

Box 1. The incident



veterinary surgeon is allowed to prescribe medication from the category Prescription Only Medication-Veterinary (POM-V) (Veterinary Medicines Regulations, 2005). Sodium chloride is a POM-V and as such it constitutes an offence for any other person to prescribe this drug to an animal. The act of drawing up and allowing the RVN to administer saline without prior authority of the vet could mean that the student nurse broke this law.

Civil law

Civil law concerns the loss or damage experienced by a person through an act or omission of another (Gray and Wilson, 2006). Civil claims normally result in the award of compensation that aims to return the wronged party to their original state (Earle, 2006). Gray and Wilson (2006) suggest that two of the most common civil actions occurring in veterinary practice are negligence and breach of contract.

Negligence is 'the failure to act with the prudence that a reasonable person would exercise in the same circumstances' (WebDictionary, 2010). In order to claim negligence, a party must establish the existence of three conditions. These are duty of care, breach of this duty and reasonable foreseeable harm. Earle (2006) states that VNs have a duty of care to their clients, their colleagues and their employer; but importantly not to their patients. According to Earle (2007), animals are considered a person's possessions in law and as such any claim of negligence must result in loss to the owner not the animal. Because of this, it would not be possible to 'sue' the student nurse for negligence, as although her action may have caused harm to the animals, the clients did not sustain any loss as a result of it.

A further aspect of civil law involves breach of contract. In order for a contract to be formed several criteria must be met according to Gillhams (2008). These are: the involvement of at least two parties; a pledge to do or not do something plus agreement to this (offer and acceptance); the mutual assent of both parties; and the intention to create legal relations.

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example, the duty to highlight questionable behaviour in this case contradicts the duty to not cause animal suffering.

Reflecting on this approach, deontology on the surface appears to be an excellent method of decision making, encouraging one to ask oneself 'what is my duty here?'. However, it can be seen that ignoring the consequences of the action is not necessarily always the best thing to do. In contrast to this approach, consequentialism is the branch of ethics that examines the outcomes of an action in order to decide if that action is right or wrong (Rollin, 2006). Utilitarianism is a division of this type of ethical theory, which holds that an action can be judged as right if it produces the greatest happiness for the greatest number (Mullan, 2006). In order to accomplish this she states that it is necessary to weigh up the costs and benefits of an action and compare this to the costs and benefits of all alternatives. It is possible that the adoption of a utilitarian approach by the student VN may have led to an alternative and more favourable decision.

The final step in the decision-making process, according to Mullan (2006), involves minimizing the impact of the decision. It is not possible to know if the student VN considered this, however, it could be argued that her act of using saline as a placebo rather than another substance did demonstrate awareness of the need to minimize the consequences of her actions.

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