LAW 448

Animal Law

S3 Block 2019

Macquarie Law School

Contents

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General Information

Unit convenor and teaching staff
Unit Convenor
Dr Jed Goodfellow
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Contact via jed.goodfellow@mq.edu.au
W3A
By appointment

Credit points
3

Prerequisites
3cp in LAW or LAWS units at 300 level

Corequisites

Co-badged status

Unit description
This unit is concerned with the role of the law in regulating our interactions with animals. This unit considers the 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 under the law? 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. Throughout the course, students will be presented with practical case-studies and a rich diversity of perspectives from a range of expert speakers. This unit is designed to be interactive and thought-provoking in which previous conceptions and assumptions regarding non-human animals are challenged.

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:

Identify key legal principles in relation to regulation of the use of animals

Discuss the key theories and research on regulation of the use of animals

Review and critique literature on the regualtion of the use of animals

Identify legal issues and apply relevant leagl principles to hypothetical problems involving the use of animals

Display presentation and discussion skills in relation to animal law issues

Communicate and clearly present the results of research on animal law issues

Review and critique the ways in which values and ethical issues affect animal law and policy

Assessment Tasks

Name	Weighting	Hurdle	Due
Presentation	30%	No	2nd day of on-campus sessions
Multiple choice quiz	10%	No	13-14 January 2020
Research Paper	60%	No	20 January 2020

Presentation

Due: **2nd day of on-campus sessions**
Weighting: **30%**

This assessment requires students (in groups of three to four) to give a 20 minute presentation on a particular area of animal use that was not covered in detail during the course. The presentations must outline the relevant regulatory framework and provide a critical assessment of the framework using theoretical concepts covered during the course. Presentations will be followed by 5 minutes of questions from the class. Students will be assessed on their presentation/communication skills, the quality of research undertaken, and their application of theory. 50% of allocated marks for this assessment will be attributed on a group basis while the other 50% will be attributed on an individual basis. Students will be assigned to groups before the commencement of the on-campus sessions.

Any student who does not complete and participate in the Presentation will receive a zero mark for this assessment item.

On successful completion you will be able to:
• Identify key legal principles in relation to regulation of the use of animals

- Discuss the key theories and research on regulation of the use of animals

- Review and critique literature on the regualtion of the use of animals

- Identify legal issues and apply relevant leagl principles to hypothetical problems involving the use of animals

- Display presentation and discussion skills in relation to animal law issues

Multiple choice quiz

Due: **13-14 January 2020**
Weighting: **10%**

This assessment consists of 20 multiple choice questions covering all 10 topics of the course content. Students will have 1 hour to complete the quiz. The quiz will be open for two days from 12-13 January 2020 on the Unit's iLearn space.

On successful completion you will be able to:

- Identify key legal principles in relation to regulation of the use of animals

- Identify legal issues and apply relevant leagl principles to hypothetical problems involving the use of animals

Research Paper

Due: **20 January 2020**
Weighting: **60%**

To fulfil the requirements of this assessment item, students must write a Research Paper in relation to one of several set questions. The set questions will be available on iLearn on 13 December 2019. The Research Paper must be a properly referenced formal response with appropriate analysis and argument supported by relevant authoritative cases (if relevant) and commentary. The research paper must be typed on A4 paper and must be kept to a maximum 2,500 words (excluding footnotes and bibliography). In completing their research paper, students must comply with the 4th edition of the *Australian Guide to Legal Citation*, compiled by the Melbourne University Law Review. The Guide is available for download for free at:

https://law.unimelb.edu.au/__data/assets/pdf_file/0005/3181325/AGLC4-with-Bookmarks-1.pdf

The Research Paper must be submitted via Turnitin by 5 pm on Monday, 20 January 2020.

On successful completion you will be able to:

- Identify key legal principles in relation to regulation of the use of animals

- Discuss the key theories and research on regulation of the use of animals

- Review and critique literature on the regualtion of the use of animals

- Communicate and clearly present the results of research on animal law issues

- Review and critique the ways in which values and ethical issues affect animal law and

policy

Delivery and Resources

REQUIRED AND RECOMMENDED TEXTS AND/OR MATERIALS

PRESCRIBED MATERIALS

1. P Sankoff, S White & C Black (eds) *Animal Law in Australasia*, 2nd ed, Federation Press, 2013

2. 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,* 2016

3. A Bruce, *Animal law in Australia, An Integrated Approach*, 2nd ed, LexisNexis, 2018

4. J R Garrett (ed), *The Ethics of Animal Research, Exploring the Controversy*, The MIT Press, 2012

5. P Sankoff & S White (eds), *Animal Law in Australasia*, 1st ed, Federation Press, 2009

6. D Cao, *Animal law in Australia & New Zealand*, 2nd ed, Thomson Reuters, 2015

7. Y Otomo & E Mussawir (eds) *Law and the Question of the Animal: A Critical Jurisprudence*, Routledge, 2013

8. M Radford, *Animal Welfare Law in Britain: Regulation and Responsibility*, Oxford University Press, 2001

9. C Sunstein & M Nussbaum, *Animal Rights: Current Debates and New Directions*, Oxford University Press, 2004

10. B A Wagman & M Liebman, *A Worldview of Animal Law*, Carolina Academic Press, 2011

11. *Animal Law Review* (available at HeinOnline)

12. *Journal of Animal Law* (available at HeinOnline)

13. *Stanford Journal of Animal Law & Policy* (available at https://law.stanford.edu/stanford-journal-of-animal-law-and-policy-sjalp/)

14. *Journal of Animal Law & Ethics* (available at HeinOnline)

15. *Journal of Animal & Environmental Law* (available at http://www.jael-online.org/)

16. *Journal of Animal and Natural Resource Law* (available at http://www.animallaw.info/)

17. *Australian Animal Protection Law Journal* (In library, & HeinOnline)

18. Animal Legal and Historical Center (http://www.animallaw.info/)

DELIVERY OF UNIT

This unit will be delivered via 10 online lectures covering each topic of the Unit followed by a two-day on-campus session consisting of tutorials and group related activities.

Unit Schedule

TOPICS STUDIED IN THIS UNIT

This unit will be delivered via 10 online lectures covering each topic of the Unit, followed by a two-day on-campus session consisting of tutorials and group related activities:

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

Policies and Procedures

Macquarie University policies and procedures are accessible from Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). 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
- Grade Appeal Policy
- Complaint Management Procedure for Students and Members of the Public
- Special Consideration Policy *(**Note:** The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.)*

Undergraduate students seeking more policy resources can visit the Student Policy Gateway (https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit Policy Central (https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: https://students.mq.edu.au/study/getting-started/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 ask.mq.edu.au or if you are a Global MBA student contact globalmba.support@mq.edu.au

Penalty for late submission

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Student Support

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

Learning Skills

Learning Skills (mq.edu.au/learningskills) provides academic writing resources and study strategies to improve your marks and take control of your study.

- Workshops
- StudyWise
- Academic Integrity Module for Students
- Ask a Learning Adviser

Student Services and Support

Students with a disability are encouraged to contact the Disability Service who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at ask.mq.edu.au

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit 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.

Graduate Capabilities

Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

Learning outcomes

- Identify key legal principles in relation to regulation of the use of animals
- Discuss the key theories and research on regulation of the use of animals

Assessment tasks

- Presentation
- Multiple choice quiz
- Research Paper

Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

Learning outcomes

- Discuss the key theories and research on regulation of the use of animals
- Review and critique literature on the regualtion of the use of animals

Assessment tasks

- Presentation
- Multiple choice quiz
- Research Paper

Problem Solving and Research Capability

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

Learning outcome

- Identify legal issues and apply relevant leagl principles to hypothetical problems involving the use of animals

Assessment tasks

- Presentation
- Multiple choice quiz
- Research Paper

Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

Learning outcomes

- Display presentation and discussion skills in relation to animal law issues
- Communicate and clearly present the results of research on animal law issues

Assessment tasks

- Presentation
- Research Paper

Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

Learning outcome

- Review and critique the ways in which values and ethical issues affect animal law and policy

Assessment tasks

- Presentation
- Research Paper