

A woman with long brown hair is shown from the back, holding a golden retriever puppy. The puppy is resting its head on the woman's shoulder. The background is a solid, bright yellow color. The text is overlaid on the lower right portion of the image.

Guidance for veterinarians

**Dealing with cases
of suspected or actual
animal abuse and
family violence**



A correlation between animal abuse, family violence and other forms of community violence has been established. Child and animal protection professionals have recognized this link, noting that abuse of both children and animals is connected in a self-perpetuating cycle of violence. When animals in a home are abused or neglected, it is a warning sign that others in the household may not be safe.

American Humane Association

When you, as a veterinarian, suspect that an animal has sustained injuries as a result of deliberate abuse, it can be difficult to establish the appropriate course of action. It can be even more challenging if you suspect that the violence perpetrated on the animal may also have been used to threaten or intimidate human family members.

Despite the relative rarity with which situations of deliberate animal abuse – and associated family violence – may have been recognised in practice, it is clear that such events are occurring in our society. Raising veterinarians' awareness of such issues, interfacing as they do with both animals and their owners, provides a unique opportunity to assist in reducing violence in New Zealand society.

ACKNOWLEDGEMENTS

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Acknowledgement is also owed to the American Veterinary Medical Association, the Links Group and VETPlus for the useful guidance material they have produced in this area.

Special thanks to Virginia Williams.

Purpose

These guidelines have been developed to assist you to set practice policies and protocols to follow when animal abuse or family violence are suspected or identified, and to provide information and links to help you to respond safely and responsibly in such cases.

Production animal veterinarians will be familiar with the *Veterinarians Animal Welfare Toolkit* which covers animal welfare issues on farms. This guidance extends beyond animal abuse to include suspected or actual family violence.

For the purposes of this document, the term “family violence” includes abusive and harmful behaviour between family members. This includes violence against partners, children, young people and other adult members of the household including the elderly. This guidance will also stand as a good reference for veterinarians on what to do when worried about abusive and violent behaviour that is occurring outside of family or household relationships.

While this guidance is slanted towards individual companion animals, the general principles and advice apply equally to production animal situations.

There is increasing research and clinical evidence which suggests that there are sometimes interrelationships, commonly referred to as “links”, between the abuse of children, vulnerable adults and animals. A better understanding of these links can help protect victims, both human and animal, and promote their welfare.

National Society for the Prevention of
Cruelty to Children (UK)



Animal Abuse

You suspect animal abuse or neglect

Animal welfare at risk and owner not acting to remedy
OR
Severe neglect or cruelty

Consult your colleagues
Gather information, history of similar events etc
Hospitalise the animal if possible

Raise concerns with owner

Raising concerns not feasible

Owner receptive
Education and monitoring

Owner not receptive

Consider raising any human safety concerns with police

Resolution

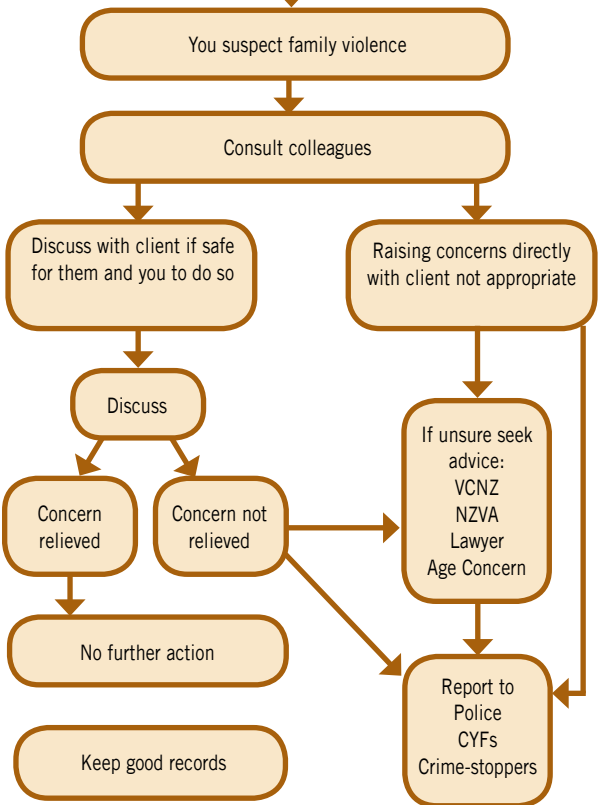
Inadequate response

If you report a case it may end up in court.
In every instance that you may end up reporting a case you should:
- take complete notes and photographs
- maintain the chain of evidence

Report to an
Animal Welfare Inspector
MPI
RNZSPCA
Police



Human Violence



Don't forget that it is not up to you to establish an offence, but to report to those who can investigate.



ANIMAL ABUSE

The Veterinary Council of New Zealand's (VCNZ's) Code of Professional Conduct (the COPC) sets the following standards:

- 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 (Animal Welfare Section 2); and
- 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 (Animal Welfare Section 3).

It is also important that you realise that the Animal Welfare Act 1999 (the Act) casts a broad net of potential liability in relation to animal welfare offences. Depending on the law, facts and circumstances, liability may extend to you even though you are not the owner of the animal(s), and even if you have only been in contact with the animal for a relatively short period of time.

FAMILY VIOLENCE

The Veterinary Council, in accepting the research linking the association between deliberate physical maltreatment of animals and violence against humans, advises that veterinarians, when confronted with situations of animal abuse, should consider whether people within that home might also be at risk. As well as responding appropriately to the ill treatment of the animal, “veterinarians should use their judgment to determine whether the appropriate government authorities (Child, Youth and Family, the Police) should be informed (COPC)”.

In New Zealand, reporting of suspected or known family violence is not mandatory. However, like any other adult members of our society, veterinarians have a responsibility to act when violence against the vulnerable is recognised or suspected. Whether your suspicions of family violence are triggered by detection of animal abuse within a client family, or as a separate issue arising out of your relationship with your client, there is a moral responsibility to act to protect those children or adults who may be being harmed but may be too afraid to speak up for themselves. The very people they should be going to for help may well be the ones who are causing their suffering, and it may only be through members of the community, including veterinarians, taking responsibility in such situations that children, young people and vulnerable adults can be linked in with the support services they need to be safe.

The decision to report suspected family violence can be a difficult one. What if you're mistaken and there are other reasons for the signs you are seeing? Should you "interfere"? How could this come back on you personally? Professionally? Economically?

But understanding the gravity of child abuse and family violence in New Zealand society imposes a moral obligation to act in some way to help create a culture where such issues are increasingly unacceptable to the community as a whole. Recognition of the potential barriers to "doing the right thing" is one of the underlying reasons for providing veterinarians with this resource.



Who do you call? If you are worried a child or young person might be unsafe or not well looked after, call Child, Youth and Family on **0508 FAMILY (0508 326 459)**. They are available at any time.

For concerns about the abuse of an adult including a senior citizen, call the Police, Crimestoppers (**0800 555 111**) or your local Age Concern office. These calls can be made anonymously.

Remember that you do not have to confirm that there has, in fact, been abuse or violence. The "trigger" for you to contact the relevant authority is simply the "suspicion" of abuse or violence.

CONFIDENTIALITY

One of the major concerns for veterinarians considering reporting suspected or actual abuse of animals or people, is the issue of confidentiality. Confidentiality is one of the cornerstones of professional practice and one with both professional and legal implications. There are, however, circumstances that override the confidentiality requirement. The relevant one in these cases is that "disclosure of the information is made in accordance with the principles set out under the Privacy Act 1993" (COPC, Client Relationships 1(b)(ii)).

Privacy Principle 11(e)(i) of the Privacy Act 1993 allows you to disclose personal information when you believe an offence has been or is being committed. See <http://privacy.org.nz/limits-on-disclosure-of-personal-information-principle-eleven>



Where appropriate, you should address your animal welfare concerns with the client in the first instance. An inadequate response to this approach requires further action, for example where:

- animal welfare is reasonably considered to be at risk (i.e. a suspected offence under the Animal Welfare Act 1999) and you suspect that the person in charge of the animal is not acting reasonably to relieve the situation; and
- there is severe neglect or cruelty to animals, whether the person in charge is a client or not.

In such cases, you have both a professional/ethical and a legal duty to act, difficult though it may seem.

The COPC requirement that veterinarians must report cases to an inspector appointed under the Animal Welfare Act 1999 is covered by the Privacy Principle, as long as you are acting in good faith, having regard to all relevant information. Only the specific information necessary for the maintenance of the law should be disclosed, and only to inspectors appointed by the Minister under the Animal Welfare Act 1999 (SPCA inspector at **0800 100 254**, MPI animal welfare inspector at **0800 00 83 33** or the Police).

The Children, Young Persons and Their Family's Act (1989) provides for the anonymity of people who report concerns (s.15). If you request it, Child, Youth and Family will keep the details of your call confidential or at least discreet. Although the law doesn't guarantee total confidentiality, Child, Youth and Family would not normally release the name of the notifier. However, knowing contact details is useful for social workers who might want to get in touch to learn more about what you have seen or heard.

Further information can be accessed as part of the *Working Together to Keep Children and Young People Safe* document at <http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>



If unsure about your responsibility to report, contact:

**Royal New Zealand Society for the Prevention of Cruelty to Animals
(0800 100 254)**

**Veterinary Council of New Zealand
(04 473 9600)**

New Zealand Veterinary Association (04 471 0484)

**Ministry for Primary Industries
Animal Welfare Hotline (0800 00 83 33)**

**Child, Youth and Family 0508
FAMILY (0508 326 459)**

or your own lawyer for advice.





ANIMAL ABUSE

Animal abuse has been defined as “a socially unacceptable behaviour that intentionally causes unnecessary distress, suffering or pain, and/or death of an animal” (Ascione 1993).¹

On occasion, you may witness unacceptable behaviour towards an animal by a client. Or your client may volunteer the information that the animal has been deliberately harmed by someone, or, more rarely, by themselves. More often, the veterinarian will see an animal that has injuries that are not easily explained

How will you know if the injury is the result of deliberate abuse?

While the majority of injuries seen in practice will be the result of genuine accidents, many veterinarians have seen, or will at some time see, injuries that can be classed as non-accidental.

Typically, veterinarians enjoy good relationships with their clients, and don't expect owners to treat their animals badly or to deliberately injure them. In this context, you may find it difficult to include non-accidental injury in your differential diagnosis and to link separate incidents as an indication of abusive behaviour.

In addition, in larger practices, where animals are seen by a number of different veterinarians, a pattern of such behaviour may be harder to recognise.

However, the presence of injuries which are not clearly or appropriately explained should raise suspicions. It is in acting on those suspicions, and by recognising and dealing with deliberate animal abuse, that you can play an important role in helping to break the cycle of violence.

¹ Ascione F. (1993) Children who are cruel to animals: a review of research and implications for developmental psychopathology. *Anthrozoos* 6, 226–47

There are specific indicators particularly relating to the history that may raise your index of suspicion:

1. **Animal behaviour:**

- Animal displays fear – of its owner or of people in general.
- Animal displays a change in behaviour e.g. it may be subdued or overly aggressive.
- Animal appears more comfortable when separated from the owner.

2. **Client profile:**

- Possibly new to the practice.
- Discrepancy in given name, address or ownership of the animal.
- Known to be a “troublemaker”.
- Known to have had contact with the police.
- May be apprehensive/nervous in presenting that animal.
- May display a lack of concern for the animal.
- May display a degree of hostility.
- May accept that injuries are not accidental but lay blame elsewhere.

3. **Client history:**

- A history of previous trauma with this animal, or with others, including unexplained deaths. Repetitive injury must raise a strong index of suspicion.

4. **Animal history:**

- Client may be reluctant to give a full history.



- The history may be unsound and inconsistent.
- There may have been a delay in seeking attention.

5. Injuries may be inconsistent with the explanation given e.g. a road traffic accident may be given as the cause, but injuries don't "fit", or a kitten with a fractured skull may be said to have "fallen" although by six to seven weeks kittens are able to turn over in mid-air and land on their feet, not their heads (Munro and Munro 2008).² Classes of injuries (Munro and Thrusfield 2001)³ that may be found include:

- **Superficial lesions** – bruising, burns and scalds, incised wounds, lacerations, stab wounds, ligatures, avulsed nails, conjunctival haemorrhage, corneal puncture.
- **Deeper lesions** – epistaxis, haematoma, strangulation (manual/ligature), testicular injury, abdominal muscle rupture, retinal haemorrhage.
- **Fractures/locomotor injuries** – fractures (including old fractures), stifle ligament injury, amputation, lameness.
- **Internal thoracoabdominal lesions** – collapsed lung, diaphragmatic hernia rupture, liver rupture, intestinal rupture, intestinal strangulation.
- **Intracranial/spinal conditions** – brain trauma, paraplegia.

6. Previous injuries may be revealed on physical examination, ultrasound or x-ray e.g. fractured ribs.

There may be a number of explanations for the presenting signs and there is no one indicator that will confirm the diagnosis. It is the combination of factors that leads to a raised index of suspicion. Keep in mind that the person presenting the animal may themselves be under some coercion from the person who caused the injury.

² Munro R, Munro HMC. (2008) Animal abuse and unlawful killing: veterinary forensic pathology. Elsevier

³ Munro HMC, Thrusfield MV. (2001a) Battered pets: features that raise suspicion of non-accidental injury. *Journal of Small Animal Practice* 42 (5) 218-226

FAMILY VIOLENCE

Children, young people, adults and older people can experience harm from others within their home environments and families.

Child abuse is defined in the Children, Young Persons, and their Families Act 1989 (section 2) as:

- The harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person.

Adult domestic violence is defined by the Domestic Violence Act 1995 as including physical abuse such as punching, slapping or kicking a person, as well as sexual and psychological abuse.

Elder Abuse includes the physical abuse of persons aged 65 or more, as well as psychological, sexual, material/financial or social effects caused by the behaviour of another person with whom they have a relationship implying trust.

In your practice, you are perhaps most likely to become aware of injuries that might indicate physical abuse, but you should be aware of other possibilities. For instance, victims of emotional abuse, whether they be children, adults or the elderly, may present as isolated, controlled, fearful, lacking in autonomy or self worth.

SIGNS OF ABUSE IN CHILDREN

In a practice setting, some of the signs you might notice that could indicate a child is being abused, or is at risk of abuse are:

- Neglect. This is the most common form of abuse in children. The signs may not be as obvious, but children will look uncared for or don't have someone safe looking after them. They may be left home alone with an absence of basic necessities such as enough food and a warm, safe place to sleep.



- Unexplained bruises, fractures or other injuries, While many children are active resulting in bumps and breaks, consideration needs to be given to how and why these injuries happen. Especially worrying are fractures to the head or face, and hip or shoulder dislocations.
- Burn marks, particularly if in the shape of an object like a stove ring or iron, cigarette marks or rope burn.
- Explanations for any of the above do not seem to fit with the circumstances.

A fuller set of descriptions and guidance on what to do if you have concerns about a child's safety or wellbeing, is available in Child, Youth and Family's Interagency Guide <http://www.cyf.govt.nz/working-with-others/working-together-to-keep-children-and-young-people-safe.html>. If you are worried a child is not safe or being well looked after, contact Child, Youth and Family at **CYF 0508 FAMILY (0508 326 459)**. Be prepared to provide as much information as you can about the child's circumstances, what you have observed and why you have concerns. Trained social workers will take your call.

SIGNS OF ABUSE IN ADULTS AND OLDER PEOPLE

- As in children, unexplained bruises, welts, cuts and abrasions.
- Burn marks.
- Explanations for any of the above do not seem to fit with the circumstances.

If you suspect an adult is being abused, contact your local police or Age Concern if an older person.

The Age Concern website has contacts for elder abuse and neglect prevention services at

<http://www.ageconcern.org.nz/safety/elder-abuse/elder-abuse-and-neglect-prevention-service>



For further information see:

- Resources for the Family Violence – It's Not Okay Campaign http://www.areyouok.org.nz/campaign_material.php
- Are You Ok? Campaign for action on family violence. Information on getting help http://www.areyouok.org.nz/witnessing_violence.php
- Elder Abuse and Neglect Prevention – Family and Community Services
- Information about services and supports <http://www.familyservices.govt.nz/working-with-us/programmes-services/preventing-family-violence/elder-abuse-and-neglect-prevention-services.html>
- [Agewell.co.nz](http://www.agewell.co.nz)

One of the warning signs for perpetrators of family violence is threatening to, or actually harming, pets

(Child, Youth and Family 2011)



Because the issue of deliberate animal abuse can be both uncomfortable and difficult to confront, it is strongly suggested that practices have policies and protocols in place to guide veterinarians and other staff when they suspect or know abuse has occurred.

Support from senior veterinarians is particularly important for recent graduates who may lack the confidence and skills to deal with these issues.

It is perhaps even more difficult to deal with suspected human violence, so protocols need to be in place in case this issue is suspected within the family of a client.

Remember that the following circumstances must be reported to an animal welfare officer:

- 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;
- situations of severe neglect or cruelty to animals, whether the person in charge is a client or not.

There are an increasing number of texts on the subject of deliberate animal abuse. Two excellent examples are:

Merck M. (2007) *Veterinary forensics: animal cruelty investigations*. Wiley Blackwell, Ames, Iowa

Munro R, Munro HMC. (2008) *Animal abuse and unlawful killing: veterinary forensic pathology*, Elsevier

Practice policies and protocols should accommodate both general principles and the actions that should be taken when animal or family violence is suspected.

GENERAL PRINCIPLES

Veterinarians must be satisfied that their co-workers and their clients are informed of and comply with the relevant provisions of the Animal Welfare Act 1999 and codes of welfare that relate to work they are undertaking

[COPC Animal Welfare Section 2].

- The Animal Welfare Act 1999 should be available to staff in either hard copy or on line.
(http://www.legislation.govt.nz/act/public/1999/0142/latest/DLM49664.html?search=ts_act_Animal+Welfare+Act+1999_rese&sr=1)
- Relevant codes of welfare should be available to staff in either hard copy or on line.
(<http://www.biosecurity.govt.nz/regs/animal-welfare/stds/codes>).

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

[COPC Animal Welfare Section 3].

ACTIONS FOR DEALING WITH SUSPECTED ANIMAL ABUSE

Consult a colleague – If you suspect that a client's animal may have been deliberately harmed, you should, at least in a multi-vet practice, consult with a colleague – more senior if possible. Such cases are often best dealt with by a more experienced veterinarian. Every case will be different and will need to be judged differently. There is value in ensuring that any decision is a collaborative one. Sharing suspicions within the practice is important so that all veterinarians are aware and able to be vigilant.

Gather information – Sharing suspicions with colleagues, alongside a search of the client's records – for this and other animals for any indications or previous such concerns or unexplained injuries, may assist in establishing or eliminating the possibility of deliberate injury. To determine the best course of action, you should gather as much relevant information regarding the circumstances as you need to make a judgment. You should carefully document your involvement showing clearly that you have taken all necessary steps to manage your legal and professional responsibilities.

Consider hospitalising the animal – In companion animal practice, hospitalisation of the animal, even if not strictly necessary, will allow time to reflect on the injuries and circumstances and to seek advice from other sources if needed.

Raise concerns with the client/owner – The appropriate action will depend on the nature and severity of the injury, the relationship with the client and whether client records indicate this may be an ongoing problem. Where possible, it would be advisable to have another veterinarian and/or veterinary paraprofessional present. They could be called in for a number of reasons including, for example, to assist you in examination of the animal, or to provide a second opinion. In the

event of an investigation, the presence of the second person can be valuable in substantiating your credibility and your version of communications. Remember that the person presenting the animal may or may not be the perpetrator, and may or may not know who the perpetrator is. In some cases, it will be appropriate to raise your concerns that the nature of an injury indicates that it is not accidental. The owner may even have volunteered this information. In such a case, depending on the severity of the injury, the information provided by the owner and the client history, the most appropriate course may be to deal with the issue through education and ongoing monitoring. However, if any required actions are not carried out, and you continue to have concerns, an animal welfare inspector should be informed.

Remain calm and objective – In any consultation where the possibility of deliberate injury arises, it is important that you remain calm, polite and objective. If faced with an abusive or threatening client, you are strongly advised not to challenge, especially if you feel your personal safety is at risk. Seek immediate advice from a senior colleague if possible. In such situations, it is even more important to accurately record any exchanges alongside the client's explanation of the injury.

Consider reporting to an animal welfare inspector – Where you suspect an animal has been deliberately harmed but feel it is inappropriate, for whatever reason, to raise the issue with your client, you should report your suspicions to an inspector appointed under the Animal Welfare Act 1999 (SPCA inspector, the MPI Animal Welfare Hotline 0800 008 333 or the Police). Remember that it is not up to you to establish any offence, but to report animal welfare concerns to those who have the legal power to investigate. Keep a record. Be sure to take detailed notes of your communication (e.g. time, date, the phone number that you called, name of the person that you have spoken to, verification of their appointment, and the contents of your conversation "quoted" wherever possible).

Evidence gathering

- **Take complete notes** – It may not always be clear at the outset whether your suspicions will be reported, raising the possibility of an investigation. If this does occur, your records will form the basis of a formal veterinary report, and will be a vital part of illustrating your grounds for acting or reporting, and of maintaining your credibility as a witness. Your notes should be comprehensive, contemporaneous and detailed. As well as usual records on timing, ownership and clinical signs, your notes should include a detailed documentation of those present during the examination and the events described, as direct quotes if possible. The owner's explanation for any injuries should be carefully recorded, and, if no explanation is offered, that too should be recorded. Photographs that clearly show any injuries should be taken.
- **Maintain the chain of evidence** – In assessing suspected or known animal abuse, you should take care to maintain the “chain of evidence” in case there is a formal investigation or subsequent court case:
 - You need to accurately describe and identify each item (any samples taken (ante- or post-mortem) or physical evidence of the diagnostic processes e.g. xrays, ultrasound, photographs etc.) and keep a chronological record of the “movement” of that item.
 - A chain of evidence is required from the time the sample/x-ray etc is taken until the production of the evidence in the courtroom. This is so that the integrity and authenticity of the item can be guaranteed as it passes through different hands and ultimately to the Court. This may include transfer back to the clinic if taken off-site, storage within the clinic, transfer to a laboratory and transfer to Court. An inability to prove the integrity of an exhibit can result in the evidence relating

to the analysis of it being deemed inadmissible in Court.

- Clinics should have appropriate and secure processes for the storing of evidence that may be used in a court case. It is also important that laboratory samples are securely and appropriately packaged and stored in the clinic prior to dispatch, and that, at dispatch, the time, date, courier used and courier tracking number are recorded.
- In general, laboratories have well documented procedures to deal with samples involved in legal proceedings. However, the laboratory should be alerted in advance to the imminent arrival of such samples.



ACTIONS FOR DEALING WITH SUSPECTED FAMILY VIOLENCE

- **Consult your colleagues** – As with suspected animal abuse, you should, if you suspect abusive violence within a client's family, consult with a colleague – more senior if possible. Others within the practice may have had similar suspicions, allowing a collaborative decision to report concerns. Sharing suspicions within the practice is important so that all veterinarians are aware and able to be vigilant.
- **Raise the issue with the client** – This action will very much depend on your relationship with the client and should only be undertaken if you have confidence the safety and wellbeing of those involved won't be put at risk. There will be some cases where you feel a referral to other agencies is not required, (presenting risks are low) and those involved are able and willing to seek assistance directly. This guidance provides contact details of helping agencies and services that can be forwarded to your client families.
- **Further action** – If discussion with the client is not appropriate or your concerns are not relieved, reporting is the appropriate action.
- **Record your observations** – whether you decide to report the case or not, you should keep a record of your observations and any discussion that takes place as this will assist other agencies in their response to your referral.
- **Seek clarification if necessary** – If you are unsure whether to report, you are encouraged to discuss this with VCNZ, NZVA or your lawyer.

- **Consider who to report to** – Where you suspect that violence is taking place within the client family:
 - for a child or young person call **0508 FAMILY (0508 326 459)**;
 - for an adult including a senior citizen, call your local police or Crimestoppers **0800 555 111**;
 - in addition, for older people, your local Age Concern office can assist you to establish the appropriate action.

Remember that it is not your responsibility to establish or confirm abuse, violence or offending. It is your responsibility to report cases of suspected abuse or violence to those who have the legal power to investigate.

Veterinarians might like to consider placing information on family violence in their clinics e.g. on waiting room noticeboards, consultation rooms etc. Such material can be downloaded from, or ordered through, http://www.areyouok.org.nz/campaign_material.php



YOUR IMPORTANT CONTACTS

MPI:.....0800 00 83 33

SPCA:.....0800 10 02 54

VCNZ:.....04-473 9600

NZVA:.....04-471 0484

CYF:.....0508-32 64 59

Crimestoppers:0800 55 51 11

Womens Refuge Crisis Line.....0800 73 38 43

Local Police:

Local Age Concern:

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