

**Decision of the Charter Case Committee in respect of [REDACTED]
(08-24-0002537)**

The Charter Case Committee met remotely on 9 January 2025 to consider the following allegation against the Respondent:

That on 28th August 2024, at Southern Derbyshire Magistrates' Court, [REDACTED] was convicted of being the owner of a dog worrying livestock, for which [REDACTED] was fined £475, ordered to pay £85 costs, and £190 victim surcharge.

Background:

1. The Respondent is a registered veterinary nurse.
2. On 30 August 2024 the Respondent emailed the College to disclose their recent conviction at Southern Derbyshire Magistrates Court of being the owner of a dog worrying livestock for which they had been fined £475 and ordered to pay £85 costs and a victim surcharge of £190. The Respondent provided further details of the background to this incident as follows:

"I was out walking my dogs when they went missing, when found they were in a field with sheep. At the time I saw two lambs down, and one of my dogs was totally collapsed. I rushed him to the OOH emergency vets where he stayed in ICU for the weekend, and I reported the incident to police. Whilst the dogs didn't have any blood on them nor did I witness them chasing or injuring lambs, I accepted responsibility for any injuries acquired at the time and fully complied with police, the farmer was compensated for any losses through my dogs' third party insurance cover."

3. On 4 September 2024 the College wrote to the Respondent raising a formal allegation. The Respondent responded the following day and enclosed the following
 - their reflections on what had happened
 - confirmation of their professional indemnity cover for the period 1/1/24- 31/12/24
 - details of their CPD from January 2021 to 4 September 2024
 - three character references
4. In their reflections the Respondent provided further details of the incident on 17 May 2024 for which they had subsequently been convicted. In summary they said:
5.
 - a. They accepted that they hadn't informed the farmer on the day but said this was because one of their dogs had collapsed and had to be taken to a nearby veterinary

surgery for urgent attention. However, they had informed the police the following morning and made full admissions.

- b. In total 13 lambs had been killed and further 15 had been injured. The Respondent noted that the farmer's losses had been compensated for by their insurance company although they acknowledged that this didn't compensate for the traumatic situation the farmer had had to deal with.
 - c. They believed themselves to be a responsible dog owner and would never have let their dog off the lead had they thought that livestock was nearby. Their dogs had never exhibited behaviour like this before, even when near livestock or other animals. They detailed their previous experiences of volunteering with animal charities both in the UK and abroad.
 - d. The incident had caused them significant distress, as a result of which they had had to take some time off work. However, they had returned to work after a few days and felt more than capable of carrying out their role to the highest standard. They had been open and transparent throughout and had immediately accepted responsibility for what had happened.
6. At a meeting on 12 November 2024, the Stage two Veterinary Nurse Preliminary Investigation Committee (S2VNPIC) considered all the evidence before it regarding the Respondent's conviction and concluded that there was a realistic prospect of the concerns being proved, and of them amounting to serious professional misconduct. It proposed referring the matter to the Charter Case Committee. The Respondent has confirmed their agreement to this approach.

Decision

- 7. The Charter Case Committee (the Committee) has been provided with documents from the court confirming that the Respondent's conviction, dated 28 August 2024, and the resulting penalty imposed. The Respondent accepted the conviction, and the Committee did not seek to go behind this. On that basis the Committee was satisfied that there was a realistic prospect of finding the allegations proved based on the Respondent's own admissions and the recent conviction.
- 8. The Committee then considered whether it would be appropriate to conclude this matter by issuing the Respondent with a warning, either public or confidential, without the need for a referral to the Disciplinary Committee for a hearing.
- 9. It bore in mind that the overarching remit of the RCVS was to protect animal welfare and to act in the public interest, which included protecting the public, maintaining proper standards within

the profession and maintaining public confidence in the profession. The Committee therefore considered whether a Warning would meet these criteria.

10. The Committee took into account the serious nature of the allegation. The Respondent had been convicted of being the owner of a dog who had worried livestock. As a result of this, 13 lambs had been killed and 15 had been injured. This was extremely serious. In addition to the animal welfare concerns, the Committee also had to take into account the personal impact that this incident would have had on the farmer, and the wider public interest.
11. The Committee took into account a number of mitigating factors namely that:
 - The Respondent had accepted responsibility for what had happened. They had reported the matter to the police the day after the incident and had also made a prompt self referral to the College following their conviction.
 - The Respondent had shown insight and remorse into the events of May 2024. They had openly acknowledged not only the serious animal welfare issues that this incident had raised but also the impact of these events on the farmer.
 - The Respondent had provided three positive character references from colleagues at both their place of work and a local wildlife charity.
14. The Committee considered that, while the incident leading to the conviction was serious, the Respondent had since shown insight into their actions and the impact of this incident on not only the animals involved and their owner but also to the reputation of the veterinary profession and to the wider community and its trust in the profession.
15. The Committee also took into account that the Respondent had been open and transparent about what had happened. They had accepted responsibility for the actions of their dogs. Further they had taken steps to ensure that the farmer was compensated for their financial losses although this could not of course address the distress they would have experienced as a result of the death of their livestock. Overall, the Committee was satisfied that the Respondent had demonstrated genuine remorse for what had happened and had sought to take steps to put matters right.
16. The Committee noted the three positive references submitted by the Respondent. These had been prepared for the Respondent's court hearing, but they remained relevant. All spoke positively about the Respondent's genuine concern for animals, both in their professional role and in their voluntary work, and their excellent professional skills.

17. The Committee was satisfied that, while the events leading to the conviction were serious, the Respondent had since demonstrated significant insight and remorse. Further this appeared to be an isolated incident and there was no information as to any previous concerns. In the circumstances the Committee considered that the likelihood of repetition was low and that there was little risk of any harm being caused by the Respondent to animals, the public, or the wider public interest, going forward.
18. On that basis, the Committee was satisfied that it was reasonable and proportionate and in the public interest to conclude this matter by issuing The Respondent with a Warning as to their future conduct, as set out below.
18. The Warning will remain on the Respondent's record for a period of 4 months from the date of issue. The Committee considered that this was proportionate bearing in mind the seriousness of the conviction.
19. The Committee then considered whether the Warning should be confidential or public. It noted that in their submissions the Respondent had provided details about a number of distressing incidents that had happened following their court hearing and conviction, including threats against them and their dogs, and the impact that this had had on them at the time.
20. The Committee acknowledged the distress that these incidents had caused to the Respondent. This had clearly been a difficult time. However, it reminded itself that the purpose of a sanction is not to punish the Respondent but to protect the public and to protect the public interest, which includes maintaining public confidence in the profession. The decision to issue a Warning was, therefore, both to warn the Respondent as to their future conduct but also to inform members of the public and members of the profession. As such, transparency and accountability were important, and the general principle was that such matters should be publicly available.
21. While the Committee acknowledged the Respondent's concerns about publication of this decision, the Committee did not consider that there was sufficient evidence to warrant making it confidential. It considered that the Respondent's concerns could be addressed by redacting the Respondent's name and location.
22. **The Committee therefore requested the Registrar to conclude this case by issuing the registrant, with a Warning as to their conduct in respect of the matters set out in the charge and to note that this Warning will be taken into account by any future Committee which has to consider imposing a sanction. The Warning will remain on their record for a period of 4 months from the date of issue.**