

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**V**

**SILKE BIRGITT LINDRIDGE MRCVS**

**FINDINGS**

1. Mrs Lindridge appears before the Committee to answer the charge:

*“Between about 1 January 2007 and 31 December 2007, during the course of the provision of veterinary services from her practices at Consett Veterinary Surgery, 21 Medomsley Road, Consett, County Durham, DH8 5HE and/or 2 Winlaton Veterinary Centre, 2 Newbank Walk, Hanover Estate, Winlaton, Tyne and Wear, NE21 6BQ, she practised veterinary surgery (contrary to Section 19 of the Veterinary Surgeons Act 1966) when her name was not registered in the Register of Veterinary Surgeons or the supplementary veterinary register; in particular:*

- (i) Diagnosing and/or treating and/or carrying out surgical procedures in a cat named Felix Irwin ; and/or*
- (ii) Diagnosing and/or treating and/or carrying out surgical procedures in dogs and/or cats for example :*
  - (a) in relation to tumours; and/or*
  - (b) spaying and/or castrating of cats and/or dogs; and/or*
  - (c) in relation to slipped patellas;*
- (iii) Diagnosing and/or treating horses and/or ponies*

*AND THAT in relation to the facts alleged she has been guilty of disgraceful conduct in a professional respect.”*

2. It is a criminal offence contrary to section 19 of the Veterinary Surgeons Act 1966 to practise as a veterinary surgeon unless registered in the Register of Veterinary Surgeons. After consultation with the Crown Prosecution Service, the decision was taken that it was not in the public interest to prosecute Mrs Lindridge, and the matter should be left to the disciplinary processes of this Committee.
3. The procedure for registration is contained in the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2005.

Registration is conditional on payment of an annual fee, which, if it is not paid leads to removal from the register. The regulations provide that:

*"7(1) Not later than 14 March in each year the registrar shall send to the register address of every veterinary surgeon and veterinary practitioner whose registration will expire on 31 March in the same year, and who has not at that date paid the retention fee, the appropriate notice for the retention of the name in the Register with the fee payable and a warning that failure to pay such fees entails removal from the Register or supplementary veterinary register, as the case may be, of that person's name, ...*

*"8. Where the registrar has not received by 30 April of any year, from a veterinary surgeon or veterinary practitioner, a retention fee due payment by 31 March in the same year he shall send a warning that failure to pay the fee by 29 May will result in the removal from the register or supplementary register of the name in relation to which the fee is due and if the fee is not received he shall, under the provisions of section 11(2) of the Act, remove the name from the Register or the supplementary register."*

4. The Committee has given detailed consideration to all the evidence in this case, the submissions of Counsel, and the advice of the Legal Assessor. It has applied the law on the burden and standard of proof, namely that the burden of proof is on the College and that the standard of proof required is that it has to be sure before it finds any allegation of fact contained in the charge proven. The Committee has exercised its judgment in deciding whether the facts admitted, or found proved, amount to disgraceful conduct in a professional respect.
5. Mrs Lindridge qualified as a veterinary surgeon at the University of Berlin in 1997. She has not practised in Germany. She registered as a veterinary surgeon with the College in September 1997 and remained on the register until her removal at the end of 2000 because of her failure to pay her annual retention fee. She was resident in New Zealand at that time. She was restored to the register in April 2000 upon payment of the fee. She remained on the register until her second removal on 5 June 2006 again for non-payment of the annual retention fee. She was restored to the register on 2 April 2008 on payment of the fee.
6. The case for the College is that Mrs Lindridge decided not to pay her annual retention fee in early 2006 because she was on maternity leave and planning to move with the family to Germany later in the year.
7. Mrs Lindridge has admitted that during 2007 she practised as a veterinary surgeon as set out in the heads of charge. Mrs Lindridge maintains that it was an oversight on her part that payment of the annual retention fee was not made in 2006 and 2007. She stated that had she known that she was not registered she would have taken steps to remedy the situation.
8. The facts in this case are not in dispute. At the time of her removal from the register in 2006 Mrs Lindridge was the sole principal of a veterinary practice at Consett, Co Durham and Winlaton, Tyne and Wear. She was on maternity leave from January

- 2006 until she moved to Germany with her family in September 2006. She remained the principal of the practice during the time that she lived in Germany between September 2006 and January 2008. She has produced a schedule prepared from her examination of clinical records and other practice documentation which shows the number of occasions she practised as a veterinary surgeon during the year.
9. Mrs Fraser, Head of Registration, gave evidence that a fee notice would have been sent to Mrs Lindridge's practice address in Consett, Co Durham in February 2006. No payment was received in response and a reminder would have been sent to the same address at the beginning of May 2006. No payment was received and Mrs Lindridge's name was removed from the Register. The names of those removed for non-payment were published on the College's website, the Veterinary Record and Register of Members.
  10. In September 2006 Mrs Lindridge sent a copy of her marriage certificate to the College requesting that her name be changed on the register following her marriage. On 5 September 2006 Ms Harris, Deputy Head of Registration, telephoned the practice address at Consett to remind Mrs Lindridge that she had been removed from the register for non-payment. She was informed that Mrs Lindridge was on maternity leave and living in Germany. Correspondence from August 2006 between Mrs Lindridge and the College on an unrelated matter was produced in which Mrs Lindridge wrote on Consett Veterinary Centre headed notepaper using the qualification MRCVS. In a letter marked "Personal & Confidential" dated 30 October 2006 from the College she was reminded that she had been removed from the Register for non-payment.
  11. Nevertheless Mrs Lindridge practised as a veterinary surgeon during 2007. Ms Spruit, who was employed as a locum at the practice, saw Mrs Lindridge working at the practice on 3 or 4 occasions, carrying out surgical procedures and undertaking consultations. Ms Waller, who was employed by the practice as a veterinary surgeon in July 2007, observed Mrs Lindridge practising as a veterinary surgeon during her induction period over 2 or 3 weeks. She also treated a cat, Felix, belonging to Mr and Mrs Irwin on at least 3 occasions between August and October 2007.
  12. Mrs Lindridge explained that she was on maternity leave from January 2006 and moved to Germany with her family in the summer of 2006 living there until January 2008 when she returned to England. During that period she remained the principal of the practice, employing the veterinary surgeons and other staff, and remaining in contact by telephone, occasional visits and receiving daily report sheets.
  13. She accepted that the College had written to her at the practice address in February and again in May 2006 to inform her that her retention fee was due and that in default of payment her name would be removed from the register. She did not receive the letters which were marked "Personal and Confidential". Her explanation is that the administrative support staff at the practice responsible for opening the mail did not pass the letters from the College onto her during this period. It emerged

in questions from the Committee that the person responsible for bookkeeping had failed to pay substantial outgoings for the practice. Mrs Lindridge had to negotiate with her drug suppliers weekly payments to cover current and pre-existing drug supplies. The electricity and telephone had also been disconnected on occasions.

14. She maintains that it was an oversight on her part that payment of the annual retention fee was not made in 2006 and 2007. Her evidence is that she was unaware that it had not been paid until she was informed by Mr Hepper of the College at a later date, probably in March 2008 when he was on a practice visit. She states that had she known that she was not registered she would have taken steps to remedy the situation.
15. She accepted that in hindsight that it was probably not prudent to have moved to Germany and run the practice from there. She said that she received a daily report sheet and was available for advice on the telephone from the resident veterinary surgeons. The dates of who was employed at what time remain unclear to the Committee but it would appear that for much of the time there was only one veterinary surgeon covering both premises with occasions when there were two veterinary surgeons. Mrs Lindridge has produced a schedule which sets out the dates she worked in the practice on visits to England during the course of 2007.
16. In reaching its findings the Committee has considered carefully the evidence given by Mrs Lindridge and is not satisfied that she knew she had not paid her annual retention fee in 2006 and 2007. It accepts Mr Edis's submission that she would have had no sufficient motive to do so. Her insurance with the Veterinary Defence Society was renewed in 2006 and 2007. It accepts that she would not have sent a copy of her marriage certificate to the College in or about September 2006 to change her name on the register if she had known that she was no longer on the register. It would have been illogical to do so. There is insufficient evidence upon which this Committee could properly conclude that Mrs Lindridge personally received any correspondence relating to her registration. The Committee concludes that it is implausible that she would have continued correspondence with the College regarding an unrelated complaint using her qualification MRCVS when she knew that she was not on the register. Although the Committee has generally accepted Mrs Lindridge's evidence, it has not been able to ascertain at what stage after September 2006, whether it was in 2007 or 2008, Mrs Lindridge did become aware that she was not on the register.
17. However, the Committee has concluded that Mrs Lindridge ought to have known that the fees had not been paid, and that in the absence of her name on the register, she should not have practised as a veterinary surgeon during 2007. Indeed, Mrs Lindridge accepted in cross-examination that she ought to have known that she had been removed from the register. The Committee has concluded that the failure of Mrs Lindridge to put in place proper systems for the administration of her practice, including the payment of her annual retention fee, whilst she was on maternity leave and whilst she was living in Germany was lamentable. The description given by her in answer to the questions from the Committee as to the payment of bills demonstrates an utterly careless attitude to the administration of the practice. No

proper explanation was put forward by Mrs Lindridge as to why she did not check that the fees had been paid, knowing that so many other bills remained unpaid.

18. In these circumstances the Committee is satisfied that Mrs Lindridge's conduct fell far short of that which is to be expected in the profession, and amounts to disgraceful conduct in a professional respect. She was under a clear professional obligation to ensure that she was registered as a veterinary surgeon. The Committee is satisfied that she abdicated responsibility for the administration of her affairs during the relevant period. In reaching its conclusion the Committee has taken into consideration that for a period of nearly 2 years, whilst she remained principal of the practice, she was unregistered, and during the course of 2007 she was practising as a veterinary surgeon.

**DISCIPLINARY COMMITTEE**  
**9 SEPTEMBER 2009**