



VETERINARY COUNCIL
OF NEW ZEALAND
Te Kaunihera Rata Kararehe o Aotearoa

VCNZ Update

What to do when the pet owner refuses euthanasia

Helen Beban, Professional Adviser, Veterinary Council of New Zealand (VCNZ) discusses meeting your obligations in this situation under the Veterinarians Act 2005 and section 138 of the Animal Welfare Act 1999.

Veterinarians have both a legal (Animal Welfare Act 1999) and professional responsibility (VCNZ Code of Practice for Veterinarians) to remedy situations where they are aware an animal(s) is in unnecessary pain or distress. This includes the need to administer first aid and adequate pain relief (and even euthanasia) whether or not payment can be made at the time of the treatment. In rare circumstances, this also applies where the owner refuses euthanasia for their animal. The overriding priority is to ensure that animal welfare is not compromised.

Sometimes the owner won't accept that euthanasia is necessary. For example, where personal, cultural or religious beliefs prohibit the taking of a life, there may be an inability to come to grips with the situation and acknowledge the animal's ongoing suffering or that this suffering cannot be adequately managed. Underlying personal circumstances such as recent severe illness or death of a close family member or friend can also affect attitudes.

The need to end the suffering by euthanasia is not usually immediate and there are strategies that veterinarians (and other members of the veterinary health care team) can do to help the pet's owner through this difficult time. It may be possible to provide the patient with adequate pain relief and nursing care to give the owner time to work through issues.

Where the veterinarian decides euthanasia is required and the owner disagrees, the owner has the right to seek a second opinion from another veterinarian provided this is within a reasonable timeframe and the pet's welfare is not compromised. This may

include the second veterinarian actually coming to your clinic if you cannot provide adequate pain relief and the means to adequately transfer the pet. This may be needed in spinal injury cases.

Be patient and try to give the owner time to come around to the decision themselves if you can provide adequate pain relief. This may include some time with the pet at home if this can be appropriately managed.

Owners need to understand their responsibilities under the Animal Welfare Act 1999 and to appreciate your responsibilities as a veterinarian. Hopefully, you can discuss this with them in a non-threatening way, but you may need to outline section 11 of the Act for them or even put this in writing as a last resort:

Obligation to alleviate pain or distress of ill or injured animals

The owner of an animal that is ill or injured, and every person in charge of such an animal, must, where practicable, ensure that the animal receives treatment that alleviates any unreasonable or unnecessary pain or distress being suffered by the animal. This section does not require a person to keep an animal alive when it is in such a condition that it is suffering unreasonable or unnecessary pain or distress.

VCNZ recommends that you seek the assistance of "an Inspector or auxiliary officer appointed under the Act" in situations where you decide an animal should be euthanased but the owner is not known or where the owner disagrees. An SPCA inspector is appointed under the Act to make these decisions, and the involvement of the SPCA is strongly advised. If an SPCA inspector is not

available, the assistance of a police officer (also appointed under the Act) is recommended.

In all cases, it is important that you ensure informed consent has been obtained and documented, if at all possible. This may include the signing of a euthanasia consent form or signing over the pet to the SPCA, but informed consent is a process and is more than simply signing a form. The pet owner must understand the process. If this is not possible, it is vital that the process you followed is fully documented in the clinical record.

A recent case brought to our attention demonstrated how involving the SPCA can be beneficial for the pet owner and veterinarian. The case involved a pet severely mauled by a dog. The owners could not afford the extensive treatment necessary and the prognosis was guarded. The owners would not consider euthanasia for religious reasons. The veterinarian sought assistance from the local SPCA and the owner was offered the option of signing the pet over to the SPCA. The SPCA and veterinarian could then work together to determine the best outcome for the pet regardless of financial and religious considerations. The owner decided to sign the euthanasia form rather than hand the pet over to the SPCA.

A similar case in late 2013 was resolved by the owner signing a pet over to the SPCA.

Summary

A veterinarian must prevent unnecessary pain and suffering in animals, regardless of financial considerations. You are strongly advised to work with the SPCA if you need to euthanise an animal when the owner cannot be found or the owner refuses the recommendation. ■