Protocol of veterinary action for the correct detection of mistreatment in the dog clinic

Final degree project ~ Veterinary Faculty
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OBJECTIVES

→ Facilitate and harmonize a protocol for the evaluation and diagnostic improvement to detect dog's abuse by the clinical veterinarian of small animals.

→ Determine the degree of possible mistreatment, in order to have objective elements and decision criteria, based on documented scientific references, that a clinical veterinarian is able to make a complaint or not to the competent authorities, or in relevant cases, to request help and legal defence in the corresponding veterinary college.

Data from Spain 2018

73 % of mistreatment cases occur at the perpetrator's home

138.407 cases of abandoned dogs

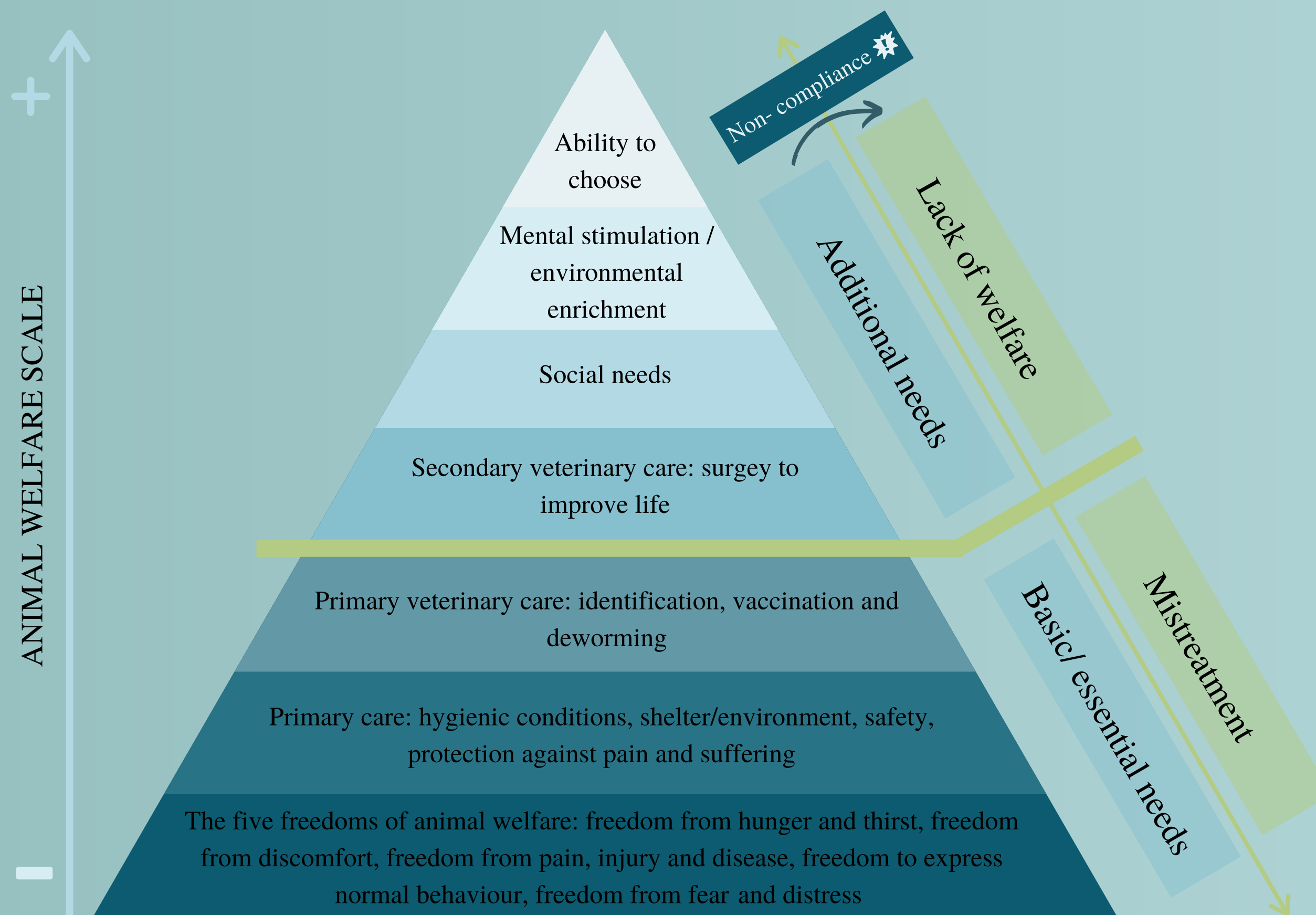**661** cases detected of mistreatment and abandonment of cats and dogs
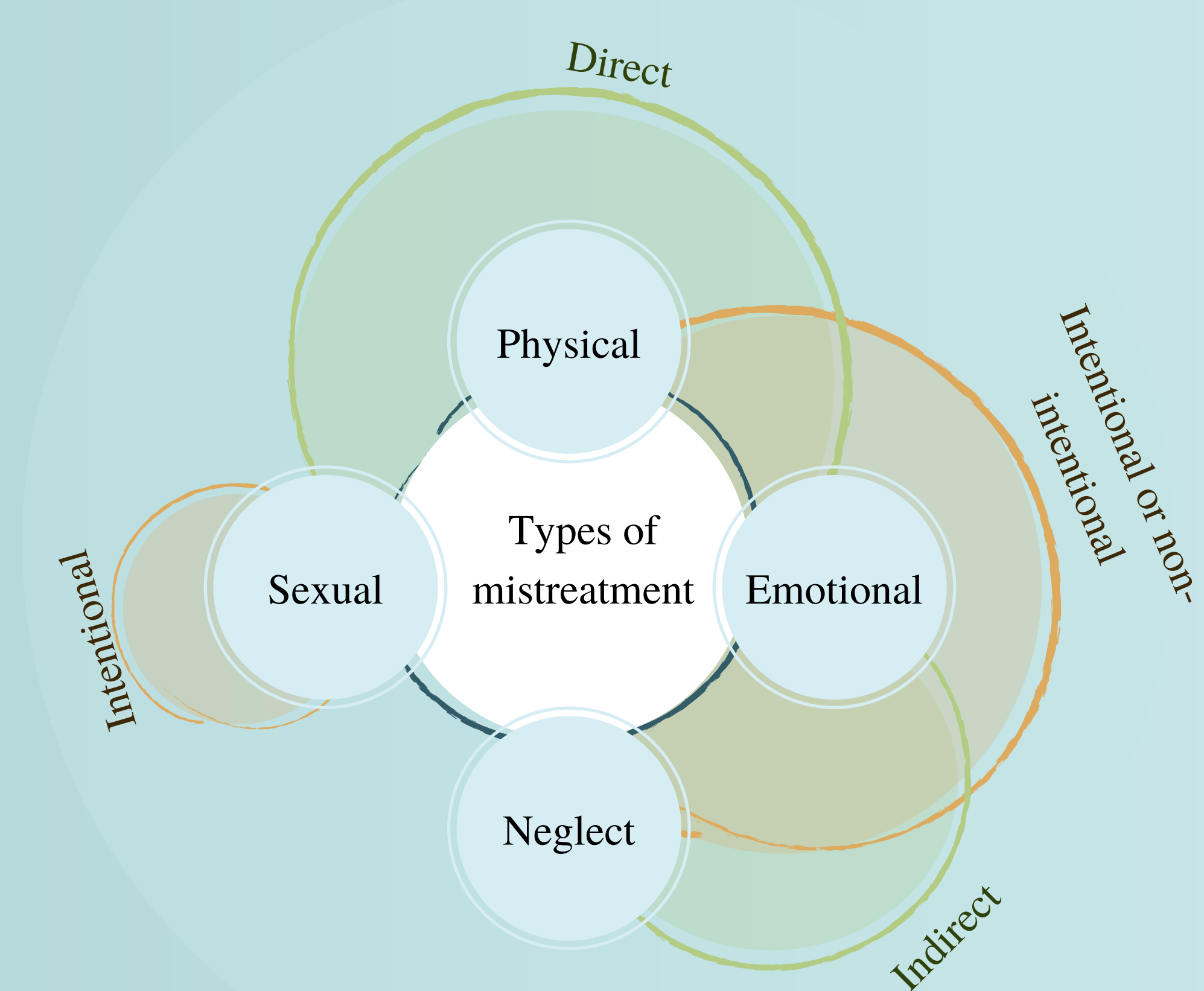
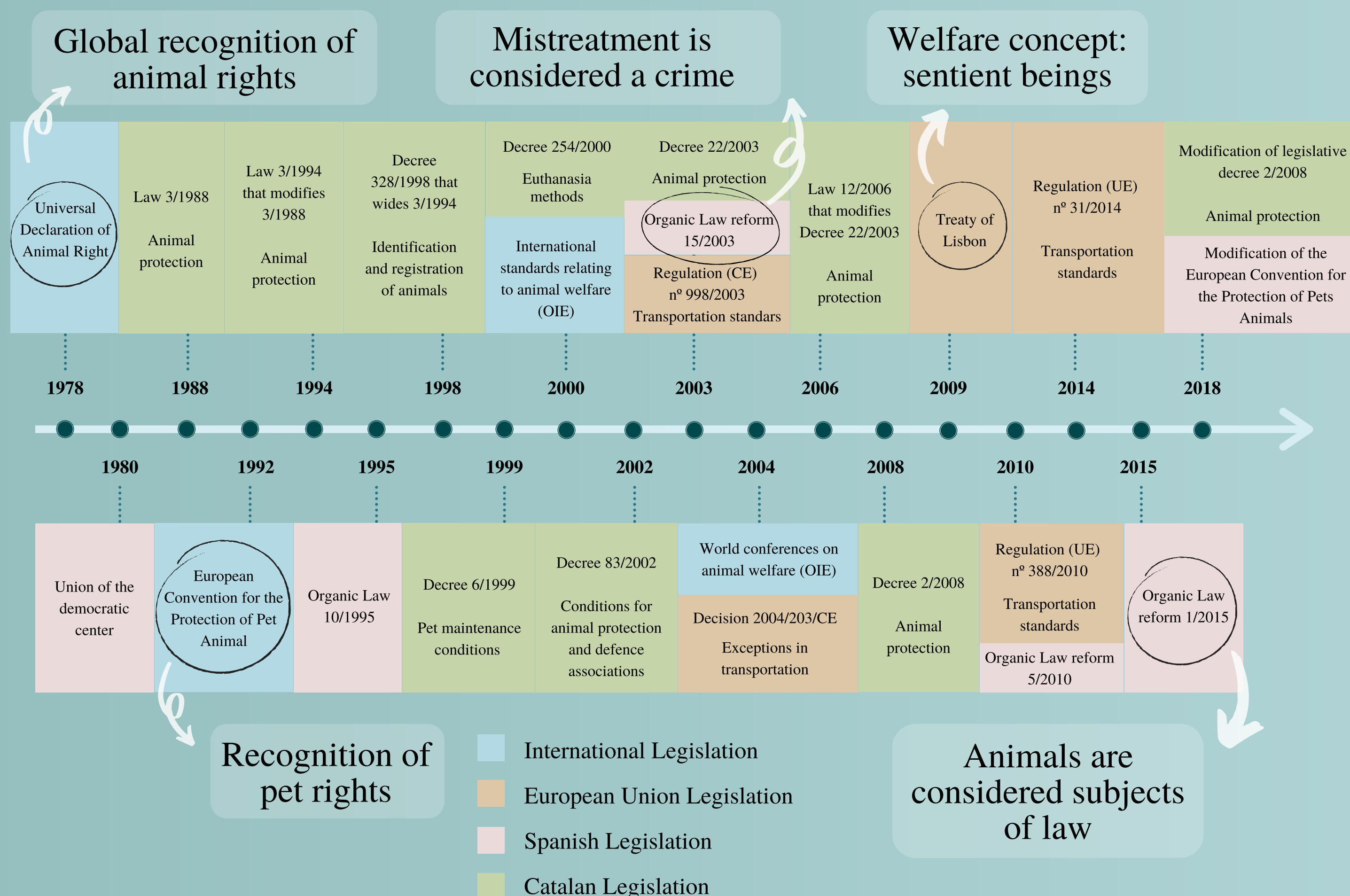**459** detened or investigated cases

LESS than 1% of cases detained

ANIMAL WELFARE AND MISTREATMENT SCALE

ANIMAL WELFARE SCALE

Non-compliance

Ability to choose

Mental stimulation / environmental enrichment

Social needs

Secondary veterinary care: surgey to improve life

Primary veterinary care: identification, vaccination and deworming

Primary care: hygienic conditions, shelter/environment, safety, protection against pain and suffering

The five freedoms of animal welfare: freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury and disease, freedom to express normal behaviour, freedom from fear and distress

Lack of welfare / Additional needs

Mistreatment / Basic/ essential needs

CLASSIFICATION OF ANIMAL MISTREATMENT

Direct

Intentional or non-intentional

Intentional

Physical

Sexual — Types of mistreatment — Emotional

Neglect

Indirect

MILESTONES IN LAWS RELATED TO ANIMALS' PROTECTION AND RIGHTS

Global recognition of animal rights

Mistreatment is considered a crime

Welfare concept: sentient beings

- Universal Declaration of Animal Right
- Law 3/1988 Animal protection
- Law 3/1994 that modifies 3/1988 Animal protection
- Decree 328/1998 that wides 3/1994 Identification and registration of animals
- Decree 254/2000 Euthanasia methods / International standards relating to animal welfare (OIE)
- Decree 22/2003 Animal protection / Organic Law reform 15/2003 / Regulation (CE) nº 998/2003 Transportation standars
- Law 12/2006 that modifies Decree 22/2003 Animal protection
- Treaty of Lisbon
- Regulation (UE) nº 101/2014 Transportation standards
- Modification of legislative decree 2/2008 Animal protection / Modification of the European Convention for the Protection of Pets Animals

1978 — 1988 — 1994 — 1998 — 2000 — 2003 — 2006 — 2009 — 2014 — 2018

1980 — 1992 — 1995 — 1999 — 2002 — 2004 — 2008 — 2010 — 2015

- Union of the democratic center
- European Convention for the Protection of Pet Animal
- Organic Law 10/1995
- Decree 6/1999 Pet maintenance conditions
- Decree 83/2002 Conditions for animal protection and defence associations
- World conferences on animal welfare (OIE) / Decision 2004/203/CE Exceptions in transportation
- Decree 2/2008 Animal protection
- Regulation (UE) nº 388/2010 Transportation standards / Organic Law reform 5/2010
- Organic Law reform 1/2015

Recognition of pet rights

Animals are considered subjects of law

- International Legislation
- European Union Legislation
- Spanish Legislation
- Catalan Legislation

CLASSIFICATION AND PENALTIES OF ORGANIC LAW 1/2015 AND LEGISLATIVE DECREE 2/2008

DESCRIPTION	Art 337 Organic Law 1/2015			Legislative Decree 2/2008		
	Basic (337.1)	Aggravated (337.2-.3)	Attenuated (337 bis)	Mild	Grave	Very grave
Injury or detriment that produces considerable pain or suffering and seriously harms health. Includes sexual exploitation	X					
Previous plus any aggravating factor: objects, carnage, loss or uselessness of organ/ limb, presence of underage		X (337.2)				
Death of the animal		X (337.3)				X (in public)
Abandonment — In circumstances that do not suppose a risk to the animal					X	
Abandonment — In specific conditions for your life or integrity			X			X
Mistreatment, physically assaulting or any practice that causes suffering, physical or psychological harm — If it does not cause harmful damage			X			
Mistreatment... — With serious/grave health consequences	X				X	
Mistreatment... — With very grave health consequences	X					X
Supply substances that can cause alteration in health or behavior ... — Mild				X		
Supply substances... — Grave					X	
Maintaining animals in improper facilities from the point of view of hygiene, sanitation and animal safety. With health consequences ... — Mild				X		
... — Grave					X	
... — Very grave						X
Practice mutilation, removal of nails, vocal cords or other parts/ organs		X (337.2)				X
Not providing them enough food. With health consequences... — Grave					X	
Not providing them enough food... — Very grave						X
Failure to provide veterinary care to ensure health, causing health consequences ... — Mild				X		
... — Grave					X	
No vaccinate or no perform mandatory treatments					X	
Dog fights						X
Penalties — Fine	1- 6 m			1- 6 m	100 a 400 € / 401 a 2.000 €	2.001 a 20.000 €
Penalties — Professional disqualification	3 m- 1 y	1- 4 y	3 m- 1 y			
Penalties — Jail		9- 18 m				

→ Type vs Gravity mistreatment

→ Maximum penalty vs just in public

→ Special category vs like other mistreatment

Inaccurate and subjective terminology

Legal loophole

Living with non-owned animals

CONCLUSION

The assessment of abuse will be different depending on the geographical, cultural and social context. Countries where dogs are a member of the family and countries where dogs are eaten currently coexist.

Animal abuse stems from the deprivation of basic needs, classified into **physical, sexual, emotional and neglect.** On the other hand, the absence of any of the additional needs is a lack of welfare.

There is an established link between cruelty to animals and violence toward humans. Good detection of animal abuse is needed, not only for the effect on the animal itself, but also to be able to predict and prevent situations of interpersonal violence.

Since 1978, international organizations, the European Union, Spain and Catalonia are progressing as a way to improve the rights and legal protection of animals. However, in 2016, **86% of Spaniards believe that animals should have greater protection**. Organic Law 1/2015 and Legislative Decree 2/2008 present **subjective, inaccurate and inconsistent terminologies** that complicate the detection and reporting of mistreatment cases.

Several authors have compiled lists of mistreatment risk factors, without leading to a final diagnosis. The complexity in the definitive diagnosis of the abuse, shows the **absence of protocols available by clinicians nowadays**.

This work proposes a first approach for the development of a protocol that allows easy detection and classification of abuse in dogs. To validate it, **an in-depth assessment should be made with current and historical real cases**. This protocol provides the right tools to start to build a detection of mistreatment algorithm.

First page Mistreatment risk 21 criteria — Yes / No

Second page Confirm mistreatment 26 criteria — Type / Severity