

## Sampling of Major Concerns with the Report

Assertion in report	Response
There is a lack of efficiency and transparency of the complaints and discipline processes	No evidence of this has been presented.
The public should be able to choose a non-veterinarian for “low risk” animal health care activities.	Unlike people, animals cannot voice their complaints or “say where it hurts”. Only a veterinarian can assess an animal and then decide whether it is eligible for “low risk” care. The owner’s wishes or unfounded or subjective beliefs should not trump the well-being of the animal.
There is a lack of focus on quality assurance mechanisms that manage risks in practice and support public protection.	There is no evidence that this problem exists. There <u>is</u> a question of whether the existing legislation is being fully utilized. The most prominent current example is the case of Dr. Rekhi. Surely, the management of a discipline process where the CVO appears to have chosen not to alert the police and OSPCA and returned a veterinarian to practice only to see him subsequently charged by itself deserves a judicial inquiry into the operation of the regulator? For all intents and purposes, the shortfall appears to be proper use of the existing legislation, not the legislation itself.
The regulator needs to be able to be “agile” to change the rules governing the profession.	The words “agile” and “nimble” in this report appear to be code for moving critical areas from statute or regulation to bylaws and thereby avoiding scrutiny by elected legislators (and, to the extent possible, member veterinarians). No profession, and particularly the veterinary profession, changes so quickly that governing legislation should not be fully subject to oversight by Ontario’s elected MPPs.
The “political environment” is relevant to changes to veterinary regulation.	Firstly, “political environment” not relevant to the regulation of those who care for animals. Secondly, even if it is, then those who were elected politically should be making the changes.
The current regulatory model is not consistent with most other Canadian jurisdictions.	This is factually incorrect. The current model is consistent with most other jurisdictions. There is no evidence in the report that the appropriate and necessary cross-jurisdictional analysis has been done.
Other professions are moving to this model.	Not one example is given in the text of the report.

Assertion in report	Response
The CVO should regulate all animal health professions.	This proposal is unreasonable. Other professions (as is the case with doctors and nurses, for example) should have their own regulatory bodies. One regulator for more than one professional body would inevitably create unmanageable conflicts of interest and raise, with the necessary bureaucracy, veterinary licence fees to horrific levels.
Continuing competence has clearly become a factor in assuring safe practice over time	No evidence is presented that there is any problem, or, if there is one, it cannot be easily dealt with under the existing legislation.
The report proposes “increased emphasis on regulating the system, and not just the individual licensee, to ensure that risks are mitigated. In the case of veterinary medicine, this speaks to the regulation of veterinary technicians within the model to better ensure standards of animal care are met”	First, no evidence of a problem with the existing system is presented. Secondly, such a proposal shows a departure from the self-regulatory model. If there is to be a departure from that model, with a move to a system that is similar, for example, to restaurant safety inspection, would it not make more sense to simply have a provincial department that has full responsibility for such oversight?
The report recommends “an increased role of public members on Councils and Boards of Directors, demonstrating a strong balanced public voice in overall regulatory governance and decision making”.	Again, this is a departure from the independent, self-regulatory model. Again, if this sort of change is sought, why not move regulation of the profession to a provincial government department? It is appropriate to have one or two public members on committees to ensure that “a view from outside the profession is discussed”. However, practicing veterinarians should always be the majority on all committees and panels.
The report, in its discussion of “Principle Based Approach”, proposes a focus on motivation, partners and the public.	The focus must always be on the provision of the proper medical and surgical care of the animals. While wrong-doers’ motivation is a secondary concern, the primary concern of the regulator should be the animals’ welfare. While the public should be well-informed, there’s nothing in the existing legislation that prevents this. The public should not get a “vote” on what is good animal care. Veterinarians know what it is and can provide it. (“The public” is not always right. If it was, Canada would still have capital punishment.)
There should be mandatory alternative dispute resolution in some disputes.	A member complained against (and the complainant) should <b>always</b> have the option of formal regulatory review, along with the court system. Mandatory ADR is currently in the news

<b>Assertion in report</b>	<b>Response</b>
	as it is being used in an abusive way by large corporations against consumers and employees.
The report proposes extraordinary, warrantless intrusive powers for investigators.	These specific powers are intrusive, unnecessary and intimidating. Would the CVO staff agree that a member’s lawyer can come into the CVO office at any time and observe (and record) CVO staff as they work and make “reasonable” inquiries without informing CVO staff of their right to legal counsel?