

INQUIRY RE:

MR GEORGE PHILIPPUS HAUPTFLEISCH, MRCVS

**DECISION OF THE DISCIPLINARY COMMITTEE IN RESPECT OF THE RESPONDENT'S
APPLICATION TO DISPOSE OF THE CASE BY ADJOURNMENT OF THE INQUIRY AND
UNDERTAKINGS**

1. The Respondent faces the following charges:

**That, being registered in the Register of Veterinary Surgeons, and whilst in
practice at Eagle Vets High Street, Minster, Ramsgate:**

1. **Between 26 February 2018 and 13 June 2018, in relation to:**

- (i) **Total Hip Replacement ("THR") surgery on 27 February 2018 and/or**
- (ii) **THR surgery on 12 June 2018**

to Steel, a Cane Corso Mastiff belonging to NO, you:

(a) **failed to provide appropriate and adequate care to Steel in that you:**

- i. **performed the surgery and/or surgeries when to do so was outside
your competence; and/or**
- ii. **failed to offer a range of reasonable treatment options as alternatives;
and/or**
- iii. **failed to make adequate enquiries about the possibility of a referral
to a specialist and/or failed to provide Ms NO with adequate
information regarding the option of a referral to a specialist; and/or**

- (b) failed to obtain informed consent to the surgery or surgeries; and/or
- (c) failed to maintain adequate clinical records in relation to the surgery or surgeries;

2. In relation to Smokey, a German Shepherd, you:

- (a) failed to provide appropriate and adequate care with regards to THR surgery on 19 February 2019, more particularly in that you:
 - i. performed the surgery when it was outside your competence; and/or
 - ii. failed to undertake the surgery to an adequate standard;
- (b) failed to note sufficient details to show that informed consent to the THR surgery had been obtained; and/or
- (c) between 25 January 2019 and 18 February 2022, failed to maintain adequate clinical records;

3. In relation to Mabel, a Retriever, you:

- (a) failed to provide appropriate and adequate care with regards to THR surgery on 4 June 2020, more particularly in that you:
 - i. performed the surgery when it was outside your competence; and/or
 - ii. failed to undertake the surgery to an adequate standard;
- (b) failed to note sufficient details to show that informed consent to the THR surgery had been obtained; and/or
- (c) between 1 February 2020 and 10 July 2020 failed to maintain adequate clinical records;

AND THAT in relation to the facts alleged above, either individually or in any combination, you have been guilty of disgraceful conduct in a professional respect.

2. No admissions are made by the Respondent as to the charges. However he has engaged with the College, and was present in person at the hearing.
3. The Respondent made an application to the Committee to dispose of this matter by way of adjournment of the Inquiry into the heads of charge against him *sine die* (generally, without any date fixed for the future), subject to the Committee accepting the Respondent's written undertakings. The Respondent's application was signed by him on 29 September 2024. The Respondent's undertakings, signed by him on 9 October 2024 are as follows:

"I, George Hauptfleisch MRCVS...understand that in the event that, contrary to my undertakings, I apply to be restored to the Register, the charges against me as set out in the Notice of Inquiry dated 13 September 2024 and additionally the breach of my undertakings will be considered by the Disciplinary Committee on the dates to be listed as soon as practical thereafter.

I undertake as follows:-

- 1. To request the Registrar to remove my name from the Register of Veterinary Surgeons ("the Register") with immediate effect;***
 - 2. Never to apply to be restored to the Register."***
4. Ms Lawrence, on behalf of the Respondent, elaborated orally upon the written application and also upon the written submissions submitted on behalf of the Respondent. Ms Lawrence asked the Committee to consider a number of factors, including the following, which are summarised below:

- i. The Respondent was born in South Africa and qualified as a veterinary surgeon from the University of Pretoria (Onderstepoort) in 1989. He practised in South Africa until 1993. The Respondent moved to the UK in 1993, where he practised as a veterinary surgeon until December 2021 (a career of over 32 years).
- ii. The Respondent opened his own practice, Eagle Vets in Ramsgate, in 2003. He was a director and primarily a small animal practitioner at Eagle Vets from that date, where he built up an 8 vet practice with a very loyal client base of over 40,000 pets.
- iii. The Respondent recognised in the years leading up to 2019 that whilst he continued to enjoy his work as a veterinary surgeon, there were other ventures and interests that he wanted to pursue in his lifetime. As a result, the Respondent decided to put Eagle Vets up for sale around September 2019. A sale to Medivet was agreed in September 2020 and the business was handed over on 1 January 2021. The Respondent continued to work as an employee at Eagle Vets following the sale, until leaving both the practice and the profession in early December 2021. On 6 December 2021, the Respondent together with his wife flew to Pretoria, South Africa to join their 3 children and made their home there. He has permanently resided there ever since and has no intention of moving back to the UK.
- iv. He has never practised as a veterinary surgeon since that date.
- v. Over the 32 years of the Respondent's career there have been no disciplinary findings against him.
- vi. The Respondent now spends the majority of his time undertaking charitable activities. He and his wife provide clothing to poverty-stricken areas across South Africa and travel to and support the inhabitants of remote small towns. The Respondent does this partly through charitable organisations (i.e. Funanani, Kingdom Kids Program in a Juvenile Correctional Centre), but also and mainly, independently. The Respondent also runs a mentoring programme for young people who have an interest in business. He helps them to establish their own businesses and provides free support and advice throughout the process. The Respondent currently has 9 mentees.
- vii. The Respondent had been on the register of qualified veterinary surgeons in South Africa since qualification. However, after taking the decision to leave the profession,

and with no desire to work as a veterinary surgeon in South Africa, the Respondent voluntarily sought removal from the register in April 2022. Following approval of his request the Respondent was removed from the register, and he has no intention to apply for restoration or to be a practising veterinary surgeon again.

- viii. The Respondent deeply regrets anything which he has done or not done which has failed to protect the welfare of animals or has caused concern or upset to his clients and fellow members of the profession.
 - ix. The Respondent respectfully draws attention to the fact that the charges within the Notice of Inquiry are not ones of dishonesty.
 - x. The Undertakings offered by the Respondent protect the welfare of animals because the Respondent is no longer in practice and has not been in practice since December 2021.
 - xi. The reputation of the profession is upheld because the Respondent is no longer in practice and will not return to practice.
 - xii. It would not be proportionate, nor in the public interest, for there to be a lengthy contested hearing resulting in substantial costs for both the RCVS and for the Respondent.
 - xiii. This outcome has parity with the sanction of removal from the Register. If removed from the Register, there is a right to re-apply for registration. That would not be the case here. If the Undertakings are not observed, the College is at liberty to re-instate the proceedings. It is arguable that the Undertakings the Respondent proposes go beyond any sanction that can be imposed by the Disciplinary Committee.
5. Ms Curtis, on behalf of the College, did not oppose the application, stating that the College took a neutral stance. Ms Curtis relied on written submissions on behalf of the College dated 11 October 2024 and highlighted a number of factors which may be of assistance to the Committee, including:
- i. The Respondent's removal from the register, together with his undertaking never to apply for restoration, would go beyond anything the Committee could direct by way of sanction after a full Inquiry. The Committee may consider that the public interest, and

in particular any concerns about animal welfare arising from the charges, would therefore be adequately addressed.

- ii. The Respondent has confirmed that he has retired from practice and has been so retired for nearly three years. He has also confirmed that he does not intend to return to practice in the future, either in the United Kingdom, or in his current country of residence, South Africa.
 - iii. The College has asked the initial complainant for their views in relation to the process, and that complainant has stated that she does not object to the matter being resolved in the manner proposed.
 - iv. A full Inquiry would involve a longer listing with an associated increased cost.
 - v. The College reserves the right, should the Respondent breach the undertakings, to continue with the proceedings relating to the allegations set out in the Notice of Inquiry, together with proceedings for breach of undertakings.
6. Ms Curtis highlighted to the Committee a telephone attendance note in the bundle, which set out notes of a telephone call on 4 September 2024 between the College and the complainant owner in this case. Ms Curtis told the Committee that the complainant had confirmed that she was content that the contents of the telephone attendance note were accurate.
 7. The Committee took into account that in that telephone call, the complainant was given an explanation of the procedure whereby undertakings would be offered by the Respondent and considered at this hearing. The complainant did not object to the proposed course of action sought by the Respondent. The Committee also noted that the College informed the complainant that the outcome of today's hearing would be reported to the South African Veterinary Council.
 8. The Committee had before it the Inquiry bundle, which included a witness statement, an expert report and documentary evidence relied on by the College, as well as information submitted by the Respondent, such as his responses to the allegations.

9. Also placed before the Committee was a series of previous decisions of the Disciplinary Committee which dealt with the same type of application to that made by the Respondent today.
10. In coming to its decision, the Committee took into account the submissions of both parties, and the documents before it.
11. The Committee also took into account the advice of the Legal Assessor who advised that there was a discretion pursuant to Rules 22.1 and 28.2 of the Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules 2004 ('the 2004 Rules') to grant a postponement or adjournment of the Inquiry. The Committee was obliged, pursuant to Rule 22.4 of the 2004 Rules to have regard to all of the circumstances of the case and to the interests of justice. The Legal Assessor also advised that the Committee should have at the forefront of its thinking the need to uphold the public interest, including the need to maintain proper standards, as well as the need to protect animals and their welfare.
12. The Committee had in mind the full circumstances of the case, including the personal circumstances of the Respondent, the interests of justice, the public interest in maintaining confidence in the profession and upholding proper standards of conduct and performance, as well as the need to ensure the protection of animals and their welfare. The Committee also took into account the Registrant's interests, fairness to both parties, and the principle of proportionality.
13. The Committee considered the previous decisions of the Disciplinary Committee regarding an application to adjourn *sine die* on the basis of undertakings made by Respondents in those cases. The cases which the Committee has taken into account are *RCVS v Nicholls* (2024), *RCVS v Shillabeer* (2024) *RCVS v Crawford* (2021), *RCVS v Chalkley* (2020), *RCVS v Wilson*(2020), *RCVS v Staton* (2018), *RCVS v Westwood* (2017), *RCVS v Denny* (2017), *RCVS v Rodale* (2015), *RCVS v Lindridge* (2013), *RCVS v Oliver* (2013) and *RCVS v Cartmell* (2012). The Committee took the view that these cases provide useful guidance, but that they are not binding in any way. The Committee must consider the individual circumstances of the case before it, and that there will be cases where the granting of such an application would not be appropriate.

14. The Committee considered the case carefully. The charges surround allegations of inadequate practice, alleged to have constituted disgraceful conduct in a professional respect. The Committee also took into account that by adjourning proceedings the charges would remain untested and there would be no finding of disgraceful conduct in a professional respect. This was relevant to the demands of the public interest.
15. The Committee also took into account that any decision made by the Committee as a result of this hearing would be published, and the RCVS would make it known to the South African Veterinary Council.
16. The Committee was mindful that the most severe sanction which the Committee could impose, after a full and final hearing, would be removal from the register. If removed, the Respondent would have the right to re-apply for registration after 10 months following removal, an application which may or may not be successful. The Committee took into account that the Undertakings offered meant that the Respondent will not apply for re-registration in the future at all. If the Undertakings are not adhered to, the College can reinstate proceedings, including for breach of undertakings.
17. The Committee has taken into account that the College does not oppose the application. The Committee also taken into account the personal circumstances of the Respondent, who has fully retired. The Respondent has had a career of some 32 years with no disciplinary findings against him.
18. The complainant owner in this case has been consulted and does not object to the disposal of this case as sought by the Respondent.
19. Taking into account the undertaking never to practise again, in conjunction with all of the circumstances and context set out above, the Committee considered that by allowing the application, such an outcome would be sufficient to uphold the public interest, confidence in the profession and the RCVS as regulator, and protect the welfare of animals.
20. As a result of all the factors set out above, and taking into account the nature of the charges which relate to the alleged inadequate standard of clinical practice, the Committee decided that this is not a case in which there were wider issues relevant

to the profession at large, such as those which had public policy implications and which required a full consideration at a final hearing. The Committee was satisfied that neither the public interest nor the welfare of animals demands that there be a full hearing in this case.

21. Taking into account proportionality, and weighing in the balance all the circumstances of the case, the interests of justice, the public interest, the need to uphold proper standards of conduct and performance, and the need to protect the welfare of animals, the Committee decided to grant the Respondent's application.

22. A copy of the Undertakings is attached to this decision.

Disciplinary Committee
16 October 2024

IN THE MATTER OF A REGULATORY INQUIRY

BETWEEN

THE ROYAL COLLEGE OF VETERINARY SURGEONS

AND

GEORGE HAUPTFLEISCH MRCVS


UNDERTAKINGS

I, **George Hauptfleisch MRC** of 

understand that in the event that, contrary to my undertaking, I apply to be restored to the Register, the charges against me as set out in the Notice of Inquiry dated 1 September 2024 and additionally the breach of my undertakings will be considered by the Disciplinary Committee on the dates to be listed as soon as practical thereafter.

I undertake as follows:-

1. To request the Registrar to remove my name from the Register of Veterinary Surgeons ("the Register") with immediate effect;
2. Never to apply to be restored to the Register.

Signed ... 

George Hauptfleisch MRCVS

Dated 09/10/2024