

ROYAL COLLEGE OF VETERINARY SURGEONS

INQUIRY RE:

ALEXANDER MCKINSTRY MRCVS

ANDREW RUTHERFORD MRCVS

REBECCA INMAN MRCVS

**DECISION ON FACTS
AND ON
DISGRACEFUL CONDUCT IN A PROFESSIONAL RESPECT**

The Charges

**Charges against:
ALEXANDER MCKINSTRY MRCVS**

That, being registered in the Register of Veterinary Surgeons, and whilst in practice at, Farm Gate Veterinary Services Ltd, Lancaster, you:

1. In relation to mobility score assessments for cattle, required as part of a dairy animal health and welfare scheme (“the scheme”):
 - (a) Between 16 October 2019 and 24 October 2019, wrote a letter, or arranged for a letter to be written, indicating that Rebecca Inman MRCVS (a registered mobility scorer for the scheme) had undertaken a mobility score assessment for cattle at Farm X on 16 October 2019, when you (not then a registered mobility scorer for the scheme) had undertaken that assessment rather than Rebecca Inman;
 - (b) On or around 24 October 2019, uploaded the said letter, or arranged for it to be uploaded, onto the Farm X on-line platform relating to the scheme;

2. Your conduct in 1(a) and/or (b) above:
- (i) was dishonest;
 - (ii) was misleading;
 - (iii) risked undermining procedures designed to promote animal welfare

And in relation to the facts alleged, either individually or cumulatively, you have been guilty of disgraceful conduct in a professional respect.

**Charges against:
ANDREW RUTHERFORD MRCVS**

That, being registered in the Register of Veterinary Surgeons, and whilst in practice at, Farm Gate Veterinary Services Ltd, Lancaster, you:

1. In relation to mobility score assessments for cattle, required as part of a dairy animal health and welfare scheme ("the scheme"):
 - (a) Between 25 September 2019 and 27 September 2019, wrote a letter, or arranged for a letter to be written, indicating that Rebecca Inman MRCVS (a registered mobility scorer for the scheme) had undertaken a mobility score assessment for cattle at Farm Y on 25 September 2019, when you (not then a registered mobility scorer for the scheme) had undertaken that assessment rather than Rebecca Inman;
 - (b) On or around 27 September 2019, uploaded the letter referred to in 1(a) above, or arranged for it to be uploaded, onto the Farm Y on-line platform relating to the scheme;
 - (c) On or around 27 September 2019, wrote a letter, or arranged for a letter to be written, indicating that Rebecca Inman MRCVS had undertaken a mobility score assessment for cattle at Farm Z on 27 September 2019, when you had undertaken that assessment rather than Rebecca Inman;
 - (d) On or around 27 September 2019, uploaded the letter referred to in 1(c) above, or arranged for it to be uploaded, onto the Farm Z on-line platform relating to the scheme;
2. Your conduct in 1(a) and/or (b) and/or (c) and/or (d) above:
 - (i) was dishonest;
 - (ii) was misleading;
 - (iii) risked undermining procedures designed to promote animal welfare

And in relation to the facts alleged, either individually or cumulatively, you have been guilty of disgraceful conduct in a professional respect.

**Charges against:
REBECCA INMAN MRCVS**

That, being registered in the Register of Veterinary Surgeons, and whilst in practice at, Farm Gate Veterinary Services Ltd, Kendal, you:

1. In relation to mobility score assessments for cattle, required as part of a dairy animal health and welfare scheme (“the scheme”):

(a) Between 25 September 2019 and 27 September 2019, knowingly allowed Andrew Rutherford MRCVS to create and/or upload onto Farm Y’s on-line platform relating to the scheme, a letter indicating that you (a registered mobility scorer for the scheme) had undertaken a mobility score assessment for cattle at Farm Y on 25 September 2019, when Andrew Rutherford (not then a registered mobility scorer for the scheme) had undertaken that assessment rather than you;

(b) On or around 27 September 2019, knowingly allowed Andrew Rutherford MRCVS to create and/or upload onto Farm Z’s on-line platform relating to the scheme, a letter indicating that you had undertaken a mobility score assessment for cattle at Farm Z on 27 September 2019, when Andrew Rutherford had undertaken that assessment rather than you;

2. Your conduct in 1(a) and/or (b) above:

- (i) was dishonest;
- (ii) was misleading;
- (iii) risked undermining procedures designed to promote animal welfare

And in relation to the facts alleged, either individually or cumulatively, you have been guilty of disgraceful conduct in a professional respect.

Representation

1. Ms Bruce, of Counsel, appeared on behalf of the College. Mr Eissa, Queen's Counsel, appeared on behalf of Mr McKinstry, and Mr Jamieson, of Counsel, appeared on behalf of both Dr Rutherford and Dr Inman.

Part of the Hearing in Private

2. At the outset of the hearing, Mr Jamieson referred to health matters pertaining to Dr Inman and asked for those matters to be dealt with in private.
3. The Committee raised the issue of the need to hear any matters of health pertaining to any of the Respondents in private. Mr Eissa did not have any submissions to make. Mr Jamieson and Ms Bruce agreed with hearing those matters in private. The Committee accepted the advice of the Legal Assessor and decided to deal with any matters of the Respondents' health in private, on the basis that it was in the interests of justice to do so, pursuant to Rule 21.2 of the Disciplinary Committee Procedure Rules 2004.

Background

4. At the time to which the charges relate, namely September and October 2019, the three Respondents were practising veterinary surgeons at Farm Gate Veterinary Services (the "Practice"). The Practice has three branches. Mr McKinstry is a Director of the Practice (qualified in 1999) and at the time of investigation, was based at the Lancaster branch. Dr Rutherford qualified in 2009 and was a Director at the Lancaster branch of the Practice at the relevant time, but no longer works at the Practice. Dr Inman qualified in 2013 and is a veterinary surgeon at the Kendal branch of the Practice.
5. The charges relate to the Respondents' involvement in carrying out mobility scoring for cows, as part of cow herd health checks for the purposes of farms' participation in the "Sainsbury's Dairy Development Group" ("SDDG"). The SDDG is a dedicated pool of milk suppliers.
6. The SDDG consists of farms within the UK which must adhere to a set of standards set out in the SDDG Code of Practice. The standards relate to the health and welfare of the animals at the farms, and they go above and beyond the core standards required by other welfare schemes. The benefits for the farms include that they can obtain an above-average milk market price for their milk produced. It also means that Sainsbury's can provide quality assurance to its customers.
7. Map of AG (previously called the Evidence Group) is an organisation which provides consultancy advice and data systems to a number of retailers and one of

its clients is Sainsbury's. Map of Ag manages the SDDG's health and welfare scheme.

8. Mobility scoring is an assessment of the mobility of cattle at the farm, in which each cow is given a score on a scale of 0 to 3 depending on its mobility. Farms within the SDDG must be assessed, scored and achieve a result within a specific set of parameters.
9. According to the SDDG Code of Practice, mobility scores must be carried out by a person who is a member of the Register of Mobility Scorers ("RoMS"). RoMS provides a database of trained and registered scorers. In order to be registered, you must complete a training course, pass an online assessment and pay a membership fee. Anyone can apply and it is not necessary to be a veterinary surgeon. Once registered, an individual must pass an annual assessment and pay an annual fee to continue registration.
10. Concerns were originally raised by Mr Owen Atkinson MRCVS about Mr McKinstry. Mr Atkinson consults for Map of Ag` as an "External Vet". This role involves visiting farms which are part of SDDG and auditing them to make sure they are meeting the required standards.
11. Mr Atkinson visited Farm X as an External Vet on 30 January 2020. Following his visit, he contacted Dr Inman, whose name was on the most recent mobility score for Farm X, to discuss it further. In summary, Dr Inman told Mr Atkinson that she did not carry out the score and was not aware of it. She said that she thought Mr McKinstry might have done it. Mr Atkinson investigated the matter further and contacted Mr McKinstry, who confirmed that he had carried out the score on 16 October 2019. Mr Atkinson raised this with Map of AG, and raised concerns with the College.
12. In the course of investigating the concerns raised by Mr Atkinson, further concerns came to light about additional scores submitted in Dr Inman's name as follows:
 - (a) Mobility score dated 25 September 2019 at Farm Y;
 - (b) Mobility score dated 27 September 2019 at Farm Z.
13. Dr Inman confirmed that the scores dated 25 and 27 September 2019 were carried out by Dr Rutherford. She explained that Dr Rutherford told her that there were two farms for which mobility scoring was required but there was currently no vet at the Lancaster branch with an active RoMS accreditation. She advised that because the deadline was imminent she did not have capacity in her diary to do the mobility scoring prior to the deadline. Dr Rutherford suggested and Dr Inman agreed that he would carry out the scores on the two farms and submit them in her name.

14. At the relevant time, Dr Inman had an active RoMS accreditation but neither Mr McKinstry nor Dr Rutherford did.

The Committee's Findings of Facts

15. After the Charges were read out, Mr McKinstry confirmed to the Committee that he admitted all the Charges pertaining to him.
16. Dr Rutherford admitted all the Charges pertaining to him.
17. Dr Inman also admitted all the Charges faced by her.
18. Mr Eissa and Mr Jamieson confirmed that none of the three Respondents disputed the College's case.
19. At the outset of the hearing, Ms Bruce on behalf of the College, opened the College's case, referring to her written submissions.
20. The Hearing bundle relied upon by the College contained a number of witness statements, as well as exhibits. No live witnesses were called by the College on the basis that none of the three Respondents challenged any of the witness evidence. The Committee read the statements of the following witnesses as contained in the bundle:
 - i. OA, External Vet for the Map of AG;
 - ii. JRM, Head of Veterinary Services at Map of AG;
 - iii. RB, Account Manager at Map of AG at the time of the Charges;
 - iv. IG, farmer at Farm X;
 - v. RG, farmer at Farm X
 - vi. JH, farmer at Farm Y;
 - vii. NF, farmer at Farm Z.
21. The Committee was aware that the College must prove its case on the facts to the requisite standard, namely that the Committee is satisfied so that it is sure on each head of charge. The Panel was also aware that it may accept admissions of fact, and dispense with the need for proof.
22. All three Respondents relied on written witness statements submitted for the purpose of the hearing. They also gave live evidence before the Committee, with the purpose of giving context to the factual matters which they admitted, for the purpose of the second stage in the hearing, namely the issue of whether the factual

matters constituted disgraceful conduct in a professional respect. The Committee considered the evidence of all three Respondents carefully.

23. The Committee also took their evidence into account when considering its determination on the facts.

Mr MCKINSTRY

24. The Committee noted that the factual Charges in respect of Mr McKinstry included alternative Charges as follows:

- i. the wording of Charge 1(a) sets out that Mr McKinstry “*wrote a letter, or arranged for a letter to be written*”;
- ii. the wording of Charge 1(b) sets out that Mr McKinstry “*uploaded the said letter, or arranged for it to be uploaded*”;
- iii. Charge 2 sets out at that

“Your conduct in 1(a) and/ or (b) above:

- (i) *was dishonest;*
- (ii) *was misleading;*
- (iii) *risked undermining procedures designed to promote animal welfare”.*

25. When he gave evidence, Mr McKinstry confirmed that he wrote the letter, and uploaded it himself. He also admitted that his conduct as set out in Charges 1(a) and (b) was dishonest, misleading, and risked undermining procedures designed to promote animal welfare.

26. Taking into account the evidence before it, as well as Mr McKinstry’s admissions, the Committee found all facts proved against him by way of his admissions.

DR RUTHERFORD

27. The Committee noted that the factual Charges in respect of Dr Rutherford included alternative Charges as follows:

- iv. the wording of Charge 1(a) sets out that Dr Rutherford “*wrote a letter, or arranged for a letter to be written*”;

- v. the wording of Charge 1(b) sets out that Dr Rutherford “uploaded the letter referred to in 1(a) above, or arranged for it to be uploaded”;
- vi. the wording of Charge 1(c) sets out that Dr Rutherford “*wrote a letter, or arranged for a letter to be written*”;
- vii. the wording of Charge 1(d) sets out that Dr Rutherford “*uploaded the letter referred to in 1(c) above, or arranged for it to be uploaded*”.
- viii. Charge 2 sets out at that

“Your conduct in 1(a) and/ or (b) and/ or (c) and/ or (d) above:

- (i) was dishonest;
- (ii) was misleading;
- (iii) risked undermining procedures designed to promote animal welfare”.

- 28. When he gave evidence, Dr Rutherford confirmed that he wrote both letters, and uploaded them himself. He also admitted that his conduct as set out in Charges 1(a), (b), (c) and (d) was dishonest, misleading and risked undermining procedures designed to promote animal welfare.
- 29. Taking into account the evidence before it, as well as Dr Rutherford’s admissions, the Committee found all facts proved against him by way of his admissions.

DR INMAN

- 30. The Committee noted that the factual Charges in respect of Dr Inman included alternative Charges as follows:
 - i. the wording in Charges 1(a) and 1(b) set out that she “knowingly allowed” Dr Rutherford “to create and/ or upload” both letters relating to Farm Y and Z respectively.
 - ii. Charge 2 sets out at that

“Your conduct in 1(a) and/ or (b) above:

 - (i) was dishonest;
 - (ii) was misleading;
 - (iii) risked undermining procedures designed to promote animal welfare”.

- 31. When she gave evidence, Dr Inman confirmed that she understood that Dr Rutherford would write the letters and submit them in her name. She also admitted

that her conduct as set out in Charges 1(a) and (b) was dishonest, misleading and risked undermining procedures designed to promote animal welfare.

32. Taking into account the evidence before it, as well as Dr Inman's admissions, the Committee found the facts proved against her by way of her admissions.

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

33. Ms Bruce addressed the Committee on Disgraceful Conduct in a Professional Respect, and she submitted that in all the circumstances all three Respondents' conduct fell far below the standard expected of a registered veterinary surgeon and amounted to disgraceful conduct in a professional respect. Ms Bruce confirmed that none of the three Respondents have any previous findings against them.
34. Mr Eissa did not make any submissions at this stage.
35. Mr Jamieson drew the Committee's attention to mitigating factors but confirmed that both Dr Rutherford and Dr Inman conceded that their conduct constituted disgraceful conduct in a professional respect.
36. The Legal Assessor confirmed that "*Disgraceful conduct in a professional respect*", is to be described as conduct falling far short of that which is expected of a member of the profession in the particular circumstances. The issue was one for the Committee's judgment; there is no burden or standard of proof to be applied at this stage. The Committee may take into account mitigating and aggravating features, insofar as they relate to the circumstances of the conduct itself and any breaches of the College's Code of Conduct. The Committee was aware that breaches of the Code do not in themselves mean that the conduct necessarily constituted disgraceful conduct in a professional respect.

MR MCKINSTRY

37. The Committee decided that Mr McKinstry breached the following provisions of the Code of Professional Conduct for Veterinary Surgeons (the Code):

“Principles of practice

Veterinary surgeons seek to ensure the health and welfare of animals committed to their care and to fulfil their professional responsibilities, by maintaining five principles of practice:

....

Honesty and integrity

.....

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 Committee also concluded that Mr McKinstry had not behaved in accordance with the Supporting Guidance which provides that:

“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 considered the following to be aggravating factors in Mr McKinstry’s case:

- i. Premeditated conduct.
- ii. Increased position of trust and responsibility as a Director of the Practice.
- iii. Breach of trust of Farm X, and the SDDG, in purporting to write and submit a letter which confirmed a RoMS accredited mobility scoring had taken place, as part of the SDDG scheme, when it had not.
- iv. He did not inform Dr Inman of his actions.

40. The Committee considered the following to be mitigating factors in Mr McKinstry’s case:

- i. No harm or risk of harm to an animal or human.
- ii. No financial gain.

iii. A single incident.

41. The Committee considered the conduct set out in Charges 1(a) and 1(b) and 2 (i)-(iii) separately, although it was also necessary to consider them together, because they were interlinked with each other.
42. The Committee took into account Mr McKinstry's evidence that with a family background in farming, and himself a farmer, he was committed to giving his farming clients the best service. He told the Committee that his motivation in acting in the ways as set out in the Charges was "to get the job done" to assist his client, Farm X. His evidence was that he was at Farm X to perform a routine herd fertility visit. He stated that as this entailed walking through and examining the herd, it would involve a degree of disturbance to the herd. He stated that he knew a mobility score was required so he undertook the scoring exercise himself while he walked through the cubicles. His rationale at the time was to minimize the disruption to the herd, and to best serve his client. The Committee therefore considered that his conduct was premeditated in this regard.
43. Mr McKinstry also told the Committee that he had previously been RoMS accredited to undertake mobility scoring (as well as carrying out scoring under other schemes) but had decided not to renew his RoMS accreditation in December 2018.
44. In his evidence before the Committee Mr McKinstry confirmed that In his initial telephone call with OA, Mr McKinstry opined that the RoMS accreditation scheme was "pointless and stupid". In his evidence he told the Committee that this was a spur of the moment comment, but on reflection he accepted that he was wrong to have said that.
45. Mr McKinstry told the Committee that he now understood that his actions undermined the responsibilities and trust held in veterinary surgeons.
46. The Committee concluded that Mr McKinstry's actions in dishonestly writing the letter in respect of the mobility score relating to the cattle at Farm X, and uploading, it was serious. Such conduct struck at the heart of a veterinary surgeon's fundamental duty of honest and accurate certification. Mr McKinstry dishonestly and misleadingly represented that Dr Inman, a RoMS accredited score, had carried out the scoring, when she had not. Further, he did not subsequently inform Dr Inman of what he had done, putting her at risk of being professionally discredited. The scheme required the scoring to be done by a RoMS accredited scorer, which Mr McKinstry was not. In answer to Committee questions, Mr McKinstry accepted that he did not state on the letter that he did the scoring on behalf of Dr Inman, because he knew the scoring would not be accepted as he was not accredited. Thus he wished to mislead the SDGG. Thirdly, this undermined the interests of Farm X because the proper accredited scoring which it relied upon so heavily, was not provided to it. Thus in failing to adhere to his professional standards, Mr McKinstry also did not protect Farm X's interests.
47. While the Committee accepted Mr McKinstry had long experience in mobility scoring cattle, the RoMS accreditation required yearly renewal following online training and assessment, and such a renewal process was therefore a vital part of retaining the accreditation. The renewal process provides safeguards by ensuring

that scorers are fully trained and up to date in their approach to the mobility scoring of cattle. This also promotes the reduction of intra-operative variability in scoring, standardising the scoring practices of its registrants as specifically required by the SDDG scheme.

48. Mr McKinstry's actions undermined the scheme which was designed to promote animal welfare. He also undermined the fundamental principle of honest and accurate certification which underpins the veterinary profession and which justifies public trust and confidence in the profession.
49. In failing to adhere to these fundamental standards of the profession, the Committee concluded that Mr McKinstry fell far short of what was expected of him in the circumstances, and therefore decided that his conduct in Charges 1(a), (b) and 2(i) – (iii) constituted disgraceful conduct in a professional respect.

DR RUTHERFORD

50. The Committee decided that Dr Rutherford breached the following provisions of the Code of Professional Conduct for Veterinary Surgeons (the Code):

“Principles of practice

Veterinary surgeons seek to ensure the health and welfare of animals committed to their care and to fulfil their professional responsibilities, by maintaining five principles of practice:

....

Honesty and integrity

.....

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.”

51. The Committee also concluded that Mr Rutherford had not behaved in accordance with the Supporting Guidance which provides that:

“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.

52. The Committee considered the following to be aggravating factors in Dr Rutherford's case:
- i. Premeditated conduct.
 - ii. Increased position of trust and responsibility as a Director of the Practice at the time.
 - iii. Breach of trust of Farm Y and Z, and the SDDG in purporting to write and submit two letters which confirmed RoMS accredited mobility scoring had taken place, as part of the SDDG scheme, when it had not.
53. The Committee considered the following to be mitigating factors in Dr Rutherford's case:
- i. No harm or risk of harm to an animal or human.
 - ii. No financial gain.
 - iii. While there was more than one incident in respect of two letters having been submitted, they were close in time, and spanned a period of some 2 days, and the Committee saw the events as one incident rather than repeated or sustained conduct.
54. The Committee considered the conduct set out in Charges 1(a), 1(b), 1(c), 1(d) and 2 (i)-(iii) separately, although it was also necessary to consider them together, because they were interlinked with each other.
55. The Committee took into account Dr Rutherford's evidence that when he became aware of the impending deadline for Farms Y and Z to have mobility scores completed, he knew it was critical for them to be done in time. His evidence was that he was aware that at the time Sainsbury's was removing farms from their list of suppliers and he was concerned about the potential implications for the farms if they did not submit the scores in time.
56. Dr Rutherford's evidence was that he called Dr Inman and asked her if she could undertake the mobility scores at Farms Y and Z. When it became clear that she did not have the capacity to fit them into her diary at such short notice, he asked her if he could undertake the mobility scores and submit them in her name. Dr Inman agreed. Therefore the Committee concluded that these actions were premeditated in that between the time of the telephone call and uploading the scores, Dr Rutherford had time to reflect and change his course of action.

57. Dr Rutherford accepted in his evidence that his focus at the time was on the implications for the farms rather than his professional standards, and that he understood that this was wrong.
58. The Committee concluded that Dr Rutherford's actions in dishonestly writing the two letters in respect of the mobility score relating to the cattle at Farms Y and Z, and uploading them was serious. Such conduct struck at the heart of the duty of honest and accurate certification. Dr Rutherford dishonestly and misleadingly represented that Dr Inman, a RoMS accredited scorer, had carried out the scoring, when she had not. The scheme required the scoring to be done by a RoMS accredited scorer, which Dr Rutherford was not. In answer to Committee questions, Dr Rutherford stated that he did not state on the letter that he did the scoring on behalf of Dr Inman, because he knew the scoring would not be accepted as he was not accredited. Thus he wished to mislead the SDGG. This undermined the interests of Farms Y and Z because the proper accredited scoring which they heavily relied on, was not undertaken. Thus in failing to adhere to his professional standards, Dr Rutherford did not protect the interests of Farms Y and Z.
59. While the Committee accepted he had significant experience in mobility scoring cattle, the RoMS accreditation required yearly renewal following online training and assessment, and such a renewal process was therefore a vital part of retaining the accreditation. The renewal process provides safeguards by ensuring that scorers are fully trained and up to date in their approach to the mobility scoring of cattle. This also promotes the reduction of intra-operative variability in scoring, standardising the scoring practices of its registrants as specifically required by the SDDG scheme.
60. Dr Rutherford's actions undermined a scheme which was designed to promote animal welfare. He also undermined the fundamental principle of honest and accurate certification which underpins the veterinary profession and which justifies public trust and confidence in the profession.
61. In failing to adhere to these fundamental standards of the profession, the Committee concluded that Dr Rutherford fell far short of what was expected of him in the circumstances, and therefore decided that his conduct in Charges 1(a), (b), (c) and (d) and 2(i) – (iii) constituted disgraceful conduct in a professional respect.

DR INMAN

62. The Committee decided that Dr Inman breached the following provisions of the Code of Professional Conduct for Veterinary Surgeons (the Code):

“Principles of practice

Veterinary surgeons seek to ensure the health and welfare of animals committed to their care and to fulfil their professional responsibilities, by maintaining five principles of practice:

....

Honesty and integrity

.....

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.”

63. The Committee also concluded that Dr Inman had not behaved in accordance with the Supporting Guidance which provides that:

“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.

64. The Committee considered the following to be aggravating factors in Dr Inman’s case:

- i. Increased position of trust and responsibility as a RoMS accredited mobility scorer.
- ii. Breach of trust of Farm Y and Z, and the SDDG in knowingly allowing Dr Rutherford to write and upload the letters which confirmed she had carried out RoMS accredited mobility scoring as part of the Sainsbury’s scheme, when she had not.

65. The Committee considered the following to be mitigating factors in Dr Inman’s case:

- i. No harm or risk of harm to an animal or human.
- ii. No financial gain.
- iii. The charges relate to one telephone call and therefore the Committee saw it as a single incident rather than repeated or sustained conduct.

66. The Committee considered the conduct set out in Charges 1(a) ,1(b) and 2 (i)-(iii) separately, although it was also necessary to consider them together, because they were interlinked with each other.
67. The Committee took into account Dr Inman's evidence that she agreed to Dr Rutherford performing the mobility scores and submitting them in her name because she was busy and that she did not stop to think about the implications. She told the Committee that she realised that this was wrong because in doing so she risked undermining the procedure set in place for the welfare of animals. In her evidence Dr Inman confirmed that she had a sympathy for farmers, being a daughter of a famer and a farmer herself. She further gave evidence of the fact that there could be financial implications for the farmers if the scores were not submitted in time, and that this was at a time when milk prices were very low and farmers were already struggling. However, while Dr Inman had in mind the clients' interests, her dishonest actions did not take into account her professional standards of honest and accurate certification nor her responsibilities to the SDDG scheme.
68. Dr Inman's conduct struck at the heart of a veterinary surgeon's fundamental duty of honest and accurate certification in that she deliberately allowed her name to be put to mobility scores which she did not carry out and which were carried out by Dr Rutherford who was not accredited.
69. In addition, as a RoMS accredited scorer, she had a responsibility to fulfil her duties to the scheme, and to take responsibility for the mobility scoring being carried out by her and in line with the correct procedure.
70. Dr Inman's actions undermined the scheme which was designed to promote animal welfare. She also undermined the fundamental principle of honest and accurate certification which underpins the veterinary profession and which justifies public trust and confidence in the profession.
71. Her actions undermined the interests of Farms Y and Z because the proper accredited scoring which they relied on heavily, was not undertaken. Thus, in failing to adhere to her professional standards, Dr Inman, who was responsible for administering scoring in accordance with her RoMS accreditation, did not protect the interests of Farms Y and Z.
72. In failing to adhere to these fundamental standards, the Committee concluded that Dr Inman fell far short of what was expected of her in the circumstances, and therefore decided that her conduct in Charges 1(a), 1 (b), and 2(i) – (iii) constituted disgraceful conduct in a professional respect.

