and Resources

### REQUIRED AND RECOMMENDED TEXTS AND/OR MATERIALS

## **PRESCRIBED MATERIALS**

1. Macquarie Library Leganto readings

## **REFERENCE MATERIALS**

1. C Cao & S White, *Animal Law and Welfare - International Perspectives*, Springer, 2015
2. Halsbury's Laws of Australia, *Animals*, 2024
3. J Kotzmann & M Rodriguez Ferrere, *The Legal Recognition of Animal Sentience: Principles, Approaches and Applications*, Bloomsbury, 2024
4. A Bruce, *Animal law in Australia, An Integrated Approach*, 2nd ed, LexisNexis, 2018
5. J R Garrett (ed), *The Ethics of Animal Research, Exploring the Controversy*, The MIT Press, 2012
6. P Sankoff & S White (eds), *Animal Law in Australasia*, 1st ed, Federation Press, 2009
7. P Sankoff & S White (eds), *Animal Law in Australasia*, 2nd ed, Federation Press, 2013
8. D Cao, *Animal law in Australia & New Zealand*, 2nd ed, Thomson Reuters, 2015
9. D Cao, *Animal law in Australia & New Zealand*, 3rd ed, Thomson Reuters, 2023
10. Y Otomo & E Mussawir (eds) *Law and the Question of the Animal: A Critical Jurisprudence*, Routledge, 2013
11. M Radford, *Animal Welfare Law in Britain: Regulation and Responsibility*, Oxford University Press, 2001
12. C Sunstein & M Nussbaum, *Animal Rights: Current Debates and New Directions*, Oxford University Press, 2004
13. B A Wagman & M Liebman, *A Worldview of Animal Law*, Carolina Academic Press, 2011
14. *Animal Law Review* (available at HeinOnline)
15. *Journal of Animal Law* (available at HeinOnline)
16. *Stanford Journal of Animal Law & Policy* (available at <https://law.stanford.edu/stanford-journal-of-animal-law-and-policy-sjalp/>)
17. *Journal of Animal Law & Ethics* (available at HeinOnline)
18. *Journal of Animal & Environmental Law* (available at <http://www.jael-online.org/>)
19. *Journal of Animal and Natural Resource Law* (available at <http://www.animallaw.info/>)
20. *Australian Animal Protection Law Journal* (In library, & HeinOnline)
21. Animal Legal and Historical Center (<http://www.animallaw.info/>)

## **Unit Schedule**

### **TOPICS STUDIED IN THIS UNIT**

This unit will be delivered via 10 online lectures covering each topic of the Unit, followed by 12 hours of online tutorials and group related activities:

Date	Topics
9 Dec	Introduction to Animal Law
11 Dec	History: Philosophical Development, Origins of Property Status & First Animal Protection Laws
13 Dec	Contemporary Philosophical Thought and Animal Law Strategy
16 Dec	Principles of Animal Welfare Law and Regulation
17 Dec	Standard-setting and Enforcement of Animal Welfare Legislation
18 Dec	Regulation of the Treatment of Companion Animals
19 Dec	Regulation of the Treatment of Farm Animals
20 Jan	International Issues in Animal Law
2 Jan	Strategic Litigation – Animal Law in Practice
3 Jan	Animal Politics and Law Reform
6-7 Jan	<b>Group 1</b> – online tutorial sessions
7-8 Jan	<b>Group 2</b> – online tutorial sessions
8-9 Jan	<b>Group 3</b> – online tutorial sessions
9-10 Jan	<b>Group 4</b> – online tutorial sessions

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Assessment Procedure](#)

- [Complaints Resolution Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies](https://students.mq.edu.au/support/study/policies) (<https://students.mq.edu.au/support/study/policies>). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central](https://policies.mq.edu.au) (<https://policies.mq.edu.au>) and use the [search tool](#).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [connect.mq.edu.au](https://connect.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Academic Integrity

At Macquarie, we believe [academic integrity](#) – honesty, respect, trust, responsibility, fairness and courage – is at the core of learning, teaching and research. We recognise that meeting the expectations required to complete your assessments can be challenging. So, we offer you a range of resources and services to help you reach your potential, including free [online writing and maths support](#), [academic skills development](#) and [wellbeing consultations](#).

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## The Writing Centre

[The Writing Centre](#) provides resources to develop your English language proficiency, academic writing, and communication skills.

- [Workshops](#)
- [Chat with a WriteWISE peer writing leader](#)
- [Access StudyWISE](#)
- [Upload an assignment to Studiosity](#)
- [Complete the Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

## Student Services and Support

Macquarie University offers a range of [Student Support Services](#) including:

- [IT Support](#)
- [Accessibility and disability support](#) with study
- Mental health [support](#)
- [Safety support](#) to respond to bullying, harassment, sexual harassment and sexual assault
- [Social support including information about finances, tenancy and legal issues](#)
- [Student Advocacy](#) provides independent advice on MQ policies, procedures, and processes

## Student Enquiries

Got a question? Ask us via the [Service Connect Portal](#), or contact [Service Connect](#).

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

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Unit information based on version 2024.03 of the [Handbook](#)