

22nd July 2015

Dr Roslyn Nichol
President
Veterinary Practitioner's Registration Board of Victoria (VPRBV)
Level 11, 470 Collins Street
MELBOURNE VIC 3000

Dear Dr Nichol

Draft submission for amendment to the *Veterinary Practice Act 1997*

The Australian Veterinary Association Victorian Division (AVA) would like to thank you and other board members of the VPRBV for hosting the joint meeting held at your premises on Wednesday 1st July, 2015 between the VPRBV and the AVA. We would also like to thank the board members for the comprehensive discussion held on the agenda and in the spirit of collegiality, now would like to address a series of points.

The VPRBV requested that the AVA Victorian Division Executive Committee assess the VPRBV's draft submission for amendments to the *Veterinary Practice Act 1997* with the outlook of offering support for the submission:

1. **Section 14-Suspension of Registration:** AVA Victorian Division is supportive
2. **Section 40-Request for Formal hearing time limit:** AVA Victorian Division is supportive
3. **Section 45 (2)(g)- Monetary increase to \$30,000:** The AVA Victorian Division strongly supports an increase from the current amount of \$2000. To support the actual increase to \$30,000 would require us to survey our members to ascertain the level of increase appropriate
4. **Section 46 (1)- To allow for one or more Findings:** AVA Victorian Division is supportive
5. **Section 46 (2)-To pay reasonable costs for a Formal Hearing:** AVA Victorian Division is supportive
6. **Section Part 5 Offences:** The AVA Victorian Division believes that the VPRBV should be able to investigate and exert disciplinary action upon anyone who fraudently claims to be a veterinary surgeon. The VPRBV should be given the investigative powers to do so, and/or the necessary resources to enable the enforcement of this section of the *Veterinary Practice Act 1997* - even if it is

through the Magistrate's Court. The AVA does support the introduction of a category of "a person who is qualified for registration as a veterinary practitioner but who is not so registered", to allow investigation and sanctions by the VPRBV. However, as the ultimate punishment under the *Veterinary Practice Act 1997* is to be deregistered - it is unclear if this would be very effective. It should not matter if you have a veterinary qualification recognised or registrable in Australia or not. If you purport to call yourself a veterinarian or conduct services or procedures largely performed by the veterinary profession, the VPRBV should be able to and should investigate and exert disciplinary actions either through Part 3 of the *Veterinary Practice Act 1997* or the Magistrate's Court in every case where they do not desist after attention has been drawn to their breach of the *Veterinary Practice Act 1997*. By not pursuing the above category, the VPRBV fails to protect the general public, animal welfare and the veterinary profession.

In regard to reviewing the Guidelines issued by the Board, we recommend that the Board considers (where applicable) AVA policies and guidelines. These policies and guidelines have already been through a robust member debate and consultation process and are the best current reflection of the veterinary profession's expectations. Alignment of the VPRBV guidelines and AVA policies would also avoid any confusion within the profession. The AVA Victorian Division also supports the survey of registered veterinary surgeons to assist in amending the Guidelines issued by the VPRBV - especially in areas where there is no corresponding AVA policy or guidelines. The AVA Victorian Division strongly supports this survey and updates to the Guidelines. Further, we would welcome the opportunity to discuss the results when available, in a collaborative manner and therefore propose the formation of a joint task force between the VPRBV and the AVA to pursue this matter.

One of the main priorities of the AVA is to see restricted acts of veterinary science included in the *Veterinary Practice Act 1997*. We have been lobbying government for this amendment over the past few years. Victoria is the only state in Australia that does not have restricted acts of veterinary science included in their Act and we believe this is important to protect the public and the welfare of animals.

The AVA Victorian Division would also like to see the issue of inspection of veterinary practice premises to be addressed so that practice standards can be maintained and improved. We believe this is required to adequately protect the public against operators with poor hygiene and/or a lack of sterile premises and to protect the public in regard to issues such as antimicrobial resistance - neither of which are likely to be identified by a complaint to the VPRBV from a member of the public.

The AVA Victorian Division also believes that the VPRBV has been unfairly mentioned and criticised in the Melbourne media of late in relation to the circumstances surrounding the cobalt investigation by Racing Victoria Ltd. Whilst this investigation is ongoing, the general commentary in the press gives the public a perception of failure to act and this is rapidly eroding confidence in the veterinary profession. We would welcome strong positive action in this regard.

Thanking You,

Dr Paul J Martin
President, AVA Victorian Division