

VETERINARY JURISPRUDENCE AND ETHICS IN VETERINARY PRACTICE

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SUMMARY

Whereas Tanzania is shifting from a planned economy to a free market economy with subsequent change in the laws governing the economy; the delivery of Veterinary Services on the other hand, has to a large extent been liberalised but without corresponding change to the laws governing the delivery of Veterinary Services. The objective of this shift is to promote the private sector to participate more in the socio-economic development of the country and creation of competitive attitudes. However, human society is a complex one and it relies upon various laws and moral codes to maintain functional integrity and the well-being of its members. Most laws pertaining to the delivery of veterinary services were in acted twenty to thirty years ago when their applications were by and large limited to farm and pet animals and at a time when private veterinary practice was non-existent. Today, a veterinarian's engagement goes beyond the traditional livestock and pet animals to include wildlife, aquaculture, crocodile and ostrich farming in an environment of increasing private veterinary practice. This paper highlights the role of a veterinarian in an increasingly competitive environment and calls for much ethical practice.

INTRODUCTION

Veterinarians belong to a unique professional guild that has considerable empathic and scientific knowledge about animals compared to most other academic and business professions. As interlocutors between People, Animals and Nature (environment) (PAN), their knowledge, both empathic, scientific and instrumental, has always been highly valued and respected by the society. This

honour and respect by the profession has been achieved through close observance of the code of conduct and other laws regulating the livestock industry. These include the Veterinary Surgeons Ordinance (1960), Animal Diseases Ordinance (1960), Pharmacy and Poisons Act (1978) and Food and Quality Control Act (1978). Most of these laws have serious shortcomings and hence need for them to be reviewed so as to keep pace with the changing scenario. Some of

the shortcomings cited above include:

Animal Diseases Ordinance - Cap 156 of 1960

This ordinance is key to disease control and eradication of notifiable diseases. However the ordinance has to be reviewed to, among other things, include:

A broad definition of animals such as wild animals, fish, crocodiles, rustaceans & molluscs. The aquatic animals may need special legislation.

Hatchery and hatchery hygiene

Update definition in keeping with present day practice viz. African Veterinary Assistant, Veterinary Guard etc.

Update the list of notifiable diseases eg. Bovine Spongiform encephalopathy (BSE)

Compensation for slaughter of affected animals viz. Horses/cattle 1000/= - 2000/= sheep & pigs 400/= - 800/=

Accommodate aspects of wildlife diseases, fish diseases and hygiene.

Review regulations for international trade of animals and animal products.

Veterinary Surgeons Ordinance Cap 376 of 1960

This Ordinance is key for the day to day practice by veterinarians be it a Government or Private Veterinary practitioner. In a situation where many veterinary practices are being established; there is need to review this

ordinance with a view to:

Strengthening the Tanzania Veterinary Board

Review the composition and chairmanship of the Tanzania Veterinary Board.

Define private Veterinary practice/veterinary surgery

Set minimum standard for a veterinary clinic.

Review the titles to be used by Veterinarians or else our documentation may be at variance with the law.

Define who should practice (Veterinarians against para-veterinarians).

Pharmacy and Poisons Act of 1978

There has been some review of this Act although it is yet to be ratified by the Parliament. The composition of the Board has been reviewed to include more participation of Veterinarians and the Veterinary profession is now accommodated in the Pharmacy Board secretariat. Equally important, Veterinarians can now operate pharmacies without the need of having to employ a Pharmacist as was the case in the past. However fees accrued from charges of the importation of drugs and pharmaceuticals need to partially service both the Medical and Veterinary Boards with a view of strengthening them. There is also urgent need to:

if the profession is to be respected, to prescribe minimum standards for a Pharmacy shop.

reinforce the need for prescription for Part I poisons.

appoint effective Regional and District representatives for the Pharmacy Board so as to monitor the regional and district professional activities.

The Food and Quality Control Act of 1978.

This is an important Public Health Organ under which the National Food Control Commission is established. The main function of the National Food Control Commission is to prescribe the minimum standards of quality in respect of food manufacture and importation so as to safeguard the welfare of the consumers.

As far as the implementation of this act is concerned, both the Ministry of Health and the Ministry of Agriculture and Co-operatives are involved. Being a Public Health issue, it is important to delineate the responsibility of each of the Ministries.

Public health matters purely affecting human welfare from an environmental point of view viz. environment providing breeding ground for mosquitoes, emission of gases, dumping of domestic wastes, sewerages etc should be dealt with the Public Health personnel of the Ministry of Health. However public health matters related to food more so of animal origin viz abattoir, meat, and butcher inspection, fish

hygiene, manufacture of human food of animal origin etc should be handled by the Veterinary profession. To be effective in this endeavour, both the Ministries of Health and Agriculture and Co-operatives should work closely with the Tanzania Bureau of Standards (TBS) and the Tanzania Food and Nutrition Centre (TFNC).

ETHICS IN VETERINARY PRACTICE

As stated earlier, every society has to have various laws and moral codes as a basis of functional integrity and well being of the society. Thus veterinarians have an obligation to observe the code of conduct as spelt out under the Veterinary Surgeons Act Cap 376 of 1960. Veterinarians also have an obligation to maintain **interest, Honour and Dignity** of the Veterinary profession.

At the moment Private Veterinary practice in Tanzania, largely involves an indiscriminate sale of drugs and pharmaceuticals without any prescription. If the profession is to earn any respect, both the Tanzania Veterinary and Pharmacy Boards should work out strategies to see to it that part I poisons are sold on prescription in conformity with the law.

There have also been complaints of unfair competition in veterinary practice both by veterinarians and para-

veterinarians. This situation has arisen primarily due to the inert nature of veterinarians who are scared going into private veterinary practice and also due to a non-functioning Tanzania Veterinary Board. There is therefore an urgent need to strengthen the Veterinary Board by:

Making the Board autonomous with its Chairman being neutral rather than the Director of Veterinary Services as is the case now so as to avoid possible conflicts with the Government stand which may be embarrassing.

The composition of the Board should be reviewed with a strong representation of Private Veterinary practitioners, TVA Chairman/member, with the Director of Veterinary services as a member.

The Board should be financially sound and funds can be raised by charging a fee for those applying to open Private Veterinary Clinics, receiving part of a levy (1%) of the imported drugs and Pharmaceuticals which normally goes to the Pharmacy Board and registration fee by the Tanzania Veterinary Board.

The Board should delegate its powers to Regions and Districts for close monitoring of the activities of Veterinarians.

TVA/TVB should be active in creating public awareness on the role of the Tanzania Veterinary Board and Laws pertaining to Veterinary Practice in general.

CONCLUSION

The Veterinary profession is caught in an ethical dilemma, having to serve the interests of clients and society on the one hand and the interest of the animals on the other. Consequently, conflicts of interests and responsibilities need to be addressed in the laws to be reviewed.

With the anticipated increase in private veterinary practice, there is an urgent need to strengthen the Tanzania Veterinary Board. Equally important, the private veterinary practitioners should form their own guild through which their demands will be appropriately voiced.