

ROYAL COLLEGE OF VETERINARY SURGEONS

V

MR ROBERT WILLIAM MORRIS MRCVS

DECISION

As it is only in rare and exceptional cases that a Committee should decide in favour of a trial taking place in the absence of the Respondent, this Committee has carefully considered all the issues relevant to the Respondent's request for an adjournment. In particular, the Committee examined each principle which should guide it in relation to the trial of a respondent in his absence, as detailed in the case of Jones to which the Committee was referred by Mr Bradly, Counsel for the College. The Committee was also mindful of the decision of the Privy Council in the case of Mr Tait, when granting his appeal against a decision of the Disciplinary Committee of the Royal College and to their Lordships' judgment in relation to that appeal.

Mr Morris made his application for adjournment in writing and did not attend personally. Mr Bradly helpfully prepared a bundle of documents which included recent letters from Mr Morris, explaining his reasons for non-attendance and for seeking an adjournment. Mr Morris also provided a recent report from a clinical psychologist attesting to his unfitness to attend at this time.

It is probable that this case will be listed for hearing within 3 to 6 months and the Committee is mindful that it is in the public interest that such matters should be dealt with as expeditiously as justice will permit and is aware that the memory of witnesses may fade over time. It is a matter of great regret that this case remains unresolved.

The Committee notes that the Respondent has instructed solicitors who tell it that he is not currently able to give them coherent instructions because of his mental condition. It also notes that Mr Morris is contesting the charges and considers that he may be prejudiced if he does not attend or is not represented at the hearing.

In view of the nature of the charges, the Committee recognises that the consequences for Mr Morris could be extremely serious.

The charges relate to an isolated case which does not suggest that there is a risk to animal welfare nor is it believed that the public safety is in jeopardy.

In the opinion of the Committee, this matter must be dealt with as soon as possible. Any failure to do so reflects badly on the reputation of the profession.

Although the Respondent provided a report from a clinical psychologist, this fell far short of the direction of the Chairman who granted the last adjournment. Although the present Committee is granting Mr Morris' request for adjournment today on the grounds of his ill-

health as stated in the letter from the clinical psychologist, the Committee now require that Mr Morris provides the College, by 4:00pm on Friday, June 15, 2007 with a relevant medical report by an appropriate consultant medical practitioner, who has access to his full medical records and that consultant to have seen a copy of this decision. Furthermore, his report should include Mr Morris' relevant clinical history, assessment of his current mental health and a prognosis.

A failure on the part of Mr Morris to comply fully with this requirement might well be regarded as a deliberate obstruction of the proceedings.

DISCIPLINARY COMMITTEE

30 APRIL 2007