

## **RCVS WITNESS INFORMATION**

### **BEFORE THE HEARING**

#### **Your previous contact with the RCVS**

This document is primarily intended for those appearing before the RCVS Disciplinary Committee as witnesses. You have either made a complaint against a veterinary surgeon or are a witness to events that somebody else has complained about. As part of this process you may have been interviewed and given a formal statement to solicitors. You should have been notified of the hearing date and generally, you should have indicated that you can attend on one of a number of dates. You may receive this 'RCVS Witness Information' with a witness summons which is issued from the High Court and requires you to attend at the RCVS on one or more dates. Normally, you are told the most likely date on which you will be asked to give evidence.

#### **Reviewing your statement**

When giving evidence at the RCVS, there will be a bundle of documents, including your witness statement, available in a grey file on the table in front of you. Giving evidence is not intended to be a memory test and you are not expected to learn your statement by heart. You may, however, feel more comfortable reviewing the statement you made before attending the hearing, to refresh your memory of it, as it may be some time since you originally made the statement. In addition, if your evidence is disputed, generally you will be asked to give evidence without referring to your statement. If you would like a copy of the statement please contact the RCVS.

#### **What to bring with you to the hearing**

- 1) details of any travel and/or accommodation arrangements;
- 2) this information (RCVS witness information) which includes a map showing where the RCVS is located in London;
- 3) the telephone number for the RCVS, should you, for example, be delayed and need to contact us
- 4) reading glasses, if you wear them; and,
- 5) a book or some other activity to keep you occupied while you wait to give evidence.

You will be provided with tea and coffee and lunch on the day of the hearing. If you have any special dietary requirements please let us know in advance.

## **The RCVS address and telephone number**

The RCVS premises are in London at the following address:

Royal College of Veterinary Surgeons  
Belgravia House,  
62-64 Horseferry Road,  
London,  
SW1P 2AF

Direct Tel - 020-7202-0720

## **Travelling to the RCVS**

The RCVS is on Horseferry Road in Westminster, and a map of the location is attached. The RCVS has good transport links. Pimlico (Victoria line), St James' Park ( District and Circle Lines) and Westminster tube stations ( District, Circle and Jubilee lines) are a 10-15 minute walk away from the RCVS. The RCVS is also only a short taxi / bus ride (Bus route 507) from both Waterloo and Victoria main line stations.

The RCVS is accessible by wheelchair, but it would be helpful to know in advance if you will need this sort of access.

## **Meeting others at the hearing**

You may be concerned about meeting the veterinary surgeon against whom you are giving evidence. The RCVS provides a room for witnesses who are giving evidence. Generally, this room will be used for all witnesses, those giving evidence for the RCVS and those giving evidence for the veterinary surgeon, but not for the veterinary surgeon him or herself. It is likely that the veterinary surgeon in question will be present at the hearing, but you should only encounter him or her in this relatively formal setting, not while you are waiting or preparing to give evidence. If you feel at all uncomfortable about these arrangements, either before attending the hearing, or on the day, please talk to us.

## **Any concerns?**

A representative from the RCVS will have liaised with you regarding the hearing, including which days and what times you are required to attend. If you have any concerns, regarding expenses, travel, or any other issues, please feel free to discuss these with the representative before the hearing.

## **DURING THE HEARING/ON THE DAY**

### **Arrival at the RCVS**

You will have been told at what time you are required to be at the RCVS. Please arrive in good time, and take into account any delays which may occur to lengthen your journey time.

The receptionist will tell you where you need to go, which is usually a meeting room on the second floor of the building. Once you arrive, someone will come to see you to discuss procedure further and, if time and circumstances permit, show you the hearing room and where you will take the oath or declaration and give evidence (the witness chair).

You cannot sit in the hearing room and listen to other witnesses before giving your evidence, as this may prejudice the case. For similar reasons, we ask you not to discuss your evidence with anyone before you give it.

### **Delays**

As with any legal proceedings, it is possible that there will be delays during the day. You will be kept informed of the reasons for any delay, and the possible duration of the delay. Again, you are asked not to discuss your evidence with others during this time.

### **The lay out of the hearing**

The hearing will take place on the fifth floor of the RCVS building and the Clerk will come to collect you when you have been called to give your evidence.

A number of people will be present at the hearing, which takes place in public;

- 1) The Disciplinary Committee – a panel of, on average, seven members - is made up of members of the RCVS Council, and consists of both veterinary surgeons and lay members. The Chairman (with the Legal Assessor) sits on a platform, and the rest of the Committee in a row in front of the platform. The Committee members wear academic gowns during the hearing.

- 2) The Legal Assessor – a senior barrister - gives legal advice to the Committee during the hearing. The Legal Assessor wears a wig and gown and sits next to the Chairman on the platform.
- 3) The RCVS legal team – which includes the solicitor employed by the RCVS who has been liaising with you, and the external barrister who is presenting the case. They sit facing the Disciplinary Committee. Again, the barrister wears a wig and gown.
- 4) The veterinary surgeon and his legal team, if any, which may include a solicitor and barrister and a member of the Veterinary Defence Society (professional indemnity insurers). In most cases, the veterinary surgeon is legally represented. They sit facing the Disciplinary Committee. Again, the barrister wears a wig and gown.
- 5) The Clerk to the Disciplinary Committee who is responsible for the administration of the hearing and sits behind the Chairman and Legal Assessor.
- 6) The shorthand writer – who takes a verbatim record of the proceedings.
- 7) The press – as it is a public hearing, the press may attend the hearing. They sit at the back of the room and as in other legal proceedings, the taking of photographs is strictly forbidden during the hearing.

### **Microphone system**

The room is set up with a microphone system. When speaking, it would be appreciated if you could switch your microphone on, and switch it off again when you have finished speaking; a red light will indicate that the microphone is on. If you would like assistance, or forget to switch it on, the Clerk to the Committee will be on hand to help.

### **The Oath or Affirmation**

When you are called to give evidence, you enter the room and walk to the witness chair and stay standing to take an oath. You will have a choice whether to swear an oath on the Bible, or take a non-religious affirmation to attest the truth of your evidence. You will be asked to repeat the words of the oath or affirmation after the Legal Assessor and then invited to take your seat, the witness chair.

### **Giving your evidence**

The barrister for the RCVS will address you first. It is likely that you will be asked to read the main part of your witness statement aloud. A copy will be in the bundle on the desk in front of you. You will be directed to the section and page numbers where your statement appears. The reading of your statement is necessary so that it is admitted into evidence. When reading from your statement, take as much time as you need, and try to speak slowly and clearly.

During the reading of your statement, the barrister for the College may ask you to pause, and ask you questions to clarify some points. Again, take your time when answering questions.

After you have finished your statement, the barrister for the College may ask you further questions

For parts of your statement (and sometimes for the whole statement) you will be asked to close the bundle and you will be asked questions by the barrister for the RCVS and give your evidence without looking at your statement. Generally, this is used for giving evidence that is disputed.

### **Questioning by the barrister on the other side – cross examination**

The barrister for the veterinary surgeon (or the veterinary surgeon if not legally represented) may then ask you questions. Cross examination questions may be leading questions and suggest an alternative view of what happened; they are intended to test the truth and/or accuracy of your evidence and are an important part of the process.

There may be questions that the Disciplinary Committee members and this may be after a short period of adjournment, for the Committee members to consider the questions they want to ask you.

### **Adjournments**

It may be necessary for the hearing to adjourn from time to time, for lunch, or for the Committee to consider the questions the members want to ask. During these periods, it is again extremely important that you do not talk to anyone about the case, or the evidence you are giving or are about to give; this includes anyone involved with the case, as well as family and friends.

### **After giving evidence**

Once you have finished giving your evidence and have been released as a witness, you are free to leave the building. Should you wish to do so, you can remain in the hearing room and listen to the rest of the hearing. If so, you will be directed to the public seating, at the back of the room.

### **After the hearing**

You will be informed of the outcome of the proceedings, once they have been concluded.

Please make sure that you keep receipts for all travel and expenses you have incurred. You should have received an expense claim form to enable you to claim back your expenses. Please complete this and return to the College with all of the receipts or if you have not received this form, please ask for one.

# Map of the College

