

## Lawyers for Animals Newsletter: July


### LFA events

#### Animal Law Breakfast – 22 August

Lawyers for Animals and Victorian Women Lawyers invite you to enjoy a vegan breakfast and hear Julian Burnside AO QC and Felicity Millner discuss the Supreme Court case *MyEnvironment v VicForests* [2013] VSCA 356.

Julian and Felicity acted for MyEnvironment, a Central Highlands based environment group. MyEnvironment sought to prevent VicForests logging in part of the forest of the Central Highlands. MyEnvironment was concerned that this logging would destroy the habitat of the endangered Leadbeater's possum.

- **Date:** Friday 22 Aug 2014
- **Time:** 7am- 9am
- **Location:** Maddocks, 140 William Street, Melbourne
- **Cost:** \$10 VWL/ Lawyers for Animals members and \$15 for non-members



**VICTORIAN WOMEN LAWYERS**

**ANIMAL LAW BREAKFAST 2014**

The plight of the Leadbeater's possum

A JOINT EVENT WITH LAWYERS FOR ANIMALS  
HOSTED BY MADDOCKS

**DATE**  
Friday 22 August 2014

**TIME**  
7:25am: breakfast and registration  
7:40am: presentation commences

**LOCATION**  
Maddocks  
Level 6, 140 William Street, Melbourne

**COST**  
\$10 VWL and LFA members  
\$15 non-members


All proceeds given to LFA

**REGISTRATION**  
[www.vwl.org.au/animal-law-breakfast](http://www.vwl.org.au/animal-law-breakfast)  
Please register by 20 August 2014

**WVL and Lawyers for Animals** invite you to enjoy a vegan breakfast and hear Julian Burnside AO QC and Felicity Millner discuss the Supreme Court case *MyEnvironment v VicForests* [2013] VSCA 356.

Julian and Felicity acted for MyEnvironment, a Central Highlands based environment group. MyEnvironment sought to prevent VicForests logging in part of the forest of the Central Highlands. MyEnvironment was concerned that this logging would destroy the habitat of the endangered Leadbeater's possum.

Photograph: Dr Dan Hanley




**JULIAN BURNSIDE AO QC**

Julian Burnside is a Melbourne-based barrister. He specialises in commercial litigation, trade practices and administrative law. He is also well known for his pro bono work, and is one of Australia's leading advocates in relation to the treatment of asylum seekers.

In 2009, Julian was appointed an Officer of the Order of Australia for service as a human rights advocate, particularly for refugees and asylum seekers, to the arts as a patron and fundraiser, and to the law.

Julian is also the recipient of the 2014 Sydney Peace Prize.




**FELICITY MILLNER**

Felicity is the Director of Litigation at Environmental Justice Australia and was one of the instructing solicitors in *MyEnvironment v VicForests*.

Felicity has worked in environmental and planning law throughout her career and has been involved in a number of significant public interest environmental law cases.

In 2011, Felicity was named Young Australian Environmental Lawyer of the Year by the Law Council of Australia.



**Maddocks**

#### Animal Law Clinic training session – 23 August

Lawyers for Animals will run the next animal law training session for Animal Law Clinic volunteers on Saturday 23 August.

Topics to be covered will include criminal procedure in the Magistrates' Court, an area of great interest for many clients charged with offences under the *Domestic Animals Act 1994* (Vic).

Contact [Katherine@lawyersforanimals.org.au](mailto:Katherine@lawyersforanimals.org.au) for more information or if you would like to attend. All members are welcome to attend but the session will be targeted specifically at Clinic volunteers.

### Other events

#### Form on 1080 poison – 24 August (Bendigo)



The Animal Justice Party is organising a forum to discuss the consequences of "1080 poison" (sodium fluoroacetate), particularly in the Bendigo areas.

- **Date:** Sunday 24th August 2014 commencing at 2pm
- **Venue:** Bendigo Library – 256 Hargreaves Street, Bendigo
- **Speakers:**
  - Dr Ernest Healy – Research fellow at Monash University
  - Professor Arian Wallach – University Fellow (adjunct) School of Environment at Charles Darwin University
  - Marilyn Nuske – Principal solicitor, Ocean Legal

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03 5250 5676 ([ruthweston@netspace.net.au](mailto:ruthweston@netspace.net.au))

## Legal developments

### Supreme Court challenge to US Animal Enterprise Terrorism Act

The Center for Constitutional Rights has lodged a Supreme Court appeal of its case challenging the federal Animal Enterprise Terrorism Act (AETA) as a violation of the First Amendment. The AETA makes causing lost profits to an animal enterprise an offence but does not distinguish between loss caused by criminal acts and loss caused by boycotts and similar activities.

The Center argued, on behalf of animal rights activists, that the law was unconstitutionally vague and overbroad, and that it cast a chill on legal First Amendment activity. The appellate court ruled that the activists were not permitted to sue because they could not show that their prosecution was “certainly impending.” The activists are challenging this test, arguing that it contradicts decades of Supreme Court precedence.

Read more here: <http://ccrjustice.org/newsroom/press-releases/center-constitutional-rights-takes-animal-rights-“terrorism”-law-supreme-court>.

### Challenge to foie gras production unsuccessful in New York



A New York judge has held that a person who occasionally consumes foie gras from force-fed ducks or geese lacks standing to seek a ban, commenting “Here, the risk of exposure is minimal and the indication of harm uncertain”.

The Animal Legal Defense Fund Inc. and Daniel Stahlie had sued the state of New York and a handful of foie gras producers in 2012, contending that force-feeding fowl to enlarge their livers and produce the delicacy resulted in diseased animals and tainted food products.

Whilst the standing tests in the US and Australia differ, and the case therefore has little direct relevance to the Australian context, it is nonetheless encouraging to see the proactive use of the law in another jurisdiction to challenge specific practices that cause considerable animal suffering.

Read more here: [www.courthousenews.com/2014/07/21/69674.htm](http://www.courthousenews.com/2014/07/21/69674.htm).

## Executive Committee Profile



**Katherine Cooke**

**Associate to Justice  
Emilios Kyrrou and  
LFA Volunteer  
Coordinator**

**I became a lawyer because...** I could. I had never considered being a lawyer until I got my high school results. They were better than I had hoped, so I was able to apply for a place in a combined Arts / Law course instead of the Arts course I had always wanted to do. It was a snap decision but I don't regret it.

**I am really proud of...** my sister, who is studying to be a nurse and will excel in that career.

**Animal rights...** motivate me every day in the choices I make.

**I am extremely grateful for...** my family, friends and health.

**A key mentor who influenced my career is...** my current boss, Justice Emilios Kyrrou. If you're not familiar with his story, I recommend Googling it. It is inspiring.

**If I wasn't a lawyer...** I might have been a vet, except I'm very squeamish.

**The best advice I ever received was...** not to convince myself the answer is 'no' before I even have a go. May as well find out for sure.

**One of the key initiatives I am involved in is...** the Animal Law Clinic. I love working with our many dedicated volunteers, both advising at the Clinic and preparing materials we can use to assist clients.

**Outside of the law...** I enjoy reading novels, playing the viola and travelling.

## Member news

### “Introducing our Vegan Son Henry”

**Jenny McAdam**

*(wife of LFA Secretary Michael Dunstan)*

We have been vegetarian for six years and vegan for the last three and passionately respect animals. When we found out we were to bring a human baby into the world (to join our duck and rabbit children, Arnold, Thea, Henrietta and Binky) there was no doubt that we would raise him or her vegan. We knew we wanted this child to be kind and live a life that minimises suffering, and veganism is the most straight forward way to achieving this.

Some well-meaning family and friends initially raised concerns about how this could impact my health during pregnancy and subsequently my child's health and future life. The reality showed such fears were completely without evidence. Henry is a glowing example of health and happiness - hardly ever without a smile, and he is both tall and large for his age. And following my life-threatening complications and subsequent rapid recovery I was asked at the hospital about my diet. The doctors were genuinely baffled at how my blood readings had recovered so quickly, and kept commenting that Henry was one of the healthiest, most alert and contented babes they had ever seen! When I said I was vegan most responded with surprise. But then one actually responded "Well, that makes sense then".

When feeding my son I realise that our fellow animals also have this primal urge to care for and protect their young. The notion that animals are not and never have been ours to use and exploit has never been more real for us as a family than now.

We look forward to protecting animals best we can as a vegan family in this world that is often complicated, challenging and yet full of possibility.

Humans indeed can be kind. That's what we hope to always be and teach.

Yours in friendship,

Jenny McAdam

**Note 1:** vegan hospital food is also freshly made and I was the envy of all the other patients.

**Note 2:** The rabbits and ducks are slowly coming to accept their attention-stealing sibling. As he grows and is able to more readily shower them with affection and treats we have no doubt they shall more fully embrace him!



Michael, Jenny and Henry – a very happy vegan family.

## Lawyers for Animals



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