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Preface

Veterinarians are animal health experts that have extensive knowledge of animal diseases and conditions and their appropriate treatments. A veterinarian’s expertise is also essential for the relief and prevention of animal pain, distress and suffering. The role of veterinarians in raising animal welfare issues with their clients and ensuring humane treatment of animals is to be encouraged as a positive, rather than intrusive, approach. Animal owners need to see that animal welfare is important to their veterinarians, and promoting animal welfare should become a focus of veterinary practice.

The goal of this handbook is to support veterinarians in their decision to raise welfare concerns with their clients and provide guidance for veterinarians in their leadership role as animal welfare advocates. Ideally, veterinarians will have their own practice policy for how animal welfare issues are managed. This proactive approach will guide the veterinarian to ensure the welfare of animals under their care and demonstrate to clients and the public their commitment in addressing animal welfare concerns.

Definitions

- **Body Condition Score**: a hands-on method of assessing the amount of fat cover on an animal. It is an important tool in assessing the nutritional status of animals.
- **Companion Animals**: animals kept as pets.
- **Distress**: an animal is in distress if it is: deprived of adequate food, water, care or shelter; injured, sick, in pain or suffering; or abused or neglected.
- **Owner**: farmer, pet owner, person responsible for the animal.
Animal Protection Services of Saskatchewan

Animal Protection Services of Saskatchewan (APSS) was formed on April 1, 2015, as a non-profit corporation to investigate public complaints of animal abuse, cruelty and neglect. The Saskatchewan Minister of Agriculture approved APSS as a humane society under the authority of The Animal Protection Act (APA). APSS’s Animal Protection Officers (APO) investigate animal welfare concerns throughout the province, focusing on rural areas and communities that do not have APO.

APSS responds to all animal welfare concerns in the province, and enforces animal protection legislation. APSS is directed by a volunteer board and operates independently of other humane societies. They do not fundraise, but have a funding agreement with the Saskatchewan Ministry of Agriculture.

All other humane societies within the province are independently operated and fundraise in their community to support their work. Humane societies in Regina, Saskatoon, Moose Jaw and Prince Albert hire APO to respond to companion animal complaints within their jurisdictions. They may have municipal agreements to do by-law enforcement or act as a pound.

For more information regarding APSS, or to report an incident:
Kaley Pugh, APSS Executive Director
Contact anonymously from 8 a.m. to 5 p.m.
306-382-0002
or Toll Free 1-844-382-0002
animalprotectionservices.ca

After hours, call your local police.
Providing Veterinary Expertise for an Animal Welfare Case

An APO may contact veterinarians to provide expert advice for the following:

- Nutritional requirements for animals;
- Injury and disease management;
- Recommendation for euthanasia;
- Assessment for seizure of animals;
- Humane transport decision; or
- Expert witness at trial.

Outlined below is the animal welfare investigation process.

Contacting the APO or Police Agency

When a complaint about an animal welfare concern is brought to the attention of an APO or police agency, the first step is, usually, to determine the validity of the complaint. This is done by the APO or police officer going to the location and conducting an initial inspection/assessment.

If there is a problem, the nature and severity of the problem is evaluated.
a. If there is inadequate food, water, shelter or care (including veterinary care), the APO will attempt to resolve the concern through discussion with, and education of, the owner.

b. If the APO needs expert advice, often the first to be called is a veterinarian. The Royal Canadian Mounted Police (RCMP) or municipal police, feed specialists, regional livestock specialists, animal agriculture specialists or social services personnel may also be contacted.

c. The APO may enter properties with a search warrant for investigation, to seize and remove animals, to euthanize animals in certain conditions, and otherwise act to relieve the animals of their distress, pain and suffering. In most cases, when animals are seized a medical evaluation may be completed by a veterinarian.

**Typical Animal Welfare Case Examples**

a. *Inadequate veterinary care*
   Examples: cattle with severe pinkeye or cancer eye; a horse with an untreated skin wound or overgrown hooves; or an injured dog left untreated.
   In these cases, the APO will provide written recommendations and timelines for the owner to seek appropriate veterinary treatment for the conditions noted.

b. *Deficiency of feed, water, shelter, or care*
   Examples: a herd of very thin cattle deficient in feed and water; or companion animals not provided with adequate shelter.
   In these cases, the APO may seek veterinary advice on the body condition of animals and the health status to determine what action to take. Body condition scoring is an excellent way to objectively assess the nutritional state of the animals. A written report of the veterinarian’s observations and advice may be requested. The APO will consider this advice when determining corrective action. Usually a follow-up visit is made by the APO to monitor compliance and to re-evaluate status of the animals.

c. *Serious animal welfare situation*
   Examples: starvation of cattle or severely neglected or abused companion animals.
In these cases, veterinary advice is sought to determine the status of animals that are still alive. Action may include the euthanasia of animals for humane reasons. The decision to humanely euthanize some animals is usually made jointly between the APO and the veterinarian (see Section 6(3) in the APA for more information).

Submission of Samples/Necropsy
A complete post mortem examination should be completed to accurately determine cause of death. This may involve collecting samples (including photographs) during an on-site post-mortem and submission to a diagnostic laboratory. Animal carcasses may also be submitted to the veterinary laboratory for necropsy. Laboratory records may become court documents if the case proceeds to trial.

Seizing Animals/Transport
The APO may decide to immediately seize the remaining animals. Veterinary advice may be sought regarding the ability of the animals to withstand handling, loading and transport to another location. The process of seizing the animals, arranging for loading and transport is carried out by the attending APO.

Veterinarians Reporting Cruelty Cases
Occasionally a veterinarian is confronted, either directly or indirectly, with animal welfare concerns. Perhaps while attending a call, the client comments about a neighbour who is “starving his cattle”. Another example would be when a veterinarian notices, while tending to a client’s animals, that the general state of the animals on the farm borders on cruelty (neglect, starvation, untreated disease in other animals). The veterinarian’s action may be to present the concerns to the owner and attempt to educate him/her regarding responsible animal care. Alternatively, the concern can be presented to the APO or the local policing agency for assessment when it first comes to the veterinarian’s attention. All such complaints to the APO remain confidential. In Saskatchewan, veterinarians have no legal obligation to report animal cruelty under the APA. However, veterinarians have an ethical and
professional obligation, set out in Saskatchewan Veterinary Medical Association (SVMA) bylaws, to protect animal welfare and alleviate animal suffering.

**Veterinarian's Report**

The veterinarian's report is the notes the veterinarian takes during the investigation. These notes are disclosed to the court and used to determine what the veterinarian may say at the trial.

- The veterinarian’s report is written as immediately and as accurately as possible. The veterinarian may use an assistant to write notes, take their own notes or use a voice recorder.
- The report is concise and professional.
- The veterinarian must give a detailed assessment of the animals and environment.
- The veterinarian records the number and type of animals observed, including deceased animals, field necropsy findings, samples collected, location, surroundings, body condition score (use scale), injuries and/or illnesses and whether they were appropriately treated.
- The report gives a full description of food, water, shelter and care, including:
  - Presence or absence;
  - Quantity;
  - Type;
  - Quality; and
  - Appropriateness.
- The veterinarian records husbandry practices, including identification, castration, weaning, shearing, hazards and the amount of feed on site.
- The veterinarian can use photos and/or videos to support observations.
  - Show wide and close up views.
  - Include something for scale if needed.
  - Note both negatives and positives.
  - Reference supporting photos.
- The veterinarian can give opinions on:
  - If the care and conditions were adequate; and
If management practices compare to standard or accepted practices. For example: was the condition of the animals appropriate for the life stage? Reference the Codes of Practice if possible.

Veterinarian’s Role at Trial

Each case should be approached as one with possible legal involvement. In court, the veterinarian gives his or her professional opinion. What this means for the veterinarian is that any observations made should be recorded, and a written report provided to the APO. Only a few cases each year proceed to court.

• The veterinarian is a key witness, often testifying in an expert capacity, and may be asked for curriculum vitae and experience.
• Giving evidence can take hours.
  o The veterinarian should explain everything in laymen’s terms.
  o The veterinarian should recount the events of the day, including detailed observations.
  o The veterinarian provides evidence of “distress”.
• A trial will occur several months to years after the incident.
• Many court appearances may be needed.
• Disclosure:
  o The veterinarian must release all materials from an investigation.
  o The defense will look for missing items, such as a missing photo.
  o The veterinarian must record all observations, not just the “bad” things that will help the case.
  o The veterinarian must keep everything, including original notes and blurry photos and videos.
• Cross examination by defense counsel:
  o This is an essential component of the trial process.
  o It explores all aspects of the case, including weaknesses.
  o The quality of the veterinarian’s notes, report and photos/video is crucial.
  o The veterinarian should:
    • Try to recall as much detail as possible;
    • Keep everything related to the case;
    • Be well prepared;
• Thoroughly review the case material;
• Know the Codes of Practice; and
• Speak to the Crown Prosecutor before the trial.

Obligations and Legal Authority

The Animal Protection Act 1999


Sections of the APA that May Be Helpful for Veterinarians

Owner or person responsible for an animal
Under the authority of the APA, no person shall cause an animal to be in distress. The owner of an animal (or any person) has a responsibility to ensure that his or her animals are not in distress and action is taken to ensure their welfare. (Section 4(1) Prohibition: No person shall cause an animal to be in distress).

Distress
The APA defines “distress” as:

<table>
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<tr>
<th>An animal is in distress if it is:</th>
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<tr>
<td>• deprived of adequate food, water, care or shelter;</td>
</tr>
<tr>
<td>• injured, sick, in pain or suffering; or</td>
</tr>
<tr>
<td>• abused or neglected.</td>
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<table>
<thead>
<tr>
<th>An animal is not considered to be in distress if it is handled:</th>
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<tbody>
<tr>
<td>• in a manner consistent with a standard or code of conduct,</td>
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<tr>
<td>criteria, practice or procedure that is prescribed as</td>
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<tr>
<td>acceptable; or</td>
</tr>
<tr>
<td>• in accordance with generally accepted practices of animal</td>
</tr>
<tr>
<td>management.</td>
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An animal is not in distress if handled consistent with the Code of Practice or in accordance with generally accepted practices of animal management. The Codes of Practice are available as a standard for livestock care. They are referenced in The Animal Protection Regulations.
Immunity

17(1) No action lies or shall be instituted against any animal protection officer, veterinarian, caretaker, humane society or officer or employee of a humane society for any loss or damage suffered by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in the exercise or supposed exercise of any power conferred by this Part or the regulations or in the carrying out or supposed carrying out of any duty imposed by this Part or the regulations.

(2) No action lies or shall be instituted against the minister or the Crown in right of Saskatchewan for any act or omission of any animal protection officer, veterinarian, caretaker, humane society or officer or employee of a humane society, in connection with this Act or the regulations. 1999, c.A-21.1, s.17.

Relieving animals in distress

6(3) Notwithstanding any other provision of this Part, an animal protection officer may destroy an animal, or have an animal destroyed, where the animal is in such distress that it cannot be relieved of its distress in the opinion of:
   a. a veterinarian; or
   b. if a veterinarian is not readily available, the animal protection officer.

A veterinarian’s opinion is often obtained during an investigation to determine the condition of the animals. Given that prosecution may ensue, it is important that all aspects of the assessment are accurately recorded.

Authority to enter

7(5) When exercising any power pursuant to this section, an animal protection officer may be accompanied by any specialist or expert whom the animal protection officer considers necessary to carry out the search and seizure or to diagnose and assist an animal in distress.
Veterinarian’s Oath

I solemnly swear that I will use my scientific knowledge and skills for the benefit of society. I will strive to promote animal health and welfare, relieve animal suffering, protect the health of the public and environment, and advance comparative medical knowledge. I will practice my profession conscientiously, with dignity, and in keeping with the principles of veterinary medical ethics. I will strive continuously to improve my professional knowledge and competence and to maintain the highest professional and ethical standards for myself and the profession.

SVMA Bylaw 31.9

The SVMA bylaw 31.9 states:

Each member shall respect the client’s right to confidentiality, except when this right conflicts with the member’s responsibility to the law, or when the maintenance of confidentiality has resulted or would result in a significant risk of substantial harm to other humans or animals.

Action is needed to address situations where there is cause to suspect unreasonable or unnecessary pain or distress in an animal(s) or possible breaches of animal welfare legislation. If a situation is not resolved, then the veterinarian should take action and report their concern to an enforcement agency.

Veterinarians have a responsibility to relieve animal pain, distress and suffering as described in the Veterinarian’s Oath. The members of the veterinary profession are viewed by the public and the courts as the experts in animal health and welfare and, more broadly, of all animal diseases and conditions and their treatment. Veterinarians are essential in providing advice to the APO on whether an animal is in such distress it may not be relieved of it and should therefore be humanely euthanized.
The Codes of Practice, led by the National Farm Animal Care Council, serve as a national understanding of animal care requirements and recommended practices. They provide recommendations and requirements for practices related to housing, care, transportation and processing. The Codes of Practice also serve as educational tools and reference materials for regulations, as well as the foundation for animal care assessment programs.

The updated Codes of Practice, including body condition score, can be found on www.nfacc.ca.


Federal Animal Welfare Legislation and Humane Transportation Legislation and Guidelines

Federal Animal Welfare Legislation
The Criminal Code of Canada (sections 444 to 447) prohibits anyone from willfully causing animals to suffer from neglect, pain or injury. The Criminal Code is enforced by police services in the province of Saskatchewan. The Cruelty to Animals section of the Criminal Code is found at www.laws-lois.justice.gc.ca/eng/acts/C-46/page-216.html#h-119.

Humane Transportation

The National Farm Animal Care Council’s code of practice for the care and handling of farm animals can be found at www.nfacc.ca/codes-of-practice/transport.

Compromised Animals Policy

Livestock Transport Requirements in Canada
Information for veterinarians and their clients is available at www.inspection.gc.ca/animals/terrestrial-animals/humane-transport/transport-requirements/eng/1363748532198/1363748620219.

Dr. Temple Grandin’s website (www.grandin.com) also contains information on livestock care and transport.

Provincial livestock transportation legislation includes requirements for humane livestock transport in Saskatchewan. It is is regulated by

A livestock manifest or permit is required for transporting livestock. Exemptions are given in section 6(1)(a) of The Livestock Inspection and Transportation Regulations, where it states that no livestock manifest, permit or horse transportation permit is required to transport livestock to or from a veterinary clinic. Sections 18, 19, 20, 21 and 22 states criteria for livestock transportation vehicles, space and ventilation requirements, livestock classes to be separated, and length of travel.

Guidelines to assist in the decision to transport an animal are available at www.livestockwelfare.com/livestock-transport

Support for Veterinarians

Animal Protection

• Animal Protection Services of Saskatchewan: 306-382-2418 or www.animalprotectionservices.ca.

Government

• Agriculture Knowledge Center: 1-866-457-2377
• Canadian Food Inspection Agency (CFIA): 306-780-5180 (Saskatchewan Office) or www.inspection.gc.ca
• Saskatchewan Ministry of Agriculture Regional Offices: www.saskatchewan.ca/ag-regional-offices
Industry

- **Chicken Farmers of Saskatchewan**: 306-242-3611 or [www.saskatchewanchicken.ca](http://www.saskatchewanchicken.ca)
- **Farm and Food Care Saskatchewan**: Represents the livestock and poultry industries regarding animal care issues. They can be reached at 306-477-FOOD (3663) or [www.farmfoodcaresk.org](http://www.farmfoodcaresk.org)
- **Saskatchewan Bison Association**: 306- 585-6304 or [www.canadianbison.ca/producer/The_CBA/SaskatchewanBisonAssociation.htm](http://www.canadianbison.ca/producer/The_CBA/SaskatchewanBisonAssociation.htm)
- **Saskatchewan Cattlemen’s Association**: 306-585-2333 or [www.saskbeef.com](http://www.saskbeef.com)
- **Saskatchewan Cervid Alliance**: [www.saskatchewancervidalliance.com](http://www.saskatchewancervidalliance.com)
- **Saskatchewan Egg Producers**: 306-924-1505 or [www.saskegg.ca](http://www.saskegg.ca)
- **Saskatchewan Horse Federation**: 306-780-9449 or [www.saskhorse.ca](http://www.saskhorse.ca)
- **Sask Milk**: 306-949-6999 or [www.saskmilk.ca](http://www.saskmilk.ca)
- **Sask Pork**: 306-244-7752 or [www.saskpork.com/index.cfm](http://www.saskpork.com/index.cfm)
- **Saskatchewan Sheep Board**: 306-933-5200 or [www.sksheep.com](http://www.sksheep.com)
- **Saskatchewan Stock Growers**: 306-757-8523 or [www.skstockgrowers.com](http://www.skstockgrowers.com)

Veterinary

- **Disease Investigation Unit (DIU), WCVM**: Sarah Parker (306-966-1994) or Dr. John Campbell (306-966-7158)
- **Saskatchewan Veterinary Medical Association (SVMA)**: 306-955-7862, svma@svma.sk.ca or [www.svma.sk.ca](http://www.svma.sk.ca)
- **Veterinary Social Work, WCVM**: Erin Wasson (306-966-2852) or [www.usask.ca/vmc/services/social-work.php](http://www.usask.ca/vmc/services/social-work.php)