

ANIMAL JUSTICE UK

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A publication of the Association of Lawyers for Animal Welfare (ALAW)



PRINCIPLES & PRACTICE

Dr Dan Lyons explores how and why the concept of animal rights is resisted (p2) and we review his book *The Politics of Animal Experimentation* (p7).

REVIEWING SECRECY

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WORKING FOR PETA

Mimi Bekhechi gives us a glimpse into her working life as Associate Director for PETA, and tells us about the two animal welfare cases that she is most proud of (p5).

Welcome to this first edition of Animal Justice, The Association of Lawyers for Animal Welfare's e-zine, for law, politics and social science students interested in the 'rightness' of our treatment of non-human animals.

Justice is a concept that spans law and politics and this newsletter will look at political, ethical, moral and legal theories around animal justice. In the next edition we look at the concept of justice and what this means. Future editions consider questions such as whether ownership of animals is inconsistent with animal justice, as well as appraising theories of 'wild justice' and related concepts.

As well as examining issues of academic interest, the newsletter will feature news items and topical issues in animal protection and highlight the work of the professionals working in the field of animal protection and welfare. The e-zine will contain book reviews, news, interviews and academic events that we hope will be useful and interesting.

In this first edition, Dan Lyons (academic and Director of the Centre for Animals and Social Justice (CASJ)) introduces the concept of 'animal rights', there is a review of the ground-breaking docu-film 'Blackfish,' a report on a moot on Oxford University's animal testing practices and an interview with Mimi Bekhechi of the animal campaigning group, People for the Ethical Treatment of Animals (PETA). Lucy Parry gives a fascinating insight into her path to a PhD on animals and politics and Nick Palmer of the Cruelty Free International (CFI) considers the case for reform of section 24 of the Animals (Scientific Procedures) Act 1986.

There is also a roundup of news and events from the animal protection community.

We hope that you will enjoy this e-zine. We welcome views and contributions for future editions.

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The Association of Lawyers for Animal Welfare (ALAW) is a charity which aims to bring together lawyers interested in animal protection law to share experience and to harness that expertise for the benefit of the animal protection community, including by securing more comprehensive and effective laws and better enforcement of existing animal protection laws.

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ANIMAL RIGHTS

Putting Principles into Practice?



Dr Dan Lyons

In this instalment of my exploration of ‘animal rights’ I will set out the basic building blocks of the idea and describe how and why it is resisted.

The philosopher Tom Regan is arguably the most important pioneer of animal rights. In ‘The Case for Animal Rights’, he convincingly argues that what justifies human rights – our subjective consciousness – also applies to many sentient nonhuman animals. Rational analysis reveals our moral right not to be tortured or murdered has nothing to do with our alleged ability to respect others’ rights, or special language capacities or complex reasoning. Rather, it is because these abuses harm us as individuals who have mental lives and inherent moral worth.

I’ve found that all ‘ethical’ arguments against extending basic human rights to other animals would exclude many human beings (e.g. those with severely diminished mental capacities) and/or collapse into an anti-rational, might-is-right position. A famous paper by pro-animal research scientist Richard Vance starkly illustrates

this. To evade the logical power of animal rights, he rejects notions of reason, fairness and impartial justice in favour of this approach to ethics:

‘religious and ethnic traditions that draw on an array of sources such as canonical texts, authoritative readings, overlapping (even contradictory platitudes), community norm’.

But this highly conservative approach to ethics has very worrying consequences when applied to human society, defending barbaric abuses if it happens to be a traditional, entrenched practice - from female genital mutilation to slavery. It also dismisses the scope for moral critique and social progress.

Those of us who accept the case for animal rights and try to live our lives accordingly are often mystified as to why such apparently irrefutable arguments are not universally recognised in human society. The first problem is that humans, both individual and as a collective are far from perfectly rational. The second, related obstacle arises because the implications of the ethical ideal of animal rights directly challenge deeply-held cultural assumptions of human supremacy as well as enormously powerful vested interests who routinely abuse the moral rights of millions of animals not to be deliberately tortured and murdered.

Sadly, prejudice, power and misguided self-interest are social realities. In the next newsletter, I’ll explore what these factors mean for the practical realisation of animal rights.

If you have any questions or comments you can email me dan.lyons@casj.org.uk or join in with/contribute to the debates on our ‘Animal Republic’ blog. Of particular relevance is a blog by Dr Alasdair Cochrane: [From Human Rights to Sentient Rights](#).

BLACKFISH REVIEW



Sam Bowles

As soon as someone finds out I am interested in animal welfare one of the first things they say to me is “have you seen Blackfish?”

The very fact that this film has infiltrated minds and become a reference point in the animal welfare movement speaks volumes of the successful and thought provoking delivery of the film and the undeniable harrowing story within it.

Blackfish is a story about Tilikum a 23 foot, 5 tonne killer whale. It follows his sad journey from capture to present day where he is still being held at SeaWorld and made to perform, despite the fact that he has been linked to 3 deaths.

The film’s message is one of two halves; on the one hand it looks into SeaWorld’s alleged irresponsibility and lack of care for its trainers and on the other hand it looks at the psychological damage inflicted on the orcas held in captivity there. The film created an overall impression for

me that SeaWorld doesn’t give a damn, not about people or animals; it only seems to care about making money.

The psychological trauma inflicted on killer whales occurs from the moment they are captured in the wild, which was incidentally one of the most upsetting things I have ever watched. The footage shows baby whales being taken as their mothers cry out in distress. It is impossible not to feel empathy for one of the most emotional species on the planet.

One of the interviews is with a man who used to capture the killer whales for SeaWorld. The man shows deep remorse for his actions; a poignant reminder that the evil doesn’t occur on an individual level, instead it is the soullessness of corporation that dictates the cruelty inflicted on these mammals, all in the name of money making.

We hear from ex SeaWorld employees, one of whom talks about his dice with death showing footage of a whale grabbing the trainer’s leg and dragging him to the bottom of the pool, holding him there for a length of time before bringing him up and doing the same thing over again. Watching this footage, you can’t help but think this is the result of these highly intelligent creatures being made to do mundane tasks daily and live in such a small area.

The story of Tilikum is a tragic one. He was captured at two and taken on a journey to a rundown park where he was made to live in a tiny area and punished if he didn’t cooperate with tasks. The other orcas were punished if he didn’t cooperate, which in turn led to Tilikum being bullied by the others. It was here that he was allegedly involved in the death of a 20 year old trainer before he was subsequently sold on to SeaWorld. At SeaWorld he killed Dawn Brancheau at the end of a show witnessed by onlookers. It is worth noting that there has not been one recorded death by orcas in the wild.

The documentary in my mind concludes the plain and simple fact that these beautiful, highly intelligent creatures should not be kept in captivity. Failure to address this only risks the injury or death of more trainers and psychological trauma of countless orcas.

GOVERNMENT REVIEW ON SECTION 24 COULD RESULT IN GREATER TRANSPARENCY FOR ANIMAL EXPERIMENTS



Nick Palmer

Cruelty Free International welcomed the news last May that the then Home Office Minister Norman Baker was reviewing Section 24 of the Animals (Scientific Procedures) Act 1986, the so-called secrecy clause, with a view to ending the blanket ban on the Government releasing information about animal experiments into the public domain.

Subsequently, Mr Baker resigned and his successor Lynne Featherstone did not deliver his promise to act before the election. The issue is therefore, unfinished business.

This article sets out the reasons why a change is needed. The bottom line is that an informed debate on animal experiments can only be conducted if the public actually knows what is approved.

For many years Cruelty Free International has been calling for a change in the law to allow people to find out what is happening to animals in laboratories and why. Aside from the terrible suffering we all have a stake in ensuring that medical research is scientifically sound and that scarce research resources are wisely targeted.

Section 24 of the Animal (Scientific Procedures) Act 1986, the law governing animal experiments in the UK, states that Home Office ministers or officials who disclose information about animal

experiments, given to them in confidence, commit a criminal offence carrying up to two years in prison and an unlimited fine. This extends to information given to Parliament. Section 24 overrides the Freedom of Information Act 2000 (FOIA). So, at present, the law prevents the Home Office disclosing most information on animal experiments.

If a university receives government funding, then in principle it is liable to disclose some details through Freedom of Information requests. In practice, researchers often fight hard to prevent disclosure. Our recent high profile case involving Newcastle University and its controversial publicly funded research on primates continued for a number of years with the University trying numerous alternative defences and spending over £250,000 in the process to avoid providing the information.

Cruelty Free International has a long history of bringing Freedom of Information cases and campaigning for greater transparency. We are not interested in finding out personal names and addresses or commercially sensitive information, but strongly believe the public has a right to know what is happening on their behalf.

The UK is one of the largest users of animals in experiments but current legislation makes it one of the most secretive in Europe. Cruelty Free International believes that informed public debate is essential but that it cannot happen without meaningful information being available. Effective scrutiny – parliamentary, public and, ultimately, judicial – of the way the Home Office regulates the experiments is impossible under this secretive system.

Please watch our video covering investigations carried out by us at Imperial College London, Cambridge University and Wickham Laboratories to learn why we are calling for greater transparency on what happens to animals in UK laboratories. None of what you will see on this film is normally available to the public, the media or politicians. This is why we need much greater openness.

It is only with proper transparency that a full debate can take place, not just about the ethics of the use of animals but also scientific reliability, which is crucial to human health. The sooner section 24 goes the better.

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS (PETA) An interview with Mimi Bekhechi



Mimi grew up in Belgium and obtained her international baccalaureate from the International School of Brussels, before attending the University of Lancaster where she completed her BA in Culture, Media and Communications.

She went on to study law at the Open University and obtained her LLB in October of 2006. She began working for PETA in 2007 and is responsible for overseeing PETA UK's campaigns, media, marketing and education departments. She is regularly on television and radio programmes to discuss topical animal rights issues and has written numerous comment pieces for national newspapers.

Could you tell me a little bit about the work you do at PETA?

PETA is a UK based charity dedicated to establishing and protecting the rights of all animals. We believe that they are not ours to use for food, for clothing, entertainment experimentation or any other reason. We work through public education, research, legislation, special events, celebrity involvement and protest campaigns to further that message.

As Associate Director, it is my role to oversee our campaigns, marketing, education and media departments. I regularly appear on television and radio programmes and provide comment pieces to newspapers on animal rights issues and PETA's work.

During my time at PETA we have celebrated some great achievements for animals from convincing dozens of retailers to implement policies against selling fur, angora wool, exotic skins, and leather, to persuading world famous department store, Selfridges, iconic institutions including the House of Lords, Wimbledon, and Lords Cricket Ground and some the country's largest catering companies, Compass Group and Brakes, to abandon selling or serving foie gras.

We've also worked on campaigns alongside other animal protection organisations to achieve meaningful progress for animals, such as the EU ban on seal products, the EU sales and marketing ban on cosmetics and cosmetic ingredients tested on animals, and the UK ban on hunting with foxes.

Did you always know you wanted to work within animal welfare?

No. After I finished school I went straight to university without knowing what I wanted to do with my life. It sounds naïve but it wasn't until after I completed my first degree and started working for a marketing firm that I realised how much of your life and your happiness is determined by the work that you do. It was then that I decided to take a step back, work out what I was most passionate about and how I could make a career out of it.

When did you decide you wanted to work within animal welfare?

As I started to look into how I might combine my love of animals with a career, I came across Steven Wise's book, *Rattling the Cage: towards legal rights for animals*. That was when I decided to go back to university and study law with the goal of becoming an animal rights lawyer.

What does your day to day consist of at PETA?

The work we do is so varied and my role particularly so, as I input into all of our different departments, so no two days at PETA are the same. I can tell you some of what I worked on today, which included preparing press statements with our press officer on halal slaughter which is receiving a lot of media attention at the moment, and a statement relating to the repeal of Section 24 of the Animals (Scientific Procedures) Act 1986, a secrecy clause that makes it illegal for information about animal experiments to enter the public domain. I also met with our Senior Programmes Manager and Special Projects Manager to discuss launch strategies for a couple of projects we're working on including an ad campaign with a celebrity promoting a vegan diet, and a partnership with a retailer to highlight the cruelty of the leather industry while promoting cruelty free alternatives.

What did you study at university?

My first degree was a BA Hons in Culture, Media and Communications. I obtained my LLB Law a couple of years later.

Why did you decide not to become a lawyer?

While studying for my LLB I did several animal welfare courses on the side, which led me to question my behavior and acknowledge that my personal choices to eat meat and dairy, and to wear animal skins, did not align with my values. I made the decision to go vegan and realised that I could be an effective advocate for animals by encouraging others to make compassionate choices too. My current role allows me to combine my media and communications experience with the skills I gained from studying for my LLB, which I believe is how I can be of most service to animals.

How does your law degree help you with your job?

Firstly, it taught me about our society, how we have developed, and how social justice movements have shaped the law. In practical terms, it taught me to become an excellent

researcher, to process a lot of information and to think analytically. It also turned me into a stickler for detail.

Do you enjoy the work?

I enjoy working with intelligent, driven and compassionate people and I enjoy the comradery that comes from working alongside people who share the same vision for a fairer world, but I would be happy to be made redundant if tomorrow everyone woke up and decided to stop using and abusing animals.

Why do you feel animal welfare law is so important?

Every living being with a will to live should have a right to live free from pain or suffering. There is no longer any question that animals are emotional beings like us and that they experience joy and love and pain and fear. Only prejudice allows us to deny them those basic rights that we expect to have for ourselves.

What do you think the future holds for animal welfare law?

The law changes as public opinion changes and given that the animal protection movement is growing in strength and numbers faster than it ever has before, animal welfare law will inevitably become more important. My hope is that the conversation moves away from animal welfare law and towards animal rights law.

What animal welfare cases are you most proud of?

There are two I would like to tell you about. The first is the Silver Springs Monkeys. In the summer of 1981, one of PETA US's founders, Alex Pacheco, began working undercover at the Institute for Behavioral Research (IBR), a federally funded laboratory in Silver Spring, Maryland, USA. Pacheco found 17 monkeys living in tiny wire cages. The monkeys were subjected to debilitating surgeries in which their spinal nerves were severed, rendering one or more of their limbs useless. Through the use of electric shock, food deprivation, and other methods, the monkeys were forced to try to regain the use of

their impaired limbs or go without food. In one experiment, monkeys were kept immobile in a dark chamber made out of a converted refrigerator and then repeatedly shocked until they finally used their disabled arm. PETA US gathered meticulous log notes detailing what was happening inside IBR and secretly photographed the crippled monkeys and their horrendous living conditions. Then, after lining up expert witnesses and showing them around the laboratory at night, PETA US took the evidence to the police—and an intense, decade-long battle for custody of the monkeys ensued.

This groundbreaking investigation led to the US' first arrest and criminal conviction of an animal experimenter for cruelty to animals, the first confiscation of abused animals from a laboratory, and the first U.S. Supreme Court victory for animals used in experiments.

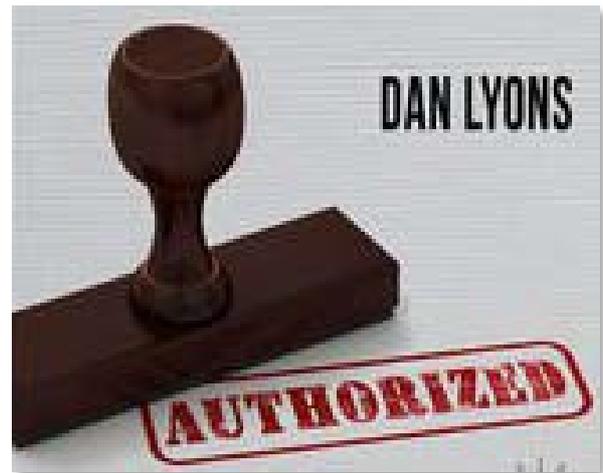
The second case I'm most proud of is Tilikum vs SeaWorld.

In 2011, PETA US, three marine-mammal experts, and two former orca trainers filed a federal lawsuit against SeaWorld seeking to establish that five wild-caught orcas forced to perform at SeaWorld deserved protection under the US Constitution's 13th Amendment, which prohibits slavery.

The suit was based on the plain text of the 13th Amendment, which prohibits the condition of slavery without reference to "person" or any particular class of victim. PETA US general counsel argued that slavery is slavery, and it does not depend on the species of the slave any more than it depends on gender, race, or religion.

U.S. District Judge Jeffrey Miller was the first judge in U.S. history to listen to arguments and give careful consideration to the idea that the definition of slavery does not exclude any species.

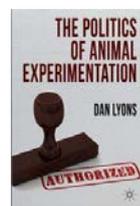
While Judge Miller ultimately ruled that the 13th Amendment doesn't apply to nonhumans; women, children, and racial and ethnic minorities were also once denied fundamental rights that are now self-evident.



BOOK REVIEW

The Politics of Animal Experimentation by Dr Dan Lyons

The most advanced study ever undertaken of the politics of animal experimentation in the UK, written by the CASJ's Dan Lyons.



The centrepiece of this award-winning investigation is a critical case study based on confidential documents leaked from pharmaceutical giant Novartis Pharma and the Home Office.

The reality of animal experimentation and its regulation in Britain have been hidden behind a curtain of secrecy since its emergence as a political controversy in the 1870s. Public debate and political science alike have been severely hampered by a profound lack of reliable information about the practice.

In this remarkable study, Dan Lyons advances and applies policy network analysis to reveal for the first time how British animal research policy-making has evolved over the past 140 years.

You can order a copy of this book here:
www.palgrave.com

OXFORD UNIVERSITY DEBATE: “The University of Oxford’s animal testing practices are justifiable”



Reviewed by Edwina Bowles

Pro-test, a pro animal testing group, founder Laurie Pycroft took the proposition against Voice for Ethical Research at Oxford (VERO) science adviser, Andre Menache, in a debate on the University’s animal testing policies.

The debate opened with Mr Pycroft, a neuroscience PhD researcher, proclaiming that in the discussion of whether animal testing practices are justifiable one must look at the ethical and scientific justifications. He stated that since he wasn’t much of an ethicist he would brush over those arguments and focus on the scientific justifications.

His argument went as expected, a mention of a few examples of scientific breakthroughs that happened as a consequence of animal testing at Oxford. Most notable was the use of 8 mice in the testing of penicillin. Pycroft went on to mention

that Oxford treated the animals well and incorporated the 3R’s, these being Reduce, Refine and Replacement, into its policy; an indication that Pycroft is at least aware of the importance of the ethical argument in this arena. However, his real feelings towards the animals was revealed when in relation to the 100 monkeys used to research Parkinson’s, he concluded that saving humans was worth the distress of “a few monkeys.”

Dr Menache, a veterinary surgeon, opened his argument with examples from history where grave injustices, such as slavery and gender inequality, have been fought against and changed and how animal rights is the next battle.

However, like Pycroft, he chose not to focus on the ethics and instead steered his argument down the scientific path, highlighting that animal testing is not that effective, with a particular emphasis on the point that testing should be species specific. Menache did receive some criticism for allegedly misleading statements, such as his claim that the increased life expectancy for cancer patients was not down to animal testing.

I found the whole debate highly interesting filled with conviction on both sides, however I was extremely baffled by the failure from both sides to put any real focus on the ethics of it.

I asked Mr Pycroft at the end whether he would test on animals if it were proven to be unethical, he said he would not. I pointed out that he had then not sufficiently argued that the practice is justified; as if his whole testing ethos hangs on ethics then surely it deserved more attention than the brush off it was given. He claimed he could not address the argument due to a lack of time, however the argument deserved just as much emphasis as its scientific counterpart, especially if he would not test without it.

Dr Menache did mention that he used to think his moral argument was enough, but has since learnt he needs the science to back up his argument. I understand and appreciate Menache’s point, however I believe when it comes to an argument centered on animal rights the ethical argument is enough irrespective of any scientific merit. An animal is not a scientific prop.



Doing a PhD is something I never thought I would do, never mind something to do with animals and politics. I graduated in 2010 with a degree in Philosophy & Politics, and went on to do an MA in International Relations and Security, so basically, nothing to do with animals.

But I'd always been fascinated by animals. I wanted to be close to them and try to understand them; a very un-academic, childlike interest. In 2008 I travelled to the Ecuadorian Amazon and volunteered in a rescue and rehabilitation centre. Abused, trafficked, captive wild animals were rescued and brought to the centre for their best chance at a natural life. Where possible, animals were released into the safety of the neighbouring national park. This was where I learned that being close to animals was not always the best way to care for them. Animals that were destined for release needed to learn to live away from humans, to be themselves and rediscover their natural instincts; our contact with them was necessarily minimal. And I learnt the real value of a wild animal, regardless of its relation with me or anyone else. I saw our work in Ecuador as trying to restore a bit of balance and justice, where humans had gone too far.

On returning home, I helped found Flor de la Amazonia Group, a charity that funds conservation projects in Ecuador and raises awareness of the difficulties faced by Amazonian flora and fauna. Through this work, animals became a part of my everyday life. And as I continued my degree I began to think about wider issues like climate change and deforestation through an academic lens. But my two interests remained

worlds apart – whilst I completed my MA I worked in educational outreach, and did my charity work on the side. I sometimes wished I had gone the other way – that something to do with animals was my day job, with my outreach work on the side. But I assumed that because I was rubbish at science that would never happen.

By the time my work contract was coming to an end, I was bored with my job. I was ready for a change; I wanted to start learning again. But I kept applying for jobs in outreach because I didn't feel I could do anything else. Then I saw the studentship for a PhD about the political representation of animals. This was something that seemed to tie together all my interests in a way that I never thought possible – so I went for it. At the time, I had a lot going on – stressed, applying for jobs – and I nearly gave up on the proposal. But my housemate persuaded me to do it. She had seen how excited I had been when I came across the opportunity, and knew that it was the right thing for me.

She was right. I'm still fairly new to my PhD, but so far I love it! Political representation and animal rights are areas I've never covered. I'm also using some theories I've never studied before, and all the theory can be tough. But I'm enjoying the challenge so much; it's so exciting to have this massive project; it's kind of like being your own boss.

Doing a PhD is something I never thought I would do, and certainly not in the area of animal protection. Although it's still early days, I feel really positive about my research. I have great support from my supervisors and my sponsors the CASJ, without whom I could never have done this. Approaching animal protection from a political angle is, I believe, an area that will continue to expand in coming years, and it's exciting to be an active part of that.

GREEN CRIMINOLOGY

Review by Angela Roberts

I recently attended a fascinating talk by Dr Angus Nurse, Senior Lecturer in Criminology at Middlesex University School of Law.

The talk was about an aspect of Green Criminology – that is crimes involving the theft or killing of wild animals.

Angus opened his talk by giving a brief overview of existing international laws including: *The 1972 UN Declaration on the Environment* and *The 1982 UN Charter for Nature*.

Angus then outlined the Core Concepts of Ecological Justice and the use of criminal justice to maintain the environment and protect animals.

He then touched on the current legislative background and species-specific legislation such as the *1992 Protection of Badgers Act* and the *1970 Conservation of Seals Act* (neither of which appears to be having much impact right now).

There exists a wealth of current legislation designed to offer a level of protection to wild animals – and yet, despite this, wildlife crime is escalating around the world. Angus suggested that wildlife crime should be added to the remit of the International Criminal Courts, which currently cover international crimes of genocide, crimes against humanity, and war crimes.

Some of the perceived problems in the UK are:

- Legislation is variable and inconsistent, as are penalties, enforcement and the power of arrest
- There is a lack of statutory recording
- Wildlife crime is a responsibility of DEFRA, rather than the Ministry of Justice or The Home Office
- Legislation is driven by NGO campaigns and priorities
- A lack of resources – eg double-checking all imports of animals

The global trade in wildlife is now one of the most valuable illicit commerces and the situation is

complicated by the fact the legal and illegal trades operate side-by-side. Rhino horn and elephants' tusks are now so valuable they are worth far more than drugs. It's interesting to note that a lot of wildlife crime is carried out by corporations, states or the military, such as whaling.

Angus then gave an overview of *CITES - the Convention on International Trade in Endangered Species*. The convention regulates approximately 5,000 animal species and 29,000 plant species by implementation of a licencing system.

Perhaps unsurprisingly there are many perceived problems with this tranche of legislation: CITES, alongside the IWC (International Whaling Commission) and EU regulations are focussed on conservation and trade aimed at merely regulating the use of animals who happen to belong to the most threatened species.

Looking at the problem of enforcement, Angus pointed out that it is often reactive rather than preventative. Different states have differing enforcement approaches and the trade is often very organised, transnational and cross-border through multiple routes. The problem is viewed as environmental crime and is often isolated from mainstream criminal justice. Corruption is significant and the law has struggled to keep pace with new challenges and the scale of the crimes.

Angus concluded by saying that existing UK legislation is broadly adequate – the real problem is with enforcement. The police tend not to be involved in this area of criminology very much and may dismiss it as mere “animal stuff”. He suggested there is a case for legislative review and wildlife crimes should be covered by mainstream criminal justice and overseen by the Home Office or Ministry of Justice, or even a new ‘fish and wildlife’ body/department. Consideration should be given to the fact that many of those involved in wildlife crime are also often involved in interpersonal violence and that prosecutors should be privy to details of other criminal activity in order to form a fuller picture of offenders.

Animal and environmental crimes are often fringe areas in both law and at university level, however an increased network of interested students will help to remedy this situation.

The Killing of Cecil the Lion: What Now For Endangered Animals?



Julie Elizabeth Boyd

The recent case of the killing of Cecil the Lion has provoked a global outcry against trophy hunting and has heightened public awareness of the threats to endangered wildlife species, such as lions.

Studies show that the lion is in serious decline and on the brink of total extinction. Nigeria, once the habitat of a huge community of West African lions has only 34 remaining, no lions at all in 25 of the region's countries, with the lion now virtually extinct in 10 others.

According to researchers, a total of no more than 15,000 wild lions are estimated to remain across the whole of the continent of Africa. The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) places the African lion, (*Panthera leo*) in its Appendix II category, despite evidence and consensus of conservationists that the lion should be in Appendix I. Placing the African lion up into Appendix I may not guarantee absolute protection but it will at least serve to increase regulation surrounding the trade in lions.

The media focus upon the slaughter of Cecil has re-awakened the international community to the

serious issue of illicit wildlife hunting. 30 July of this year saw the 69th Session of the United Nations (UN) General Assembly adopt a new resolution. The resolution aims to commit countries to collectively address wildlife crime with the objective of ending global poaching which has reached a crisis point.

Resolution A/RES/69/314 draws on previous major international declarations concerning preventing and combating illicit wildlife trafficking. It also refers to former resolutions' response to wildlife trafficking. In a nutshell, it is only repeating what measures should already be implemented by States to prevent and combat this growing crime but from 2016 the UN Secretary General will present an annual report on global wildlife crime and countries' implementation of the resolution, including any recommendations. One recommendation that could assist is a global ban on the import of animal trophies.

Many animal trophies are advertised via the internet and animals, such as lions, are bred and reared to be killed when they are adults in what is known as the 'canned hunting' industry in Africa. Already, three U.S. airlines, American, United and Delta, as well as Lufthansa Cargo, no longer transport illegal wildlife trophies.

On 15 September 2015, the European Union Wildlife Trade Regulation Scientific Review Group (SRG) will review lion trophy hunting imports from Tanzania, Zambia and Mozambique relying on documentation provided for them by consultants at the United Nations Environment Program/World Conservation Monitoring Centre (WCMC) as well as independent lion experts.

The plight of Cecil may have come to symbolise all animals that are currently under threat from extinction and those which continue to be illegally hunted, trafficked and traded. However, time is running out for many wild species and time has already run out for many more. Recommendations are fine on paper but there needs to be stronger laws robustly implemented in practice if we are to witness any real change to protect endangered species from illicit hunting and trafficking. For many of the lions, and other animals, in countries like Africa, Resolution A/RES/69/314 may be too little too late. It certainly was for Cecil.

IN THE NEWS

Seal Ban - EU Regulation

In 2009, the EU adopted a ban on importing seal products or placing them on the market (Regulation (EC) No. 1007/2009 of the European Parliament and the EC Council of 16 September 2009), together with an implementing regulation setting out exemptions to the ban (the “EU Seal Regime”).

Three exemptions to the ban were put in place including seal products obtained from seals hunted for purposes of sustainable management of marine resources (effectively to protect fishing stocks) (the “MRM Exemption”).

In 2009 Canada and Norway challenged the EU Seal Regime at the World Trade Organisation (“WTO”), claiming (amongst other things) that it discriminated against their industries. The WTO upheld the EU’s right to ban trade in commercial seal products on the grounds of public morality, but the exemptions were found to not be WTO compliant. The EU was given until 18 October 2015 to update its rules.

In order to align the EU Seal Regime with the WTO ruling the MRM exemption would need to be removed. Despite this, sealing advocates, as well as some Nordic MEPs campaigned to maintain the MRM Exemption, and to introduce additional exemptions to the seal product ban. They were however unsuccessful and following negotiations between the European Parliament, Council and the Commission on 25 June 2015 the entire MRM Exemption will (subject to final approval) be removed, as well as the IC Exemption modified.

Badger Cull- latest news

Despite it being established in scientific communities that the badger cull is not an effective way to control bovine tuberculosis, the cull continues to take place. As the cull enters its third year it continues to cost the taxpayer an estimated £5,200 per badger.

Campaign to increase awareness of broiler chicken welfare

Compassion in World Farming (CIWF) have launched an awareness campaign supported by Celebrity Chef, Jamie Oliver to address the fact that nearly 8 billion chickens in the US are bred to grow so unnaturally large and so unnaturally fast that they can collapse under the weight of their own enormous chests and have difficulty walking and breathing.

Jamie states *“I support the Better Chicken Initiative because I want to raise the bar of standard chickens to a totally different level – one that is affordable, accessible and that I would feed to my own kids.*

If it is successful, this initiative will improve the lives of millions, perhaps billions, of chickens and create a healthier food and farming system. Whether you are a chef or a parent or supermarket, this is a thrilling project that everyone should want to be part of.”

The campaign follows CIWF’s work with Hugh Fearnley-Whittingstall on their ‘Chicken Out’ campaign here in the UK, which is calling for ‘clear and honest labelling on chicken meat’ alongside promoting free-range chicken.

‘Factory’ Farming exposed in Farmageddon

Philip Lymbery, CIWF’s CEO, has carried out a three-year global investigation into the devastating impact of factory farming on animals, people and our planet.

Now, his findings are being brought together in his book, Farmageddon. Philip explains how intensive farming causes unparalleled food waste, damage to our health and the countryside, and is the world’s biggest cause of animal cruelty.

“Our food system is screwed. We are suffering; our lands are suffering; animals are suffering. We need to turn things around; we need to stop factory farming.”

India – positive judgment for animal protection

The Indian Supreme Court delivered a landmark ruling on 7th May 2014, banning Jallikattu and bull-cart racing in the state of Tamil Nadu.

Jallikattu is an ancient festival during which men chase bullocks throughout the streets in order to grab prizes hanging from the bull's horns. This often causes the bulls to suffer from fractures, other serious injuries, and sometimes death.

Delivering the judgement of the court, Justice Radhakrishnan lamented the lack of an international agreement safeguarding animal protection and welfare, asserting that the "international community should hang their head in shame" for failing to recognise the rights of animals which "serv[e]...humanity."

According to the court, the "right to dignity and fair treatment is...not confined to human beings alone, but to animals as well."

Whaling – International Court of Justice decision good news

On 31st March 2014, the International Court of Justice (ICJ) handed down a landmark ruling that Japan's Southern Ocean whaling must be halted "with immediate effect." A 12-4 majority decided that the Jarpa II programme was not scientific as claimed, and contravened the International Convention for the Regulation of Whaling.

With thanks to Julie Boyd, Natalie Harney, Hannah Brown, and Peter Bowen-Walker. If you would like to contribute to our news section please email your submissions (no more than 150 words long please) to:

studentgroup@alaw.org.uk



BOOK REVIEW

Policing Wildlife: Perspectives on the Enforcement of Wildlife Legislation, Dr Angus Nurse

Wildlife crime is a fringe area of criminal justice, despite its importance as one of the highest value areas of global crime and its long term effects on ecosystems.

This book examines the enforcement of wildlife law, one of the fastest growing areas of crime globally. It examines the extent of wildlife crime, the role of NGOs in policy development and practical law enforcement, and considers how justice systems deal with contemporary wildlife crime.

Policing Wildlife importantly examines the pressing threat of organised crime and terror groups in wildlife crime. It highlights the weaker enforcement regimes and more lenient attitudes to wildlife crimes by the courts, despite the strong provisions which actually exist in wildlife law. Ultimately, it considers how enforcement regimes need to adapt to contemporary wildlife crime threats and argues for the better integration of wildlife crime into mainstream justice systems.

Policing Wildlife was published on 22nd April 2016. You can order your copy here: www.bookdepository.com

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