



THE COLLEGE OF  
VETERINARIANS  
OF ONTARIO

Delivered By Email – [gmross@rossfirm.com](mailto:gmross@rossfirm.com)

November 22, 2016

Quinn M. Ross  
The Ross Firm P.C.  
144 Courthouse Square  
Suite 100  
Goderich, ON N7A 1M9

Dear Mr. Ross,

**Re: Dr. James McCleary and Bucksburn Veterinary Hospital Advertisements**

Thank you for your letter dated November 10, 2016. Advertising concerns come to the College's attention in a variety of ways, usually from the public or from other veterinarians. I can confirm that the advertisements in this case did not come to the College's attention through a formal complaint.

The College has determined that advertisements (and referral programs generally) breach Regulation 1093: Part IV Advertising when incentivizing existing clients to solicit new clients on behalf of veterinarians. In the College's view, these sorts of programs are problematic because they place an onus (real or perceived) on the relationship which is unfair due to the power imbalance which inherently exists between a veterinarian and a client.

When necessary, as the Registrar, I have the authority under subsection 36(1) of the *Veterinarians Act* to request that the Executive Committee appoint an investigator where I believe on reasonable and probable grounds that a member has committed an act of professional misconduct. To establish reasonable and probable grounds I do make preliminary inquiries. Contrary to what you have stated in your letter, I would also like to state that the Executive Committee is not limited to considering more serious complaints involving investigations that are more complex or broad in scope. And for further clarity, I have not yet requested a Registrar's Investigation in this case.

Over the last couple of years, the College has chosen to take a more educative approach related to advertising. Minor advertising issues are better managed through the Executive Committee with this approach in mind. The letter that was sent to Dr. McCleary is a first-stage inquiry to gather information in order to assist the Executive Committee in understanding the perspective of Dr. McCleary in this matter. The Executive Committee will then determine if any further action is necessary inclusive of a possible request from the Registrar to appoint an investigator.

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*Strengthening the veterinary profession through quality practice and public accountability.*

The entire self-regulatory regime is premised on the idea that the public interest is best protected by members of the profession who set and enforce the profession's standards. Of course, any determination of whether Dr. McCleary has breached the Advertising Regulation through his Hospital's referral program would ultimately have to be made by a panel of peers.

Please advise of Dr. McCleary's position on his advertisements and whether he intends to maintain his referral program. Dr. McCleary's position, along with our previous correspondence, will then be relayed to the Executive Committee which will determine how to address the issue.

I look forward to hearing from you.

Yours sincerely,  
COLLEGE OF VETERINARIANS OF ONTARIO

A handwritten signature in black ink that reads "Jan Robinson". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish at the end.

Jan Robinson  
Registrar and CEO