

DECISION AND SECTION 43 STATEMENT TO THE VETERINARY COUNCIL BY THE COMPLAINTS ASSESSMENT COMMITTEE: CAC16-37

DR A

Summary

1. A Complaints Assessment Committee (CAC) of the Veterinary Council of New Zealand (VCNZ) has received a complaint about Dr A. Under section 40 of the Veterinarians Act 2005 (the Act), the CAC has decided that no further action is necessary in relation to the complaint and it will not carry out an investigation.

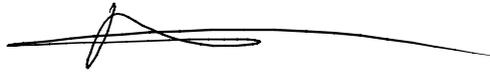
Background

2. VCNZ received a complaint in January 2017 and referred it to the CAC. The complaint relates to the care provided to the complainant's cat by Dr A at his practice overseas.

Decision not to investigate

3. The CAC confirmed that the veterinary profession is regulated in the country where Dr A is working, and that the regulator is able to receive and deal with complaints and concerns about veterinarians. The CAC shared the complaint with that body and received confirmation that the complaint has been registered. The CAC also obtained legal advice about its jurisdiction.
5. The CAC notes that Dr A does not currently practise in New Zealand and does not hold a current annual practising certificate. The conduct complained of occurred overseas and the CAC's investigative powers, such as the power to call for information or documents, do not extend beyond New Zealand.
6. Given that there is a regulatory body in the country where the alleged conduct occurred and that body has indicated its ability and willingness to deal with the complaint, the CAC considers that the complaint is most appropriately investigated and dealt with by that body.
7. The complainants have raised concerns that that body may not investigate their complaint fairly. While the CAC acknowledges their concerns, it does not consider it appropriate for the CAC to pass judgment on the likely effectiveness of an overseas regulator nor is it appropriate to investigate this complaint simply because concerns have been raised about the body that is better suited to do so.
8. The CAC notes that Dr A will need to declare any overseas investigations should he wish to return to practice in New Zealand. The CAC recommends that VCNZ should specifically require Dr A to provide information on the outcome of the investigation of

this complaint. VCNZ will be able to take appropriate action at that time if it has any concerns about Dr A's competence, conduct or health.



Dr Phil Watson
Chair
Complaints Assessment Committee

30 March 2017

Date