

## ROYAL COLLEGE OF VETERINARY SURGEONS

### MR MAURICE JOHN KIRK

#### COMMITTEE'S ADVICE

There have been a number of hearings before this Committee, and indeed the Privy Council and the courts, in respect of which final rulings have been made.

The Committee has been convened today to consider Mr Kirk's application to be restored to the register. The Committee is limited to the consideration of this specific application and does not have the power to reopen or reconsider the earlier matters, or conduct an appeal against any of the earlier decisions.

The Committee recognises the need for, and will strive to ensure that, its proceedings are fair to all parties. All of its members exercise proper independence and impartiality.

The Committee does not consider that there is any question of bias, or perception of bias, if Mr Jennings continues to sit as Chairman of the Committee. In an application for restoration, all members of the Committee are fully aware of all previous proceedings prior to the application for restoration as they need to be in order to reach a properly informed decision.

Such decision is the decision of the Committee and not of an individual member. The Legal Assessor does not have power to stand down any member of the Committee.

We have listened to Mr Kirk's submissions on disclosure. His complaint is that relevant documents were not disclosed to him by the College during the earlier Committee and court proceedings. The Committee does not have power to reopen those earlier proceedings and will today confine itself to Mr Kirk's application for restoration. The Committee trusts that Mr Kirk will have taken note of the explanations and assurances which the College has nevertheless given to him and set out in some detail in the written summary of factual and procedural history handed up this morning.

The Legal Assessor does not have power to restore a veterinary surgeon to the register. That power lies with this Committee.

It serves to be repeated that this is an application for restoration to the register. It is for Mr Kirk to demonstrate to us that he is a fit and proper person to be restored to the register of veterinary surgeons and practise as a veterinary surgeon.

He must also demonstrate to our satisfaction that his restoration to the *Register* would not adversely affect the welfare of animals; would not put the public at risk and would not damage the good reputation of the veterinary surgeons profession.