

ROYAL COLLEGE OF VETERINARY SURGEONS

INQUIRY RE:

MR MAXIMILIAN WOOD MRCVS (Respondent)

DECISION ON FACTS AND DISGRACEFUL CONDUCT

Charges

1. The Respondent faced the following charges:

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

1. *Between 1 September 2023 and 29 November 2023, in relation to an alpaca named Rosie belonging to Mrs A, you:*
 - a. *on 1 September 2023, indicated to Mrs A by telephone that Rosie had tested positive for Johne's disease, when there had been no such test result;*
 - b. *on or around 10 to 11 September 2023, sent a letter to Mrs A by email, which stated that a Johne's test result for Rosie had "returned a positive result from a faecal PCR" when there had been no such test result;*
 - c. *on or around 24 September 2023:*
 - i. *Created or caused to be created a document purporting to be a report from Axiom Veterinary Laboratories Ltd., showing a positive Johne's test result for Rosie, in the name of CR MRCVS (the "Johne's Report");*
 - ii. *Sent the Johne's Report to JS MRCVS by email and stated "Please see attached the +ve faecal PCR...";*
 - d. *on or around 2 or 3 October 2023, indicated to Mrs A by telephone that you had given her another patient's result by mistake, and that*

Rosie's Johne's test result was actually negative, when there had been no test results at all for Rosie;

e. on or around 11 October 2023, sent a letter to Axiom Laboratories Ltd. indicating that a member of the Practice's administrative staff had manufactured the Johne's Report, when this was not the case;

f. when asked by the Managing Partner of the Practice:

i. on 6 November 2023, if you knew anything about the Johne's Report, said words to the effect, "No, I don't know anything about it. Leave it with me and I will have a look into it";

ii. on 10 November 2023, for an update on the Johne's Report, said words to the effect, "they're starting to dig into it but I can't say anything more at the moment.";

iii. on 23 November 2023, for any news about the matter, said words to the effect, "we've got to the bottom of it, but I can't say any more.";

g. on 29 November 2023, sent an email to JS MRCVS indicating that a member of the Practice's administrative staff had manufactured the Johne's Report, when this was not the case;

2. Your conduct in relation to 1(a), 1(b), 1(c)(i), 1(c)(ii), 1(d), 1(e), 1(f)(i), 1(f)(ii), 1(f)(iii), and/or 1(g) above was misleading;

3. Your conduct in relation to 1(c)(i), 1(c)(ii), 1(d), 1(e), and/or 1(g) above was dishonest;

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

Summary of Evidence

2. In advance of the hearing, the Committee was provided with the inquiry bundle. The Committee read through the inquiry bundle before the hearing commenced. The inquiry bundle included the following:

i. Witness statement of Mrs A, who, at the material time, ran an alpaca farm and used Larkmead Vets (the Practice where the Respondent worked) to provide veterinary care for her animals. In March 2023, Mrs A bought the alpaca named Rosie, from KB (the vendor) who was an alpaca breeder;

ii. Witness statement of Dr CR MRCVS, who at the material time, was working at Axiom Laboratories Ltd. (Axiom) as a Farm Animal Veterinary Advisor, and

whose role involved interpreting and reporting on laboratory results. The allegedly forged Axiom Johnne's report of Rosie's test results was purported to have been completed by her;

- iii. Witness statement of Dr JS MRCVS, who at the material time, was the veterinary surgeon for the vendor, and who investigated matters relating to Rosie, on behalf of the vendor;
 - iv. Witness statement of Dr TH MRCVS, who, at the material time was the Managing Partner of Larkmead Vets (the Practice);
 - v. Copies of the text messages between Mrs A and the vendor enquiring about Rosie's clinical history;
 - vi. A copy of the letter on the Practice's headed notepaper, dated 11 September 2023, which the Respondent sent to Mrs A setting out Rosie's symptoms and asserting that Rosie had tested positive for Johnne's disease;
 - vii. A copy of the Practice's clinical records in respect of Rosie;
 - viii. A copy of the allegedly forged Laboratory report from Axiom, purporting to contain the test results in respect of Rosie, later referred to as the Forged Report;
 - ix. A copy of the referral, dated 22 November 2023, Dr CR MRCVS sent to the RCVS in respect of the Respondent;
 - x. Relevant email correspondence;
 - xi. Correspondence between the RCVS and the Respondent between 8 February and 17 December 2024;
3. In advance of the hearing, the Committee was also provided with a Respondent's bundle, which included:
- i. The Respondent's witness statement, dated 8 May 2025;
 - ii. The Respondent's CV;
 - iii. Probity and ethics CPD reflection.

Admissions by the Respondent

4. At the outset of the hearing, following the charges being read, the Respondent admitted all of the factual particulars and that, both individually and collectively, he was guilty of disgraceful conduct in a professional respect.
5. Under Rule 23.5 of the Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules Order of Council 2004 (the Rules), the

Committee accepted the factual admissions made by the Respondent, and accordingly found the facts proved.

Background

6. The background is taken from the opening note prepared by the College, the Respondent having admitted all the charges, and the Committee having accepted his admissions to find the facts proved.
7. Mrs A, the owner of the alpaca Rosie, operated a small alpaca farm and the Practice provided veterinary care for her animals. In March 2023, Mrs A purchased Rosie from the vendor, KB, who breeds alpacas.
8. On 20 August 2023, Rosie fell ill, and Mrs A called the Practice, and it was the Respondent who attended on that occasion to treat Rosie. Mrs A described Rosie as having been lethargic with green diarrhoea and said that the Respondent gave Rosie a wormer and antibiotic, as well as taking a faecal sample. The clinical records completed by the Respondent relating to that visit did not record the faecal sample and gave a provisional diagnosis of PGE (parasitic gastroenteritis).
9. In the following days, Mrs A reported that Rosie was brighter, but on 28 August 2023, Rosie was found collapsed in a field. The Practice was contacted and a different veterinarian from the Practice, Dr IB MRCVS, attended to examine Rosie. Dr IB injected spasmium and took a blood sample but no faecal sample.
10. On 30 August 2023 Axiom reported on the blood sample taken by Dr IB.
11. On 31 August 2023
 - i. The clinical records show *lab work* by Axiom for Dr IB.
 - ii. Mrs A received a call from the Respondent reporting on the blood test results, mentioning low protein and suggesting tests be carried out for Johne's disease.
12. Johne's disease is an incurable bacterial infection of the gut which is transmissible, and which has a variable and potentially very long incubation period, it affects a commercial farm's ability to sell animals and is in other ruminants addressed by culling.
13. On 1 September 2023
 - i. The Respondent called the owner Mrs A and reported that Rosie had tested positive for Johne's disease and counselled that Rosie should be euthanised;
 - ii. Mrs A messaged KB and reported the diagnosis and received a reply saying KB had had no history of Johne's disease on her farm;
 - iii. The Respondent attended and euthanised Rosie, advising against a postmortem in the circumstances of his purported knowledge of the cause of the illness.
14. At this point of time there is no note in Rosie's clinical records of:

- i. Any faecal sample from Rosie being sent for analysis.
 - ii. Any diagnosis being made of Johne's disease.
15. In part that is because no faecal sample was ever sent for analysis, and no laboratory ever produced any result that showed that diagnosis.
16. It was therefore misleading for the Respondent on 1 September 2023 to tell Mrs A that Rosie had tested positive for Johne's disease (head of charge 1(a)).
17. The consequences of the Respondent relaying a diagnosis of Johne's disease to Mrs A were that she was concerned for her business, her herd, and wished to identify the source of the infection. She therefore asked the Respondent for an account in writing of his findings so that she might pursue matters further with KB.
18. On or before 11 September 2023 the Respondent produced the letter on the headed paper of the Practice, which Mrs A received that day, and within which the Respondent stated: [Rosie] *returned a positive result from faecal PCR* [for Johne's disease].
19. The letter amounted to certification (according to the RCVS 10 Principles of Certification, paragraphs 21.7 and 21.8):

21.7– A certificate is a written statement made with authority; the authority in this case coming from the veterinarian's professional status.

21.8– It should be noted that not all certificates contain the word 'certificate'. Some documents (for example, forms, declarations, insurance claims, witness statements and self-certification documents) may involve the same level of responsibility even if they do not contain the word 'certificate'.
20. The Respondent's letter was false and misleading because there was no such positive result or test (head of charge 1(b)).
21. Fortified by the diagnosis and results set out in the letter from the Respondent Mrs A took up a complaint with KB that the source of the Johne's disease was with the vendor and sought compensation, to which request KB asked that her veterinary surgeon be able to contact the Practice.
22. KB's veterinary surgeon is Dr JS. Dr JS describes that on 14 September 2023 she was asked by the vendor, KB to investigate with the Practice the finding of Johne's disease reported in the Respondent's letter. On 18 September 2023, Dr JS had contacted Axiom for general advice on Johne's disease. She also tried to contact the Respondent for the test results for Rosie.
23. On 19 September 2023 the Respondent and Dr JS spoke, and she sent him an email so that he might have her email address to send the test results. Dr JS then sent a chaser email on 22 September 2023.
24. On 24 September 2023 the Respondent sent an email to Dr JS stating *Please see attached the +ve PCR and the individual haematology and biochemistry* and attaching

both the lab report from Axiom (the Forged Report) and the Axiom blood sample report of 30 August 2023.

25. As to the Forged Report:

- a) It is dated 30 August and is set out as if it were a laboratory report from Axiom, recording the number of the report and the person who booked it. It gives a code and a test report for *Johnes faecal PCR* [sic] and reports the result as *POSITIVE*.
- b) It named the results as having been obtained from a request on 30 August 2023 and a reporting date of 1 September 2023.
- c) It names the reporting veterinarian as Dr CR BVMS MSc MRCVS; but she did not produce it.
- d) In fact the Forged Report was created by the Respondent. The document's properties show it to have been created on 2 February 2021 and modified on 24 September 2023.

26. The creation and sending of the Forged Report were both misleading and dishonest (heads of charge 1(c)(i) and 1(c)(ii)).

27. Dr JS thought the Forged Report to be in unusual form and she therefore contacted KB and said she would raise the matter with Axiom.

28. On 25 September 2023 Dr JS spoke to Axiom who confirmed that the report number on the Forged Report did not relate to Rosie but rather referred to two cows tested some years previously. Dr JS's assumption was that the error lay with Axiom, and she proposed to pick up the issue with Axiom.

29. Dr JS was then in correspondence with Axiom by email including an email to Dr CR (the purported author of the Forged Report), who advised that the Practice needed to be contacted, and that Axiom would contact the Respondent regarding anomalies in the Forged Report.

30. Dr CR reviewed the Forged Report and set out the anomalies in the Forged Report, as well as her initial opinion that there was an Information Technology (IT) issue with Axiom. She highlighted in particular that elements of the Forged Report made no sense, including because the document's number related to cows tested some years previously and that Axiom had not received any faecal sample in connection with Rosie.

31. On 29 September 2023, Dr CR, having taken advice from the VDS (Veterinary Defence Society) drafted a letter to the Respondent which was perfected and sent on 3 October 2023 and which asked him to discuss the contents of the Forged Report.

32. The Respondent acknowledged receipt of the letter of 29 September 2023 by email of 5 October 2023, saying he would *investigate this with a matter of urgency and respond as soon as possible with my findings in writing*.

33. In fact, because of the correspondence between Mrs A and the vendor, the Respondent was alerted to the suspicion that the Forged Report had anomalies prior to 3 October 2023 as shown by the following documents:

- a) On 29 September 2023 at 08:33 Mrs A wrote to the Respondent saying that the vendor had suggested anomalies in the Forged Report;
- b) On 29 September 2023 at 09:59, the Respondent wrote to Dr JS asking what anomalies had been found in the report;
- c) Dr JS had replied on 30 September 2023 at 20:53, highlighting the anomalies in the Forged Report.

34. The inquiry raised by Axiom by its letter of 29 September 2023 sent on 3 October 2023 to the Respondent did however lead him to action. The action was to telephone Mrs A and to tell her, at around 10:00, the lie that:

I'm really really sorry, but I've actually given you the wrong result, I've given you someone else's result, and Rosie's test was actually negative. I'm really really sorry this has happened. It shouldn't have happened and I'm really sorry.

35. The passing of that false information to Mrs A was both misleading and dishonest (head of charge 1(d)).

36. As a result of that communication Mrs A sought compensation from the Practice.

37. On 11 October 2023, the Respondent sent a letter in response to Axiom to its letter of 29 September 2023. The letter stated:

- a) There had been an investigation by the Respondent.
- b) As a result of which *"I discovered that a member of admin staff had manufactured this report by combining elements of older reports. They did this to cover up their mistake of not packaging the faecal sample and not organising the testing as they were requested. Obviously, this is extremely concerning and not something we would expect of an employee. It appears to be an extreme lapse in judgment from an employee of prior good standing with a previously unblemished record. They then forwarded this report to me, which I then reported to the client and subsequently to Ms Schmidt at Torch Vets. Here I must accept some responsibility as I only gave the report a cursory look. It is not a test I request regularly so am not familiar with how they should be presented and, at a glance, it appeared to confirm my presumptive diagnosis, however it is clear that there were some obvious anomalies. The employee in question is, of course, facing disciplinary proceedings. As mentioned they are of previous good character and have a clear disciplinary record. There are also mitigating personal circumstances.*
Please accept my profound apologies for these occurrences. I can assure you that I understand the gravity of this situation. We will review our processes to ensure this will never happen again and I hope it does not affect our professional relationship with your laboratory, which we have always found excellent."

38. The Respondent thereby was blaming the forgery of the Forged Report on an unnamed employee of the Practice.
39. The letter was misleading and dishonest (head of charge 1(e)).
40. Dr CR reported the matter to the College on 22 November 2023.
41. The involvement of the Practice came about not by any report from the Respondent or from Axiom or from the VDS, but because the Managing Partner of the vendor's practice was a personal contact of Dr TH, the Practice's Managing Partner. The vendor's veterinarian called Dr TH on 3 November 2023 and asked him to shed light on the issue of Rosie's death and sent over the Forged Report. Dr TH noticed anomalies in the Forged Report and relayed back the history of Rosie. Dr TH then received copies of correspondence between the Respondent and Dr JS from his contact. He checked the document properties for the Forged Report and saw it was created as a forgery on 24 September 2023 having been first created in 2021.
42. On 6 November 2023, Dr TH telephoned the Respondent and asked if he knew anything about the report and the Respondent said he would look into it. Dr TH's working assumption was that it was a forgery by the client.
43. On 10 November 2023, Dr TH telephoned the Respondent asking for an update and was told that it was being looked into.
44. On 23 November 2023, the Respondent told Dr TH at a Practice board meeting that *'we've got to the bottom of it, but I can't say any more'*.
45. Those answers to Dr TH's questions by the Respondent were misleading (head of charge 1(f)(i) to(iii)).
46. On 29 November 2023, the Respondent sent an email to Dr JS in which he again said the Forged Report was a creation of a member of staff.
47. That statement by the Respondent in that email was misleading and dishonest (head of charge 1(g)).
48. On 30 November 2023, the Respondent and Dr JS exchanged emails in which Dr JS expressed sympathy for that outcome of having a staff member who forged the Forged Report, and the Respondent said he had made Axiom aware, and thought the matter concluded.
49. Dr JS did not find out the truth of events until June 2024.
50. On 8 February 2024, the College, acting in response to Dr CR's complaint wrote to the Respondent raising the allegation that the Forged Report was not genuine with him but not suggesting he had been the forger.

51. On 22 February 2024, the Respondent told Dr TH that he had been reported to the College and that he had falsified the Forged Report. He said he was sorry and was ashamed. He then resigned on 23 February 2024.

52. The Respondent's responses to the College's investigation have been as follows:

- a) By his letter of 11 April 2024, he admitted acting dishonestly and said he was ashamed by his actions for which he apologised. He said he initially believed that there had been a positive test for John's for Rosie, though he said he could not explain why, and that had led him to tell Mrs A of that result, and when he found that there was no such test, instead of reporting the matter to Mrs A he created the Forged Report. He described at least a part of his justification as being that he did not want to make an admission of a mistake and its consequences for him and the Practice, and that it *was a problem I did not need and, wrongly, I just hoped that it would go away*. He accepted dishonesty in the production of the Forged Report and his correspondence with Axiom. He reported he had a heavy workload at the time and was under pressure and exhausted.
- b) By his letter of 4 June 2024, he clarified some points of chronology and repeated his admission and apology.
- c) By his email of 17 December 2024, he declined the opportunity to make further comment.

Stage 2, Disgraceful Conduct in a Professional Respect

College's Submissions on Disgraceful Conduct in a Professional Respect

53. Mr Weston, on behalf of the College, submitted that the admitted facts amounted to disgraceful conduct in a professional respect (Disgraceful Conduct). He directed the Committee's attention to the cases of *MacLeod v RCVS PC 88 of 2005*, *Walker v BSB (Unreported) 19 September 2013* and *Marten v Disciplinary Committee [1966] 1 QB 1*. He submitted that the Respondent's conduct fell far short of that expected of the profession.

54. Mr Weston submitted that the Respondent had admitted dishonesty and that he misled his client, fellow professionals and his professional colleagues at the Practice. Furthermore, Mr Weston submitted that the Respondent's conduct demonstrated a failure to discharge his obligation to make animal health and welfare his first consideration. Mr Weston drew the Committee's attention to the requirements set out in the Code of Professional Conduct for Veterinary Surgeons and submitted that the following were relevant:

"2.1 – Veterinary surgeons must be open and honest with clients and respect their needs and requirements;

2.5 – Veterinary surgeons must keep clear, accurate and detailed clinical and client records;

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”.

55. Mr Weston took the Committee to the RCVS Disciplinary Committee Sanctions Guidance for Veterinary Surgeons cases (the Sanctions Guidance) and the list of potential aggravating factors set out within it. He submitted that the aggravating factors engaged in this case included:

- i. Dishonesty, lack of probity or integrity (paragraph 39.c);*
- ii. Premediated misconduct (paragraph 39.e)*
- iii. Breach of...client trust (paragraph 39.g)*
- iv. Abuse of professional position (paragraph 39.m)*
- v. Misconduct sustained or repeated over a period of time (paragraph 39.o)*
- vi. Conduct contravening advice issued by the RCVS (paragraph 39.p)*

56. Mr Weston confirmed that the College did not allege that Rosie had Johne's disease, but submitted that the misleading and dishonest statements of the Respondent may have had the potential of causing Mrs A to cull other animals in her herd in the belief she had a positive result for Johne's disease, or to wrongly believe that that she did not need to take action in respect of the other animals on the farm in the belief of a negative result for Johne's disease.

Submissions on behalf of the Respondent

57. Ms Sanderson, on behalf of the Respondent, accepted that the admitted facts amounted to Disgraceful Conduct. She acknowledged that it was a matter for the Committee's judgement but invited the Committee to find that the admitted facts did amount to the charge of Disgraceful Performance. She drew the Committee's attention to the Respondent's resignation letter from the Practice in which he admitted Disgraceful Conduct and submitted that he had been candid about his actions. She cautioned the Committee against straying too far into the stage of sanction when considering the aggravating factors.

Decision and Reasons of the Committee on Disgraceful Conduct in a Professional Respect

58. The Committee had regard to the submissions of both parties. It heard and accepted the advice of the Legal Assessor. The Committee understood that the test for considering whether the conduct or behaviour amounted to Disgraceful Conduct, was whether the veterinary surgeon had fallen far short of what was expected of a member

of the veterinary profession and that this decision was a matter for the Committee's independent judgement. The Committee bore in mind that not every breach of the Code will necessarily amount to disgraceful conduct in a professional respect.

59. The Committee first addressed what it considered to be the relevant aggravating factors, as set out in the Sanctions Guidance.

Risk of injury to an animal ... (paragraph 39.b)

60. The Committee considered that the Respondent's conduct had created a risk of injury. The Committee considered that when the Respondent falsely reported the positive test result for Rosie, this may have had the potential of causing Mrs A to cull other animals in her herd. The Committee considered that when the Respondent later falsely reported the negative test result for Rosie, this may have had the potential for Mrs A to wrongly believe that that she did not need to take action in respect of the other animals on the farm.

Dishonesty, lack of probity or integrity (paragraph 39.c)

61. In terms of heads of charge 1(a), 1(b) and 1(f), which the Respondent admitted had been misleading, the Committee considered that the Respondent's actions had lacked both probity and integrity. Specifically in relation to heads of charge 1(a) and 1(b), the Committee considered that it would have been incumbent upon the Respondent to first check any test results and clinical records, before giving a verbal explanation, followed up by a written confirmation, particularly as Johne's is such a serious diagnosis, with potentially significant implications for Mrs A's alpaca farm. The Committee also considered that these actions had an element of recklessness to them, in that the Respondent had provided the misleading information without checking it was accurate, and in his professional role, he would have been aware that it would have serious consequences for both Mrs A and the vendor's alpaca herd. In relation to head of charge 1(f), the Committee considered that misleading the Managing Partner by claiming not to know about the issue and then to imply that it was something he could not disclose, clearly lacked both the probity and integrity expected from a professional and between partners within a professional practice.

62. In terms of heads of charge 1(c), 1(d), 1(e) and 1(g), the Committee considered that the Respondent's actions in each case not only lacked probity and integrity, but had also been dishonest, which he admitted.

Recklessness (paragraph 39.d)

63. The Committee considered that the Respondent's conduct initially had an element to recklessness to it. It considered that he had been reckless when he told Mrs A that Rosie had tested positive for Johne's disease. In reaching this view, the Committee considered that the Respondent had failed to satisfy himself as to the accuracy of the information he was providing and paid little heed to the potential consequences to both Mrs A's and the vendor's respective herds and commercial reputation.

Premeditated misconduct (paragraph 39.e)

64. The Committee considered that the Respondent's conduct had been premeditated. From the point at which he knew there was no Johne's test result, he produced the Forged Report, and deliberately wrote misleading correspondence to Mrs A (his client), fellow professionals and Axiom. The Committee considered that the Forged Report would have taken significant effort to prepare, as it would have involved finding a previous test report (from 2021) to use as a template and then to populate it with false information. In terms of the correspondence, the Committee considered that this would have taken time and effort to compose, potentially finding information from other sources, such as the clinical notes, to add to its credibility.
65. The Committee further considered the Respondent's decision to blame an unnamed third party in the Practice involved a degree of pre-planning and elaboration of detail in respect of a fictitious investigation, including the third party's "exemplary record" and personal mitigation.

Breach of...client trust (paragraph 39.g)

66. The Committee considered that the Respondent's actions had breached his client's (Mrs A), trust. The Committee considered that Mrs A would have put her trust in the Respondent, given his professional standing, and he had repeatedly lied to her. First he averred that there was a positive Johne's result, but later he told that he had given her the wrong animal's result, and averred that the result was, in fact negative. The Committee bore in mind that neither of these statements was accurate, and the source of Rosie's illness was never discovered as Mrs A had relied on the Respondent's assertion that a post mortem was not necessary.

Any relevant increased position of trust or responsibility (paragraph 39.l)

67. The Committee noted that the Respondent was a partner and board member within the Practice. It was of the view that, given The Respondent's high professional status within the Practice, Dr TH, the Managing Partner, may initially have been persuaded to accept the misleading reassurances given by the Respondent to the effect that he was unaware of the issues and later implying that he could not disclose what he had discovered.

Abuse of professional position (paragraph 39.m)

68. The Committee considered that the Respondent, by virtue of his professional status, had access to laboratory records, one of which he used as a template to create the Forged Report. Furthermore, his professional position provided him with the credibility to certify Rosie's symptoms and cause of illness and to set it out on the Practice's headed note paper.

Misconduct sustained or repeated over a period of time (paragraph 39.o)

69. The Committee considered that the Respondent's actions, in particular his dishonesty, had been sustained and repeated over a period of almost three months. It considered

that he did not take the numerous opportunities to correct his mistakes or admit his wrongdoing, instead compounding his lies to his client, fellow professionals and Axiom.

Conduct contravening advice issued by the RCVS... (paragraph 39.p)

70. The Committee bore in mind that the RCVS has issued advice to the profession in respect of certification. In essence, the RCVS advises veterinary surgeons to take steps to satisfy themselves that what they are certifying is within their own knowledge, can be ascertained by them personally, or is the subject of supporting evidence from an authorised veterinarian with personal knowledge of the matters in question. The Committee considered that the Respondent had disregarded this advice when he provided the letter to Mrs A, dated 10 or 11 September 2023, setting out Rosie's symptoms, the circumstances of her death and purported positive Johne's test result.

Relevant mitigating factors

71. The Committee did not identify any of the relevant mitigating factors (paragraphs 42.a to e of the Sanctions Guidance) as being engaged in its assessment of whether the Respondent was guilty of Disgraceful Conduct.

Individual heads of charge

72. Having considered the aggravating and mitigating factors, the Committee went on to consider the individual heads of charge, and specifically, whether they individually or collectively fell far short of the standards expected of a veterinary surgeon.
73. In relation to head of charge 1(a), misleadingly indicating to Mrs A that Rosie had tested positive for Johne's disease, the Committee considered this fell far short of the expected standards. The Committee noted that the Respondent's position was that he had mistakenly believed that there had been a test for Johne's which was positive, although he could not understand how he came to believe this. The Committee was of the view that, given the implications of a positive result for the farm, and that a veterinarian would understand those implications, the Respondent's actions in not satisfying himself that he was giving accurate information fell far short of the standards expected. In reaching this view, the Committee considered that the primary responsibility of the Respondent was to prioritise the health and welfare of animals.
74. In relation to head of charge 1(b), sending the misleading letter to Mrs A stating that a Johne's test for Rosie had returned a positive result, the Committee considered this fell far short of the expected standards. The Committee considered that by this point, the Respondent would have been aware that Mrs A was investigating the matter and had requested the information so that she could provide it to the vendor's veterinary surgeon, Dr JS. The Committee considered that it was incumbent upon the Respondent to check the primary source of information, the clinical record, before committing himself to paper, particularly in light of the College's guidance on certification to that effect. Therefore, the Committee considered that the Respondent's actions fell far short of the standards expected.

75. In relation to head of charge 1(c)(i), dishonestly creating a Forged Report, the Committee considered that this was particularly serious and fell far short of the expected standards. In reaching this view, the Committee considered that this was a document created by the Respondent in order to deceive and motivated by self-interest: to conceal his own wrongdoing. Furthermore, the Committee considered that considerable planning and premeditation was implicit in creating the Forged Report. The Committee considered that honesty and integrity are fundamental requirements of a Veterinary Surgeon, and by breaching such requirements, the Respondent's conduct fell far short of the expected standards.
76. In relation to head of charge 1(c)(ii), dishonestly sending the Forged Report to Dr JS, the Committee considered that this was particularly serious and fell far short of the expected standards. In reaching this view, the Committee considered that the Respondent had disregarded the professional standards of honesty and integrity. By sending the Forged Report to a fellow veterinary surgeon, the Committee considered that he intended that she would rely on it as genuine, as he sought to conceal his own mistakes. The Committee considered that by this stage the Respondent was perpetuating his lies beyond Mrs A, to extend to the vendor's veterinary surgeon who was investigating matters, knowing of the potential effects on Mrs A and the vendor.
77. In relation to head of charge 1(d), dishonestly indicating to Mrs A that he had given the wrong results to her and that Rosie's test had been negative, the Committee considered that this was particularly serious and fell far short of the expected standards. The Committee considered that the Respondent, by now aware that Dr JS's investigations were continuing on behalf of the vendor, told a second lie, heedless of the potential consequences for Mrs A or the vendor. In the Committee's judgement, the Respondent's motivation was his own self-preservation and that of his Practice, which he prioritised over animal welfare. The Committee bore in mind that the Respondent did not know whether or not Rosie had contracted John's disease. Therefore, by falsely informing Mrs A that the test was negative for John's disease, the Committee considered that he was providing her with false reassurance that the rest of her herd of alpacas was not at risk, when it was not possible to know if that was the case.
78. In relation to head of charge 1(e), dishonestly sending a letter to Axiom, blaming a member of the Practice's administrative staff for creating the Forged Report, the Committee considered that this was particularly serious and fell far short of the expected standards. In the Committee's view, the Respondent appeared to give no thought to owning up to his previous dishonesty and the letter to Axiom was an attempt to deflect blame to another, albeit unnamed person. The Committee considered that the Respondent was compounding his previous dishonesty by expanding it to the testing laboratory, Axiom, and by creating further elaborate lies to conceal his previous dishonesty of creating the Forged Report. The Committee considered that such behaviour brings the profession into disrepute.
79. In relation to head of charge 1(f)(i) to (iii), the Committee considered that repeatedly misleading the Managing Partner about what he, the Respondent, initially knew, and then implying that he could not disclose the results of his subsequent investigation, fell

far short of the standards expected. In reaching this view, the Committee considered that the Respondent paid little heed to the potential consequential reputational damage to the Practice, or to the individual members of the administrative staff who may have risked becoming implicated in creating the Forged Report.

80. In relation to head of charge 1(g), dishonestly sending an email to Dr JS, the vendor's veterinary surgeon implicating a member of the administrative staff at the Practice, the Committee considered that this was particularly serious. The Committee considered that the conduct reinforced the dishonest narrative made up by the Respondent, compounding his previous network of lies. The Committee considered that in this narrative, the Respondent had embellished his lies and impugned staff at the Practice, which in turn would have created mistrust.

81. The Committee considered that the Respondent had breached the following requirements of the Code:

"1.1 – Veterinary surgeons must make animal health and welfare their first consideration when attending to animals;

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

2.5 – Veterinary surgeons must keep clear, accurate and detailed clinical and client records;

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".

82. In all the circumstances, the Committee was satisfied that the Respondent's conduct had fallen far short of the standards expected of a veterinary surgeon and had undermined the following fundamental principles of the profession:

- i. Animal health and welfare;
- ii. Acting with honesty and integrity;
- iii. Maintaining public confidence in the profession.

83. Accordingly, it is the judgement of this Committee that the Respondent's conduct constitutes disgraceful conduct in a professional respect.

DISCIPLINARY COMMITTEE

13 May 2025

