



April allsorts

VCNZ's **Wayne Ricketts** shares a miscellany of recent issues.

TRANSFERRING OWNERSHIP OF ANIMALS TO VETERINARIANS

In some cases (eg, condition of the animal, owner unable to pay, owner does not want the animal to be euthanased), veterinarians may consider suggesting to owners that ownership is transferred to the veterinarians or practices.

While there is no legal ability enabling veterinarians to do this, there is nothing legally that prevents the transfer of ownership of an animal from one person to another (and this would include veterinarians). Veterinarians should be very careful, though, that they are not seen to be coercive or bully the owners into relinquishing rights to animals. Having another family member or a friend present during the discussion and decision-making process is a good suggestion. Veterinarians should request that owners sign over ownership in writing and should fully document the process in the clinical records.

NON-PAYMENT AND 'NO OWNER'

What to do if the owner appears to have 'done a runner'? This is not an easy one. At some stage you will no longer want to retain the animal. Veterinarians have no legal powers in these situations. Our advice is to ask the SPCA or territorial authority (TA) to take the animal into its possession. You should attempt to contact the owner to advise that the animal will be transferred to the SPCA or TA on a certain date and time, and refer all further communication to the relevant organisation.

If the animal is not able to be discharged as it requires ongoing in-clinic treatment, it is possible that neither the SPCA nor the TA will take the animal into their possession, either

EXPECTING ANOTHER VETERINARIAN OR PRACTICE TO COVER FOR YOU, WITHOUT ANY PRIOR ARRANGEMENTS, IS UNPROFESSIONAL.

literally or figuratively. Figuratively, it is legal for the SPCA and the TA to take possession of the animal and then have the animal held at any location, including a veterinary clinic. The mandatory seven-day hold period can be on site at the veterinary clinic, after which the ownership is relinquished to the SPCA or TA and the animal can be disposed of according to the Dog Control Act 1996 or the Animal Welfare Act 1999 (ie, rehomed or euthanased as required).

An alternative to the SPCA or TA is to seek assistance from the police to locate the owner. Police are warranted animal welfare officers with the same powers under the Animal Welfare Act. Be sure to document everything.

We suggest that a clause be written into your terms of trade regarding the clinic taking specified actions in cases of desertion or abandonment.

Note: the above situation applies when animals can be treated and section 138 (vis a vis euthanasia) of the Animal Welfare Act cannot be used.

SOCIAL MEDIA

It's now the way of the world, but there are good and bad aspects to social media. Comments can be nasty, vindictive and

ill-informed. If comments are bullying or abusive, you really need to think about whether to respond or not. It can be tempting to respond to 'clear your name', but this can often inflame the situation. Good advice is to not respond publicly. The NZVA and VCNZ have each developed a social media policy. See page 31 for advice on dealing with problems on social media.

APC RENEWAL: SHOULD I DECLARE I AM SUFFERING FROM ANXIETY OR DEPRESSION?

This is a difficult call, but veterinarians are required to declare any mental or health conditions that could affect their fitness to practise. Once advised, we may request that your doctor provides us with an opinion about your fitness to practise. In most cases, an Annual Practising Certificate is issued and nothing further happens. Failure to disclose could have ramifications if there were a subsequent complaint to VCNZ about that veterinarian.

AFTER-HOURS SERVICES

If I set up a veterinary business on my own or already operate singly, do I have to provide an after-hours service? Yes you do. The Code says that you have to make provision for an after-hours service. As per my last article, a veterinarian in clinical practice is obliged to "make available" emergency services at all times in order to provide relief to any animal suffering pain or distress, unless they are able to refer owners to an alternative veterinary emergency service.

After-hours services may be provided by the veterinarian and/or the clinic, shared with another practice, or provided by an after-hours clinic. VCNZ acknowledges this can be challenging in remote areas where there are few veterinarians. Expecting another veterinarian or practice to cover for you, without any prior arrangements, is unprofessional. It also potentially puts veterinarians at risk who are inexperienced in particular species and whose after-hours services may already be operating at maximum capacity. ⁽⁸⁾