



In this issue:

- [Welcome to Wayne Ricketts](#)
- [Your feedback on the Client Relationships section of the Code of Professional Conduct](#)
- [VCNZ elections](#)
- [Who needs an APC?](#)
- [Concerns about animal welfare](#)
- [Client relationships section of the Code](#)
- [Free MPI CPD course: applied outbreak investigation](#)

Welcome to Wayne Ricketts

We welcome Wayne Ricketts who we've contracted to assist in the professional standards area. Following graduation with a BVSc Massey in 1981, Wayne worked in mixed veterinary practice in New Zealand and the United Kingdom.

Wayne joined the then New Zealand Ministry of Agriculture working in the area of the import and export of animals. His interest in the welfare of animals during transport led to a role in the Animal Welfare Directorate as Technical Adviser to the National Animal Welfare Advisory Committee where he was closely involved with the development of the codes of welfare. During his time at the Ministry of Agriculture he was Adviser to two Ministers of Agriculture. He followed this with a 7 year stint at the NZVA as the Veterinary Resources Manager. He co-chaired the National Animal Welfare Emergency Management Advisory Group for the past 7 years.

Wayne joined World Animal Protection in March 2014 as Programme Manager Disaster Management for the Asia-Pacific region. In this role he worked with countries in the Asia-Pacific region to assist them with emergency planning for animals to protect their communities and their animals from disasters.

Wayne is a Councillor on the Australian and New Zealand College of Veterinary Scientists and holds a membership in Animal Welfare.

You can contact Wayne on 04 894 7109 or at wayne.ricketts@vetcouncil.org.nz

Your feedback on the Client Relationships section of the Code of Professional Conduct

We've reviewed the Client Relationships section of the Code and come up with a number of proposed changes, mainly to the section on informed consent. We regularly receive concerns or complaints about informed consent which has prompted us to update this section to make Council's expectations clearer. The guidance in the explanatory notes is also used to assess a veterinarian's conduct if it is called into question.

The proposed revisions are available to view in full [here](#).

We'd love to hear your feedback on these changes.

All feedback will be considered by the Council's Professional Standards Committee and Council, before any changes are finalised.

Please contact Wayne Ricketts (wayne.ricketts@vetcouncil.org.nz) with your feedback or if you would like to discuss these changes.

Who needs an APC?

All practising vets need a current APC. We're aware that some vets think that if they're not being paid, they don't need an APC. This is not correct. 'Practice' is 'practice' regardless of whether you're being paid.

Another misconception is that if you're practising under the supervision of a registered veterinarian, you don't need an APC because you're in the same position as a veterinary student. However only registered veterinarians with an APC, or BVSc students under direct veterinary supervision, can legally undertake significant surgical procedures.

For more information about our definition of 'practice' click [here](#).

VCNZ elections

It's election year for the three elected vet positions on Council. The elections will be held in December.

Council's primary purpose is to protect the public interest by ensuring that veterinarians are fit and competent to practise. This takes a strong Council which has the confidence of the public and the profession.

VCNZ work is challenging, but also very rewarding. Do you have good analytical and problem solving skills? Can you get to grip with complex issues? Are you a strategic thinker interested in the governance of your profession? Do you have the time to commit to this work?

If you have these abilities and want to make a difference to the regulation of your profession, please think about putting yourself forward, or suggest to a colleague that they do, when we call for nominations in July.

This year we'll use online voting for the first time. You'll be able to vote from your smart phone, computer or tablet. We hope this will be easier, and improve the response rate of 34% in 2013.

More information will come later in the year.

An animal welfare conundrum – what would you do?

Our phone rings here in the Council office, and it's a veterinarian saying 'I'm at farm and looking at a cow which to me is a case of cruelty. What should I do?'

The following is the advice we gave recently.

The scenario

A veterinarian was requested by a farmer client to inspect cows for broken tails. The veterinarian confirmed a number of animals with broken tails, some of them very recently broken. The veterinarian hadn't witnessed any farm employees breaking tails. A farm employee who may have been involved has recently left the farm. The timing of the broken tails appears to tie in with his employment. The farmer is reluctant to take the matter further.

This is what we considered

- Sections 2 and 3 of the [Animal Welfare section of the Code of Professional Conduct](#). Section 2 states that:

In the course of their work veterinarians must not ignore circumstances where they have reasonable grounds to suspect non-compliance with the requirements of the Animal Welfare Act 1999 and Codes of Welfare.

The explanatory notes for this section say:

- a. *...veterinarians are expected to be advocates for animal welfare.*
- c. *As well as informing their co-workers and clients of these provisions, veterinarians have a responsibility to ensure compliance with animal welfare standards. While it is not the role of veterinarians to actively audit clients in relation to animal welfare, they **must not ignore situations where they have reasonable cause to suspect that animal welfare standards have been breached.***

- Section 3 states that:
*Veterinarians **must act immediately** to remedy situations where they have cause to suspect unreasonable or unnecessary pain or distress in an animal(s), or possible breaches of animal welfare legislation.*
- Section 3 allows the veterinarian some discretion about immediate cases, but we think this is a case of severe cruelty, so explanatory note (k) applies:
Situations which must be reported to an inspector appointed under the Animal Welfare Act 1999 (SPCA inspector, MPI animal welfare inspector, Police, or the Animal Welfare Hotline 0800 008 333) include:
 - i. *Where animal welfare is reasonably considered to be at risk (i.e. a suspected offence under the Animal Welfare Act 1999) and a veterinarian suspects that the person in charge of the animal is not acting reasonably to relieve the situation;*
 - ii. *Situations of severe neglect or cruelty to animals, whether the person in charge is a client or not.*

Some additional things to consider

- This is a difficult situation for the veterinary-client relationship, but it's not up to the veterinarian and farmer to interpret and apply the law. It's up to MPI (or the SPCA or police) to do so. Importantly, neither client confidentiality nor the Privacy Act (1993) provide a means for the veterinarian to avoid their overarching obligation to ensure the expectations of the Animal Welfare Act (1999) and the Code of Professional Conduct are upheld. Unfortunately the farmer may also be liable under s164 and s165 of the Act. However bringing the matter to the attention of the veterinarian would likely be a strong mitigating factor.
- The farmer and veterinarian need to consider what would happen if it went unreported and the worker did it again elsewhere. Not only would more animals suffer but it may become known that the veterinarian and farmer knew about this probable offence and did nothing.
- Ask yourself 'could I defend my decision to my colleagues, the Veterinary Council, the farmer next door or the media?'

Key points

- A possible offence has been committed.
- It's not up to the farmer and veterinarian to apply the law.
- The Privacy Act (1993) and client confidentiality do not remove the obligations of a veterinarian to protect animal welfare.
- In this particular situation the Courts have already decided tail breaking is wilful mistreatment and an offence under the Act, with successful prosecutions in August 2015 (West Coast) and December 2015 (Taranaki).
- More animals could suffer.
- There are possible repercussions down the track for the farmer and veterinarian if the worker offends again and is prosecuted.

- This is an indefensible situation, and it isn't up to the farmer and veterinarian to defend it. This potentially damages New Zealand's reputation.

Our advice

- The veterinarian is ethically required to take the matter further, as this is a case of cruelty and the law has probably been broken.
- The veterinarian needs to advise the farmer that they are ethically bound to report this to an Inspector, and that the farmer may also be investigated.
- The veterinarian must treat any cows that require treatment.

If you find yourself in a similar situation and you're unsure what to do, check the flow chart in Animal Welfare Section of the Code of Professional Conduct, the [Veterinarians Animal Welfare Toolkit](#) (this is written for farm animals but the same principles apply to companion animals) or the [Guidance for veterinarians: dealing with cases of suspected or actual animal abuse and family violence](#) (aimed at companion animals but also large animals). Hard copies of these are also available from MPI, NZVA or VCNZ.

If you remain unsure please ring us or NZVA.

Free CPD course: applied outbreak investigation

Date: 15 June 2016

Venue: MPI Investigation and Diagnostic Centre, Wallaceville, Upper Hutt

Maximum attendees: 25

Cost: FREE OF CHARGE

CPD points: this course will contribute **6 hours** of continuing professional development. A certificate of attendance will be issued to participants.

Contact: Jonathan Watts, Jonathan.watts@mpi.govt.nz or 04 894 0382

Registration: to enrol please complete the online registration form:

<https://www.surveymonkey.com/r/MPI-CPD> or contact Jonathan Watts for additional details

Course synopsis: A day of CPD to guide disease outbreak investigation. Veterinary practitioners are frequently faced with a situation where a number of animals on a property have been affected by disease. Approaching investigation in a methodical manner can help to maximise efficiency in diagnosis and disease control.

This course will take attendees through outbreak investigation in a practical stepwise manner. It will also include information on post mortem technique, sample collection and handling, and interpretation of diagnostic tests. The course is designed to be of practical use to clinicians to achieve the best outcomes for their clients in the timeliest manner.

Learning outcomes: By the end of this course, participants should be able to:

- apply practical methods for the investigation of disease outbreaks
- perform a post-mortem examination in the field, collect appropriate samples
- interpret diagnostic test results within the context of an outbreak investigation
- have an appreciation of significant emerging diseases within New Zealand.

Transport from Wellington to Upper Hutt will be provided free of charge.

Click [here](#) for more information.