

ROYAL COLLEGE OF VETERINARY SURGEONS

v

MR JOSEPH LENNOX HOLMES

ADJOURNED HEARING – JUDGMENT ON SANCTION

- 1) This adjourned hearing follows on from an application to the High Court which resulted in the making of a consent order as between the College and Mr Holmes as a result of which those proceedings were stayed so that the matter could be returned to this Committee to consider such undertakings as Mr Holmes was prepared to offer to it.
- 2) The Committee has reminded itself of all the findings that were made against Mr. Holmes on 4 October 2006. The findings concerned four charges. Despite the absence of lameness which the Committee considered would generally be expected as a presenting sign of a limb bone tumour, it accepted that the Respondent, having taken the radiographs, made a provisional diagnosis of bone cancer in good faith.
- 3) As to charge one, even if that diagnosis had been made, the Committee considered that the treatment thereafter instigated by the Respondent was based on out of date text books and human data sheets and was considered totally inappropriate.
- 4) As regards the second charge the Committee felt that such a serious course of treatment as Mr. Holmes was prescribing for this dog should only be undertaken with the fully informed consent of the owner, a matter which the Committee considered that Mr. Holmes should have been well aware of.
- 5) As regards charge three, the Committee was concerned that when the Respondent reached his belief that chemotherapy was the only reasonable course to follow, he had only one chemotherapy regime which he adopted for the treatment of all cancer cases. In the same connection the Committee felt that the Respondent did not discuss a range of reasonable treatment options with the client, that he did not give full advice of the potential side-effects and that he did not explain that the tablets he was prescribing for the dog were not licensed for use in dogs.
- 6) Finally as regards charge four, the Committee found that the dispensing of a cytotoxic medicine in a plastic bag was inappropriate.
- 7) That Committee found disgraceful conduct in a professional respect to be present in each of the charges. And when considering each of these charges that Committee was of the view that the Respondent's conduct in each case would be viewed by reasonable and competent members of the veterinary profession to be deplorable and that such conduct fell far below the standards that members of the public were entitled to expect. Although noting that the dog did not appear to have suffered any ill effects on this occasion, the cavalier use of chemotherapy in the absence of a proper knowledge of the subject might have had an adverse effect impinging on the welfare of the animal.

- 8) Judged against the standards of an average practicing veterinary surgeon the charges found proved against Mr Holmes on 4 October 2006 showed that there were serious deficiencies in Mr Holmes' radiographic interpretation skills, such that a dog suffering from arthritis received an incorrect diagnosis of bone cancer. Inappropriate treatment was instituted after this inaccurate diagnosis. Only one regime for the treatment of all cancers was adopted by Mr. Holmes during that period.
- 9) As a result, and in the light of the fact that the CPD studies that the Respondent has undertaken since 4 October 2006 do not appear to it to have sufficiently or at all addressed the Respondent's practice failings in the respects identified in the Findings made against Mr Holmes, the Committee considers that the four categories of study it has identified, particularly in the fields of orthopaedics, oncology, radiology and therapeutics required and still require to be addressed by Mr. Holmes during the course of his CPD studies.
- 10) Having regard to the facts found proved against Mr Holmes on 4 October 2006 and the degree and extent to which his professional services were revealed to be inadequate during the course of the treatment he prescribed for this dog, the Committee is concerned about his competence generally.
- 11) However, these concerns have had no part to play in the decisions reached by the Committee as to the types of additional training from which it considers the Respondent would derive benefit. The four areas identified as deserving of special attention and training are each directly connected with the deficiencies in his skills when treating this dog.
- 12) The Committee considers that the undertakings in the form that you have offered to it, if fulfilled by you, will serve to ensure that there will be no repetition of the conduct which resulted in the findings made on 4 October 2006 and serve to ensure that animals and the public will not be put at risk.
- 13) This is the decision of the Committee and we trust that you will enter into these courses with the right mind-set and find that at their conclusion, these tasks have been of advantage to your practice.

**BEFORE THE DISCIPLINARY COMMITTEE OF THE ROYAL COLLEGE OF
VETERINARY SURGEONS**

ROYAL COLLEGE OF VETERINARY SURGEONS v. JOSEPH LENNOX HOLMES

The Undertakings

I, JOSEPH LENNOX HOLMES, hereby undertake as follows:

During an 18 month period commencing today and expiring on 31 October 2010:

- 1. My veterinary practice will participate in the RCVS Practice Standards Scheme at Tier 2 level.**
- 2. My veterinary practice will be subject to two RCVS Practice Standards Inspections as follows:**
 - 1) One Inspection between 1 May 2009 and 31 May 2009.**
 - 2) One Inspection between 1 September 2010 and 31 October 2010.**
- 3. I will regularly refresh my memory of the RCVS Guide to Professional Conduct and shall read and keep up-to-date with any changes to that Guide.**
- 4. I will regularly refer to up-to-date text-books, publications and internet reference material, including, but not solely and exclusively, the Veterinary Formulary and the Handbook of Small Animal Medicine 5th edition 2008 by Rhea V. Morgan.**
- 5. By 22 May 2009 I will provide to the Committee:**
 - 1) Proofs of purchase concerning text-books relevant to my practice that I have purchased.**
 - 2) Evidence of the professional journals to which I subscribe.**
 - 3) Evidence of the professional organisations to which I belong.**
- 6. I will complete education by way of Continuing Professional Development as follows:**
 - 1) At least 35 hours of CPD per year in subjects relevant to my area of practice, i.e. the standard minimum CPD requirement required of all veterinary surgeons by the College ("Standard CPD").**
 - 2) At least an additional 35 hours of CPD per year in the following specific subjects:**
 - a) Orthopaedics.**
 - b) Oncology.**
 - c) Diagnostic imaging.**
 - d) Therapeutics.**

("Additional CPD").

- 3) During the following 18 months I will therefore complete a total of at least 105 hours of CPD, as follows:
 - a) At least 52½ hours of Standard CPD.
 - b) At least 52½ hours of Additional CPD.

 - 4) Such hours of CPD will be partly on-line and partly away from my home/practice with:
 - a) At least 15 hours of Standard CPD being away from my home/practice.
 - b) At least 37½ hours of Additional CPD being away from my home/practice.

 - 5) By 22 May 2009 I will prepare and provide to the Committee a written CPD Plan that follows the format (but not the content) of the draft/template CPD Plan that the Committee has provided to me the format of which it has suggested would be suitable, a copy of which is attached. In the event that the plan submitted by me is not acceptable to the Committee, the Committee will, if necessary, reconvene.
7. I will provide the Chairman of the Committee with progress reports in relation to the matters set out above approximately every 6 months, the first by 1 November 2009. Such reports to provide details of:
- 1) What CPD I have completed by reference to my CPD Plan, indicating how, when and where it was completed.
 - 2) Any further text-books purchased.
 - 3) Any further professional journals to which I have subscribed.
 - 4) Any further professional organisations I have joined.
 - 5) What I on reflection believe I have achieved and/or need to learn more about.

I also agree that all costs in connection with the above will be borne by me.

Signed

Joseph Lennox Holmes MRCVS

Dated: Friday 1 May 2009

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Submission to the RCVS Disciplinary Committee

[REDACTED]

(i) CPD Plan

I have taken a considered and measured approach in determining what courses to include as part of my CPD over the next two years. The 'backbone' of my CPD plan will involve the following three modular courses, General Practitioner Certificate in Small Animal Medicine, Logical Clinical Problem Solving and Small Animal Soft Tissue Surgery.

These modular courses, set out in more detail below, are 'broad based' courses intended to raise my veterinary knowledge and practical skills. The courses will be supplemented with:

- BSAVA Dispensing Course held 11 April 2007;
- Radiography film reading (date and venue to be confirmed but expected to be taken in 2007);
- For 2008, at least a further two practical courses (typically involve one or two day courses) focusing on specific areas of personal interest to me; and
- Personal studies and research.

As a minimum, my planned CPD of external courses will involve the following:

2006 – 15 hours
2007 – 154 hours
2008 – 63 hours.

(1) General Practitioner Certificate in Small Animal Medicine

Summary of Course

I believe this course will improve my veterinary knowledge, specifically my clinical, medical and diagnostic ability. The modular course is held monthly over two years culminating in an optional external examination. The course covers a number of topics in small animal medicine ranging from clinical pharmacology to oncology. The course involves a combination of didactic tuition, reflective learning, case-based discussion and practical experience. The course involves in-course assessment and self and mutual appraisal. In addition, I intend on sitting the ESVPS examination as a means of demonstrating knowledge obtained. A brochure setting out further details of the course is attached.

Course Provider
Improve CPD.

Venue
Cambridge.

Dates
Monthly from October 2006.
(Module 1 to be attended on 7 December 2006 at Swindon).

CPD Hours
100 hours.

(2) Modular Logical Clinical Problem Solving

Summary of Course

I believe this course will improve my veterinary diagnostic ability, specifically improving my logical clinical problem solving skills. The course covers such topics as diagnosis and management of renal problems and diagnostic approach to coughing, sneezing and dyspnoea. The course consists of short lectures, small group work on clinical cases applying the problem based approach and interactive sessions. In between the monthly modules I will have the opportunity to apply learned logical clinical problems skills in practice. A brochure setting out further details of the course is attached.

Course Provider
Royal Veterinary College.

Venue
Hawkshead Campus.

Dates
Monthly from February 2007 to July 2007.

CPD Hours
49 hours.

(3) Small Animal Surgery – Keysteps™ Soft Tissue Surgery

Summary of Course

I believe this course will improve my veterinary surgical skills. The course focuses on small animal soft tissue surgery and covers topics from wound management to gastrointestinal surgery. The course is geared towards 'hands-on' wetlab practical surgery and involves four 2 day sessions. A brochure setting out further details of the course is attached.

Course Provider
CFD Solutions.

Venue
Ellasmere Port and Liverpool.

Dates
2 Monthly from July 2007 to January 2008. (Exact dates to be confirmed).

CFD Hours
56 hours.