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

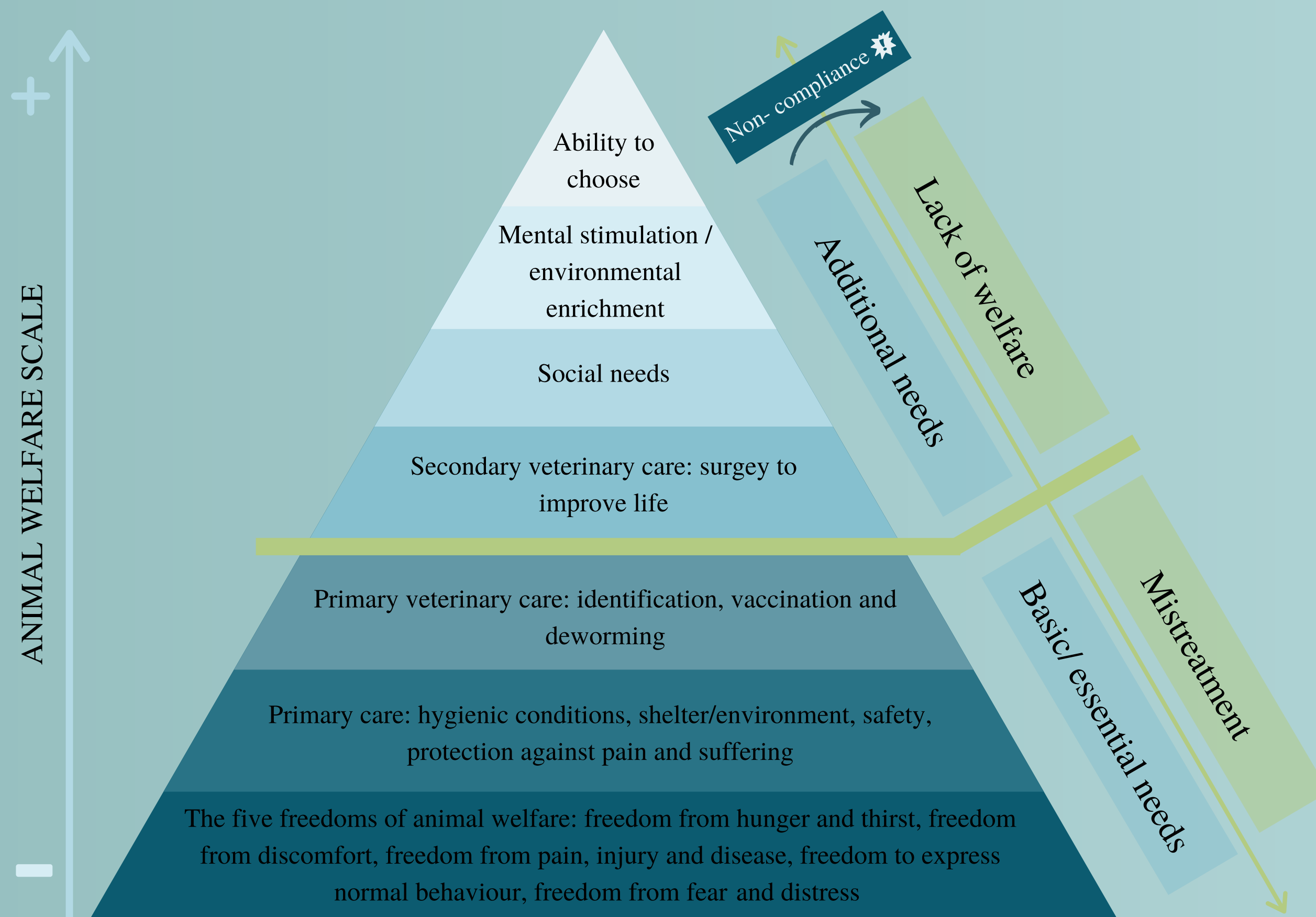**661** cases detected of mistreatment and abandonment of cats and dogs

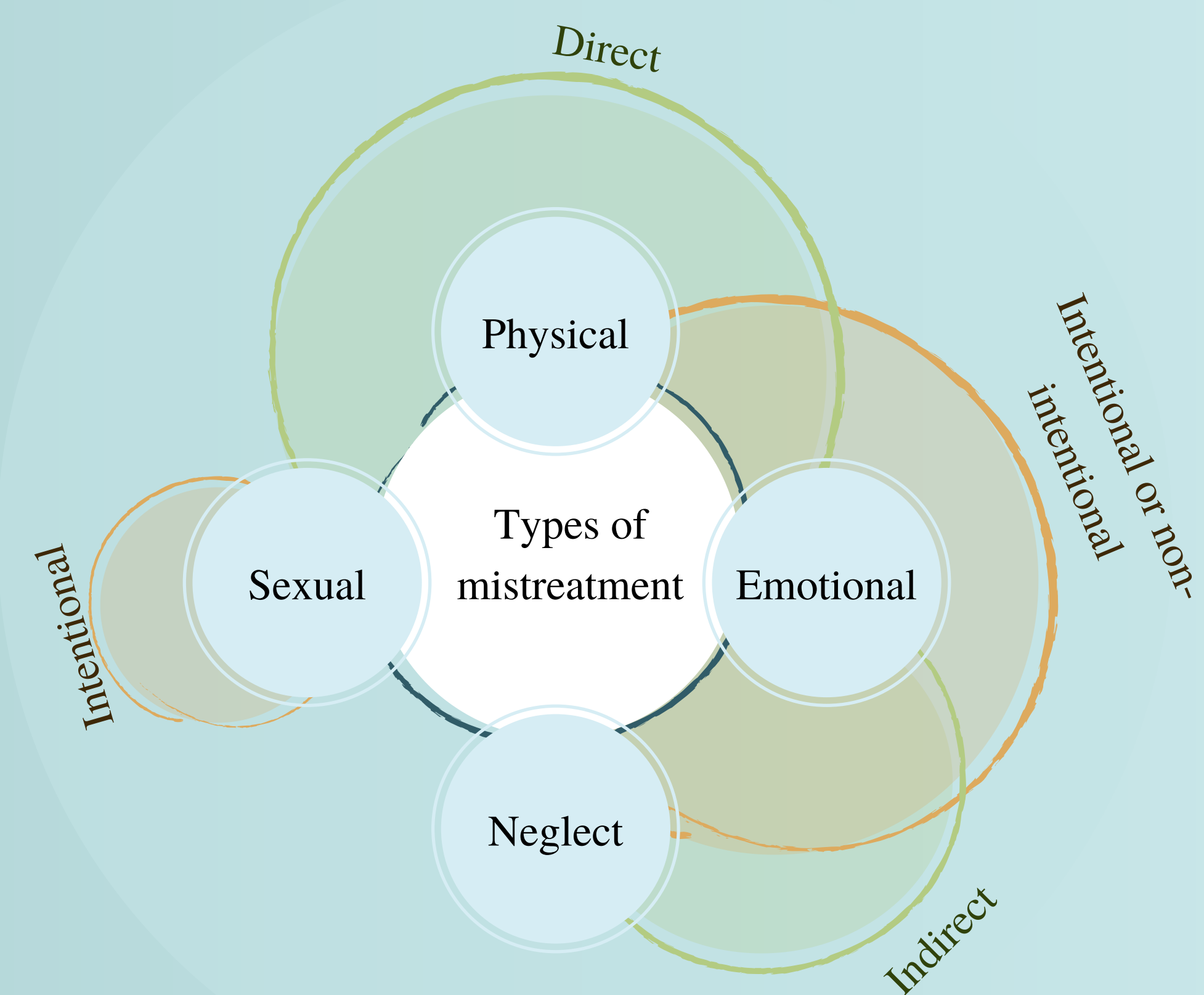**459** detained or investigated cases

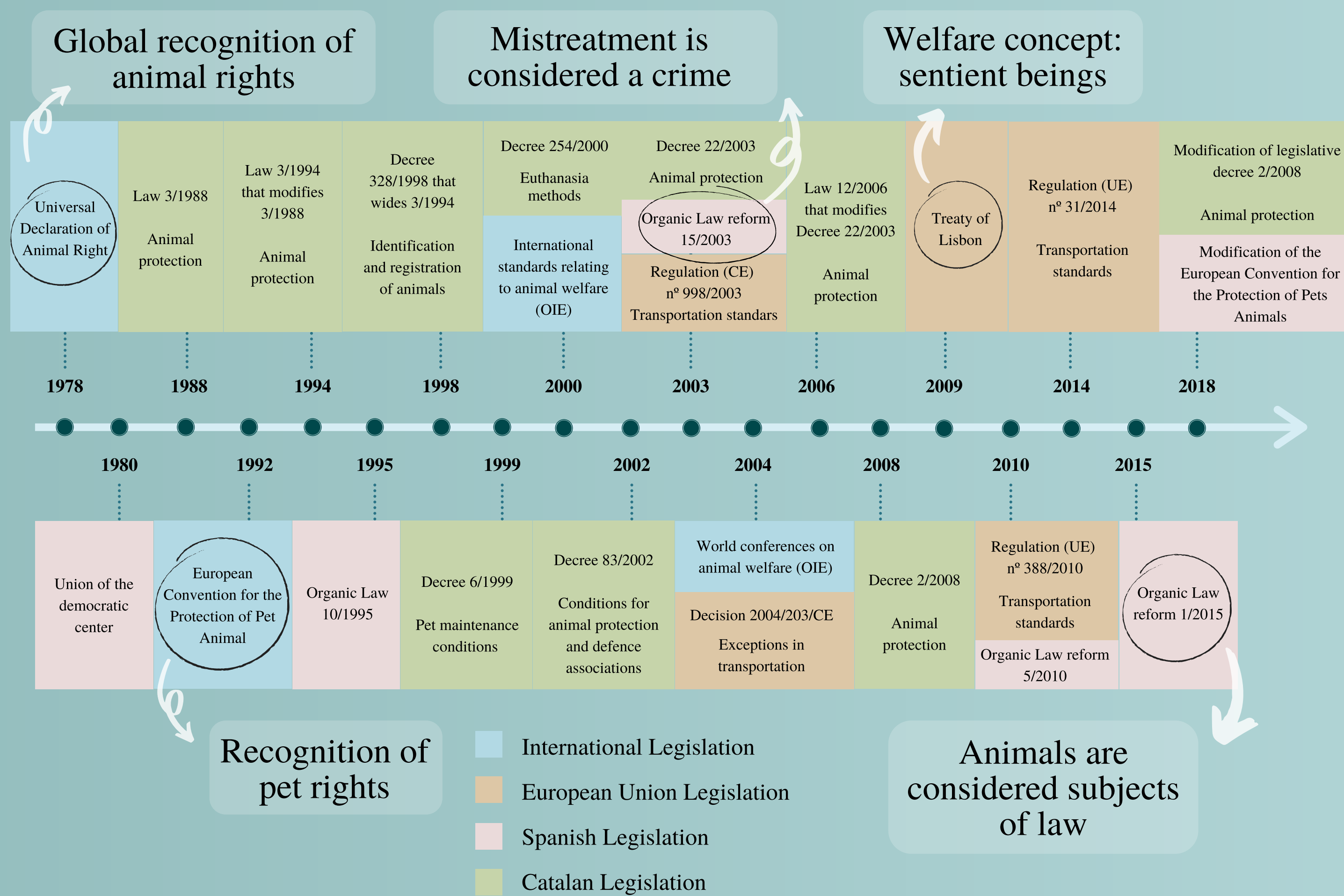LESS than **1%** of cases detained

ANIMAL WELFARE AND MISTREATMENT SCALE

ANIMAL WELFARE SCALE

Non- compliance

Additional needs
- Ability to choose
- Mental stimulation / environmental enrichment
- Social needs

Lack of welfare

Basic/ essential 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

Mistreatment

CLASSIFICATION OF ANIMAL MISTREATMENT

Direct
Intentional or non- intentional
Intentional
Indirect

Types of mistreatment:
- Physical
- Sexual
- Emotional
- Neglect

MILESTONES IN LAWS RELATED TO ANIMALS' PROTECTION AND RIGHTS

Global recognition of animal rights

Mistreatment is considered a crime

Welfare concept: sentient beings

1978 - Universal Declaration of Animal Right

1988 - Law 3/1988 Animal protection

1994 - Law 3/1994 that modifies 3/1988 Animal protection

1998 - Decree 328/1998 that wides 3/1994 Identification and registration of animals

2000 - Decree 254/2000 Euthanasia methods / International standards relating to animal welfare (OIE)

2003 - Decree 22/2003 Animal protection / Organic Law reform 15/2003 / Regulation (CE) nº 998/2003 Transportation standars

2006 - Law 12/2006 that modifies Decree 22/2003 Animal protection

2009 - Treaty of Lisbon

2014 - Regulation (UE) nº 31/2014 Transportation standards

2018 - Modification of legislative decree 2/2008 Animal protection / Modification of the European Convention for the Protection of Pets Animals

1980 - Union of the democratic center

1992 - European Convention for the Protection of Pet Animal

1995 - Organic Law 10/1995

1999 - Decree 6/1999 Pet maintenance conditions

2002 - Decree 83/2002 Conditions for animal protection and defence associations

2004 - World conferences on animal welfare (OIE) / Decision 2004/2003/CE Exceptions in transportation

2008 - Decree 2/2008 Animal protection

2010 - Regulation (UE) nº 388/2010 Transportation standards / Organic Law reform 5/2010

2015 - Organic Law reform 1/2015

Recognition of pet rights

Animals are considered subjects of law

Legend:
- International Legislation
- European Union Legislation
- Spanish Legislation
- Catalan Legislation

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

Inaccurate and subjective terminology → Legal loophole

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	
… — 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			3 m- 1 y	1- 4 y	
Penalties — Jail	9- 18 m					

Type vs Gravity mistreatment

Maximum penalty vs just in public

Special category vs like other mistreatment

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