

acting indirectly with a client in failing to report suspected abuse.

The federal proposals contained in the Bill remove the requirement of the Crown Attorney to prove that the abusive conduct of the accused was intended to cause harm to the animal. Even within the context of an accepted activity, abuse can still occur. For example, the failure of the practitioner to properly administer an anesthetic may result in criminal prosecution for cruelty. Others in the clinic may, out of anger or otherwise, strike out at or kick an animal while in possession of the veterinary hospital, which could result in charges being laid.

In addition, the importance of the new role as "health care professional" for veterinarians carries with it the potential risk of exposure to prosecution for the failure to report abuse. As the proposed offence does not require evidence of intention, then the attending veterinarian treating an animal for injuries sustained as a result of suspected abuse may be obstructing justice if he or she fails to report such suspicions to the police (15).

The veterinary community must thoughtfully consider all of these issues in order to avoid being charged with animal abuse under the proposed criminal law amendments.

## Conclusion

The proposed changes to the criminal law relating to animal abuse in Canada may have a profound impact on the veterinary profession; not only in its perceived role in society but for the exposure to prosecution that individual veterinarians may have. If the veterinarian's status has been altered to be included with other "health care professionals," the prudent practitioner will be aware that such elevated status is attended with increased legal obligations as a reflection of society's expectations. The veterinary profession in Canada must thoughtfully

consider these issues and participate actively in the current social debate.

## References

1. Pukay BP. The impact of the human/companion animal/veterinary bond on the future of the veterinary profession. *Can Vet J* 2000;41:28-29.
2. Bill C-17, House of Commons, 2nd Session, 36th Parliament, 48 Elizabeth II, 1999.
3. Minister of Justice and the Attorney General for Canada. Crimes against animals — A consultation paper, 1998.
4. Martin's Criminal Code of Canada. Aurora, Ontario: Canada Law Book Inc., 2000.
5. Jack DC. Man's best friend — The legal implications of the human/animal bond. *Proc World Vet Cong*, Lyon, France, 1999.
6. Lockwood R. Animal cruelty and violence against humans: Making the connection. *Animal Law*. Chicago: Northwestern School of Law, Lewis and Clark College, 1998.
7. Lockwood R, Ascione F, Arkow P. Child Abuse, Domestic Violence and Animal Abuse. *Linking the Circles of Compassion for Prevention and Intervention*. West Lafayette: Purdue Univ Pr, 1999.
8. Hutton JS. Animal abuse as a diagnostic approach to social work: A pilot study. In: Katcher AH, Beck AM, eds. *New Perceptions in our Lives with Companion Animals*. West Lafayette: Purdue Univ Pr, 1983.
9. Lacroix C. Animal abuse and the role of the veterinarian. *Proc Am Vet Med Law Assoc* 1999, 21.
10. Patronek G. Issues and guidelines for veterinarians in recognizing, reporting and assessing animal neglect and abuse. In: Olson P, ed. *Recognizing and Reporting Animal Abuse: A Veterinarian's Guide*. Englewood, Colorado: American Humane Society, 1998:25-29.
11. Regulation 1093, 17(6), Revised Regulations of Ontario, 1990, as amended under Veterinarians Act.
12. Loi des médecins vétérinaires et règlements. Codes des professions (L.R.Q.c C-26, a, 87) Code déontologie des médecins vétérinaires. Section V,56, 1993.
13. Canadian Veterinary Medical Association. *CVMA Directory* 2000, p. 32.
14. Boivin CP. Dog attack — coroner's jury makes recommendations [News]. *Can Vet J* 2000;41:19.
15. Brakeman L. A new ethic. *DVM Magazine* 2000;March:8.

## CORRECTION

### Ligature slippage during standing laparoscopic ovariectomy in a mare

Dwayne H. Rodgerson, R. Reid Hanson

*Can Vet J* 2000; 41: 395-397

Due to a production error, the wrong photo was published as part of the article listed above. The correct Figure 1 and its legend are reprinted here. The editorial staff of the *CVJ* apologizes to the authors and to the readers for any inconvenience caused by this error. *CVJ* eds.

**Figure 1.** The right ovary has been completely transected from its mesovarium and is held with laparoscopic forceps (F) in the background. This allows easier identification and coagulation of the hemorrhaging vessels in the mesovarium.

