

# A case-based approach to professional and legal issues

**V**eterinary professionals are considered by many to be extremely fortunate to occupy such a rewarding career. Indeed the opportunity to care for companion animals is a gratifying honour; however this does not come without immense responsibility. Veterinary professionals can encounter challenging emotive situations requiring consideration of legal and professional issues. As veterinary nursing progresses towards professional identification it is imperative that registered veterinary nurses (RVN) are conscious of their responsibilities and are guided by these in their actions.

This article contemplates the professional and legal implications of an RVN's actions in practice through reflection directly and clipping the wrong limb directly contributed to the resulting error. The focus of the paper will be on the role of the RVN; it is felt by the author that consideration of the scenario will have significant constructive effects on the developing profession.

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## Professional issues

The introduction of the non-statutory register for veterinary nurses (VNs) in 2007 was a milestone in the recognition of the VN both within practice and in the eyes of the gen-

welfare their first consideration. It could be argued that the RVN in this scenario has failed to prioritise the patient's wellbeing directly contributing to the death of the patient by not verifying procedure details before taking action. This may not have occurred had a breach of another section of the code, stipulating that RVNs 'must keep clear; ac-

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were documented on a consent form and signed by the client. The client authorised the amputation surgery to be performed on their animal, however; consent was for the right forelimb not the left. In order to pursue a claim for breach of contract the client would need to demonstrate loss. The animal is unlikely to have been of financial value and in law the loss of a chattel is not considered to cause distress (Earle, 2006). A successful claim for breach of contract may be awarded, damages would probably be minimal due to lack of financial implications.

Contracts exist in many contexts within the veterinary profession; a veterinary practice will hold contracts with pharmaceutical and insurance companies, other veterinary practices and also their employees. The RVN in this scenario by failing in their responsibilities detailed is likely to have breached the employment contract. The result of this may differ in severity however; if it is evident that the contract terms have been breached the practice could propose legal action (Directgov, 2012).

## Negligence

The tort of negligence is concerned with the breach of a duty of care resulting in damage to the plaintiff (Elliott and Quinn, 2007). Earle (2006) proposes three criteria which should be addressed in order for a claim of negligence to be successful. The first is duty of care, the second is breach of duty and the third is damage. (Earle, 2006)

