

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**MR MAXIMILIAN WOOD MRCVS (Respondent)**

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**DECISION ON SANCTION**

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**Submissions on Sanction**

1. In line with usual practice, Mr Weston, on behalf of the College, made no submissions on sanction.
2. Ms Sanderson, on behalf of the Respondent, drew the Committee's attention to the bundle of testimonials which had been submitted, and proceeded to call five of the authors, four veterinarian former colleagues and a former client beef farmer all of whom used to work with the Respondent. Ms Sanderson acknowledged that the case was very serious, but submitted that there were factors in this case which meant that it could be dealt with by way of a sanction short of removal.

**Evidence at stage 3**

3. The Committee received the following evidence at this stage:
  - a. Oral evidence from the Respondent;
  - b. Character evidence from Dr JJ MRCVS;
  - c. Character evidence from Dr IB MRCVS;
  - d. Character evidence from Mr EC, a former beef farmer client;
  - e. Character evidence from Dr CT MRCVS a former pig famer client;
  - f. Character evidence from Dr BC MRCVS;
  - g. A bundle of 12 further testimonials from veterinary colleagues, client farmers and a long standing friend.

**Decision on Sanction**

4. The Committee accepted the advice of the Legal Assessor. She advised that the purpose of sanction is not to be punitive, although it may have that effect, but to protect the health and welfare of animals, maintain public confidence in the profession and

declare and uphold professional standards of conduct and behaviour. The Legal Assessor cited the case of *Bolton v Law Society* [1994] 1 WLR 512 and reminded the Committee of the importance of the public interest considerations in determining sanction. The Legal Assessor also advised that the sanction must be proportionate both in respect of the case and the individual.

5. The Committee had regard to the Sanctions Guidance issued by the College and took account of all the mitigation submitted on behalf of the Respondent, including the oral and written testimonials, the Respondent's written reflections and his oral evidence.
6. The Committee bore in mind the aggravating factors which it had identified in its decision on disgraceful conduct.
7. Specifically in relation to the aggravating factor of potential risk to animals, it had identified at the previous stage, the Committee had regard to the Respondent's evidence at this stage. The College and the Committee had identified a risk of unnecessary culling in the event of a false report of a positive test for Johne's or a risk of inaction in the event of a false report of a negative test. However, the Committee accepted the Respondent's evidence that the consequences of his false report of a positive Johne's result would have been increased monitoring and testing, before deciding to cull other animals in the herd. Whilst the Committee considered that this was still an aggravating factor, it considered that the risk of unnecessary culling was not as significant as previously identified.
8. Although the Committee had not identified any relevant mitigating factors in its decision on disgraceful conduct, the Committee considered that the following personal mitigating factors as set out in the Sanctions Guidance were also relevant in this case:
  - a. A long and unblemished career;
  - b. Open and frank admissions at an early stage (to the College);
  - c. Subsequent efforts to avoid a repetition of such behaviour;
  - d. Subsequent efforts to remediate past misconduct;
  - e. Demonstration of insight into the disgraceful conduct committed;
  - f. Personal character references/testimonials;
  - g. Other contextual factors, personal and professional circumstances.
9. Having identified the relevant aggravating and mitigating factors, the Committee considered how they applied to the facts of this case.
10. All the evidence before the Committee indicated that the Respondent had had a long and unblemished veterinary career, in which he had achieved a great deal, including progressing to become a mentor, partner and elected board member at the Practice. The Respondent, over his career had become a highly respected and valued farm animal veterinary surgeon. Indeed, he had achieved particular status within his area of special interest, having been awarded Young Farm Vet of the Year 2020 and being a member of the Pig Veterinary Society Executive Committee. It was clear to the Committee that he was valued by clients and professional colleagues alike, in particular junior colleagues, for "going the extra mile" to assist with difficult cases,

support and check in on newly qualified graduate veterinary surgeons and attend clients out of hours.

11. The Committee was mindful that the Disgraceful Conduct involved repeated dishonesty initially to conceal a single mistake and thereafter to cover up both his mistake and subsequent dishonesty. The Respondent had not, therefore, made early and frank admissions to his client or to his professional colleagues. Nevertheless, in response to the College's letter, dated 8 February 2024, informing him that the College was investigating the Forged Report, but not suggesting that he was the forger, the Respondent admitted his dishonest wrongdoing. He admitted that he had created the Forged Report and that he had been dishonest. He also admitted all the heads of charge, including dishonesty, at the outset of this hearing and, in the Committee's view had not at any stage sought to minimise the seriousness of his conduct. Having heard the Respondent give evidence at this sanction stage of proceedings, it was clear to the Committee that the Respondent was deeply remorseful and ashamed of his actions, and appreciated the seriousness of what he had done and its wide ranging impact, particularly on the reputation of the profession and public confidence in it. It was apparent to the Committee from the Respondent's evidence that this remorse and regret continue to weigh heavily on him.
12. The Committee considered that the Respondent had made efforts to remediate his past misconduct so as to avoid a repetition of such behaviour. Having resigned from the Practice, he did not seek to practise elsewhere, and when the renewal of his registration became due in April 2024 he self-imposed a restriction from working and joined the non-practising list of veterinary surgeons. He said during this time he had taken the opportunity to reflect on his actions and how he had allowed himself to have acted in such a way that departed so far from both the expected standards expected of veterinary surgeons and his own personal moral code. He sought therapy, which he said he had found difficult but useful and on 14 January 2025 he attended a Probity and Ethics Workshop from the Professional Boundaries Company. He said the course helped him develop insight into why he had committed these dishonest acts and provided a framework critically to evaluate personal values against professional values so as not to allow such wrongdoing to happen again. The Committee noted that the Respondent was able to articulate what he should have done, on realising his initial mistake and what he would advise a colleague to do if facing a similar situation.
13. The Committee was of the view that the Respondent had demonstrated a significant level of insight through his written statement, his oral evidence and particularly in answer to the Committee's questions. The Committee considered that his insight had developed, initially by recognising the pressures on him at the time and that his character was such that he had been reluctant to admit fallibility, through to accepting full responsibility for his dishonest actions without seeking to minimise them. Through his oral evidence, it was clear to the Committee that he understood not only the impact his actions would have had on Mrs A, the vendor and fellow professionals, but also on the wider reputation on the profession as a whole. The Committee was satisfied that the Respondent fully understood how his repeated dishonesty damaged the trust and confidence members of the public would have in the profession itself.
14. The Committee was impressed by the range and depth of testimonials which had been provided, coming as they did from professional former colleagues and client farmers. It was explicit within these testimonials that the Respondent had fully disclosed the charges he was facing to each of them and they had nevertheless chosen to provide their own knowledge and experience of him. Dr JJ, who gave oral evidence, in addition to her witness statement, told the Committee that she had wanted to explain that the charges did not represent the Respondent she knew, rather the Respondent she knew

was trusted and respected. The Committee considered that the significant number of testimonials consistently confirmed that the Respondent was an excellent, caring and committed veterinary surgeon, and that the authors' collective experience of him was that the Respondent had only ever acted with honesty and integrity. The Committee noted a common theme running through the testimonials, which was that the Respondent would always take the time to help colleagues and clients, consistently going "the extra mile" for others.

15. In relation to the mitigating factor of "*significant efforts to avoid a repetition of such behaviour*", the Committee considered that each of the other mitigating factors identified led to the conclusion that the Respondent had made significant efforts to avoid a repetition of such behaviour. In particular, the testimonials all evidenced that the Respondent's actions had been out of character, and the Respondent's significant insight and remorse led the Committee to conclude that the risk of repetition was low.
16. The Committee considered that the Respondent's evidence also demonstrated he had reflected on the pressures in his personal and professional life at the time. He had taken on extra on-call shifts to fill the rota following two veterinary surgeons leaving the Practice and was working more weekends. His third child had been born in July 2023. He did not take any parental leave following the birth or try to balance his professional and personal commitments and through his reflections had come to realise that he would have seen it as a sign of weakness to show his exhaustion and ask for help. The Committee acknowledged these contextual factors and whilst they did not excuse the Respondent's dishonest behaviour in any way, they provided a context of the pressure and anxiety that the Respondent would have been under at the time.
17. The Committee considered whether it would be appropriate to take no further action in this case. However, the Committee considered that the significant public interest considerations of maintaining public confidence in the profession and upholding professional standards, required the Respondent's misconduct to be marked with a sanction. The Committee was of the view that to do otherwise would send the wrong message to the public and the profession, namely that repeated dishonesty would have no consequences with the College. The Committee concluded that a sanction was required in order to meet the wider public interest concerns raised in this case.
18. The Committee next considered whether to postpone judgement and seek undertakings from the Respondent. The Committee concluded that such an outcome was not appropriate in this case, given that this was a case involving dishonesty and there were no clinical issues to address.
19. The Committee went on to consider whether a reprimand and/or warning as to future conduct may be appropriate in the circumstances of this case. It had regard to the Sanctions Guidance which identifies that a reprimand might be appropriate if the Disgraceful Conduct were at the lower end of the spectrum of gravity. The Committee did not consider this to be the case, mindful that the repeated dishonesty was extremely serious. The Committee was of the view that imposing a reprimand would send the wrong message to the public and the profession, namely that repeated dishonesty would have no real consequences with the College. The Committee considered that neither a reprimand or warning would address the significant public interest issues of this case.
20. Having ruled out reprimand as an appropriate and sufficient sanction, the Committee went on to consider whether suspension would be sufficient to address the significant public interest concerns in this case. The Committee had regard to the factors set out

in paragraph 71 of the Sanctions Guidance which may make a suspension order appropriate, namely:

- a. *The misconduct is serious, but a lesser sanction is inappropriate and the conduct in question falls short of being fundamentally incompatible with remaining on the register;*
- b. *The respondent veterinary surgeon has insight into the seriousness of the misconduct and there is no significant risk of repeat behaviour;*
- c. *The respondent veterinary surgeon is fit to return to practice (after the period of suspension).*

21. Dealing first with paragraphs 71(b) and (c), the Committee was satisfied that both of these factors were present in the Respondent's case. It had regard to its conclusion that the Respondent had significant insight into the seriousness of his misconduct and that there was a low risk of repetition. The Committee also had regard to the testimonials which confirmed that he was an excellent and well regarded veterinary surgeon and so would be fit to return to practice after the period of any suspension.

22. In relation to paragraph 71(a), the Committee was satisfied that the misconduct is serious and that a lesser sanction was inappropriate. In relation to whether the conduct in question "*falls short of being fundamentally incompatible with remaining on the register*", the Committee considered that the answer to this question was in the balance, given its findings that the Disgraceful Conduct involved repeated dishonesty. The Committee was under no illusion that the totality of the misconduct in this case was extremely serious, had brought the profession into disrepute and would have significantly undermined the public's trust and confidence in the profession.

23. Notwithstanding the seriousness of the misconduct and having regard to the significant mitigation in this case, the Committee's provisional view was that suspension may be sufficient and proportionate to address the particular circumstances of this case. Nevertheless, the Committee, in accordance with the recommendation in the Sanctions Guidance, went on to consider the next sanction up the scale of sanctions, namely removal, and whether such a sanction was required in the circumstances.

24. The Committee had regard to paragraph 77 of the Sanctions Guidance, which states:

*Removal from the register may be appropriate, where behaviour is fundamentally incompatible with being a veterinary surgeon, and may involve any of the following (this list is not exhaustive):*

- a. *Serious departure from professional standards as set out in the RCVS Code of Professional Conduct for Veterinary Surgeons;*
- b. *Deliberate or reckless disregard for the professional standards as set out in the RCVS Code;*
- c. ...
- d. ...
- e. ...
- f. ...
- g. *Dishonesty (including full certification), particularly where persistent, or concealed;*
- h. *Putting his/her own interests before the health or welfare of animals.*

25. The Committee recognised that the serious repeated dishonesty, which was to conceal wrongdoing, made the Respondent's misconduct particularly serious. It therefore gave consideration as to whether his conduct was fundamentally incompatible with being a veterinary surgeon and whether removal was the only appropriate and proportionate sanction in this case. The Committee considered that this was a particularly difficult case to reconcile, as, on the one hand the misconduct was so serious whereas on the other hand, the Respondent had demonstrated significant insight; the risk of repetition was low; the evidence of his professional achievements was strong and the testimonials from client farmers and professional colleagues were impressive.
26. Given the Respondent's significant insight, his efforts to remediate, the low risk of repetition and the impressive testimonials, the Committee considered that removal would be disproportionate in the particular circumstances of this case. It also bore in mind that there had been no animal harmed in this case. Furthermore, the Committee considered that removal would be unduly punitive and would appear to fall foul of the College's Sanctions Guidance 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 [public] demand for blame and punishment.'*" (*Dr Willem Bilj v GMC PC 78 2000*). The Committee considered that a well-informed member of the public, in possession of all the relevant facts, including the mitigation and not just the seriousness of the charges, would be satisfied that a lengthy period of suspension would address the wider public interest considerations in this case.
27. In conclusion, the Committee considers that suspension is sufficient in the circumstances of this case to satisfy public confidence in the profession and to uphold proper professional standards of conduct and behaviour. The Committee therefore imposes a suspension of 18 months on the Respondent. In determining this length, the Committee considered that this was the least period necessary in order to meet the significant public interest considerations in this case.
28. The Committee therefore directs the Registrar that the Respondent's registration is to be suspended for a period of 18 months.

**DISCIPLINARY COMMITTEE**  
**14 MAY 2025**