

the Animal Rights Legal Advocacy Network Newsletter

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HAPPY BIRTHDAY! THE ARLAN NEWSLETTER CELEBRATES ITS FIRST FULL YEAR – SPECIAL ANNIVERSARY ISSUE

by Peter Sankoff

Has it been a year already? Yes, it has, and it's time to say "Happy Birthday!" May represents the end of one full year for the ARLAN Newsletter and the beginning of another. On this special occasion, we thought it would be worthwhile to take a moment to say a few words about this "little" newsletter with "big" goals!

The ARLAN Newsletter was created in May 2002 as a means of furthering two very difficult objectives: first, we needed a way to communicate ideas about what we were doing to help animals to a large and disparate audience. We recognized immediately that with an unfunded and purely volunteer organization, it would take a large communications effort to ensure that our members did not get "lost in the shuffle" and lose interest in ARLAN. At the same time, we had another equally important objective in mind as well. We believe, and still do believe, that the newsletter could help fill the crying need for legal writing on animal law in New Zealand.

Our first year has seen some incredible efforts to bring our members and other interested readers information on animal law and animal welfare issues of pertinence to New Zealand.

So far, we're incredibly excited about the results we've generated from the newsletter. With each issue, we attempt to push the envelope a bit further in terms of our reporting. The newsletter will continue to serve a communications function, and will advise our readers of ARLAN activities, but we also hope to increase our coverage of vital animal welfare issues, comment on legal reforms, and analyze legal questions of importance.

This issue demonstrates this. We have included two important articles on dog fighting, with in-depth coverage of this pressing problem. In addition, commentary has been provided on larger animal welfare concerns, and also on the Draft Code of Welfare for Circuses. The newsletter also covers our very interesting seminar by Neil Wells on the development of the Animal Welfare Act 1999. It is, by far, our largest and most interesting newsletter to date. **[Continued on page 2]**



**HAPPY BIRTHDAY
TO THE ARLAN
NEWSLETTER!**

This cupcake was made
using only SPCA
approved free range
eggs! Better yet, no
eggs at all!

ARLAN NEWSLETTER

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We are able to produce this informational newsletter because of the generosity of our members and friends. If you enjoy the newsletter and would like to contribute to its continued existence, please contact us at: contributions@arlan.org.nz or simply send a cheque made out to ARLAN to the PO Box listed below.

We welcome your feedback and any constructive criticism you may have. If you have any comments, please let us know by e-mail at:

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HAPPY BIRTHDAY – ONE YEAR OF THE ARLAN NEWSLETTER

Our readers seem to be enjoying the newsletter as well. Our circulation numbers have tripled since our opening issue, and the feedback has been very positive. Newsletter articles are also being perused by the mainstream media, who have used a few of our items as the basis for articles of their own!

We are pleased to be able to provide a forum for animal law issues to be discussed in New Zealand. We hope our readers enjoy our efforts, and we welcome your comments. If any of you would like to contribute to the newsletter, we are always looking for help! We can easily help you develop any ideas you may have. Don't be shy because of a lack of writing experience! Many of our writers started the same way.

Finally, we'd like to take a moment to mention ARLAN's upcoming fundraising drive, which you will be hearing about in the near future. If you enjoy this newsletter, we hope you will consider making some sort of contribution to ARLAN. The efforts of our members to help New Zealand's animals have been tremendous to date. To take our organization to the next level – we need your help! A donation of over \$50 entitles you to a mailed "hard" copy of this newsletter sent directly to you. Details for how to make donations are set out on the side bar.

Thanks once again, and please keep reading!

The ARLAN Newsletter

Welcome to the 4th edition of the ARLAN Newsletter for 2003. We hope you enjoy reading it and keeping up to date with our ongoing activities. **A major goal for us in 2003 is to increase our circulation numbers!** From 15 ARLAN members, our circulation rose to 50 with our first issue, and has steadily risen to 265 as of this writing. We hope to reach 600 subscribers by the end of the year. Think of someone who might enjoy this newsletter and urge them to subscribe. Please pass it on!

NOTICE: Please be aware that the ARLAN Newsletter is not published during June. The next regularly scheduled edition of the newsletter will be distributed near the end of July.

AUCKLAND'S FIRST DOG-FIGHTING CONVICTIONS RESULT IN TRIVIAL SENTENCES

by Cherie Gum with assistance from Amie Wolken

The first-ever convictions for dog fighting in Auckland were imposed at the Manukau District Court on 19 March and 29 April 2003 respectively. Unfortunately, as is too often the case with prosecutions under the Animal Welfare Act 1999, the penalty did not seem to fit the crime.

On 29 January 2003, Hingano Tuifua and Juanez Makatoa, aged 25 and 19 respectively, met in a park in Mangere. The purpose? To determine who owned the toughest dog. Both men brought their two pitbull terrier crosses and deliberately released them to fight each other. A small crowd of men looked on while the dogs fought for approximately 10-15 minutes. After approximately 10 minutes, the dogs were visibly exhausted and injured. Five minutes later, someone finally intervened and separated the dogs. Each defendant then took his own dog home, but neither sought veterinary treatment for the dogs' injuries. One of the defendants actually locked his 18-month old dog in a cupboard.



A pit-bull terrier similar to the dogs used in the dog fighting cases.

The Police eventually learned of the incident and took the dogs away for veterinary treatment. The injuries they had suffered were severe including, tears to the ears, a hole in the mouth of one of the dogs, and lacerations around sides of the jaw area. The dogs were handed over to the SPCA but because of the way they had been bred, they had to be put down.

The defendants were each charged under section 29(e) Animal Welfare Act 1999, which prohibits people from encouraging an animal to fight. To their credit, both defendants pleaded guilty to the charges laid against them. They were sentenced separately in the District Court. Tuifua was sentenced by Judge Heather Simpson to 75 hours community work, ordered to pay \$365 reparation to the SPCA, and ordered to forfeit the dog to the SPCA. He was also disqualified from owning or exercising authority in respect of a dog for 2 years. Makatoa was sentenced by Judge Sharon McAuslan to an identical sentence except that he was disqualified from owning or exercising authority in respect of a dog for 5 years, and also received a 12 month supervision order.

“Dogfighting of this type ('street' fighting as opposed to 'underground' fighting) has become a disturbing new trend amongst young Polynesian males in South Auckland”, says Auckland SPCA lead investigator Bruce Wills. “We have received more calls regarding dog fighting in the past year than the previous 10 years combined. It is quite unique and abhorrent in that it involves blatant and gratuitous cruelty, something that is actually relatively rare here.”

[Continued on page 4]

DOG-FIGHTING SENTENCES DO NOT REFLECT THE GRAVITY OF THE OFFENCE

Continued from page 3

For such a serious offence, this doesn't seem like much of a sentence. Section 37(1) Animal Welfare Act 1999, states that the maximum penalty for these offences is imprisonment for a term not exceeding 6 months or a fine not exceeding \$25,000, or both. The sentence should also have reflected that the dogs were not provided with veterinary treatment and were left to suffer after the fight itself.

Not surprisingly, Wills was dissatisfied with the sentence. "We would obviously have liked to have seen a harsher penalty imposed as a deterrent," said Wills. "I think the narrow demography of the offenders, the relatively small problem area, and social factors involved mean that a strong message could have been sent that would have had a good chance of reaching the target audience before the problem escalates any further."

"Dogfighting... has become a disturbing new trend... It is quite unique and abhorrent in that it involves blatant and gratuitous cruelty, something that is actually relatively rare here."

-Auckland SPCA Investigator Bruce Wills

The Sentencing Act 2002 provides for aggravating and mitigating factors that Judges must take into account when determining an appropriate sentence for the offence. It specifically states that Judges must take into account the particular cruelty in the commission of the offence, and the level of premeditation on the part of the offender. Unlike many of the cases of neglect that have been prosecuted under the Animal Welfare Act 1999 – not to underestimate the seriousness of these offences – animal fighting is of a much more serious nature, for you cannot get a much more premeditated act of cruelty than occurred in these cases. There is evidence indicating that dog-fighting is becoming an all too common event and these sentences will hardly serve the objective of deterrence set out in the Sentencing Act 2002. The Sentencing Act 2002 also requires Judges to impose the maximum penalty prescribed for the offence if the offending is within the most serious of cases for which

that penalty is prescribed. It is hard to deny the fact that the activities these defendants were charged with are among the most serious of those prohibited by the Animal Welfare Act 1999. It cannot be forgotten that this activity amounts to a death sentence for the dogs, for once they are taken into the custody of the SPCA, they are unable to be rehabilitated, and therefore, cannot be rehomed. The SPCA has no alternative but to put the dogs down.

This offence combined deliberate cruelty, serious neglect in failing to treat injuries that arise from this cruelty, and encouragement to others by making the fight a public event. The imposed sentences did not come anywhere near to recognizing the severity of these offences, and set a dangerous and unsuitable precedent.

COUPLE CONVICTED OF RUNNING AN ORGANIZED DOG-FIGHTING RING IN NORTHLAND

by Rachel Tan

Auckland is not the only scene for dog fighting in New Zealand. In fact, the recent events in Northland make the Auckland skirmishes seem relatively minor by comparison. On 17 April 2003, a Northland couple were found guilty in the Kaikohe District Court of running a professional dog-fighting ring, breeding pitbull terriers to fight, and failing to take proper care of their dogs. We cannot name the offenders as they have been granted name suppression.

Judge Thomas Everitt, in finding the couple guilty, rejected their claim of customary rights under the Treaty of Waitangi. He also said that the evidence of their failure to keep up the health of the dogs was "overwhelming". Bay of Islands SPCA inspector Jim Boyd said he was very pleased with the conviction and that it was "a step in the right direction".

The facts in the case are appalling. When investigators from the Bay of Islands SPCA conducted an official search in September 2001 at the home of the convicted couple, Mr Boyd found eight pitbull terriers and a cattle dog of which most were severely skinny and had scars on them consistent with dog fighting. One even had a puncture wound on its leg. Shilo, one of the pitbull terriers, had to be put down because it had a rotten jaw bone and was in a very bad state. An old dog, Fat Boy, had its teeth removed for the purpose of teaching younger dogs to fight. Also, a trailer littered with faeces, stained with blood, and smelling of urine was found near the dogs. It was believed to have been used as a dog kennel.

In this case, the dog fights organized by the couple involved dog fighters who gathered from all over Northland acting as gamblers or visual participants. The dog fights occurred at night in the couple's basement with armed guards believed to be there stationed as lookouts. Unlike the Auckland dog-fighting case, this case involved multiple incidents of well-organised dog fights which resulted in severe life-threatening consequences on the dogs involved. It also involved a gambling ring and the encouragement from many participants over a period of time. For these reasons, this case would seem to merit a serious penalty.

Mr Boyd, with many years of experience in the dog fighting scene, says he is optimistic a jail term will be secured for the convicted couple come June 17th --- the date sentencing is due to take place. He said that imprisonment would be appropriate because it is necessary to send out a strong message to people who engage in dog fighting activities. It will also prevent and deter people from attempting to engage in dog fighting, which has been a growing trend around New Zealand since the mid-1980s. In the United States, where dog fighting rings of this type are unfortunately all too common, sentences of imprisonment for organizers are common.

While Boyd certainly hopes a strong sentence would operate as a deterrent, he is nonetheless worried about the ability to crack down on dog-fighting of this nature because it tends to be gang-related and often run "underground". He hopes that in future the "public will be more forthcoming with information". Of greater assistance would be to have the information provided prior to the occurrence of the dog fights. Public help is critical if dog-fighting is ultimately to be reduced in New Zealand.

ANIMAL LAW IN THE NEWS

by Peter Sankoff

CREATING A MORE RESPONSIBLE SYSTEM FOR INVESTIGATING AND PROSECUTING ANIMAL WELFARE OFFENCES

On 15 May 2003, the New Zealand Herald published a commentary I wrote entitled “Animal Welfare Law Needs Teeth to Bite”. It was a commentary that discussed ideas that had been circulating in my mind for quite some time. The basic thrust of the piece was that the New Zealand government has generally done a much better job of talking about problems on Animal Welfare than it has in doing anything about them.

The article was written on a Saturday morning after my weekend breakfast was disturbed by a different article that made for grim reading. In the Weekend Herald, the problems faced by the SPCA in prosecuting offenders who commit cruelty to animals was discussed in some detail. It made it clear that when it comes to investigating and punishing offenders, the SPCA has been left to the government mostly to fend for itself.

In response to this article, I made the following points, many of which readers will have heard before:

- **It's no surprise:** Readers of the Weekend Herald may have been surprised by the SPCA claims to be having financial difficulty in funding animal welfare prosecutions, but not readers of this newsletter. While we should not forget the important strides that have been made in enacting the Animal Welfare Act 1999, the statute is only a part of the battle. In setting up this new regime, Parliament appears to have forgotten a key rule of governance - that a legislative decree is only as good as the enforcement tools that exist to give it teeth. Rather than providing funding to target this new range of offenders, the Government decided to dump the main responsibility for investigating and prosecuting animal cruelty offences into the lap of the SPCA, a charitable organisation funded almost entirely by private donations.
- **Funding is an essential part of an effective prosecution system:** The more I think about it, the more amazed I am that the New Zealand SPCA continues to fund a system of investigations and prosecutions without government assistance. Frankly, I'm surprised we are able to obtain the convictions and sentences we do – something that is a credit to the devotion and hard work of SPCA investigators in this country. While this is wonderful to see, it is unacceptable to leave matters in this way. Cruelty to animals can no longer be looked at as a “regulatory” offence that can be handled by a private agency. To advance, it must be treated as a criminal offence deserving of a public response – with public funding.
- **Animal Welfare Issues Are Important:** The truth is, animal welfare offences get the treatment they do because they have never been viewed as very important. **[Continued on page 7]**

- **Animal Welfare Issues Are Important:** Through its inaction, and often through its actions, Parliament appears to believe that animal welfare issues exist in a vacuum, and only have interest to “those who love animals”. This is not true. International research consistently supports the notion that there are clear links between animal abuse and child abuse. People who commit deliberate cruelty against animals rarely stop there, and there are proven advantages to identifying these offenders early. It should also not be forgotten that our record on animal welfare has an inevitable impact on agricultural trade. Farmers are well aware of the impact of bad publicity in places such as Europe, where the public is growing increasingly concerned about the humane nature of the processes that reap the food which lands on its plates. Dog control is another good example. It does not take an expert in animal behaviour to recognise that an abused and angry animal is more likely to bite than a happy one. The Government continues to make loud noises about the importance of dog control, while failing to consider that it might make sense to tackle this problem by seriously going after the owners whose actions contribute to the attacks in the first place.
- **The Judiciary is Not the Only Problem:** It is hardly surprising that when faced with a raft of low sentences for horrible acts of cruelty, one’s instinct is to blame the judiciary. Without question, the judiciary is certainly responsible for part of this problem. Nonetheless, considering how the government treats animal cruelty, it is hardly surprising that the judiciary treats offences of this nature as not particularly serious.

Overall, the point I was trying to make was a relatively simple one, and one I have propounded on several occasions previously. The enactment of the Animal Welfare Act 1999 must be viewed as a watershed moment in New Zealand’s history regarding the treatment of animals. Whether the legislation truly changes the attitudes and behaviour of New Zealanders will depend upon the way it is implemented and applied. In other words, the enactment must be looked at as a *first* step – not a last step. Four years on, it is clear that the people responsible for animal welfare are going to have to re-think how this Act will be implemented on a daily basis.

Certainly, a large part of this will be the government’s responsibility. As I stated in my commentary, I believe strongly that we must treat animal cruelty as a public problem deserving of a public response. That said, I also believe there is a great deal more that ordinary New Zealanders can do as well. If the SPCA is to continue in a serious role, it must consider how that role will be performed. As I have indicated on a prior occasion, I believe there is a great deal the SPCA can do on a national and organizational level to improve the quality of investigations and prosecutions. Not all of these require increased funding! My hope is that others will help as well. As always, it will take the willingness and initiative of organizations like the SPCA, ARLAN and others to step up on behalf of animals. Contrary to the situation that existed prior to 1999, there are currently sufficient tools in our possession to make a real difference. That will take work, dedication and a consistent commitment to happen. I hope you will join me on that journey.

ARLAN SEMINAR EXPLORES HISTORY AND INTENTION OF THE ANIMAL WELFARE ACT 1999

by Libby Schultz

As one of the driving forces behind the enactment of the Animal Welfare Act 1999, Neil Wells – currently the Programme Leader of Animal Welfare at Unitec’s School of Animal Health and Welfare – played a key role in introducing the Act’s ground-breaking positive duty of care on people who own and take care of animals.

Speaking at the 2nd ARLAN seminar for 2003 in April, entitled *Is the Moral Status of Animals Really Reflected in the Animal Welfare Act 1999?*, Wells began by providing an interesting insight into the background to the legislation and its progress through Parliament. Somewhat ironically, the original impetus for the new legislation came from the farming lobby in the mid-1990s.

“They were saying that as a country, we needed an animal welfare act,” says Wells. “They had their own reasons that were trade-driven...but that was nonetheless the real driver behind animal welfare reform.”

The industry-based Animal Behaviour and Welfare Consultative Committee began lobbying for the new legislation, but progress was slow. Frustrated, the committee wrote to every member of Parliament in 1997 to try to get support for the early introduction of the bill.

Pete Hodgson – now the embattled Minister for Energy – was then a veterinarian on the Labour opposition front bench, and took up the challenge. He was prepared to introduce a private member’s Bill if someone else was prepared to write it – which Wells agreed to do.

“That process is always a means of stirring up the government, so we just got started on the process. However we knew it was a gamble because private member’s Bills are only introduced every two weeks, there are hundreds of them, and it is the luck of the draw which will get selected.”

By 1997 a working draft of the Bill was ready to distribute to all stakeholders for their submissions, and Pete Hodgson placed it for ballot. At the time, the Bill was only sketched out in rudimentary form, as Hodgson was expecting the usual long wait before it might get chosen – but then the unexpected happened.

“The bill was placed in the ballot on a Monday, and to our huge surprise it was drawn out just two days later. That was the first time in Parliamentary history that had happened!” **[Continued on page 9]**



Neil Wells speaks to a group of students and faculty at ARLAN Seminar.

ARLAN SEMINAR ON THE ANIMAL WELFARE ACT

No political party was prepared to publicly oppose it, and the Bill received unanimous support before being sent into Committee. Things became somewhat more complicated when, in January 1998, the Government decided to prepare its own Animal Welfare Bill, to cover off some policy issues not provided for in the Hodgson Bill, and the two bills were considered together.

One of the most revolutionary aspects of the new Act, which commenced on January 1 2000, was the establishment of a positive duty of care. “Instead of providing punishment for those who are cruel to animals, the Act introduced a positive duty of care that every owner or person in charge of an animal must provide for its physical, health and behavioural needs”, said Wells.

The ‘Five Freedoms’ of animals, which were first declared by the UK’s Farm Animal Welfare Council, were modified into a series of needs which formed the core provisions of the Act. “The Government didn’t want to frame them as statements of rights, because they are difficult to turn into criminal provisions,” explained Wells.

“The five basic needs can be summarised as: proper and sufficient food and water, adequate shelter, the ability to display normal patterns of behaviour, physical handling that minimises distress, and protection from injury or disease.” These form the basis of the AWA and are set out in s4 of the Act.

The Act also introduced a new definition of animal. Previous legislation contained a number of anomalies – such as excluding wild animals, certain species such as deer, rats and possums, and invertebrates such as crabs or lobsters. “The new definition now includes all vertebrates and some invertebrates,” explained Wells. “It does not matter where the animal is – whether it’s a domestic, farm or wild animal.”

Another new feature is that the definition now includes a mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation. “This raises the interesting question of whether a person be convicted of mistreating a mammalian foetus,” says Wells. “Presumably if it suffers distress, an argument would be open for a prosecution.”

Another key feature of the new Act was the establishment of minimum standards for Codes of Welfare under Part 5. “There were deliberately no prescriptive standards provided in the Act. The advantages of using Codes is that they can be amended more easily in response to changing practice, scientific knowledge or public attitudes.” The Code of Welfare serves a number of functions: it provides standards for the affected industry to follow, and where complied with, acts as a defence to a charge under the AWA.

Yet, as Wells explains, several industries have refused to get involved in the code drafting process and are currently left “vulnerable” because they do not have a code of welfare in place – and therefore have no defence to a prima facie offence of cruelty. **[Continued on page 19]**

ARLAN UPDATE: SUBMISSIONS IN THE WORKS TO RESPOND TO HARSH DOG CONTROL ACT PROPOSALS

by Louise Brown

The ARLAN Working Group on Dog Control has met to discuss the government's proposed amendments to the Dog Control Act 1996. As readers are undoubtedly already aware [for more detail, see: ARLAN Newsletter, Vol. 2, No.1, February 2003], in response to a number of severe dog attacks and intense media pressure, Parliament began pushing for rapid changes to the Dog Control Act. While ARLAN supports a few of the initiatives, the vast majority of the proposals will result in dire consequences for dogs and their owners. ARLAN is currently writing a submission to the Local Government and Environment Select Committee asking it to reconsider a number of the measures.

The working group is chaired by Kerry Pollock and Louise Brown and includes ARLAN members Jill Jones and Peter Sankoff. The group has now reviewed the proposed changes to the Local Government Law Reform Bill (No 2) and determined the key areas ARLAN will address in its submission to the Local Government and Environment Select Committee. In particular the committee will make submissions for changes on eight sections. Generally speaking, the committee is concerned over:



The wave of the future? It will be, if the government's proposals become law.

- **Focus and Purpose:** The amendments represent a large philosophical shift, and propound the theory that dogs should be regarded primarily as dangerous animals. This is demonstrated by the Act's change in the wording of criteria for the territorial authority to consider when adopting policy on dogs. The new wording implies that dogs are an "inherent danger" and does not recognise that the behaviour of dogs is largely the result of irresponsible or poor ownership rather than the dogs themselves.
- **"Dangerous" Breeds:** The Act has put severe restrictions on certain types of breeds, including dogs of mixed origin who are partly composed of a restricted breed. Owning a dog of this type results in harsh restrictions against the dog, even where no offence has ever been committed by the animal or owner.
- **"One Strike" Law:** The proposed removal of "probationary owner" status creates a stiff penalty with automatic disqualification for a dog owner whose dog contravenes the Act for most offences. This means that any dog owner whose dog commits any sort of "attack" under the Act (against other animals, humans or some property), would be disqualified from dog ownership for 5 years. The committee would prefer to see a discretion available within this new section rather than an automatic disqualification for all owners. If passed, this proposal will lead to countless numbers of new dogs at the SPCA, as their owners become disqualified. **[Continued on page 11]**

ARLAN PREPARES TO FIGHT CHANGES TO DOG CONTROL ACT

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- **“Potentially Dangerous Dogs”:** This new classification is vague and discretionary, and could lead to restrictions on a countless number of dogs. The criteria stated for determining what is a “potentially dangerous dog” is unclear and further problems will arise in trying to define whether dogs are “wholly or predominately” of a “dangerous” breed type. Essentially, this section again fails to recognise that cruelty or poor ownership leads to bad behaviour in dogs and not necessarily an “inherent” characteristic of a breed.
- **Higher Costs – Fewer Dogs Adopted:** The additional costs and responsibilities to be added to dog owners will lead to more dogs at the pound and the SPCA. The amendments go so far as to require fencing of all dog owner properties with one access to a dwelling being completely “dog free”. These additional costs are impractical and illogical. There has already been evidence that these additional costs will simply lead to owners “dumping” or “destroying” their dogs.
- **The Death Sentence:** While not a change from the current Act, ARLAN has always been concerned about the fact that where a dog attacks a person or animal, there is an automatic destruction of the dog unless it can be shown that the circumstances of the offence were “exceptional”, a term that has been interpreted judicially as a very high threshold. ARLAN will request an amendment allowing judges considering the fate of a dog to assess a wider range of circumstances, including the dog’s history and previous behaviour, gravity of attack, and matters leading to attack in determining whether the dog is to be destroyed.
- **No More Freedom:** The changes will require a large number of dogs to be muzzled whenever in public places.

There is still time to contest these proposals! ARLAN’s Dog Control Working Group has begun working on a submission on behalf of the organization. The current plan is to send our submissions to the Select Committee by June 16th, as the closing date is the 20th of June. The group intends to circulate a draft to all interested ARLAN members by **6 June** so that members have a chance to offer comments and proposed changes. We also encourage others to send their own submissions! Furthermore, anyone wishing to be a part of this drafting, or if you have additional concerns please feel free to contact the working group with your submissions, c/o cruelty@arlan.org.nz

CODE OF WELFARE FOR CIRCUSES UP FOR REVIEW AND IT NEEDS WORK!

by Deidre Bourke

ARLAN recently obtained a copy of the pre-notification Draft Code of Welfare for Circuses, which is next Code of Welfare up for review under the Animal Welfare Act 1999. This Code sets out the minimum standards that circuses using animals must comply with in order to be legally operated. Compliance with the Code will constitute a legal defense to charges under the AWA so this is an important document for all animals currently held in circuses in New Zealand; this includes exotic animals such as elephants, chimpanzees, monkeys and lions, as well as performing dogs and horses.

Nothing wrong with animal circuses?

ARLAN has repeatedly voiced its dismay at the levels of animal abuse and neglect in New Zealand and the seeming unwillingness of the government to address the problems effectively and to protect the interests of animals. After looking in some detail at the history of several New Zealand animal circuses, we found a 'Pandora's box' of problems that exist in this area.

Case study: Ratcliffe's Circus

When ARLAN heard that the code for circuses was being reviewed and that New Zealand only had one actively touring circus using exotic animals (under the name "Whirling Bros"), we decided to take a closer look at that circus to see what issues might exist and just how large the problems were. What we found was a pile of reports and documents from RSPCA and MAF inspectors, as well as veterinarians, detailing repeated breaches of the existing code. The reports document ongoing problems and breaches such as: cages being too small (including an incident where a monkey was confined in a cage so small it could hardly turn or move); cages being dirty and inadequately cleaned; animals being confined in cages for prolonged periods; inadequate exercise with animals sometimes going for prolonged periods without training or exercise; animals tethered by chains without padding, water or adequate shade to protect them from the sun; inadequate grooming regimes; animals with health problems such as poor coat and skin conditions from dietary imbalances; lack of access to drinking water, sometimes for days at a time; animals being put on public display at wine and spirit outlets; animals with medical conditions such as sores, lesions, eye discharges, and muscle wasting and atrophy yet the circus could not provide records to show animals were seen by a qualified veterinarian; inadequate bathing facilities and environmental enrichments such as toys or scratching posts; and animals suffering from psychological disorders, showing stereotypic or repeated 'swinging' behaviour.

Perhaps most disturbing are the reports of deliberate ill-treatment. In 1999 a person involved with Ratcliffe's circus reported that the circus' elephant was being hit with what seemed to be a steel object. In the same year, a visitor stated that he had seen the elephant being beaten with an iron bar. Several former employees have also stated that animals were repeatedly ill-treated, that animals were left outside in all weather conditions, **[Continued on page 13]**

and that circus dogs were kicked and hit during training.

Various inspectors have issued reports to the circus regarding the continual breach of regulations, and legal action has been threatened on several occasions after the circus ignored those reports. Despite this the circus' license to operate has been continually renewed and we can find no evidence of any charges ever being laid. MAF did meet with the circus owners to discuss the cruelty allegations and sent an inspector out to the circus. However because the alleged events had taken place some time previously, no prosecution was taken.

ARLAN believes that no animal should suffer for the mere entertainment of humans. The confinement and use of wild or exotic animals in this way is a particular concern to us because of the unnatural and deprived conditions those animals are forced to endure in a circus environment. The fact that New Zealand only has one actively touring circus with exotic animals and this is it, further reinforces our opinion that only a total ban on the use of exotic animals in circuses can resolve the problems that currently exist.



The Draft Code of Welfare for Circuses

ARLAN has been awaiting the release of the Draft Code of Welfare for Circuses with great anticipation for some time. With so many exemptions having been given out to animal industries in the other draft codes released to date, the code for circuses was seen as having the most promise for reforms under the new Act. This was for several reasons:

The Draft Circus Code would legalize this sort of animal treatment even though it conflicts with the Animal Welfare Act.

1. Circuses cannot comply with section 10 of the AWA as animals in circuses, especially exotic species are not able to display "normal patterns of behaviour" as the Act requires. For example:
 - Animals are generally confined; or tethered in the case of elephants; in small cages or enclosures. This is especially inadequate for exotic animals such as elephants, lions, monkeys or chimpanzees that are social animals and usually live in large groups, and require a lot of space in order to display normal patterns of behaviour.
 - In addition to the confinement, animals in circuses suffer from the constant stress of being transported around the country as the circus moves from site to site. The animals have no 'permanent' home, and the need for constant travel requires cages be small enough for easy transportation.
 - Far from displaying 'normal patterns of behaviour' animals in circuses are trained to display unnatural behaviours for the entertainment of people [**Continued on page 14**]

NEW CIRCUS CODE WILL NOT IMPROVE THE LIVES OF THE ANIMALS FORCED TO LIVE THERE

[CONTINUED FROM PAGE 13]

2. Section 10 also requires that persons in charge of animals protect them from, and rapidly diagnose, any significant injury or disease. However, exotic animals require specialist veterinary care, care that is not available in most small New Zealand towns. This has dire consequences for animals that get ill when the circus is in a small or isolated part of the country.
3. The Minister can only approve a code that does not comply with the AWA in “exceptional circumstances” and
 - New Zealand only has two circuses with exotic animals, and of these, only one is even currently active and touring the country
 - Unlike with animal production industries, circuses contribute little to our economy
 - The use of animals for the purpose of entertainment is one of the most trivial and unnecessary uses of animals
4. New Zealand circuses using exotic animals have an appalling history of regulatory non-compliance and animal welfare problems, including routine euthanasia of ‘problem animals’, such as chimpanzees that reach maturity and grow too aggressive to handle
5. More than 15 countries and 133 councils or regions worldwide have prohibited circuses that use animals because of the welfare concerns they raise.

Despite these facts, the Draft Code for Circuses looks as if it will leave the situation in New Zealand largely unchanged. Moreover, the code has been drafted in appalling fashion. Not only do numerous clauses make no grammatical sense at all, (eg. “the exercise are must be”); but it appears that whole sections of the code have been ‘cut and pasted’ from the Code of Welfare for Pigs. The entire section of the code dealing with the food and water requirements of animals in circuses (Minimum standard No.4) refers only to the physiological, metabolic and nutritional needs of “pigs”!

This is perhaps the most striking indication of the degree of thought and attention that has gone into the code. ARLAN was truly shocked at its seemingly rushed and cursive nature, especially considering the government has already had three years to consider this review, and was recently granted a further year time extension.

Correspondingly, the provisions set out in the draft code give further indication of the low level of importance placed on the welfare of animals in circuses. For example, the draft code:

- Allows circuses to keep animals even when they are not regularly used in performances
- Allows circuses to hold chimpanzees, monkeys, dolphins, lions and even whales for the purposes of performance or exhibition, even though such animals require large living spaces that a circus environment cannot provide **[Continued on page 15]**

CIRCUSES – THEY ARE NO FUN FOR THE ANIMALS

[CONTINUED FROM PAGE 14]

- Allows zoo animals to be transferred into a circus environment, even though it is recognized this causes much stress since zoo animals will be accustomed to living more freely, in larger social groups and environs
- Allows circuses to keep animals that are young, infirm or elderly, and that are not performing, despite the fact circus life requires these animals to be constantly traveling from site to site
- Allows circuses to breed animals. Breeding control programmes to prevent unwanted numbers of animals being born into the circus are not to be mandatory. This shows that despite the fact circuses cannot comply with the requirements in the AWA, no phase out is contemplated, and the exemptions are seen as permanent
- Allows animals to be kept in their small transport cages for up to 24 hours at a time without being exercised, and requires animals receive as little as 45 minutes exercise or training per day
- Allows elephants to be tethered, and while there is no set requirement for how long a tether may be, the code “recommends” it be at least 4 m
- Allows social animals such as primates and elephants to continue to be kept without any other of their kind for companionship
- Allows the circus to use force to “encourage” animals to perform, as long as it is not “unnecessary force”



Life at the Circus – Still think it's fun?

In addition:

- There are no standards preventing routine euthanasia of animals
- There are no standards covering visiting animal circuses that might enter New Zealand
- Circuses are not required to have access to a specialist consulting vet in case of injury or illness of an animal
- Circuses are not required to ensure in advance that adequate supplies of food will be available wherever they travel. This is a problem since circuses are often unable to carry sufficient feed at all times
- While it is recommended that cages be able to withstand the physical strength of the animals contained in order to prevent escape, this is not an actual requirement in the code. On-site animal security checks to safeguard the public are also not required.
- Circuses are not even required to keep records on matters as basic as: breeding records; veterinary records; daily feeding charts; daily exercise regimes or even safety procedures. This makes information on circus operations and practices, and basic monitoring of their compliance with the code (and AWA) difficult if not practically impossible.

[Continued on page 16]

DRAFT CIRCUS CODE

[continued from page 15]

It is our opinion that unless radical changes are made to the new code before it is publicly released it is highly unlikely to improve the lot of animals in New Zealand circuses. This is especially true given that the draft code contains no requirements that circuses keep even basic records on their practices and the health of their animals. This problem is exacerbated by the historical difficulties that have existed in actually policing and enforcing the code in this area.

Because of the serious concerns we have about the new draft Code, ARLAN intends to make a substantive submission on this issue once the public submissions process begins. To this end, we are contacting our members asking for assistance. This is a great topic for anyone interested in animal rights issues, and we will be working closely with other animal advocacy groups, such as SAFE, in preparing our submission.

If this is an issue that you feel strongly about and you would like to help with some of the research or writing of ARLAN's submission please contact ARLAN at contact@arlan.org.nz and we will send you more information about how you can help.

ANIMAL LAW WEB SITE OF THE MONTH

This month's review, by Steven Gallagher, is the website of The Great Ape Project: <http://www.greatapeproject.org/>

The Great Ape Project organization is a newly established international group founded to work for the removal of the non-human great apes from the category of property, and for their immediate inclusion within the category of persons. The site provides a wide range of material these animals and is a 'must' for those interested in this area.

The site produced by this organization is commendable for its inclusion of unique features such as artwork by Patti the Chimpanzee, video symposiums of Chimpanzees, and links to interesting sites such as the Vegecyber Shop. Site users are also kept up-to-date with upcoming events however, most of these events take place in the United States.

The site encourages user interactivity by inviting users to sign up to the Great Ape Declaration which they propose to eventually take to the United Nations for implementation into International Law. The site also has a frequently asked questions section which provides users with some basic information about the plight of the group.

For those interested in Apes generally, this site has all the information you could ever need with material such as statistics, articles, and current events reports. For those wishing to learn more about the project, there is a free newsletter circulated by the organization which can be subscribed to via the website.

ARLAN UPDATE

EXECUTIVE COMMITTEE – NEW MEMBERSHIP

As was mentioned in the April 2003 newsletter, the Executive Committee of ARLAN added three members to its ranks in April. We are very excited to have these newcomers on board to help with our many projects.



Originally from the United States, **Louise Brown** is a recent graduate of the University of Auckland, Faculty of Law. An avid animal lover, and the guardian of two dogs, three cats, a horse and the odd chicken, Louise's legal interests lie primarily in the area of criminal law and evidence. She previously completed a BA in Sociology at Vanderbilt University and a Masters in Education at Texas A&M University. Louise's first task with ARLAN is to co-chair the Committee that will make submissions on the proposed amendments to the Dog Control Act 1996.

Kerry Pollock, the second of our new additions, is currently working as an in-house lawyer with one of New Zealand's major trading banks. Upon completing her law degree at the University of Auckland in 2000, she worked with the law firm of Minter Ellison Rudd Watts in the areas of banking and finance and subsequently in general commercial work. Kerry has always had strong concerns for the welfare of animals in New Zealand and overseas. She believes ARLAN is the perfect avenue for New Zealand lawyers to utilize their legal skills in a positive way for the benefit of animals.



Last but not certainly not least, is **Anna Cowperthwaite**, who graduated from the University of Auckland in 2003 with a BA (Geography) and an LLB(Hons). Her primary interest has been in environmental law, and she is currently working in the area of resource management. Anna has always been concerned with animal welfare, and wrote her honours dissertation in law on the accountability of animal research, testing and teaching in New Zealand. Anna's first responsibility on the Executive Committee is to help organize the conference on animal law being co-hosted with Unitec and tentatively scheduled for early 2004.

NEW ZEALAND LAW JOURNAL ARTICLE

Those of you interested in the ongoing debate over the Dog Control Act 1996 should check out the April edition of the New Zealand Law Journal. ARLAN member Jill Jones, who teaches law at the Manakau Institute of Technology, has written a thought provoking piece entitled "Barking up the Wrong Tree". The article examines whether there was really a need to make "urgent" changes to the Dog Control Act 1996 and considers the notion [**Continued on page 18**]

of a media-fuelled “moral panic” about dog attacks. Jones critiques several aspects of the legislation, suggesting the proposals lack “certainty and fairness”. A worthwhile contribution to New Zealand’s animal law scholarship, and certainly deserving of a read.

ADVICE TO THE NZCAC ON THE DRAFT CAT CODE

Dogs have not been the only animals on ARLAN’s busy April and May agenda. In response to a request from a member of the New Zealand Companion Animal Council – of which ARLAN is a member – several ARLAN lawyers have been working to provide legal drafting assistance on the proposed Draft Code of Welfare for Cats. The Code is designed to elaborate upon what constitutes appropriate care of domestic or stray cats. It will expand upon the basic welfare principles in the Animal Welfare Act and will also provide the basis for a prosecution in a cruelty case involving cats.

The Code is designed to set out the “minimum” standards for cat care. Where a cat owner can demonstrate that these standards were met, he or she will be able to escape conviction, notwithstanding what might otherwise appear to be a case of cruelty to animals.

Under the leadership of Executive Committee member Peter Sankoff, an ARLAN working group has provided detailed submissions on the NZCAC proposals. The Executive Committee wishes to thank the members of this New Zealand wide working group for their help on this matter: Sharon Lont (Dunedin), Tiffany McNeill (Wellington) and Victoria Whitfield and Marc-Rene Ruakane (Auckland).

LEGISLATIVE COMMITTEE UPDATES

New Organisms and Other Matters Bill: The deadline for submissions on this bill, which deals with the "Conditional" and Commercial release of GE organisms, closes on June 13. Details of the Bill (and earlier amendments) are on-line and submissions can be e-mailed.

See www.beehive.govt.nz <http://www.beehive.govt.nz/> !(Marian Hobbs), and www.clerk.parliament.govt.nz <http://www.clerk.parliament.govt.nz/>

Leg Hold Traps: MAF recently released a discussion paper proposing bans on three types of steel jaw traps, including the notorious gin trap. However the Victor No.1 steel jaw trap is to remain legal and exempt from the ban. This means that the Victor No.1, will remain in widespread use despite causing severe injuries to animals trapped in it. For this reason this legislation is unlikely to have a significant impact on animal welfare. Worldwide leg hold traps are banned in over 89 countries.

Submissions are now closed, but the discussion paper can be obtained from MAF or on the internet at:

!
<http://www.maf.govt.nz/biosecurity/animal-welfare/policy/papers/leg-hold-traps/leg-hold-traps.pdf>

“CONCENTRATION CAMPS” AND THE “GESTAPO”: SHEEP FARMING AND THE ANIMAL WELFARE ACT 1999

by Alex Conte

Two recent and high-profile prosecutions of South Island sheep farmers has led to emotive language being used, one Judge referring to conditions on a farm as being equivalent to a concentration camp, a sheep farmer referring to Ministry of Agriculture and Fisheries investigators and the Gestapo, and reporters describing events as animal genocide.

In September last year, MAF's Special Investigation Group carried out a week-long investigation at a high country sheep farm near Lake Benmore in Central Otago. The investigation was carried out pursuant to an order issued under the Animal Welfare Act to take action to mitigate pain and suffering of stock. Investigators reported finding 3000 sheep on the sheep station surviving on next to no feed, with the body condition of almost all animals such that their welfare was at risk. About half of the sheep were sold by MAF and transported to properties where they could recover their health. Almost 400 sheep were considered to be too far gone to recover and were euthanased.

In a press release following the operation at Lake Benmore, Mr Earl Culham, MAF senior adviser, commented that “the tragedy is that situations like this should not occur. Farmers should also know that we will act to enforce the law whenever animal welfare is at risk, and will pursue prosecutions where criminal liability can be established”.

The sheep station operators Keith and Susan Falconer, who had been farmers for 28 years in Otago's high country, were subsequently charged under the Animal Welfare Act on various counts of ill-treatment of stock. They pleaded guilty to eleven such charges and were fined, by way of sentence, in the sum of \$210,430 (\$94,000 of which is to be paid to the Ministry of Agriculture and Fisheries by way of investigation and prosecution costs). They were also disqualified from commercial sheep farming for a period of five years.

In an interview by the 20/20 television program, Mr Falconer explained that he and his wife were the victims of ignorance from townies who didn't know what farm life was like. Mrs Falconer commented that “you'd think we'd murdered a township of people to be treated the way we were”. To the contrary, MAF officials stated that the Falconers were given one year to improve the state of affairs on their farm and that it was only as a result of their failure to do so that action was taken. MAF investigator Peter Prestland took the view that every death was unnecessary.

More recently, a prosecution under the Animal Welfare Act was commenced against Russel Scobie, a 68 year old farmer in Invergargill. Upon entry of guilty pleas to the charges against him, the same day as the Falconers' sentencing, the Judge described Mr Scobie's farm as a concentration camp. Mr Scobie has been remanded for sentencing in early June and was told by the Judge to expect the worst. He may become the first New Zealand farmer to receive a sentence of imprisonment for ill-treatment of stock. **[Continued on page 21]**

CALL FOR HELP!

One of ARLAN's central mandates is to improve the understanding and accessibility of the law relating to animal welfare. We have made no secret of our dissatisfaction with the difficulty in accomplishing this. New Zealand law in this area is notoriously hard to research, as most judgments are unreported, and scattered across the country.

Peter Sankoff, Lecturer at Auckland University's Faculty of Law, and member of ARLAN's Executive Committee, has begun research and organization for a short text tentatively entitled Animal Welfare Law in New Zealand. The idea for the text is to provide practitioners, judges and legislators with handy access to the law relating to animals. It will discuss the theoretical underpinnings of Animal Welfare law and make recommendations for improvements.

Unfortunately, we recognize that most of the law in this area is unreported and somewhat difficult to access. As a result, we are hoping to circumvent this problem by calling on you, ARLAN's members and newsletter readers, to assist in any way you can. We urgently require copies of ANY unreported cases with some legal significance decided under:

- The Animal Protection Act 1960
- The Animal Welfare Act 1999
- The Dog Control Act
- The Marine Mammal Protection Act

A database of all the cases in ARLAN's possession has now been compiled. Rather than sending copies of case material, send a list of cases in your possession that can be checked against our database.

Case names can be mailed to:

Peter Sankoff
9 Eden Crescent
Faculty of Law
University of Auckland
Auckland

Case names and numbers can also be e-mailed to: p.sankoff@auckland.ac.nz

The creation of a text on animals will hopefully promote better consistency and accuracy in the law. Your assistance is invaluable to this exercise.

FARMERS FACE TOUGH SENTENCES FOR CRUELTY TO SHEEP – [continued from page 19]

Emotive language has been used and conflicts exposed. What can be said is that the prosecution against Mr and Mrs Falconer was an important test case as to what constitutes acceptable farming practice. The Dunedin District Court, in sentencing, made it clear that the Falconers escaped a sentence of imprisonment only because this was the first prosecution of its kind. The particular sentencing against the Falconers should also act to encourage the approach adopted by the MAF Special Investigation Group, where the Group was awarded significant costs to compensate MAF for the inevitable expense incurred in such operations. A warning has been issued and New Zealand farmers must become aware that MAF investigators and prosecution authorities will take action and that the Courts will treat such prosecutions very seriously. Parliament has laid down a framework for animal welfare, through the Animal Welfare Act 1999, and it is encouraging that both the Executive, through the Ministry, and the Judiciary have responded in a manner that clearly promotes such welfare in New Zealand

ARLAN SEMINAR ON THE ANIMAL WELFARE ACT – [continued from page 9]

“For example, a prosecution against the steeplechase industry could be an open and shut case. Because they don’t have a code of welfare, they have no safety net in place.”

Furthermore, the Codes only relate to animals that are under the charge of a person. “So groups involved in trout-fishing or pig-hunting are not protected. By not having a code, I believe they have weakened their position rather than strengthened it.”

In conclusion, however, Neil Wells described the Animal Welfare Act as “ground-breaking” in the way it converts concepts such as the Five Freedoms into legislative requirements.

“I would have to say we have started the building blocks with the positive duty of care, and by giving all animals equal status under the new definition of the Act.”

SEMINAR VIDEOS NOW AVAILABLE!!

ARLAN has now begun videotaping seminars for members and others who are not able to see the seminars in person. The first seminar, by Peter Sankoff discussing “Animal Rights vs Animal Welfare” is now available for \$15 plus \$5 postage (in New Zealand). We hope to have a double seminar video tape with both Peter’s as well as Neil Well’s recent talk on the Animal Welfare Act 1999 available shortly (for \$20 plus \$5 postage).

All cheques should be made out to ARLAN and sent to: ARLAN, PO Box 6065, Wellesley St., Auckland, New Zealand. For overseas pricing email us at: contact@arlan.org.nz

You can also borrow the video by contacting us at contact@arlan.org.nz, or by visiting Peter Sankoff at the Law Faculty. A small fee to support ARLAN is requested in exchange.

Barks, Meows and Squawks

A collection of notable quotes on animals and the law.

"The dog yelped when she was kicked... [and other occasions]... and was crying... I conclude that on the evidence led there was no finding open to the trial judge other than that any pain or suffering that was caused to the dog was unnecessary. The real issue was "Did the [defendant] cause any pain or suffering that rose above the minimal or threshold level, namely something in excess of the least physical discomfort? The fact that the [defendant] caused pain or suffering might be inferred from his actions coupled with the reaction of the dog to them. [Still,] I do not believe the trial judge erred in law in acquitting the defendant... On the evidence adduced, it was open to her to have a reasonable doubt about whether throwing the dog [3 metres] caused her any pain or suffering... There was, of course, evidence that the dog reacted to [these] actions by yelping. If indeed one were prepared to infer that, as a result of [these] actions... she sustained either pain or suffering, one still would have to determine whether it exceeded the minimal threshold of "the least physical discomfort"... In all the circumstances, I believe the trial judge was justified in stating as the basis for her decision, "I cannot infer from the sound that someone has heard the dog make that there is...unnecessary pain and suffering."

McDermid J. in *R. v. McRae*, 19 December 2002, Ontario High Court of Justice, dismissing an appeal by the Crown and demonstrating that New Zealand judges are not the only ones with a misunderstanding of animals. The defendant was found to have thrown his dog, kicked it on several occasions, hit it with a tree branch, and a five foot long drain pipe. Each time the dog yelped, but being unable to testify, obviously could not detail the extent of its suffering. Neither the trial judge, nor McDermid J. were willing to make the obvious inference that a dog treated in this manner, and one that was yelping, would feel pain.

"It was not a case of high-handed, over-zealous or unfeeling officialdom by a government department who had singled out Mr Scobie... [The evidence shows that] the state of the animals, with their ribs showing, was like a scene from a World War 2 concentration camp... I am therefore putting you on notice to prepare yourself for every possible sentencing outcome and that may include imprisonment..."

-Judge Noel Walsh in the Invercargill District Court, 7 May 2003, in convicting Russell Scobie for the ill-treatment of 37 sheep and other animals. Walsh said the evidence was "overwhelming". Sentencing is scheduled for 30 May.

Animal Rights Legal Advocacy Network

Improving the law to improve the conditions of animals

ARLAN is an organization of New Zealand lawyers and law students established in 2001, working to improve the law as it affects animals. We need your help to make this a reality.

How you can help?

- **Information** – By joining our e-mail chat group you can learn more about animal law issues in New Zealand. In turn, you can keep us posted about issues arising near you. E-mail: contact@arlan.org.nz to join in. Also, check out our web page: www.arlan.org.nz
- **Become an Active Member of ARLAN** – ARLAN urgently needs dedicated lawyers and law students who care about the plight of animals to join our cause. We succeed only to the extent that we have supporting volunteers who are willing to help. There are a number of ways you can assist, and what we need most is your time and enthusiasm! Several projects are underway and require assistance:
 - the **ARLAN Newsletter** needs volunteers to assist in writing and production. We also require volunteers outside of Auckland to assist in distributing our newsletter. To help out contact: newsletter@arlan.org.nz
 - the **ARLAN Animal Cruelty Committee** needs volunteers to help us ensure that better animal cruelty prosecutions are undertaken where animals are deliberately hurt. This committee is still in the process of being established, but for more information, contact: cruelty@arlan.org.nz
 - the **ARLAN Legislative Review Committee** needs volunteers to assist in reviewing and making submissions on legislative initiatives at different levels of government. To help contact: betterlaws@arlan.org.nz
 - support ARLAN and learn about Animal Law by attending one the **ARLAN Seminar Series**. Watch out for notices in this newsletter.
- There are other ways to help!** If you're not sure what you wish to do, just send us an e-mail at any of the addresses listed above. We'll find a way for you to help!
- **Support ARLAN Financially** – ARLAN is a non-profit organization that exists through the generosity of its members and supporters. While we endeavour to keep costs low, several of our activities require some degree of financial support including the maintenance of our website, and distribution of this newsletter. Any amount you can give would be hugely appreciated. To make a financial contribution, contact: contributions@arlan.org.nz, or simply send a cheque made out to ARLAN to: ARLAN, PO Box 6065, Wellesley St., Auckland, New Zealand.