

DISCIPLINE CASE REPORT 2013-08:

PCC v Dr Wendy Schmaltz

The Professional Conduct Committee (PCC) investigated and subsequently forwarded to the Discipline Committee (DC) a complaint made against Dr Wendy Schmaltz by the SSPCA. The SSPCA had inspected the Schmaltz ranch following a report of starving cattle. During the inspection, it was noted that Jack Russell terriers were being housed under inadequate conditions.

The Discipline Committee heard the charges against Dr Schmaltz in April and June of 2014 finding her guilty and imposing a \$7500 fine, payment of 75% of the costs of the complaint process up to \$50,000, and a 12 month suspension from practising.

Dr Schmaltz appealed the DC decision and penalty through the courts. A judgement was received October 2, 2015 as a result of an appeal hearing held in the Court of Queen's Bench September 16, 2015.

The court upheld the DC findings in that Dr Wendy Schmaltz has been found guilty of professional incompetence and professional misconduct for failing to provide her cattle adequate feed, shelter and water resulting in the death of 12 cows and failing to provide adequate shelter and exercise for her Jack Russell terriers.

As well, the court upheld the twelve month suspension imposed by the discipline committee and payment of a \$7500 fine. The suspension of Dr Schmaltz' licence to practice took immediate effect.

Not supported by the court was the DC decision instructing Dr Schmaltz to pay 75% of the costs of the proceedings to a maximum of \$50,000. The court set a maximum of \$40,000 which is approximately 40% of the slightly greater than \$100,000 cost incurred by the SVMA to investigate, hear and deal with the appeal of the complaint.