



ROYAL COLLEGE OF VETERINARY SURGEONS
VETERINARY NURSE DISCIPLINARY COMMITTEE

INQUIRY RE:

MR GEORGE ASPEY RVN (1)

MRS SUSAN HOWARTH RVN (2)

DECISION OF DISCIPLINARY COMMITTEE
ON SANCTION

1. The Committee, having found Mr Aspey guilty of disgraceful conduct in a professional respect, but that Ms Howarth is not guilty of disgraceful conduct, next considered the matter of any sanction to impose in response to its findings against Mr Aspey.
2. The Committee heard evidence from Mr Aspey and also from Ms Bekki Hill, RVN, Ms Hannah Stephenson, MRCVS and Mrs Suzanne Edwards, RVN, who also provided their written testimonials. The Committee received and read a number of testimonial letters and statements in support of Mr Aspey.

■ Mr Aspey gave evidence to the Committee. He made fulsome apologies for his conduct.

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4. Mr Aspey spoke with emotion of his dedication to the veterinary profession and his upset at having put his career in jeopardy. Mr Aspey told the Committee that he had been motivated by a desire to help his colleague. He now realised that he could and should have taken simple steps to formally book Mrs Howarth's dog into the care of a veterinary surgeon.
5. Mr Aspey relied on the evidence via video link of three character witnesses from the profession who had worked with him. The witnesses all spoke of Mr Aspey's strong

leadership abilities, compassion and support for his students and colleagues. Ms Hill said that he had inspired her and others to develop their potential and experience in the veterinary profession. In addition, Mr Aspey produced and relied on a further 13 written testimonial letters.

6. The Committee received submissions from Mr Collis and from Ms Ritchie. It heard and accepted the advice of the Legal Assessor. The Committee took into account its findings at the previous stages and its findings of fact and of disgraceful conduct in a professional respect, *together with the evidence received at this stage of the hearing*.
7. Mr Collis said that the College did not wish to make submissions on a particular direction. He submitted that the Committee should consider the aggravating and mitigating factors, reminding the Committee that the case involved dishonesty. He also set out that there were mitigating factors, referring to those relevant from the Guidance.
8. Ms Ritchie submitted that the Committee should have regard to the aggravating and mitigating factors of the case and also Mr Aspey's personal mitigation, references and testimonials. She submitted that this had been an unsophisticated act of dishonesty, against a background of general honesty before and since the incident. Ms Ritchie submitted that Mr Aspey's intention had been to assist a colleague, consistent with the testimonial evidence that he went out of his way to assist others.
9. Ms Ritchie took the Committee through the mitigating factors which she submitted were relevant to the case. She submitted that this was a highly unusual case, in which there were exceptional factors which might allow the Committee to stop at its finding of disgraceful conduct in a professional respect alone.
10. The Legal Assessor advised the Committee to have regard to the *Disciplinary Committee Sanctions Guidance for Veterinary Surgeons cases* (updated August 2020) ('the Guidance') and also to the Code of Professional Conduct for Veterinary Nurses ('the Code').
11. The Legal Assessor advised the Committee that it should decide on a sanction, if any, which met the seriousness of its findings. The Committee had to act proportionately, balancing the interests of Mr Aspey with the public interest. In order to be proportionate, the Committee should approach sanction from the least restrictive sanction, moving up according to the Committee's view of the seriousness of the disgraceful conduct. He advised that the Committee should take into account any aggravating or mitigating factors of the case. At this stage, the Committee could also take into account matters of personal mitigation according to its view of their relevance and weight.
12. The Veterinary Nurse Conduct and Discipline Rules 2014 ('the RVN Rules') provide that the Committee should adopt the procedures of the Veterinary Surgeons Disciplinary Committee with any necessary modifications. The Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules 2004 ('the DC Rules') set out the steps that the Committee may take where the Committee has found the charge has been established. The Committee therefore had the power to postpone judgement, to reprimand and/or warn, to suspend Mr Aspey's registration or to direct removal from the Register. In that the DC Rules set out that the

Committee 'may' take these options, the Committee also has the power to take no action, if appropriate.

13. The Committee found Mr Aspey to be a forthright and open witness in giving evidence. It was impressed with his genuine apology and expressions of insight. [REDACTED]
14. The Committee was also impressed by the evidence of Mr Aspey's three character witnesses who gave evidence via video link. The Committee took into account that each of the oral testimonial witnesses had confirmed that they had been aware of Mr Aspey's health [REDACTED]. They were aware of the charges and his full admissions. The witnesses did not demur from their very positive assessment of his character or abilities.
15. The Committee read with care and took into account the further written testimonials, which were likewise positive and supportive of Mr Aspey's character and abilities as a RVN.
16. The Committee considered the factors which it regarded as aggravating or mitigating the case. The Committee noted that the Allegation already included dishonesty, which would accordingly be taken into its assessment. The Committee did not consider the misconduct had been premeditated. There had been an invitation to Mrs Howarth to attend My Pets Vet ('the Practice') by Mr Aspey which she had followed, and the failure to request a booking with a veterinary surgeon, which could easily have been done, led to the events as found as fact.
17. The Committee took into account its earlier finding that the procedure had been announced at the Practice and carried out openly and without objection. The Committee found that there had been a discussion with one of the veterinary surgeons, Dr Houghton.
18. In terms of mitigation, the Committee took into account that no actual harm, or risk of harm to an animal was likely to arise from the incident. Mr Aspey had not acted for any financial gain for himself, and Mrs Howarth had been unaware of the discounted fee. The misconduct related to a single incident at the Practice, carried out in the open and without concealment. Mr Aspey had a long and unblemished career, with no previous adverse findings against him.
19. Mr Aspey had made open and frank admissions, to the Practice and to the College and had self-referred the matter to the College. He had made fulsome apologies to the Committee. The Committee accepted that Mr Aspey had an illness at the time which may have influenced his actions. The Committee noted that since the incident, Mr Aspey had withdrawn from clinical practice and had sought professional help. As a result of the professional help and the awareness of his issues amongst his colleagues, the Committee accepted that Mr Aspey had established a comprehensive support network.

20. Having heard from Mr Aspey and his testimonial witnesses, and having considered the case in its totality the Committee considered that there was an extremely low risk of his repeating his past behaviour. It was very clear to the Committee that the proceedings and the regulatory process had a salutary effect on him. The Committee considered that, by his early admissions and general approach to the proceedings, Mr Aspey had demonstrated full insight into his past misconduct. It was also relevant that the Allegation related to a single incident which had occurred now almost three years ago.

21. The Committee found that the mitigating factors were of considerable weight when determining the seriousness of the misconduct. The Committee took into account that there was personal mitigation in the process which Mr Aspey had gone through following the incident and the subsequent investigations. He had also expressed that loss of his career would be very detrimental to him. The Committee was mindful that personal mitigation concerning the effect of any sanction may be given less weight in regulatory proceedings, because the purpose is to protect the public and the reputation of the profession. Nevertheless, the Committee was also mindful that there is also a public interest in having experienced and competent RVNs working within the profession for the benefit of the public.

22. Turning to the question of any sanction, the Committee first considered whether it was appropriate to conclude the case by taking no further action. However, it considered that, whilst there is an extremely low risk of repetition and no risk of harm to animals or the public, there was a need to mark the disgraceful conduct in order to maintain public confidence in the profession. The Committee considered that taking no action would not be an appropriate means of achieving this important aim of regulation of the profession.

23. The Committee next considered whether to postpone judgement for a period. The Committee was of the view that this might be an appropriate course where development of insight [REDACTED] was outstanding. However, the Committee concluded that Mr Aspey appears to have already taken appropriate steps [REDACTED] and had full insight.

24. The Committee then moved on to discuss a reprimand and/or warning as to future conduct. The Guidance states, at paragraph 67, that this course 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.

25. The Committee was satisfied as to factors (b) and (c) for the reasons set out above. It therefore went on to consider whether the misconduct was at the 'lower end' of the spectrum of seriousness. The Committee accepted that, in general terms, dishonesty in professionals is at the serious end of a spectrum of gravity. However, the courts

have also made clear that there is a spectrum of dishonesty, and the Committee must engage with the extent of the dishonesty.

26. The Committee took into account that the procedure had been carried out openly and without concealment. Mr Aspey had erroneously failed to register Mrs Howarth's dog with the Practice and had then put the record on his own dog's record for invoicing and prescribed a POM (V) without direction of a veterinary surgeon. He had not gained financially and Ms Howarth had not been aware of any discount. There had been a single incident in a long, unblemished career and an immediate admission and apology. The Committee decided that the dishonesty in this case was at the lower end of the spectrum of seriousness.
27. The Committee considered that, as regards the clinical failing, the circumstances of the procedure were again relevant, together with the evidence that the procedure was well within Mr Aspey's competence, was low-level and there was evidence that RVNs had induced anaesthesia at the Practice. The Committee took into account again that this had been a single incident in a long career. It also took into account that there was evidence that Mr Aspey was influenced at the time by his health condition. It accepted that he acted from a desire to please others, and on this occasion, Mrs Howarth.
28. The Committee concluded that the clinical misconduct in all the circumstances was at the lower end of a spectrum of seriousness. Therefore, the Committee determined that a reprimand could be an appropriate response to the Committee's finding of disgraceful conduct in a professional respect.
29. The Committee considered the Guidance, in order to decide whether it was necessary to go further and suspend Mr Aspey's registration. Bearing in mind its findings as set out above, the Committee was of the view that interfering in Mr Aspey's ability to practice would not serve a useful purpose in terms of remediation or rehabilitation, where full insight has been demonstrated. Further, there being an extremely low risk of repetition, in the Committee's view, it would remove from practice an highly passionate, experienced and competent RVN.
30. The Committee considered the wider public interests in a suspension, including the reputation of the profession as a whole and maintaining public confidence. The Committee took into account that fully informed members of the public would be aware of the particular circumstances of the case and the actual nature of the transgression. The Committee concluded that, being fully informed, the public would not be alarmed if Mr Aspey was to return to clinical practice, taking all the evidence into account.
31. The Committee therefore decided that it was not necessary to suspend Mr Aspey's registration and this would be unduly punitive and disproportionate. In all the circumstances of the case, the Committee's decision is to issue Mr Aspey with a reprimand for his disgraceful conduct in a professional respect.
32. The Committee recognises that in this case there were numerous factors which led to the ultimate compromise of the integrity of professional standards. Specifically, a failure to follow the necessary elements of the guide of professional conduct for both Registered Veterinary Nurses and Veterinary Surgeons led to the inappropriate processes of consent

and record keeping, lack of evidence of direction by a veterinary surgeon, and the subsequent use and dispensing of POM(V). Whilst all of these factors are serious in isolation or taken as a whole, the mitigatory factors and the complete insight shown by the respondent including steps taken to prevent such behaviour recurring, were influential in the committees reasoning. However, such practice as evidenced in the findings of fact remains out-with the current Code of Conduct and must be avoided by the wider profession.

33. The Committee reprimands Mr Aspey for his disgraceful conduct in a professional respect.

DISCIPLINARY COMMITTEE
18 DECEMBER 2025