

ROYAL COLLEGE OF VETERINARY SURGEONS

DR JOHN ALAN WALKER

FINDINGS

Charges 2 and 3 were amended, with the leave of the Committee, and were:-

That being registered in the Register of Veterinary Surgeons and while in practice at Hook Norton Veterinary Surgeons, White Hill Surgery, Sibford Road, Hook Norton, Banbury, Oxfordshire OX15 5DG:-

1. On or about 26 September 2003 you signed the passport of "Moorlands Again" a gelding belonging to Mr WJ Odell, falsely certifying that on 10 September 2003, you had vaccinated "Moorlands Again" against Equine Influenza and Tetanus by administering the vaccine EquipFT under batch number 7905A1A when you knew that you had not done so; and/or
2. On or about 26 September 2003 you signed the passport of "Ryton Run" a gelding belonging to Mr WJ Odell, certifying that on 5 September 2003, you had vaccinated "Ryton Run " against Equine Influenza and Tetanus by administering the vaccine EquipFT under batch number 7905A1A when you knew, or ought to have known, that you had not done so; and/or
3. On or about 5 December 2000 you signed the passport of "Six Clerks " a gelding belonging to Mr WJ Odell, falsely certifying that on 22 November 2000, you had vaccinated "Six Clerks" against Equine Influenza and Tetanus by administering the vaccine EquipFT under batch number 7552A1 when you knew that you had not done so;

AND THAT in relation to the facts alleged you have been guilty of disgraceful conduct in a professional respect.

Dr Walker appeared on three charges relating to the dating of the administration of vaccine to three horses.

He admitted the facts of each charge but denied that these, either individually or cumulatively, constituted disgraceful conduct in a professional respect.

The Committee were informed that Dr Walker and the owners of the three horses, Mr. and Mrs. Odell, were involved in an ongoing Civil dispute involving the horse Moorlands Again which is not related to this case.

The Committee heard from Mr. Odell, who gave his evidence in a careful and considered manner. He described how his wife was in charge of the arrangements for vaccinating their horses at the necessary intervals, and that Dr Walker or members of his practice, the Hook Norton Veterinary Surgeons, had attended them for nearly twenty years.

During 2004 Mr. and Mrs. Odell, as a consequence of their Civil dispute, had occasion to cross check their horse passport vaccination entries against the practice invoices for these procedures, and it became apparent that there were some discrepancies.

The passport for the horse Moorlands Again showed a vaccination entry for equine influenza and tetanus given by Dr Walker on 10.09.03. The invoice indicated this was actually done on 26.09.03. Under Jockey Club rules this injection was due on or before 12.09.03. It had lapsed by 14 days.

The passport for the horse Ryton Run showed a vaccination entry for equine influenza & tetanus given by Dr Walker on 05.09.03. The invoice indicated this was actually done on 26.09.03. This date was within the Jockey Club specified period for a second vaccination, the first dose being given on 07.07.03.

The passport for the horse Six Clerks showed a vaccination entry for equine influenza & tetanus given by Dr Walker on 22.11.00. The invoice indicated this was actually done on 05.12.00. Under Jockey Club rules this injection was due on or before 24.11.00. It had lapsed by 11 days.

Mr. Odell recalled a telephone call by his wife to Dr Walker in June 2006, he was aware that this was to try to effect a meeting or resolution of their differences.

Mrs. Odell gave evidence that she was responsible for keeping the passports and ensuring vaccinations were kept up to date, sometimes stickers were used as reminders that injections or wormers were due. She would ask for a visit from Dr Walker's practice if vaccinations were due, and ensure that the passports were available to be signed by the vaccinating veterinary surgeon. She confirmed the dates referred to above, and that she was present on 26.09.03 when Dr Walker gave influenza vaccinations to Moorlands Again and Ryton Run. She did not recall checking that the dates on the passports were accurate, or that Dr Walker had informed her that he had entered an incorrect date for Moorlands Again.

When asked about her telephone call to Dr Walker in June 2006 she reluctantly conceded that there had been some reference to Mr. and Mrs. Odell not pursuing their allegations with the RCVS against Dr Walker if a satisfactory outcome of their other differences could be achieved. She also informed the Committee that the complaint to the RCVS had been made by her husband, not herself.

In November 2005, Mr. and Mrs. Odell became aware that their horses did not appear to have been vaccinated in accordance with Jockey Club rules. Mrs. Odell accepted that they had made no effort to remedy this situation, and had raced Moorlands Again under Rules since this time, and had only kept up the annual injections rather than starting the primary course again, which Mrs. Odell knew to be necessary if the annual dose had not been given in time.

In evidence, Dr Walker was quite clear that he had made incorrect entries on the passports, and expressed his devastation, embarrassment and remorse over the events.

As an experienced veterinary surgeon holding a senior position as Chairman of the Racecourse Veterinarians Association, he was fully aware of the Jockey Club rules on equine influenza vaccination and the importance attached to accurate certification. He could not explain his actions with regard to Ryton Run other than it was a genuine mistake as there was no reason to make an inaccurate entry.

He admitted that the date for Moorlands Again was deliberately falsified, as was that for Six Clerks. He could not remember the circumstances surrounding his false entry for Six Clerks, but was quite clear that the reason for falsifying the record for Moorlands Again was that the vaccination was overdue by two weeks, and that this would have triggered a renewed primary vaccination course. He believed that he would have pointed this out to Mrs. Odell saying that by altering the date, the horse could continue in training.

When Dr Walker answered questions from the Committee he stated that he did not realise the full significance of the situation and although he was aware of the importance of veterinary certification he had not read the Guide to Professional Conduct as a whole since graduating. He carried out 60-80 equine vaccinations each month, and would normally include tetanus annually as he believed there was an increased risk of this disease in his locality. He said he would normally examine the passport before administering the vaccine, but did not do so on 26.09.03, as he was accustomed to Mrs. Odell being efficient in these matters. He indicated that it was a rare occurrence that vaccinations were found to be overdue, and that if this was the case he would normally recommend restarting the primary course.

The Committee noted that there was no disagreement between the College and the Respondent as to the facts.

It is for the Committee to decide whether these facts amount to disgraceful conduct in a professional respect.

The Committee considered each charge separately and was mindful of the advice given by the Legal Assessor that it should be satisfied so as to be sure and that disgraceful conduct in a professional respect is that which falls far short of the standard to be expected from the profession.

Charge 2

The Committee finds that this charge does not constitute disgraceful conduct in a professional respect.

The Committee accepts Dr Walker's explanation that this was a genuine clerical mistake with no intent to mislead, and that the vaccination was still valid. The welfare of Ryton Run was not affected, and there were no adverse consequences with regard to animal health and welfare.

Charge 1 and 3

The Committee finds that these charges do amount to disgraceful conduct in a professional respect.

The *RCVS Guide to Professional Conduct* Part 2.G sets out the guidance for veterinary surgeons with regard to certification. A certificate is a “written statement of fact made with authority,” the authority coming from the veterinary surgeon’s professional status.

The Committee is mindful that members of the public, authorities and officials rely on the professional integrity of veterinary surgeons to provide truthful and accurate information.

On his own admission Dr Walker knowingly entered false information on the passports of two horses, Moorlands Again and Six Clerks. In both cases the vaccinations had lapsed. He also knew that these were certificates which would be relied upon by others, who if they had known the true state of affairs would not have allowed the owners to race those horses until they had received a further course of vaccination.

The Committee regards any falsification as extremely serious because it weakens the confidence of the public, and damages the integrity of the veterinary profession. In these two cases the actions of Dr Walker have fallen far short of the standard which what is expected of a member of the profession.

DISCIPLINARY COMMITTEE
30 JANUARY 2007