In every case, writing a veterinary expert report on the scientific interpretation of laboratory data or standing up in court acting as an expert witness on behalf of the court, I find that I am learning more about the subject than I have from reference books.

This article is intended to help general practitioners who are involved in forensic matters benefit from examples of what can happen afterwards.

**Animal Welfare Act 2006**

A large number of welfare investigations are carried out under the provisions of this Act. A very important part of the practical enforcement of issues affecting the welfare of animals is the ability to remove them from the environment in which suffering is being caused or likely to be caused.

Section 18 of the Act defines the powers available to (properly appointed) inspectors and (police) officers. Note that an "inspector," for the purposes of this Act, and defined in section 51 of the Act, is currently likely to be a state veterinary service inspector or an inspector authorised by a local authority.

A welfare worker, for example someone employed by the RSPCA, PDSA or RSPB, is not considered to be an inspector under the provisions of this Act and therefore must rely on an officer or an inspector to exercise various powers, such as set out in section 18 of the Act, legally. These workers have no powers of entry onto premises such as homes, gardens and farms.

The relevant part of section 18, powers in relation to animals in distress, is subsection 5: “An inspector or a constable may take a protected animal into possession if a veterinary surgeon certifies— (a) that it is suffering, or (b) that it is likely to suffer if its circumstances do not change.”

If you, a veterinary surgeon, are aiding an animal welfare worker or other inspector or officer in a case involving the welfare of animals, you may be asked to complete a section 18(5) certificate under the Act. This procedure is very important; it will allow the inspector or officer (but not the welfare worker) to take into possession (seize from the owner or keeper) the animal whose welfare you consider to be compromised. The officer or inspector will, usually, immediately pass that animal into the care of the welfare worker. It is often the case that you will be asked to carry out a forensic clinical examination of the animal so you can fully document its state of health.

The s18(5) certificate is often saved on a practice management system as a blank pro forma or you may be presented with a blank form at the scene. Figure 1 shows an example that is, in my experience, typical of the completed certificates issued by veterinary surgeons and used in court as evidence supporting a criminal investigation and prosecution.

**RCVS guidelines**

The RCVS produces some very comprehensive guidelines in its Code of Professional Conduct. Chapter 21 – “Certification” – details the 10 Principles of Certification as well as paragraphs with commentary and advice (eg 21.3).

21.3 includes the statement “The simple act of signing their names on documents should be approached with care and accuracy” and 21.5 details “Veterinarians should also familiarise themselves with the form of certificate they are being asked to sign and any accompanying Notes for Guidance, instructions or advice from the relevant Competent Authority.”

In my opinion, Figure 1 shows a number of obvious deviations from the RCVS certificate requirements. The list of deviations I have compiled is probably not complete (I do not believe that I have seen everything yet), but I offer it here as an indication of what is actually done. I have provided my commentary as to why I think there are problems with relying on this certificate in the forensic arena and have given advice on how to avoid criticism.