Everyday Ethics

The dilemma in the June issue concerned a seven-year-old dog, whose owner brought it into the practice to be put to sleep, due to what he described as aggressive snappy behaviour, which had led to his wife and young child being repeatedly bitten. Before any action could be taken, his wife arrived and explained that they were going through a messy divorce. She did not consider the dog dangerous and did not want it euthanased. However, all the records were under her husband’s name so he appeared to be the dog’s legal owner (IP, June 2015, vol 37, pp 310-311). Richard Brown proposed that, first and foremost, the dog had to be kept alive until more information could be gathered, and advised keeping clear and accurate records on the situation. It could be useful to contact a professional body, such as the BVA or the Veterinary Defence Society, for advice, and he also suggested finding out whether any member of staff could give evidence to support that the woman was one of the dog’s owners. As the husband wanted to destroy the dog, it might be possible to have his wife take over the ownership.

Comments on the dilemma in the June issue: 'Possession is nine-tenths of the dog'

The dilemma in the June issue concerned a seven-year-old dog, whose owner brought it into the practice to be put to sleep, due to what he described as aggressive snappy behaviour, which had led to his wife and young child being repeatedly bitten. Before any action could be taken, his wife arrived and explained that they were going through a messy divorce. She did not consider the dog dangerous and did not want it euthanased. However, all the records were under her husband’s name so he appeared to be the dog’s legal owner (IP, June 2015, vol 37, pp 310-311). Richard Brown proposed that, first and foremost, the dog had to be kept alive until more information could be gathered, and advised keeping clear and accurate records on the situation. It could be useful to contact a professional body, such as the BVA or the Veterinary Defence Society, for advice, and he also suggested finding out whether any member of staff could give evidence to support that the woman was one of the dog’s owners. As the husband wanted to destroy the dog, it might be possible to have his wife take over the ownership.

I TOTALLY agree with the last sentence in Richard Brown’s assessment of last month’s ethical dilemma: ‘The bottom line is don’t put the dog down unless you are 100 per cent sure it is correct to do so.’ Personally I would have told the client that I was not prepared to do this. There was no good reason why all the suggestions put forward by the vet were declined and this should have rung alarm bells. It is fortunate that the vet did not euthanase the dog during the consultation, although the vet is now in the awkward position of having taken payment for something which might not be carried out.

Ownership of animals is generally joint in a partnership - unlike the situation with children, where one parent is given custody - so I cannot see a problem in handing the dog over to the woman, and refunding the payment.

To attempt - as it appears in this case - to have a pet destroyed out of spite, knowing the ex-spouse is attached to the animal, is unfortunately not uncommon. However, I do not think it would stand up in court, as property is divided between the two parties on a divorce, and if one party does not want to keep the dog, it would automatically be given to the one who did.

Maureen Hutchison, Cullompton, Devon

I WOULD agree wholeheartedly with the recommendation not to euthanase the dog.

However having recently gone through a protracted and expensive divorce I would like to point out that in the eyes of the law all ‘possessions’ of a married couple, whether animate or inanimate, are deemed to be joint property irrespective of which spouse purchased the property, and indeed even if the said property was the property of one of them before the marriage took place. It would seem as if the lawyers would have more to gain financially than the vets in this case.

Annie Bevins, Chippenham, Wiltshire

doi:10.1136/inp.h3659

Everyday Ethics Poll

Last month’s poll asked: The owner of a dog requests its euthanasia due to aggression. But later, his ex-wife claims it is not snappy and wants to spare it. What would you do?

Of those responding:

14 per cent voted to euthanase the dog as planned; the ex-wife has no legal rights over the dog.

51 per cent voted to try to persuade your client to give the dog to his ex-wife, but if he disagrees you will euthanase the dog.

35 per cent voted to refuse to euthanase the dog and hand it back to the client.

Vote for this month’s online poll at: inpractice.bmj.com/content/current

DOI: 10.1136/inp.h3659

375
Comments on the dilemma in the June issue: 'Possession is nine-tenths of the dog'

Maureen Hutchison

In Practice 2015 37: 375
doi: 10.1136/inp.h3695

Updated information and services can be found at:
http://inpractice.bmj.com/content/37/7/375

These include:

Email alerting service
Receive free email alerts when new articles cite this article. Sign up in the box at the top right corner of the online article.

Notes

To request permissions go to:
http://group.bmj.com/group/rights-licensing/permissions

To order reprints go to:
http://journals.bmj.com/cgi/reprintform

To subscribe to BMJ go to:
http://group.bmj.com/subscribe/