



VETERINARY PRACTITIONERS BOARD
AUSTRALIAN CAPITAL TERRITORY

Obligation to provide treatment

The *Veterinary Practice Veterinary Practitioner Code of Professional Conduct 2018* states:

No refusal of pain relief

1. A veterinary practitioner must not refuse to provide relief of pain or suffering to an animal that is in his or her presence (except in the case where there is an unacceptable and unmanageable risk to his/her or others' personal safety).
2. In this clause, relief, in relation to pain or suffering, means:
 - a. first aid treatment; or
 - b. timely referral to another veterinary practitioner; or
 - c. euthanasia, as appropriate.

When presented with an animal in unreasonable or unnecessary pain a veterinary practitioner must provide first aid and/or pain relief appropriate to the circumstances or if available and appropriate, a timely referral to another practice. Giving first aid and pain relief does not mean that the veterinary practitioner has agreed to any further ongoing treatment. Veterinary practitioners should communicate clearly with owners if they are only able to give first aid and pain relief and that the owners will need to seek further treatment elsewhere after this is given.

Notwithstanding the above, a veterinary practitioner is not obliged to treat an animal if there is an unacceptable and/or uncontrollable risk to the safety of staff, the owner, the members of the public or the veterinary practitioner in treating that animal.

The duty exists whether the person presenting the animal can, or is willing, to pay, and whether or not they are a client of the practice. The duty exists whether the animal has an owner or not, and the duty includes wildlife.

A veterinary practitioner must ensure that an animal does not suffer unreasonable pain or distress because of a client's unwillingness to provide veterinary care. If the owner refuses to allow the animal under their care to be given appropriate treatment, the veterinary practitioner should consider whether it is necessary to report the case under the *Animal Welfare Act 1992* or if in the opinion of a veterinary practitioner the animal is so severely injured, so diseased or in such a physical condition that it is cruel to keep it alive the veterinary practitioner has the power under Section 86 of the *Animal Welfare Act 1992* to seize and destroy the animal humanely.

Where a veterinary practitioner is presented with an animal of a species they do not normally treat and the animal requires emergency attention, the veterinary practitioner should provide first aid and pain relief to the animal before referring the animal for appropriate care.

Other than the above obligation to relieve pain or distress, and obligations under continuing care after-hours there is no statutory requirement requiring a veterinary practitioner to provide an animal with veterinary treatment.

Obligation to provide non-emergency veterinary services

Veterinary practitioners are not obliged to accept new clients, continue to provide services to existing clients or provide a requested treatment, providing animal welfare and professional standards are met.

Veterinary practitioners should use their professional judgement, and take into account all relevant circumstances, when considering whether to provide a particular requested veterinary treatment (surgical or medical) or undertake any requested diagnostic investigation.

Veterinary practitioners can end their relationship with a client as long as this decision doesn't conflict with any animal welfare and ongoing care responsibilities under a current treatment plan. Veterinary practitioners should notify the client in writing of this decision.

A veterinary practitioner may be unwilling to provide treatment for animals on behalf of clients because:

- there has been a history of poor payment or non-payment (bad debt)
- they are unable to afford veterinary treatment
- they have been notified previously in writing by the veterinary practitioner concerned that further veterinary services will not be rendered (dismissed by the practice)
- the client usually uses another veterinary practitioner or service.

The dismissal of a client does not relieve the veterinary practitioner of their obligations and responsibilities to provide relief of pain or suffering.