



ACT
Government

Veterinary Practice in the ACT

Discussion Paper

May 2024

Issued by: Transport Canberra and City Services Directorate

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Message from the Minister for City Services

Australia has one of the highest rates of pet ownership in the world. 61 percent of Australian homes include pets with dogs making up around 60 percent of all pets, followed by cats at 40 percent, fish at 18 percent and birds at 16 percent. They provide companionship and comfort for many people.

Veterinarians play a key role in animal, human and community wellbeing by maintaining the health and wellbeing of our pets and livestock. In Australia, most veterinarians work in major cities in a small animal practice with around 6 percent working with larger animals.

This trend is reflected in Canberra which is the home to 48 veterinary premises and 309 registered veterinary practitioners. Veterinarians are specialised in different aspects of animal care, ranging from surgical procedures and dentistry to pharmacology and animal behaviour. They are responsible for preventing, diagnosing and treating injuries and illnesses across a range of animal species and provide services that include routine health examinations, vaccinations, surgical procedures, dental care and emergency medical treatment.

The ACT Government believes that veterinary practitioners should be supported to deliver quality services to the ACT and that all Canberrans, and their pets, should have access to the best health care possible. This is why the Government introduced the *Veterinary Practice Act 2018* (the Act) in December 2018 to regulate the provision of veterinary services. In accordance with legislative requirements, the ACT Government is now reviewing the first five years of the Act's operation.

The ACT Government recognises that a range of other issues impact on the delivery of veterinary services in the ACT. These issues relate to the veterinary profession, including the regulation of the broader veterinary profession such as veterinary nurses and technicians, mental health and wellbeing of veterinary staff and training, mentoring and support for veterinary staff. They also include issues relating to key organisations that support and intersect with the veterinary profession, including improving respite care for animals, supporting social support models, such as mobile veterinary services and subsidised veterinary care, desexing, boarding and sustenance, and pet-crisis support for access to urgent health care.

The ACT Government is looking to hear your views through the 'Veterinary Practice in the ACT Discussion Paper'. The Government would like to hear the views of veterinary practitioners and the community on the operation of the Act in achieving its objects and the broader issues that support and intersect with the veterinary profession.

I am proud to lead the ACT Government's work on this important issue and commend the discussion paper for consideration.

Thank you for taking the opportunity to engage on this important matter.

Tara Cheyne MLA

Minister for City Services

1. Introduction

The ACT Government is conducting a review of veterinary practice in the ACT. This includes a statutory review of the operation of the *Veterinary Practice Act 2018* (the Act) and a broader review, including community consultation, to seek community views in relation to the veterinary profession in the ACT.

This discussion paper provides a series of consultation topics to seek the community's views on veterinary practice in the ACT and how the delivery of veterinary services could be improved to better support veterinary practitioners and the community.

1.1 What is the practice of veterinary science?

Veterinary practice is the healthcare services provided by a veterinarian to animals. It involves the prevention, control, diagnosis and treatment of diseases affecting the health of animals, including pets, livestock and wildlife.

The practice of veterinary science includes unrestricted acts of veterinary science set out in Schedule 2 of the *Veterinary Practice Act 2018* (the Act). They include:

- a) de-worming an animal;
- b) performing Mules operation on sheep less than 12 months old;
- c) de-horning of
 - i) cattle less than 12 months old; or
 - ii) goats less than 1 month old;
- d) horn tipping an animal;
- e) castrating
 - i) cattle, sheep or goats less than 6 months old; or
 - ii) pigs less than 2 months old;
- f) tailing sheep less than 6 months old;
- g) artificial breeding of any animal other than a horse if the procedure does not involve surgery;
- h) determining the sex of a chicken;
- i) administration of an anaesthetic to an animal if the administration is done under the immediate and direct supervision of a veterinary practitioner; and
- j) diagnosing pregnancy in sheep by ultrasonic techniques in a way prescribed by regulation.

The practice of veterinary science does not include restricted acts of veterinary science set out in the *Veterinary Practice Regulation 2018* (the Regulation), such as Laparoscopic surgery on any animal or carrying out an artificial breeding procedure of an animal involving surgery.

1.2 How is veterinary practice regulated?

Veterinary practice is regulated through the Act and the Regulation. Together, they provide the framework for determining what constitutes a practice of veterinary science, the process for registering veterinary

practitioners, the process for making, investigating and dealing with complaints, establishing professional misconduct and unsatisfactory professional conduct, undertaking disciplinary action, registration of veterinary premises and the establishment and functioning of the Veterinary Practitioners Board and register.

1.3 Objective

An important objective of this consultation is to seek the community's views on the review of the operation of the Act and the broader issues around veterinary practice in the ACT.

The key areas of focus set out in the discussion paper are:

- Operation of the Act in regulating veterinary practice
 - the regulation of veterinary practitioners;
 - the regulation of veterinary premises;
 - complaints, disciplinary proceedings, and enforcement;
 - the role of the Veterinary Practitioners Board and register; and
 - other issues.
- Broader issues around veterinary practice in the ACT
 - regulation of the broader veterinary profession, including veterinary nurses;
 - mental health and wellbeing of veterinary staff;
 - training, mentoring and support for veterinary staff;
 - improving respite care for animals;
 - social support models for subsidised sustenance, boarding and veterinary care; and
 - pet-crisis support for access to urgent health care.

1.4 How to have your say

The consultation paper asks questions we want to hear your views on. You may choose to respond to some or all questions, or alternatively provide feedback in a format that suits you. You are welcome to provide general feedback. Please email your feedback to communityengagement@act.gov.au

If you require this document in an alternative, accessible format, or if you require assistance in making a submission, please contact us at Access Canberra on 13 22 81.

Following community consultation, the ACT Government will prepare a report that summarises and reflects the feedback we have received.

2. Consultation topics

2.1 Operation of the Veterinary Practice Act 2018 in regulating veterinary practice

2.1.1 The regulation of veterinary practitioners

The Act regulates veterinary practitioners and sets out the acts of veterinary science that can be lawfully carried out. These are set out in Schedule 2 to the Act and are known as unrestricted acts of veterinary science. The Regulation sets out the acts of veterinary science that cannot be lawfully carried out. These are set out in Schedule 1 to the regulation and are known as restricted acts of veterinary science, such as laparoscopic surgery on any animal and carrying out an artificial breeding procedure of an animal.

Part 2 of the Act sets out what the practice of veterinary science covers, including the meaning of a registered veterinary practitioner and various offences, such as for a person pretending to be a registered veterinary practitioner or falsely representing themselves to a veterinary practitioner or specialist.

Part 3 sets out the process by which a person may apply to the Veterinary Practitioners Board for registration as a veterinary practitioner and the term of registration. It also sets out qualifications required for registration, suitability of people to be registered a veterinary practitioner.

Part 4 provides for the recognition in the ACT of veterinary practitioners registered in other jurisdictions.

1. Are the provisions relating to veterinary practitioners satisfactory? If not, how can they be improved?

2.1.2 The regulation of veterinary premises

The Act regulates veterinary premises. Part 6 of the Act includes within the definition of a veterinary premises: a mobile veterinary clinic; mobile veterinary hospital; veterinary clinic; veterinary consulting room; and a veterinary hospital.

Part 6 provides that the Veterinary Practitioners Board may make a standard relating to requirements for veterinary premises. In 2018, the Board made the Veterinary Practice Veterinary Premises Standards 2018. It sets out premises requirements, including requirements relating to the general physical facilities, record keeping, examination and consultation areas, pharmacy and drug storage areas, patient accommodation, disease control areas, surgery areas, anaesthetic recovery area, radiology, treatment and preparation areas, laboratory, reference material, and staff rooms.

Part 6 also provides the process for the registration of a veterinary premises, decisions to be made on the registration of veterinary premises and the term of registration for veterinary premises. It also sets out the circumstances relating to the amendment of registration and suspending or ending registration.

Finally, part 6 creates several offences relating to veterinary premises. These include offences relating to veterinary practitioners conducting veterinary practice at premises that are not registered veterinary

premises, unauthorised restricted acts of veterinary science carried out at registered veterinary premises and false representation of premises as registered veterinary premises.

2. Are the provisions relating to the regulation of veterinary premises satisfactory? If not, how can they be improved?

2.1.3 Complaints, disciplinary proceedings, and enforcement

The Act sets out the processes relating to complaints, disciplinary action and enforcement. Part 5 of the Act provides that the Veterinary Practitioners Board must establish a code of conduct for veterinary practitioners. In 2018, a Veterinary Practice Veterinary Practitioners Code of Professional Conduct was issued covering the basic principles of professional conduct and requirements relating to, among other things, knowledge of current standards of practice, professional conduct, the need to obtain informed consent and not refuse relief of pain or suffering to an animal, the maintenance of confidentiality and appropriate records and the need for continuing professional development.

Part 5 sets out a complaints process that covers the conditions and timeframe under which a person may make a complaint or the Veterinary Practitioners Board may consider the actions of a veterinary practitioner without a formal complaint. It also provides for how complaints may be made and withdrawn and the notice requirements that the Board needs to follow to advise the veterinary practitioner of any complaints made against them.

Part 5 also deals with how the Veterinary Practitioners Board is to deal with a complaint. It provides the Board with the power to take immediate action to suspend or impose a condition on the veterinary practitioner's registration, accept an undertaking from the practitioner, or accept the surrender of the practitioner's registration. The Act also sets out a procedure for the Board to follow when investigating and making a decision in relation to a complaint, as well as the powers the Board has in relation to requiring a person to give information, provide documents or answer questions. If the Veterinary Practitioners Board does not dismiss the complaint, the Board may make a decision of professional misconduct and unsatisfactory professional conduct under the Act. These findings may lead to different sanctions. It also sets out the grounds for occupational disciplinary proceedings.

Furthermore, Part 5 requires the Board to consult with the Human Rights Commission on a complaint or occupational discipline matter and agree with the Commission about the action to be taken.

Part 8 sets out the provisions relating to enforcement, including that the Veterinary Practitioners Board may appoint inspectors and the powers that may be exercised by inspectors.

3. Are the complaints, disciplinary proceedings and enforcement provisions satisfactory? If not, how can they be improved?

2.1.4 The role of the Veterinary Practitioners Board and register

Part 7 of the Act establishes a statutory body, the Veterinary Practitioners Board, to oversee the regulation of the industry. It also sets out the Board's functions as:

- registering veterinary practitioners and veterinary premises;
- investigating complaints against veterinary practitioners;
- conducting, on the board's own initiative, investigations of veterinary practitioners;
- taking disciplinary action against veterinary practitioners;
- enforcing this Act, including taking proceedings for offences against this Act;
- developing codes of professional conduct for veterinary practitioners;
- setting standards for premises;
- cooperating with other jurisdictions in Australia and New Zealand to further a common and harmonious approach to the administration of legislation relating to veterinary practitioners;
- giving information to the veterinary profession relating to continuing education issues, developments in the field of veterinary science and disciplinary matters;
- giving general advice to consumers of veterinary services in relation to the ethics and standards of professional competence generally expected of veterinary practitioners;
- giving advice to the Minister in relation to any other matter related to the administration of this Act;
- ensuring the professional development of veterinary practitioners, including by determining requirements for continuing professional development of veterinary practitioners;
- approving educational and training courses related to professional qualifications for veterinary practitioners; and
- liaising with, and if the board considers it appropriate, becoming a member of, professional organisations concerned with veterinary science.

Part 7 of the Act establishes the requirements for Board membership, procedures for board meetings and matters relating to Board misconduct. It also requires the Board to appoint a person as Registrar for the Board and sets out the Registrar's functions.

The Board's responsibilities in relation to the registration of veterinary practitioners under Part 3 and veterinary premises under Part 6 and in relation to complaints and disciplinary proceedings under Part 5 of the Act are discussed above.

Finally, Part 9 provides that the Veterinary Practitioners Board must maintain a current and accurate register of veterinary practitioners and veterinary premises. The register must be open for inspection by the public at reasonable times.

4. Are the provisions relating to the Veterinary Practitioners Board and register satisfactory? If not, how can they be improved?

2.1.5 Other issues

The Act covers several other matters. Part 9 deals with the use and disclosure of protected information. Part 10 deals with the notification and review of decisions with Schedule 1 setting out reviewable decisions under the Act. Part 11 sets out when the Veterinary Practitioners Board can disclose information to a relevant authority and processes relating to exemptions from the Act.

5. How effectively does the Act interact with other relevant legislation? How could this be improved?
6. Is there any other matter that you would like to raise about the operation of the Act?

Summary of consultation questions on the operation of the Act

1. Are the provisions relating to veterinary practitioners satisfactory? If not, how can they be improved?
2. Are the provisions relating to the regulation of veterinary premises satisfactory? If not, how can they be improved?
3. Are the complaints, disciplinary proceedings and enforcement provisions satisfactory? If not, how can they be improved?
4. Are the provisions relating to the veterinary practitioners board and register satisfactory? If not, how can they be improved?
5. How effectively does the Act interact with other relevant legislation? How could this be improved?
6. Is there any other matter that you would like to raise about the operation of the Act?

2.2 Broader issues around veterinary practice in the ACT

2.2.1 Regulation of the broader veterinary profession, including veterinary nurses

The Act covers the regulation of veterinary practitioners. It does not regulate other veterinary staff, including veterinary nurses who comprise around 40 percent of the veterinary services workforce.

The Australian Veterinary Nurses and Technicians (AVNAT) Registration Scheme is a voluntary registration scheme for veterinary nurses and veterinary technicians set up by the Veterinary Nurses Council of Australia (VNCA) in 2019.

The Australasian Veterinary Boards Council has identified a lack of regulation of other veterinary staff as a potential risk for animal welfare, workforce shortages and capacity and the reputation of the industry domestically and internationally. Better regulation of veterinary staff, particularly veterinary nurses, has been identified as a priority to address mental health pressures on the veterinary workforce.

The Australasian Veterinary Boards Council undertook a survey of veterinary industry stakeholders in 2022. It found 88 percent of respondents across the industry supported the registration of veterinary nurses and technicians. The main advantages included improvements in animal welfare and the efficiency of the delivery of veterinary services, while the disadvantages included a perception of potential increased expenses for veterinary practice owners, veterinary nurses and technicians.

There are several options that could be considered. These include non-statutory approach such as maintaining the current national voluntary scheme for veterinary nurses and technicians or statutory approaches such as better regulating veterinary staff.

7. Should the ACT consider expanding the procedures that the broader veterinary profession can undertake that are currently restricted to veterinary practitioners? Are there other ways the broader veterinary profession can be better supported?

2.2.2 Mental health and wellbeing of veterinary staff

Veterinary staff face many pressures which can contribute to the high incidence of mental health challenges within the profession. These include having to work long hours, dealing with staffing shortages which affect work-life balance and the ability to take time off, managing client expectations, and dealing with abuse from clients.

There are several initiatives provided by the profession to support veterinary mental health and wellbeing. These range from counselling services to mentoring programs and seminars around resilience, wellbeing and mental health.

There are also a range of initiatives to raise the awareness of users of veterinary services about engaging with veterinary staff. These initiatives seek to raise client awareness of the cumulative stresses faced by veterinary staff in having to deal with sick, injured or dying patients on a daily basis.

8. What can the profession, the ACT Government and community do to better support the mental health and wellbeing of veterinary staff?

2.2.3 Training, mentoring and support for veterinary staff

The Act requires the Veterinary Practitioners Board to establish a code of conduct for veterinary practitioners setting out the standards of conduct for veterinary practitioners carrying on the practice of veterinary science. The [Veterinary Practice Veterinary Practitioner Code of Professional Conduct 2018](#) sets out that the basic principles of professional conduct for a veterinary practitioner relate to the maintenance of professional standards to the standard expected by other veterinary practitioners, users of veterinary services and the public. It encourages veterinary practitioners to maintain knowledge of, and carry out procedures in accordance with, current standards of practice.

The Act also creates grounds for unsatisfactory professional conduct, if a veterinary practitioner engages in conduct in their professional capacity that is likely to cause unnecessary suffering to, or death of, an animal,

adversely affects the safety or health of any person, or which damages Australia's international reputation. This extends to the veterinary practitioner failing to comply with the veterinary practitioners code of professional conduct.

The Act provides the Veterinary Practitioners Board with the ability to investigate and take immediate action in such cases where they have grounds to reasonably believe the practitioner poses a serious risk to people and animals or that it is necessary to take immediate action to protect public health or the safety of animals. This immediate action may take many forms, including that the veterinary practitioner undertake a course of training, additional supervision, monitoring, or mentoring. These statutory initiatives have been complemented by non-statutory approaches, such as the AVCA's Graduate Mentoring Program.

9. What statutory or non-statutory initiatives can the profession and ACT Government undertake to better support veterinary staff?

2.2.4 Improving respite care for animals

Canberrans face challenges throughout their lives that may result in temporary and unexpected changes in their circumstances. When these circumstances occur, a range of options are available.

Organisations like PetRescue offer services to people who are hospitalised, homeless or experiencing financial hardship by connecting them with local organisations who offer outreach, crisis support services and safe short-term accommodation for their pets. The RSPCA offer foster care programs to support finding new homes for animals. For example, the RSPCA ACT seeks to provide foster carers to provide temporary homes for animals so that they do not have to go to a shelter. The organisation supports foster carers by providing among other things, food, medication and free access to veterinarians.

10. How can the ACT Government better support respite care for animals in the ACT?

2.2.5 Social support models for subsidised sustenance, boarding and veterinary care

Many Canberrans face a range of physical, social and financial challenges in meeting the costs of keeping their pets and livestock.

There are several social support organisations like Rainbow Paws operating in Canberra who assist with the provision of subsidised animal and veterinary care. These services may provide free food and other products like bedding, jackets, collars, bowls and leads to support pet ownership when people are experiencing tough times. They may also provide subsidised support for costs associated with veterinary care, such as boarding, vaccinations, desexing, microchipping and other veterinary costs. These services provide valuable assistance to vulnerable Canberrans to reduce the financial burdens of owning an animal.

The delivery of social support to vulnerable Canberrans may take the form of operating distribution centres, partnering with community centres, shelters and community pantries or providing outreach

services where people experience challenges in accessing these centres. Many of these services require a referral and are often available to concession holders who are the registered owner of the animal.

11. How can the ACT Government better support vulnerable Canberrans to meet the costs associated with keeping animals?

2.2.6 Pet-crisis support for access to urgent health care

There are several organisations like ACT Pet Crisis Support who seek to provide disadvantaged, low income pet owners with alternatives to euthanasia on purely financial grounds. Owners can either self-refer or they can be referred by veterinary service providers.

The ACT Pet Crisis Support operates a mobile veterinary service for disadvantaged people who may need assistance for chronic conditions or have difficulty accessing veterinary care due to lack of transport. This service aims to provide outreach veterinary services to pet owners who may face financial challenges accessing veterinary care due.

Pet-crisis support models do not tend to cover surgery or other procedures. Users of the pet-crisis support services will be provided with financial assistance up to a certain amount. They are encouraged to contribute to the cost of the veterinary care, including paying cost price for medications, vaccinations and other treatments. Fees associated with consultations are usually waived.

12. How can the ACT Government better support pet-crisis support for access to urgent health care?

Summary of consultation questions on the broader issues around veterinary practice in the ACT

7. Should the ACT consider expanding the procedures that the broader veterinary profession can undertake that are currently restricted to veterinary practitioners? Are there other ways the broader veterinary profession can be better supported?
8. What can the profession, the ACT Government and community do to better support the mental health and wellbeing of veterinary staff?
9. What statutory or non-statutory initiatives can the profession and ACT Government undertake to better support veterinary staff?
10. How can the ACT Government better support respite care for animals in the ACT?
11. How can the ACT Government better support vulnerable Canberrans to meet the costs associated with keeping animals?
12. How can the ACT Government better support pet-crisis support for access to urgent health care?

Appendix 1 – List of consultation questions

Operation of the Act

1. Are the provisions relating to veterinary practitioners satisfactory? If not, how can they be improved?
2. Are the provisions relating to the regulation of veterinary premises satisfactory? If not, how can they be improved?
3. Are the complaints, disciplinary proceedings and enforcement provisions satisfactory? If not, how can they be improved?
4. Are the provisions relating to the veterinary practitioners board and register satisfactory? If not, how can they be improved?
5. How effectively does the Act interact with other relevant legislation? How could this be improved?
6. Is there any other matter that you would like to raise about the operation of the Act?

Broader issues around veterinary practice in the ACT

7. Should the ACT consider expanding the procedures that the broader veterinary profession can undertake that are currently restricted to veterinary practitioners? Are there other ways the broader veterinary profession can be better supported?
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11. How can the ACT Government better support vulnerable Canberrans to meet the costs associated with keeping animals?
12. How can the ACT Government better support pet-crisis support for access to urgent health care?