

Appendix A

On August 6, 2024, a panel of the Investigation Committee (the “Panel”) of the College of Veterinarians of British Columbia (the “College”) issued a decision, pursuant to section 65(2)(b) of the *Veterinarians Act*, SBC 2010, c. 15 (the “Act”), suspending the registration of Dr. Harpreet Dhaliwal (the “August 6, 2024 order”). The suspension was effective August 8, 2024 at 3:38 p.m.

The August 6, 2024 order was made following receipt of an application filed by the College requesting the Panel to take extraordinary action as against Dr. Dhaliwal (the “Registrant”) to protect the public. In considering the College’s application, the Panel held that the test to be applied on an application for an order under section 65 of the *Act* is the same as that articulated by the Court of Appeal in *Scott v. College of Massage Therapists of British Columbia*, 2016 BCCA 180 (“*Scott*”). Distilled to its essence, the Court in *Scott* created a two-part test for determining whether to impose interim limits or conditions on a registrant’s practice or to suspend a registrant’s registration. Under the *Scott* test, the Panel must be satisfied:

1. there is a *prima facie* case supporting the index allegations; and
2. there is an immediate risk of harm to the public that is real and not speculative, such that the public would require protection through an interim order.

Once satisfied, the *Scott* analysis requires consideration of the impact of any order on the registrant to ensure that any order is not disproportionate to the risk to the public.

Applying the test set out in *Scott*, the Panel found there was a *prima facie* case supporting the following allegations:

1. the Registrant diverted or cannot account for large amounts of controlled drugs from Gentle Pet Clinic (the “Clinic”);
2. the Registrant provided inadequate patient care to several patients; and
3. the Registrant provided veterinary services or allowed for veterinary services to be provided at the Clinic when it was not accredited to provide such services.

The Panel then considered the second stage of the *Scott* analysis and found there was a real risk of harm to the public as a result of the alleged diversion and/or failure to account for controlled drugs as well as the patient care concerns that formed the basis of the College’s application. With respect to the allegation that the Registrant provided veterinary services or allowed for veterinary services to be provided at the Clinic when it was not accredited to provide such services, the Panel found that this also posed a risk to the public but that this issue was better accounted for in the proportionality analysis embedded in the *Scott* test.

After finding there was a *prima facie* case to the allegations and a real, non-speculative risk to the public, the Panel considered what interim measures would be sufficient and proportionate. The Panel ultimately held that only suspension could sufficiently protect the public in the circumstances – terms and conditions would not suffice given the

Registrant's admitted non-compliance with a previous decision relating to the accreditation of the Clinic. Accordingly, an order of suspension was made and, pursuant to section 68(1)(b) of the *Act*, this public notification was issued.

Important note:

The suspension order issued by the Panel under section 65 of the *Act* was made for the purpose of protecting the public during the investigation and/or pending a hearing of the Discipline Committee.

The underlying allegations that gave rise to the August 6, 2024 order remain unproven until admitted to by the registrant or determined by the Discipline Committee.