

THE ROYAL COLLEGE OF VETERINARY SURGEONS

V

MICHAEL McCARTHY MRCVS

FINDINGS AND JUDGEMENT

Mr McCarthy appeared before the Committee on 1 February 2007 on the following charges, which were amended by agreement.

That being Registered in the Register of Veterinary Surgeons:-

1. On an unknown date or dates between 15 January 2006 and 23 January 2006 while you were employed as a locum veterinary surgeon by the People's Dispensary for Sick Animals in Plymouth you stole from your employers the following controlled drugs:
 - Vetergesic and/or
 - Midazolam (Hypnovel)

and that in relation to the facts alleged, you have been guilty of disgraceful conduct in a professional respect.

2. On an unknown date or dates between 4 February 2006 and 3 March 2006 while you were employed as a locum veterinary surgeon by the Hadrian Veterinary Group you stole from your employers the following controlled drugs:
 - Bupronorphine (Vetergesic/Veterol) and/or
 - Diamorphine and/or
 - Morphine and/or
 - Diazepam

and that in relation to the facts alleged, you have been guilty of disgraceful conduct in a professional respect.

3. On an unknown date or dates between 18 March 2006 and 23 April 2006 while you were employed as a locum veterinary surgeon by the Alder Veterinary Hospital you stole from your employers the following controlled drugs:
 - Pethidine and/or
 - Midazolam

and that in relation to the facts alleged, you have been guilty of disgraceful conduct in a professional respect.

4. On or about 10 January 2006 you obtained without proper authority for your own personal use from National Veterinary Services the following controlled drugs:
 - two packs each containing ten Hypnovel ampoules 10mg/2ml;
 - ten packs each containing five Vetergesic ampoules 1ml

and that in relation to the facts alleged, you have been guilty of disgraceful conduct in a professional respect.

Mr McCarthy is a 2005 graduate from Liverpool University, and holds dual Irish/American citizenship. After graduation he worked as a locum veterinary surgeon in various practices around the UK.

Mr McCarthy, who represented himself, admitted the facts of the charges and agreed that in relation to each charge he was guilty of disgraceful conduct in a professional respect.

The Committee heard from members of the PDSA (Plymouth) staff, including Mr R Newcombe MRCVS. Mr Newcombe told the Committee that he suspected that Mr McCarthy had been taking controlled drugs from the surgery for his own use and dispensed with his services as a locum immediately. Mr Newcombe later made contact with Mr McCarthy and advised him to seek help for his problems from the Veterinary Surgeons Health Support Scheme. Miss M Olliver VN, paid meticulous attention to detail in her cataloguing of evidence. The Committee wishes to commend them for their actions.

Mr E A Nelson MRCVS from the Hadrian Veterinary Group gave further evidence of fact, as described in Charge 2.

Police Sergeant Hall told the Committee that he had interviewed the Respondent with regard to the employee theft of veterinary drugs from the Hadrian Veterinary Group. He confirmed that there was no suggestion that any non-veterinary narcotics were involved in the case. The text of the police interview was produced; this had resulted in a police caution for the theft of controlled drugs from his employers.

Other written submissions were also accepted by agreement in support of the facts of the Charges.

Mr McCarthy addressed the Committee, and apologised for his conduct, he felt shame and embarrassment. He stated that he would never have foreseen that he could find himself in such a position. He apologised to the witnesses and thanked them for their support. Mr McCarthy did not offer any defence and broadly accepted the substance of the evidence in regard to the Charges.

The Committee found all the charges proved and that in each case this amounted to disgraceful conduct in a professional respect.

In mitigation Mr McCarthy outlined the personal circumstances surrounding the tragic events of his father's death and other family circumstances which he believed had triggered his problems. Mr McCarthy believed that the symptoms associated with his depression could indicate Post-Traumatic Stress Disorder. He wished to make a clean break and had sought counselling and treatment for his dependency. He told the Committee he had managed to abstain for several months, but a further family death had caused a lapse during January 2007.

He informed the Committee he intended to return to New York where he had family and friends willing to support him, he fully expected to be struck off the Register, and intended to carry on with his treatment programme in New York, while working in a non-veterinary capacity.

He retained his lifetime ambition to work as a veterinary surgeon, but accepted that this was not appropriate until he had fully conquered his dependency.

The Committee accepted his version of events and considered that he would benefit from a period of time away from access to restricted drugs in order to restructure his life. The Committee was impressed by his full and frank admissions, his open acknowledgement of his problems and his wish to overcome them.

The Committee believes that Mr McCarthy abused his position as a veterinary surgeon in order to obtain veterinary drugs for his own use. In addition theft from an employer is a breach of trust. Any misuse of veterinary drugs is a serious offence, in particular as Mr McCarthy, in a position of trust, was supplied with the keys to Dangerous Drug cabinets by virtue of his employment.

Accordingly the Committee directs the Registrar to remove Mr McCarthy's name from the Register.

At the end of the Hearing the Chairman pointed out that after a ten-month period Mr McCarthy could apply for reinstatement.

This Committee cannot bind any future Committee but in order to assist the Respondent indicated to him that in any application to the College for restoration he would be wise to demonstrate that he no longer suffered from a dependency problem supported by medical evidence proving long-term abstinence. He would be expected to show that he had continued in his counselling support. In order to demonstrate his maintenance of his clinical knowledge he should provide proof of Continuing Professional Development (CPD).

DISCIPLINARY COMMITTEE
2 FEBRUARY 2007