

ROYAL COLLEGE OF VETERINARY SURGEONS

INQUIRY RE:

DR CHRISTOPHER BUTTERWORTH MRCVS

&

DR MELISSA BEXON MRCVS

DISCIPLINARY COMMITTEE DECISION

1. Dr Butterworth and Dr Bexon appeared before the Disciplinary Committee (“the Committee”) to answer the following charges:

Dr Butterworth

That, being registered in the Register of Veterinary Surgeons, and whilst in practice, you:

1. In relation to [REDACTED] (the “Farm”):
- (i) Signed a Tuberculosis Advisor Service (“TBAS”) Visit Report, on which you were named as TBAS advisor, relating to a purported visit to the Farm on 23 February 2023 when there had been no such visit; and/or
 - (ii) Signed a TBAS Follow-up report, on which you were named as TBAS advisor, relating to a purported visit to the Farm 10 July 2023 when there had been no such visit.
2. Your conduct in 1 above:
- (i) was dishonest; and/or
 - (ii) was misleading; and/or

- (iii) risked undermining procedures designed to promote public health and/or animal welfare;

AND THAT in relation to the above matters, whether individually or in any combination, you are guilty of disgraceful conduct in a professional respect.

Dr Bexon

That, being registered in the Register of Veterinary Surgeons, and whilst in practice, you:

1. In relation to [REDACTED] (the "Farm"):
 - (i) Signed, as farm representative, a Tuberculosis Advisor Service ("TBAS") Visit Report, relating to a purported visit to the Farm on 23 February 2023 when there had been no such visit; and/or
 - (ii) Signed, as farm representative, a TBAS Follow-up report relating to a purported visit to the Farm 10 July 2023 when there had been no such visit;
2. Your conduct in 1 above:
 - (i) was dishonest; and/or
 - (ii) was misleading; and/or
 - (iii) risked undermining procedures designed to promote public health and/or animal welfare;

AND THAT in relation to the above matters, whether individually or in any combination, you are guilty of disgraceful conduct in a professional respect.

Representation

3. Mr Louis Weston appeared on behalf of the College. Ms Eleanor Sanderson appeared on behalf of Dr Butterworth and Mr Mark Harries KC appeared on behalf of Dr Bexon.

Admissions

4. Dr Butterworth admitted all the matters alleged against him and that he was guilty of disgraceful conduct in a professional respect.

5. Dr Bexon admitted all the matters alleged against her and that she was guilty of disgraceful conduct in a professional respect.

Background

6. Mr Weston opened the case on behalf of the College.
7. The Allegations before the Committee arose from the conduct of Dr Butterworth and Dr Bexon between February and July 2023, when they were practising at Peakfield Farm Vets, The Stables, Sapperton Park Courtyard, Church Broughton, Derby DE65 5AU (the Practice).
8. Both Dr Butterworth and Dr Bexon were, in 2023, Veterinary Surgeons working at the Practice. Dr Bexon was an employee, Dr Butterworth a principal.
9. TBAS is a program operated by the Department for Environment, Food and Rural Affairs (DEFRA) through Farmcare Solutions Limited (Farmcare), under which farms are given advice as to how to avoid and mitigate the risks of tuberculosis on farms. Under the program farms receive two visits from a veterinarian, the first of which is an inspection to identify risks and to make recommendations. The second visit takes place between three and six months later and reviews whether the recommendations have been implemented. The veterinarian producing the TBAS Reports uploads the information to complete the TBAS Reports through an app and website system and is then entitled to receive a payment for the two inspections, which at the time was £600 plus VAT.
10. The contractual structure is that Farmcare enters a Service Level Agreement with the Practice and only certified veterinarians who have undergone training could carry out TBAS visits and those visits must be in person. Both Dr Butterworth and Dr Bexon had received such training.
11. Under the TBAS scheme a pair of visits was recorded as having taken place at the Farm, the owner of which is referred to in this determination as 'the Farmer'. The first visit is recorded as having taken place on 23 February 2023. Dr Butterworth was recorded as the TBAS Advisor. Four recommendations were listed as a result of the visit. The farm representative is identified as the Farmer, but the email given was Melissa Bexon's personal email. The TBAS Visit Report recorded that the farm had 300 ewes but had the plan for the next five years of "*Buying more cattle*", although no cattle were listed. The Report also expressed other expectations for the Farm, and gave a series of answers to pro forma questions, expressed to be from the representative.

12. The follow up visit is recorded as having taken place on 10 July 2023. All the recommendations made in the initial Visit Report are said to have been completed and the costs of doing so, and the time required to do so, were listed. The Farm representative was again listed as the Farmer.
13. Both reports were signed by Dr Bexon stating that the “... *report accurately represents the advice visit and recommendations (farm representative)*”. Both reports were countersigned by Dr Butterworth.
14. The consequences of that conduct were that Farmcare was led to believe a trained veterinarian had inspected the Farm, made appropriate recommendations, sought and received the Farm representative’s views on TB risk, and then returned to ensure that the recommendations had been met. Farmcare would therefore believe the Farm had received appropriate advice to mitigate any TB risks. In addition, the Practice was entitled to £600 plus VAT.
15. In fact, Dr Butterworth never visited the Farm, and both Dr Butterworth and Dr Bexon signed that there had been visits when no visits had actually taken place. This was discovered when, on 6 September 2023, the Farmer called TBAS and asked why it was he had received a TBAS letter saying he had received a visit from a vet at the Practice, when he had not had any visits from the Practice.
16. Dr Bowen MRCVS is the Veterinary Director at Farmcare. She raised the issue with Dr Butterworth on 6 September 2023. There followed a series of emails between Dr Bowen and Dr Butterworth, in which:
 - (a) Dr Bowen raised the question of why the Farmer was claiming no attendance at the Farm when the TBAS Reports showed visits had occurred.
 - (b) Dr Butterworth replied saying he was aware of the issue, and the complaint had “... *caused us a great deal of grief due to some miscommunications.*” He said that the Farmer was engaged to be married to Dr Bexon and that she had a good knowledge of the Farm and that “*The TBAS questionnaire was carried out with Mel acting as the farm representative, and accurate advice provided based on those answers – it was assumed due to their intimate relationship and her knowledge of the farm in question, she could answer on his behalf?*”
 - (c) Dr Bowen replied highlighting that the TBAS reports showed the Farmer as the representative and asking for confirmation of Dr Bexon’s role at the Farm and whether there had been physical visits.

- (d) Dr Butterworth replied admitting that there had not been physical visits, but he highlighted that Dr Bexon was engaged to the Farm's owner, and so he deemed her "*a family member*".
- (e) The email exchange ended with Dr Butterworth assuring Dr Bowen that this was the only case where no physical visit had taken place.

17. Dr Bowen suspended the Practice from any TBAS work following that exchange on 6 September 2023, whilst they fully investigated the issue. Dr Bowen pointed out that carrying out visits remotely was in clear breach of the Service Level Agreement between the Practice and TBAS. On 8 September 2023, Dr Bowen asked Dr Butterworth to make a statement addressing the issues raised.

18. Dr Butterworth provided that statement under cover of an email dated 11 September 2023. The statement included the following:

"The TBAS questionnaire, to my error, was carried out remotely with Mel acting as the farm representative (family member), and accurate advice provided based on those answers - it was incorrectly assumed due to her skillset, their intimate relationship and her knowledge of the farm in question, that she could answer on his behalf and without myself visiting the farm."

19. On 8 September 2023, Dr Bowen also asked Dr Bexon for her account of events. Dr Bexon replied on 11 September 2023 by email, stating:

"There was no visit; therefore, I did not play any part."

Chris Butterworth had asked me to act as farm representative for [the Farmer] due to my relationship with [the Farmer] and my working knowledge of the farm. As an employee of Peakfield Farm Vets, I felt obliged to do what I had been asked."

At the time of the "visit" I had been in a long-term relationship with [the Farmer] for just over 4 years so it was deemed that I would be classed as a family member. [The Farmer] and I are now engaged."

20. Having received those responses, on 13 September 2023 Dr Bowen terminated the agreement in place with the Practice to carry out TBAS work. The Practice was not paid for the TBAS Reports relating to the Farm.

21. Dr Bowen highlighted that Farmcare has a number of contractual relationships with DEFRA and APHA (Animal and Plant Health Agency) that place trust in, and reliance on, the value of a veterinary surgeon's signature; if a veterinary surgeon has signed a form saying something has happened, then there should be confidence that it has been done properly. She said *"there is a reputational impact for the veterinary profession if government organisations need to question whether they can trust that if a veterinary surgeon has signed to say something has happened, does it mean it has definitely happened."*

22. In response to the College's investigation, Dr Butterworth, in his letter of 18 January 2024, admitted once again that there had not been any visit to the Farm. He said that he had asked Dr Bexon if the Farmer wanted to be a part of the TBAS program and, when Dr Bexon did not come back with a positive answer, he:

"... suggested that she could act as the farmer's representative. Ms Bexon agreed and together we filled out the questionnaire. She could answer the questions and we agreed recommended actions that would help reduce TB risk for the farm. At that time, [the Farmer] did not have any cattle on the farm but it was something he was considering. We did complete the form at the practice. I felt at the time that as Ms Bexon knew the information, I did not need to visit the farm. I now appreciate that this was wrong and I deeply regret my actions."

23. Dr Butterworth went on to express his regret and stated it would not happen again.

24. Dr Bexon, by email of 3 September 2024, sent a letter to the College dated 20 August 2024, in which she stated she was employed by the Practice and had known Dr Butterworth since university. She said that shortly after she had completed her TBAS training, Dr Butterworth asked her to talk to her fiancé, the Farmer, about completing TBAS advisory visits to his family farm. Dr Bexon said Dr Butterworth asked her at least three times. She added that at the time there were no cattle at the Farm, although that would not preclude a TBAS visit.

25. Dr Bexon went on to say that:

"Dr Butterworth then suggested I could act as the 'farm representative' for the purposes of TBAS and he would be the TBAS advisor. Again, this was asked on more than one occasion but I cannot recall how many. At no time was Dr Butterworth aggressive, coercive or intimidating when asking me to take part but I did view his approaches as quite persistent."

On 23 February 2023, Dr Butterworth approached me again, in the practice office, about completing a TBAS advisory visit for [the Farm] with me acting as 'farm representative'. Dr Butterworth's enthusiasm and persistence for completing a TBAS visit had started to become irritating. I acknowledged that my in-depth knowledge of the farm and involvement in certain aspects of the running of the businesses, particularly the health and welfare of livestock, meant I could accurately answer the questions on the TBAS questionnaire. I therefore agreed and Dr Butterworth suggested that because both he and I were free at the time, we could go through the TBAS questionnaire in the office that day. We did so and I answered the questions honestly and accurately. Unfortunately, on page one of the questionnaire it states that [the Farmer] was the 'farm representative' but this was an oversight which I did not notice at the time and I confirm he was not involved in completion of the questionnaire. It is my electronic signature on the form, which confirms that 'the report accurately represents the advice visit and recommendations' from the perspective of the farm representative.

At the time, I did not consider how poor my judgement was, nor did I consider how wrong I was to have agreed to being involved. My thought process was that I did in fact have an excellent knowledge of the Farm so would be able to answer the questions involved in the TBAS questionnaire to an accurate level, but I also wanted to stop feeling like I was letting the team down, as there were only a small number of registered clients who hadn't yet received a TBAS visit. Although it was not specifically discussed at the time, I think both Dr Butterworth and I believed that a physical visit was not necessary because of my knowledge of the Farm. I now fully accept this was entirely wrong.

The second questionnaire relating to the follow up TBAS visit was completed in much the same way, in the office, with no physical visit taking place. I do not recall if I was asked more than once to go through the "review". I have no reason to believe the signature of the farm representative is not mine...

I now accept that agreeing to take part in these 'visits' was a serious error of judgement. The questionnaire and declarations clearly refer to a visit, which would generally mean attendance at the premises, and I was aware that no physical visit to the premises had taken place."

26. Dr Butterworth, by email of 30 September 2024, having received Dr Bowen's statement and Dr Bexon's response to the College, said he had no further comment to make.

27. In his witness statement prepared for this hearing, Dr Butterworth gave his account of events leading to the false declarations. In summary he accepted he asked Dr Bexon more than once to ask the Farmer if he would agree to have a TBAS visit, but said it was never his intention to place her under any pressure to ask the Farmer to participate. He said he knew the Farm did not have any cattle but he understood from Dr Bexon that it was something the Farmer was intending to do. He said he completed the TBAS Reports without a visit as Dr Bexon knew the situation on the Farm and *“it did not occur”* to him that a visit would be necessary. He accepted he was completely wrong and said he deeply regretted his actions.
28. In her witness statement prepared for this hearing, Dr Bexon expressed her regret and remorse. She set out her account of her working relationship with Dr Butterworth, in which she said that Dr Butterworth had at one point teased and taunted her about the conduct of the Farmer (her boyfriend/fiancé and now husband) in relation to publication of a flyer that had identified the ear tag numbers of his stock. Dr Bexon gave her account of events leading to the false declarations contending that Dr Butterworth asked her to have the Farmer involved in the TBAS scheme, which she knew he would not want to do. She said that Dr Butterworth then asked her to be the farm representative, which she declined. However, when she was asked again she *“felt under pressure in numerous ways – to prove that I was a team player who would generate income for the practice, to not annoy [Dr Butterworth] as my boss, and to avoid more negative comments about [the Farmer] within the practice.”*
29. Dr Bexon said she agreed to fill in the February Report as farm representative and completed the questions accurately as to the information conveyed and she did discuss the answers with the Farmer. She stated the July Report was not accurately completed as some of the recommendations had not been carried out (two of the four), but Dr Butterworth had ticked that they were completed. Notwithstanding that discrepancy, Dr Bexon said that she had signed the July Form. Following the TBAS contact with the Farmer, Dr Bexon said she had told him to make contact with TBAS. She said the Farmer was angry that his data had been shared with TBAS and that she was then upset and had an argument with Dr Butterworth and other staff in the Practice, one of whom wished to keep the matter *‘in house’*.
30. Dr Bexon said the atmosphere at the Practice was uncomfortable for her after the revelation and that led to her resignation. She accepted that she could have avoided the false completion of the forms by using clearer language in opposition, but instead she just went along with what Dr Butterworth asked.

The Committee’s determination on the Particulars

31. The Committee accepted the unequivocal admissions made by Dr Butterworth, with the benefit of legal advice, and found Particulars 1(i), 1(ii), 2(i), 2(ii) and 2(iii) proved by way of admission, as supported by the evidence provided by the College.
32. The Committee accepted the unequivocal admissions made by Dr Bexon, with the benefit of legal advice, and found Particulars 1(i), 1(ii), 2(i), 2(ii) and 2(iii) proved by way of admission, as supported by the evidence provided by the College.

The Committee's Determination on Disgraceful Conduct in a Professional Respect

33. The Committee considered with care the submissions made by the parties, together with all the evidence in the case pertinent to the facts admitted and found proved. It was cognisant of the fact that the question of disgraceful conduct in a professional respect was very much a matter for its own judgment and that there was no burden or standard of proof that applied. The Committee did, however, take into account the candid acceptance by both Respondents that their behaviour amounted to disgraceful conduct. The Committee accepted the advice of the Legal Assessor and referred to the Code of Professional Conduct for Veterinary Surgeons (the Code), together with its Supporting Guidance.
34. The Committee considered the cases of Dr Butterworth and Dr Bexon separately. However, where appropriate they are dealt with together due to the similarity of their conduct in this case.
35. The Code provides that three of the five key principles that must be maintained by registrants are:
- *honesty and integrity;*
 - *client confidentiality and trust*
 - *professional accountability*
36. The Committee considered that both Dr Butterworth and Dr Bexon had failed to maintain these three principles.
37. The Committee found Dr Butterworth and Dr Bexon had breached the following parts of the Code:

2.1 Veterinary surgeons must be open and honest with clients and respect their needs and requirements.

6.2 Veterinary surgeons must certify facts and opinions honestly and with due care, taking into account the 10 Principles of Certification.

6.5 Veterinary Surgeons must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession.

38. The Code's supporting guidance states:

"21.3 Veterinary certification plays a significant role in the control of animal health and welfare, the continuity of European and international trade and the maintenance of public health. Veterinarians have a professional responsibility to ensure the integrity of veterinary certification. The simple act of signing their names on documents should be approached with care and accuracy.

21.4 Veterinarians must certify facts and opinions honestly and with due care, taking into account the 10 Principles of Certification set out below. They should not sign certificates which they know or ought to know are untrue, misleading or inaccurate. This applies equally to hand-written, printed and electronic certificates."

39. The Committee also considered Dr Butterworth and Dr Bexon had, by analogy, breached Principle 1 of the 10 Principles of Certification, namely:

"A veterinarian should certify only those matters which:

a) are within his or her own knowledge;

b) can be ascertained by him or her personally;

c) are the subject of supporting evidence from an authorised veterinarian who has personal knowledge of the matters in question; or

d) are the subject of checks carried out by an Officially Authorised Person (OAP)."

40. The Disciplinary Committee's Guidance document, August 2020 (paragraph 76) provides:

"Proven dishonesty has been held to come at the top end of the spectrum of gravity of disgraceful conduct in a professional respect. In such cases, the gravity of the matter may flow from the possible consequences of the dishonesty as well as the dishonesty itself."

41. The Committee considered what factors either aggravated or mitigated Dr Butterworth's conduct. It did not consider there to be any mitigating factors at this stage, but did find the following aggravating factors:

- premeditated misconduct - it was Dr Butterworth's idea to complete the forms and he was the driving force behind the deceit;
- financial gain - the Practice, of which he was a partner, would have been paid had the falsehood not been discovered;
- breach of confidentiality - that of the Farmer;
- breach of client trust - that of Farmcare;
- abuse of professional position - as a trained TBAS adviser.

42. The Committee considered what factors either aggravated or mitigated Dr Bexon's conduct. It did not consider there to be any mitigating factors at this stage, but did find the following aggravating factors:

- breach of confidentiality - that of the Farmer;
- breach of client trust - that of Farmcare;
- as a trained TBAS adviser she should have known that physical site visits were mandatory.

43. The Committee considered there to be an element of pre-meditation by Dr Butterworth, who was the instigator of the deceit in this case and that, as a result of his persistence, Dr Bexon gave in to the pressure and then went along with it. Both had the opportunity to reflect on their actions between the first Visit Report in February 2023 and the Follow-Up Report in July 2023, a period of some five months. However, they decided to complete the deceit by filling in the TBAS Follow-Up Report, with a view to the Practice being paid £600 plus VAT by Farmcare, thereby compounding their dishonesty. The Committee noted that as a partner of the business, Dr Butterworth stood to make a financial gain, although there was no evidence that Dr Bexon would have benefited personally from such a payment. By providing details to TBAS about the Farm and the Farmer without his permission, they had both breached the Farmer's confidentiality. It was not entirely clear whether the Farmer could also be considered to be a client in this instance, but Farmcare certainly were and there was a clear breach of client trust in the way both Respondents behaved towards Farmcare.

44. The TBAS system promotes animal welfare as detailed above and relies on veterinary surgeons to provide accurate, honest and clear information. Acting with honesty and integrity are considered to be fundamental tenets of the veterinary profession.

45. Dr Butterworth signed a TBAS Visit Report as the TBAS advisor, relating to a purported visit on 23 February 2023, when there had been no such visit. He then signed a TBAS Follow-Up Report as the TBAS advisor, relating to a purported visit on 10 July 2023, when no such visit had taken place. The Committee found his conduct to be dishonest, misleading and risked undermining procedures designed to promote public health and/or animal welfare.
46. Dr Bexon signed a TBAS Visit Report as the farm representative, relating to a purported visit on 23 February 2023, when there had been no such visit. She then signed a TBAS Follow-Up Report as the farm representative, relating to a purported visit on 10 July 2023, when no such visit had taken place. The Committee found her conduct to be dishonest, misleading and risked undermining procedures designed to promote public health and/or animal welfare.
47. The Committee considered both Respondents' conduct was liable to have a seriously detrimental effect on the reputation of the profession and undermined public confidence in the profession and the TBAS process. The Committee considered that members of the public would be deeply troubled that Registered Veterinary Surgeons had behaved in this way.
48. The Committee was satisfied that the conduct of both Dr Butterworth and Dr Bexon fell far below the standard expected of a Registered Veterinary Surgeon, would be considered deplorable by other members of the profession and the public, and clearly amounted to disgraceful conduct.
49. Accordingly, the Committee found the allegation that Dr Butterworth was guilty of disgraceful conduct in a professional respect was proved.
50. The Committee also found the allegation that Dr Bexon was guilty of disgraceful conduct in a professional respect was proved.

The Committee's Determination on Sanction

51. In reaching its decision on sanction, the Committee took into account all the evidence and documents provided, together with the submissions made by Miss Sanderson on behalf of Dr Butterworth and Mr Harries KC on behalf of Dr Bexon. Both Respondents gave evidence at the sanction stage and the Committee also heard from a number of character witnesses. In reaching its decisions on sanction, the Committee took into account all matters of personal mitigation, including the testimonials each Respondent had provided. The Committee also referred to the RCVS Disciplinary Committee Procedure Guidance. The Committee had in mind that the purpose of sanctions was not to punish Dr Butterworth or Dr Bexon, but to protect animal welfare,

maintain public confidence in the profession and maintain proper standards of conduct and performance. The Committee was also cognisant of the need to ensure that any sanction was proportionate. The Committee accepted the advice of the Legal Assessor.

52. Mr Harries KC referred to four previous cases before the Disciplinary Committee involving dishonesty, where the sanction imposed was either a reprimand or a reprimand and a warning. He acknowledged that they did not in any way set a precedent and the Legal Adviser confirmed this. The Committee did consider these cases, but also noted that no two cases are the same and it did not feel bound in any way by those previous decisions. That said, the Committee did take into account the importance of Committees being consistent in their approach to decision making and it noted various similarities between this case and the four relied on by Mr Harries KC.

53. The Committee considered the Respondents separately and first made decisions in respect of Dr Butterworth.

Dr Butterworth

54. Dr Butterworth provided the following documentation for the Committee to consider:

- his witness statement
- a Masterclass certificate in Veterinary Ethics and Communication and his reflections on the course
- Continuing Professional Development (CPD) completed in 2024 and 2025
- Reflection on Veterinary Ethics in Practice CPD
- 34 testimonials from professional colleagues and clients
- a supplemental witness statement

55. Dr Butterworth gave oral evidence to the Committee. He confirmed the content of his witness statement. He told the Committee how the events relating to this case took place in the early stages of the Peakfield Practice he had helped set up. He wanted everyone to be equal partners in the new practice and for it to be a friendly place to work with a family-like feel. He candidly acknowledged that it was far more challenging than he had anticipated. He had never been a manager before and was not prepared for the level of management that was required of him. He acknowledged that, looking back, he was not ready for the role, describing himself as “*young and naive and totally inexperienced.*” He spoke about how passionate he was about preventing TB and the utter devastation caused to farmers when their cattle tested positive. He said it was soul destroying for the farmers, and the vets too, so he was keen to get the farmers on board and proactively make a change to minimise the effects the disease was having.

56. Dr Butterworth said he found it embarrassing and shameful to appear before his Regulator and fully acknowledged that it was as a result of his “shocking” actions. He described himself as “a bit of a failure, if I’m honest.” He spoke of the great trust people placed in Veterinary Surgeons and how you cannot abuse that trust. He said he had made a massive mistake and it “can never be allowed to happen again.”

57. When asked by the Committee why he had done what he had, Dr Butterworth referred to his commitment to the issue that led him to do what he did. He said he used Dr Bexon because it was convenient and he thought she would know the relevant information because she was familiar with the Farm. He added, “I was keen to encourage as many of our clients as possible to take up the scheme. There was no cost to them and a real benefit if an outbreak of TB was prevented. I was very passionate about the scheme.”

58. In his statement Dr Butterworth said, “With the benefit of [REDACTED], talking to Vet Life, and with the support of the Veterinary Defence Society, I began to see that whilst I had made a very serious mistake and a grave error of judgement, I had a support system around me which gave me hope and the strength to keep going whatever the outcome may be. I understood that I had seriously let myself down.” He added, “I have considered leaving the profession, but I love my profession and being a veterinary surgeon means everything to me. Whilst the last two years have been the most difficult of my life, I feel that I have learned a lot and grown and matured as a person.”

59. Dr Butterworth went on to say:

“Throughout my career as a veterinary surgeon, my guiding principles have always been the welfare of animals, acting in the best interests of my clients, and conducting myself with honesty and integrity. On this occasion, I failed to uphold those standards.

By asking Dr. Bexon to act as the farmer’s representative and completing the forms without visiting the farm or securing the full consent of [the Farmer], I made a serious error of judgment. I became fully aware of the gravity of my actions when first contacted by Dr Bowen and from that moment onwards the weight of my mistake has never left me.

Being a veterinary surgeon and working with my fellow partners to develop an independent veterinary farming practice is my life’s work. My colleagues placed a great amount of trust in me when I initially set up the practice, and I feel like I have betrayed

that trust. My overzealous behaviour in trying to deliver the TBAS service to as many farmers as possible has in fact reduced its outreach, impacting both the practice in a financial sense and the clients by reducing access to the service by Peakfield. The responsibility of this rests firmly on my shoulders. This has been the most challenging period for our newly established practice, and it has been a massive stress for all involved. I spend every day knowing I have been the cause of it.

I am aware of the reputational damage my actions have caused TBAS and the wider veterinary profession, and that is something I will never forgive myself for. It is with a deep sense of shame that I have discussed my case with friends and acquaintances within the profession whilst collecting character references. This has been a scarring experience that I never wish to repeat despite the overwhelming support they have shown me.”

60. Reflecting on his behaviour, Dr Butterworth said:

“The incident with the TBAS, together with the wider disciplinary process, has reinforced my sense of responsibility both as a manager and as a veterinary professional. I am now more structured, more vigilant, and more committed to instilling a culture of compliance and excellence within the practice. Although not something I ever wanted, I use myself as a cautionary tale for those that otherwise might risk their professional integrity and standards. I have experienced first-hand the consequences of such lapses in judgement, and the negative impact on both my professional and personal life. As such, I can confidently say that this process has not only had a profound effect on myself, but also those around me and my colleagues. It has reinforced for me that I have both a professional and a moral responsibility to ensure that no one within Peakfield Farm Vets repeats the mistakes I made. By being open about my experience, and by setting clear expectations and standards, I hope to guide others towards maintaining the highest levels of professional integrity.”

61. In concluding his statement, Dr Butterworth said:

“I would like to close my statement by again expressing my profound regret and shame at the events that have brought me before the Disciplinary Committee. Being a veterinary surgeon is an enormous part of my life, and I love my profession. I am very proud of the practice in which I am a partner, and I believe we really help the lives of our clients and their animals. That gives me great personal satisfaction. I am devastated that I've put all

this at risk through my actions. I understand how completely wrong they were and will never act in that way again. Over the last two years, I have learned how wrong I was, and I have grown a lot stronger. The principles of honesty and integrity are now always at the forefront of my mind and that will never change."

62. Dr Butterworth relied on 34 testimonials from professional colleagues and clients, who spoke of him in exemplary terms. They provide important insight into Dr Butterworth's nature as a person and a professional and the high regard in which he is held by both clients and colleagues alike. Colleagues emphasise his enthusiasm, competence, honesty, care for his clients and his willingness to go 'above and beyond'. Of particular note in the circumstances of this case were the references to Dr Butterworth's work in the field of TB reduction, representing what the Committee accepted was a genuine dedication to the welfare of animals and particularly the furtherance of herd health.

63. Three of those providing testimonials also provided live oral evidence to the Committee.

64. Mr James Dixon, MRCVS has known Dr Butterworth for some time, both in a professional and a personal capacity since before Dr Butterworth qualified as a Veterinary Surgeon in 2016. He first met Dr Butterworth when he was a veterinary student undertaking work experience with him. Mr Dixon said that even at that early stage it was clear that *"he had a genuine passion for animal welfare and a strong drive to make a difference."* After qualifying, Dr Butterworth joined Mr Dixon's practice and *"quickly demonstrated his competence, professionalism and dedication to his work."* Nine months in, Dr Butterworth was asked to relocate to Somerset due to staffing needs. Six years on Mr Dixon and Dr Butterworth decided to link together at Peakfield Farm Vets. Mr Dixon spoke of the steep learning curve in starting a new practice from scratch that was *"not without its mistakes."* He went on to say:

"Chris' commitment to his clients and their animals has been evident on numerous occasions, but one area where I found it particularly striking has been in the control of bovine tuberculosis (BTB). Having worked in the TB hotspot of the South West, Chris brought invaluable knowledge and insights back with him to Derbyshire and has worked hard, both through the delivery of TBAS visits but also with this framework, to help give farmers a sense of agency and control over this disease as they understand that there are steps they can take to reduce risks of a breakdown. One farm was particularly frustrated by continued test failures and relapses after occasional clear tests. Chris requested their historical test charts from APHA and devoted a considerable amount of time to sifting through them to identify some potential problem animals who, whilst never testing positive, were regularly registering large reactions at the bovine injection site."

This work was not charged to the client but was highly valued and provided useful insights into the possible dynamics of BTB within their herd.

Also whilst delivering the TBAS visits, a consistent finding with many farms was that farmers were not sure as to whether wildlife, badgers in particular, were gaining access to the farmyard and to the animal feedstocks. Chris invested in wildlife camera traps and installed them at a number of farms (again with no charges made to the clients) to document this activity. Once again, valuable insights were fed back to the farmers, along with appropriate advice of how to mitigate any risks. Chris was very committed to offering these visits to all the clients of the practice and encouraged others in the team to promote this as well, but I never witnessed anything more than good-natured nagging, and certainly nothing that amounted to coercion on his part, as this would be totally out of character.”

65. Mr Dixon spoke of how highly valued Dr Butterworth is by his clients and that he is well-liked by everyone in the Practice. He added:

“Chris has many qualities, one of which is an ability to reflect and learn from mistakes, which I know has been the case with the episode in question. He is incredibly diligent in understanding all our obligations as a practice and ensuring that all relevant changes in procedure or paperwork are passed on to the staff.

As I have outlined throughout this reference, everyone involved with the practice has huge admiration for Chris and neither the vets, or the clients will want to be without him for any longer than necessary as he has much more to give to all our businesses and, most importantly, to the livestock under his care.”

66. Farmer Amanda Neville and farmer Justine Worsey gave oral evidence to the Committee and a similar theme was echoed by both. They are each (separate) farmers and Dr Butterworth has been their vet for a number of years. They variously described him as supportive, knowledgeable, a superb clinician, always at the end of the phone for advice when needed and as an “integral” member of their teams. Mrs Neville made particular reference to Dr Butterworth’s comprehensive insight, support and expert guidance in relation to TB, including installing night cameras to monitor local wildlife activity, conducting farm walks to identify potential areas for improvement to minimise TB exposure risk and attending regular TB testing visits to support government screening protocols, as well as additional tests required for cattle sales. The farmers also described Dr Butterworth as highly professional, honest and dependable and as having the highest integrity and respect for those he works with, including the animals he is treating. Mrs

Worsey spoke of Dr Butterworth's "*strong moral compass*" and deep respect for his practice and clients and how the subject matter of this hearing was uncharacteristic of his usual conduct.

67. Before deciding the appropriate and proportionate sanction, the Committee considered any aggravating and mitigating factors in this case with respect to Dr Butterworth. The Committee found the following aggravating factors:

- premeditated misconduct;
- financial gain as a partial motivation;
- breach of confidentiality;
- breach of client trust;
- abuse of professional position.

68. When assessing the level of insight shown by Dr Butterworth, the Committee considered his various responses to the College, his statement prepared for this hearing and his oral evidence. There was no doubting Dr Butterworth's contrition, genuine remorse and significant insight into his conduct. He took full responsibility for his behaviour, acknowledged that he had acted dishonestly and also recognised the impact of his behaviour on the Practice, the public, the profession and the College as Regulator. He also assured the Committee that such behaviour would never happen again.

69. Dr Butterworth also provided a supplemental statement in which he demonstrated insight into the impact of his behaviour on Dr Bexon. He detailed how he had been unaware at the time how affected Dr Bexon had been by her work at the practice and he said how much it had upset him to read that in her statement, provided for these proceedings. He said he truly regretted anything he had said or done that contributed to her feeling upset and said he was truly sorry if his actions made her feel uncomfortable in any way, saying that was never his intention. Dr Bexon was later to acknowledge in her evidence that she had not made her feelings at the time known to Dr Butterworth. Turning to the TBAS forms, Dr Butterworth said:

"I can now see how divided Dr Bexon's loyalties were and that she felt like she had been placed in a difficult position. I can see that she was torn between loyalty to her partner and loyalty to her job. I am sorry that she felt unable to explain her feelings to me at the time and that I was unable to work out what the underlying issues were. Had I known. I would never have put Dr Bexon in the position of asking for TBAS visits."

70. The extensive character evidence bore testimony to the fact that Dr Butterworth's behaviour was entirely out of character and the Committee was satisfied that it was most unlikely to ever happen

again. It was born out of unusual and specific circumstances whereby Dr Bexon was engaged to be married to the Farmer and thereby she had a good knowledge of the Farm, which Dr Butterworth, wrongly, thought he could utilise. To some extent it would appear that Dr Butterworth acted out of a desire to include as many farms as possible within the TBAS scheme in order to maximise animal welfare. That said, the Committee could not ignore the fact that there was also an element of financial motivation and Dr Butterworth himself said that it had essentially amounted to no more than “*a paperwork exercise*”.

71. The Committee was impressed with the remedial action taken by Dr Butterworth, both in terms of completing appropriate, targeted CPD and reflecting long and hard on his behaviour.

72. The Committee considered the following mitigating factors:

- no previous disciplinary history;
- essentially an isolated episode in an otherwise unblemished career as a Veterinary Surgeon;
- open and frank admissions at an early stage to all of the matters alleged and an acceptance that his conduct amounted to disgraceful conduct in a professional respect;
- significant insight into his disgraceful conduct;
- genuine expressions of remorse;
- subsequent efforts to avoid a repetition of such behaviour;
- positive reflection;
- evidence of a more mature approach to management;
- significant lapse of time since the incident;
- an impressive number of very positive testimonials and character evidence.

73. The Committee first considered taking no further action. However, the Committee considered public confidence in the profession, and the College as its regulator, would be undermined if no further action were taken in a case involving dishonesty directly connected with the role of a Veterinary Surgeon.

74. The Committee did not consider this was an appropriate case for judgment to be postponed because there was no requirement to monitor Dr Butterworth's professional conduct over a period of time.

75. The Committee next considered whether to reprimand and/or warn Dr Butterworth about his behaviour. The Guidance issued by the College indicates that a reprimand may be appropriate where:

- (a) The misconduct is at the lower end of the spectrum of seriousness; and
- (b) There is no future risk to animals or the public; and
- (c) There is evidence of insight.

76. It was quite clear that the misconduct in this case was at the high end of the spectrum of seriousness, as indicated in the Disciplinary Committee's Guidance. In addition, the Committee considered that, as well as the dishonest behaviour, acting in a way that risked undermining procedures designed to promote public health and/or animal welfare, was also at the high end of the spectrum of seriousness, since animal welfare is at the very heart of the profession. For these reasons alone it would, ordinarily, be inappropriate and disproportionate to impose a sanction limited to either a reprimand and/or warning. However, the Committee recognised that when it comes to dishonesty there is a spectrum of seriousness, and that whilst dishonesty is always to be regarded as serious there will inevitably be cases of dishonesty that can rightly be categorised as being lower down the scale than others. The Committee considered this to be such a case.

77. This was not a case where Dr Butterworth had been motivated by greed. Indeed, everything the Committee had read and heard about him indicated the opposite. Thus, although there would have been a modest financial gain to the Practice had this deceit not been discovered, there was no doubting Dr Butterworth's passion about wanting to do all he could to control the spread of a pernicious and devastating disease. Indeed, many of his clients referred to how he would go "*above and beyond*" in his pursuit of this aim and in doing all he could to help farmers. He will no doubt always question the decisions he made that led to this case being brought against him, but the impression the Committee was left with was that Dr Butterworth was determined to include as many farms as he could and he could not understand why any farmer would not want to participate in a scheme that was free to them and which had the potential to save their livelihood. Dr Butterworth had asked Dr Bexon a number of times if she would ask the Farmer to participate and he accepted he was persistent and possibly even irritating in doing so. The Committee was of the view that ultimately Dr Butterworth had not only worn down Dr Bexon so that she became compliant, but had also worn himself down and just completed the 'visit' as a 'paperwork exercise.' The fact that he wanted to promote bio-security was entirely consistent with the rest of his practice and what others said about him. In the end, it appeared, Dr Butterworth came up with the idea of completing the 'paperwork exercise' without thinking

through the consequences of his actions and without thinking through what he was getting Dr Bexon to become complicit in.

78. The Committee was satisfied that in light of the significant insight demonstrated by Dr Butterworth, the powerful and compelling evidence of the many colleagues and clients prepared to speak out on his behalf and the targeted remediation he had completed, the risk of him repeating this type of behaviour was vanishingly low and that he did not, therefore, represent a future risk to animals or the public. In such circumstances the Committee considered it might be possible to avoid a more restrictive sanction.
79. The Committee did give serious consideration to suspending Dr Butterworth's registration with the College. Such a sanction would have sent out a clear message that this sort of behaviour is absolutely not to be tolerated. However, in light of the extensive mitigation, his honesty and significant insight throughout these proceedings and the unlikelihood of behaviour of this type ever being repeated, the Committee considered the public would not be best served by suspending an otherwise exemplary Veterinary Surgeon and that such a sanction would be disproportionate and punitive. The Committee is satisfied that Dr Butterworth does not represent any risk to animals. When considering the public interest, the Committee took into account the 34 members of the public, comprising clients and professional colleagues, who had provided supportive testimonials. Whilst it is important not to overstate the status of positive testimonials, there was no escaping the significant number of people who, it could be said, represented the directly engaged public interest and who clearly thought it would be wrong to prevent Dr Butterworth from practising.
80. In such circumstances, the Committee was satisfied that a reprimand and warning not to behave in this way again, would provide adequate protection to animals and would satisfy the public interest. The Committee was persuaded that Dr Butterworth would be most unlikely to make such a flawed set of decisions again. Notwithstanding the serious nature of Dr Butterworth's conduct, the Committee was satisfied that a fully informed member of the public would not be shocked if he were allowed to continue to practise.
81. The decision of this Committee is, therefore, that Dr Butterworth be reprimanded and warned about his behaviour. In reaching this decision, the Committee took into account the Guidance issued by the College, which notes that the Privy Council has stated that a disciplinary Committee should not feel bound to remove from the register an otherwise competent and useful practitioner who presents no danger to the public in order to satisfy any public demand for blame and punishment. Dr Butterworth should, however, be under no illusion of how serious it is to have a

finding of disgraceful conduct in a professional respect made against him and he should not take lightly the decision of this Committee to reprimand and warn him.

Dr Bexon

82. Dr Bexon provided the Committee with the following documentation:

- Her witness statement
- CV
- CPD Certificate - Probity & Ethics in Practice
- Reflection on Ethics & Probity in the Workplace
- CPD Certificate - Wellbeing Champion
- Reflection on IVC Wellbeing Champion training
- Reflection on Ethics Workshop led by Dr Bexon
- Slides from Ethics Workshop led by Dr Bexon
- Reflection of Good Veterinary Workplace CPD
- Reflection on The Power of Speaking Up CPD
- Reflection on Speaking Truth to Power at Work CPD
- A reflective statement
- 26 testimonials from professional colleagues and clients
- Feedback from a student

83. Dr Bexon also gave oral evidence to the Committee at the sanction stage. She told the Committee how *“mortified”* she was to be before the Committee and how *“incredibly sorry”* and *“ashamed”* she was of her actions. She said she had let herself down, but more importantly she had let the Practice down, the consequences being the Practice was no longer part of the TBAS scheme. She said she had also let her current Practice down, she had let her clients down and her parents. She said her actions had undermined the very purpose of the TBAS scheme and having seen the benefit of the scheme from her clients’ perspectives, she deeply regretted her decision to become involved. Dr Bexon noted that Dr Butterworth had said he had been unaware of the pressures she had been under at the time and she said she felt partly at fault for not having conveyed them more forcibly to Dr Butterworth.

84. Dr Bexon referred to the *“huge amount of trust”* placed in vets and the importance of honesty and integrity, which she described as *“the backbone of the industry”*. She said she believes she is *“an honest person who made a dishonest act in a complete lapse of judgment”*. She said that at the time she felt *“stuck between a rock and a hard place”*, but wished she had used explicit language and a proper explanation to Dr Butterworth of why the answer was no. Had she done

so, *“we would not be sat here today”* [sic]. She said *“My actions were my own. I didn’t use clear language to communicate my feelings clearly or appropriately and that is something I’m dedicated to learning from.”*

85. Dr Bexon went on to say how, paradoxically, the events had made her a better person in that one of the significant repercussions of all this was her need to develop personally and professionally, even more so now that she is a Senior Veterinary Surgeon, with more responsibility on her shoulders. She spoke of how she has used her mistakes as a learning exercise, attending formal online courses in ethics and probity and becoming a ‘Wellbeing Champion’. She told the Committee how she had spoken to the directors at her current practice, who were aware she was undergoing this process, about delivering an in-house ethics workshop, leaning heavily on her own experience and the mistakes she had made. The Regional Head of Farm (see Dr Whitehurst below) confirmed the success of this course and her desire to run it elsewhere within the business. Dr Bexon said the referencing of her own failings in such a public environment with her work colleagues made her feel very vulnerable and it was not an easy thing to do. However, all concerned had been very encouraging and she found the open discussion to be helpful. She added that it had allowed her to develop the necessary skills to be less susceptible to pressure from others. She said she was a *“people pleaser”* by nature and she did not like *“not pleasing others”* and would do *“anything to avoid conflict.”*
86. As a consequence of these events, Dr Bexon said that she wanted to learn to be more robust and she recognised that she has a tendency to be disproportionately upset by things, to overthink and to over worry. However as a result of this process and the action she has taken in the two years since, she now feels more confident. She is able to take a step back and is less afraid to speak up. Dr Bexon referred to how being a vet is her *“life’s work, from the age of 13”*. She said she desperately wanted to continue and *“to teach others from my mistakes”*.
87. In her statement, Dr Bexon provided details of her history towards becoming a Veterinary Surgeon, culminating in her joining Peakfield as an employee with the job title ‘Farm Veterinary Surgeon’. She spoke about feeling under pressure to be a ‘team player’ and how Dr Butterworth’s persistence resulted in her finally agreeing to act as the farm representative when he filled the Visit Report in for the Farm. She said that one of the things she most regretted about her actions is that she failed to ever say clearly, *“What you’re asking me to do is a conflict of interest for me and dishonest and I feel uncomfortable”*. She added, *“I do feel that, if I had only used really clear language such as this, it probably would have been accepted and Chris would have stopped pestering me. However, instead, I just went along with what Chris asked. This regret is why much of my CPD and reflection has been focussed on speaking up and how I could have handled this situation better.”*

88. Dr Bexon relied on 26 testimonials from professional colleagues and clients, who spoke of her in the most positive of terms. They provide important insight into Dr Bexon's nature as a person and a professional and the high regard in which she is held by both clients and colleagues alike. The testimonials speak of someone dedicated to the vocation of veterinary science, to client and animal welfare and to the promotion of a collaborative, honest team culture within a practice.
89. Three of those providing testimonials attended and gave oral evidence to the Committee.
90. Mrs Sarah Tomlinson MRCVS, gave evidence on Dr Bexon's behalf. Mrs Tomlinson is currently Lead Veterinary Science Expert at AHDB (Agriculture and Horticulture Development Board) and TB Advisory Service Technical Director. She had previously been a colleague of Dr Bexon's at Westpoint Farm Vets in Derbyshire. She described Dr Bexon as "*a brilliant farm vet*", well respected for her integrity and skills as a vet by the farmers and other vets. She said how she has always found Dr Bexon to be kind and caring, showing utmost dedication and empathy to her farm clients and the animals under her care. She said she never had any occasion to doubt her honesty and integrity. Mrs Tomlinson spoke of how Dr Bexon's attitude to biosecurity was exemplary and how her professionalism was instrumental in re-shaping the Practice's antimicrobial prescribing habits and she was fundamental in changing the behaviour of their farm clients with using medicine on the farm. She said how Dr Bexon introduced a new culture that was necessary to reduce the spread of antimicrobial resistance, including challenging senior colleagues about their usage of antimicrobials. Mrs Tomlinson also referred to how Dr Bexon is passionate about TB work and was an "*example to them all*" as to how they should carry out TB testing.
91. Mrs Tomlinson said that Dr Bexon valued integrity above her personal gain and she very much valued the level of trust and respect that they had as Veterinary Surgeons. It was against that background that Dr Bexon rang her up and told her about what she had done wrong and how she had done Mrs Tomlinson a disservice. Mrs Tomlinson said she had spoken about it with Dr Bexon and how Dr Bexon has done a lot of self-reflection and is dedicated to not letting anybody be put into that situation again. Mrs Tomlinson also said:

"She is learning from this mistake, this very isolated misjudgment and wrongdoing. I am absolutely sure that Melissa will never be in this situation again. What I have found most impressive is that she is resolutely, proactively fostering a culture for other vets in her current practice to ensure they are never coerced into doing something that is professionally and morally wrong. Melissa's action immediately following the disclosure was of remorse and complete honesty. She accepted what she had done was wrong and

removed herself from that place of work and she is trying to do her utmost to learn from what happened and, more importantly, make sure those who are now looking to her for guidance as a more senior vet, are never placed in the situation she was."

92. Mr David Anderson MRCVS, a vet for over 20 years who has known Dr Bexon for 10 years and worked with her at Westpoint Vets, gave oral evidence to the Committee. He spoke of Dr Bexon, with whom he had worked, as *"incredibly popular"* with farmer clients. He referred to having no doubt about her clinical abilities or judgement, although in the early days she lacked self-confidence, unnecessarily so in his view as she was perfectly competent. Mr Anderson said he was aware of the admitted charges in this case, but he nonetheless described Dr Bexon as being *"as honest as the day is long"*, describing the events as *"completely out of character"*. He said she was deeply remorseful and ashamed of what had happened and would carry it with her indefinitely. He added, *"The profession needs outstanding vets who prioritise animal welfare and client care and this is exactly what Mel does every day. This should not be lost because of a brief lapse in judgment under extenuating circumstances."*
93. The Committee also heard from Dr Gillian Whitehurst MRCVS, a Clinical Farm Vet and Regional Head of Farm for IVC Evidensia. She first met Dr Bexon in 2015 when Dr Bexon was a veterinary student. She was most impressed with Dr Bexon from the outset and her ability to very quickly develop a trusting relationship with clients and other veterinary team members. Dr Whitehurst said that when she started a new role as Regional Head of Farm for IVC Evidensia and needed a senior vet with sheep health and production experience, she immediately head-hunted Dr Bexon. Dr Whitehurst said that at the time no allegation of misconduct had been made, but as soon as it was Dr Bexon informed her and the practice leaders, expressing remorse and regret for her actions. Dr Whitehurst said she had no concerns and would still have employed Dr Bexon even if the allegations had been made prior to her appointment.
94. Dr Whitehurst described how Dr Bexon had been open with the whole team and senior management throughout this process. Furthermore, she had utilised her ethics learning by running a team session, which Dr Whitehurst said she attended and found it to be deeply insightful. She was so impressed, Dr Whitehurst said she wants Dr Bexon to run these workshops throughout her region. Dr Whitehurst said Dr Bexon was embarrassed and ashamed of her actions and she had a lot of admiration for the way in which Dr Bexon had dealt with these matters. Dr Whitehurst said she did not believe Dr Bexon would ever repeat such a thing, saying, *"she is truly remorseful, has learnt from this process and loves her job, which is her life."* Dr Whitehurst said it would be a real loss to the farm vet profession if Dr Bexon were unable to continue.

95. Before deciding the appropriate and proportionate sanction, the Committee considered any aggravating and mitigating factors in her case. The Committee found the following aggravating factors:

- breach of confidentiality;
- breach of client trust;
- as a trained TBAS adviser she should have known that physical site visits were mandatory.

96. When assessing the level of insight shown by Dr Bexon, the Committee considered her various responses to the College, her statement prepared for this hearing and her compelling oral evidence. There was no doubting Dr Bexon's contrition, genuine remorse and significant insight into her conduct. She took full responsibility for her behaviour, acknowledged that she had acted dishonestly and also recognised the impact of her behaviour on the Practice, the public, the profession and the College as Regulator. She also assured the Committee that such behaviour would never happen again.

97. The extensive character evidence bore testimony to the fact that Dr Bexon's behaviour was very much out of character and the Committee was satisfied that she would never behave in such a way again. The events arose out of unusual and specific circumstances whereby Dr Bexon was engaged to be married to the Farmer and whereby she had a good knowledge of the Farm, which Dr Butterworth, wrongly, thought he could utilise. Dr Bexon had been asked many times by Dr Butterworth to encourage the Farmer to accept a TBAS visit and, to her discredit (and shame), she allowed his persistence to wear her down to the stage whereby she agreed to assist him. There was a clear imbalance of power, with Dr Bexon the employee and Dr Butterworth the employer. Dr Bexon was keen to be a team player and, eventually, through a weakness she identified herself, allowed herself to become a part of the deceit proffered by Dr Butterworth. As already indicated at the stage of considering disgraceful conduct in a professional respect, the Committee recognised that Dr Bexon played a lesser, albeit crucial, role in this unseemly enterprise. It was apparent that Dr Bexon stood to gain nothing from this venture beyond pleasing her boss, reflecting her own characterisation as a 'people pleaser'.

98. The Committee was impressed with the remedial action taken by Dr Bexon, both in terms of completing appropriate, targeted CPD and reflecting long and hard on her behaviour. The Committee was particularly impressed with her decision to bare her soul and help others by running an ethics workshop for her current practice. Dr Whitehurst was clearly moved and impressed by this and wants to extend running such a workshop to her whole region.

99. The Committee considered the following mitigating factors:

- no previous disciplinary history;
- essentially an isolated episode in an otherwise unblemished career as a Veterinary Surgeon;
- open and frank admissions at an early stage to all of the matters alleged and an acceptance that his conduct amounted to disgraceful conduct in a professional respect;
- significant insight into her disgraceful conduct;
- genuine expressions of remorse;
- subsequent efforts to avoid a repetition of such behaviour;
- positive reflection;
- significant lapse of time since the incident;
- very positive testimonials and character evidence.

100. The Committee first considered taking no further action. However, the Committee considered public confidence in the profession, and the College as its regulator, would be undermined if no further action were taken in a case involving dishonesty directly connected with the role of a Veterinary Surgeon.

101. The Committee did not consider this was an appropriate case for judgment to be postponed because there was no requirement to monitor Dr Bexon's professional conduct over a period of time.

102. The Committee next considered whether to reprimand and/or warn Dr Bexon about her behaviour. The Guidance issued by the College indicates that a reprimand may be appropriate where:

- (a) The misconduct is at the lower end of the spectrum of seriousness; and
- (b) There is no future risk to animals or the public; and
- (c) There is evidence of insight.

103. It was quite clear that the misconduct in this case was at the high end of the spectrum of seriousness, as indicated in the Disciplinary Committee's Guidance. In addition, the Committee considered that, as well as the dishonest behaviour, acting in a way that risked undermining procedures designed to promote public health and/or animal welfare, was also at the high end of the spectrum of seriousness, since animal welfare is at the very heart of the profession. For these reasons alone it would, ordinarily, be inappropriate and disproportionate to impose a

sanction limited to either a reprimand and/or warning. However, the Committee recognised that when it comes to dishonesty there is a spectrum of seriousness, and that whilst dishonesty is always to be regarded as serious there will inevitably be cases of dishonesty that can rightly be categorised as being lower down the scale than others. The Committee considered this to be such a case.

104. The Committee considered the context of Dr Bexon's involvement to be key. This was not a case where she had been motivated by any financial gain. Indeed, everything the Committee had read and heard about her indicated the opposite and furthermore, it was apparent that she had nothing to gain by her actions beyond satisfying Dr Butterworth. As already stated, the Committee acknowledged that the role played by Dr Bexon was less than that played by Dr Butterworth. Moreover, there was a power imbalance at play and Dr Butterworth was able to take advantage of, albeit unknowingly, Dr Bexon's lack of self-confidence. There was no doubting the significant impact this whole episode had had on Dr Bexon. She is, by all accounts, an excellent vet, a warm and compassionate vet and a highly regarded vet. She appeared before the Committee as someone utterly ashamed by her actions, full of contrition and regret. The Committee has already indicated that it believed the likelihood of her repeating such behaviour to be non-existent. Her significant insight, together with the reflection and remedial work she has undertaken are as much as any person could do. She had truly learnt her lesson in the harshest of ways. In the Committee's view she did not represent any risk to animals or the public, indeed quite the contrary as she is a very able vet, in high demand by her clients.

105. This was not a case, in the Committee's view, where a more severe sanction was warranted. It would not serve the public interest to suspend from practice an otherwise exemplary Veterinary Surgeon and in all the circumstances of this case, such a sanction would be both disproportionate and punitive.

106. The decision of this Committee is, therefore, that Dr Bexon be reprimanded. In reaching this decision, the Committee took into account the Guidance issued by the College, which notes that the Privy Council has stated that a disciplinary Committee should not feel bound to remove from the register an otherwise competent and useful practitioner who presents no danger to the public in order to satisfy any public demand for blame and punishment. Although the Committee has not also imposed a warning, as it did for Dr Butterworth, Dr Bexon should, however, be under no illusion of how serious it is to have a finding of disgraceful conduct in a professional respect made against her and she should not take lightly the decision of this Committee to reprimand her.