

ROYAL COLLEGE OF VETERINARY SURGEONS

MR LYNDON ARTHUR BASHA MRCVS

FINDING OF DISGRACEFUL CONDUCT IN A PROFESSIONAL RESPECT

1. The Committee has given careful consideration to all the evidence in this case, the submissions of Counsel and has taken account of the advice of the Legal Assessor in determining the issue as to whether the heads of charge found proved and admitted amount to disgraceful conduct in a professional respect (hereinafter described as “disgraceful conduct”). They have applied the test that disgraceful conduct in a professional respect means conduct which falls far short of that which is to be expected in the profession. The Committee has considered each head of charge and sub-head of charge separately.
2. The Committee is satisfied that Heads of Charge 1 a i, ii and iii amount to disgraceful conduct. The prescription of antibiotics over the extended period between November 1996 and December 2001 without clinical evidence demonstrated gross clinical incompetence, as well, as creating a potential harm to the welfare of Alfie Robson.
3. The Committee is not satisfied that Head of Charge 1 a iv amounts to disgraceful conduct. Mr Basha should have provided a full explanation to Mrs Robson that the drug Vetmedin was unlicensed for use in cats, which he did not do. However, the Committee has accepted that he did explain to her that the use of the drug was experimental.
4. The Committee is satisfied that Head of Charge 1 a v amounts to disgraceful conduct. The failure to record the result of ECG in the clinical records could have led to the procedure being unnecessarily repeated or incorrect treatment given.
5. The Committee is satisfied that Head of Charge 1 b i amounts to disgraceful conduct. Mr Basha was under an obligation to record accurately and truthfully the treatment given to Rusty Webster, which he did not do.
6. The Committee is not satisfied that Head of Charge 1b ii amounts to disgraceful conduct. It has accepted that the removal of the teeth was recorded on a dental chart attached to Rusty Webster’s file, which is no longer in existence.
7. The Committee is satisfied that Heads of Charge 1 b iii and iv amount to disgraceful conduct. The failure to treat Rusty Webster appropriately following the second episode of bloating demonstrated gross clinical incompetence. It has concluded that Mr Basha failed to recognize his own limitations as a veterinary surgeon. The loss of weight and regular vomiting in the latter stages of Rusty Webster’s life are indicative of Mr Basha’s failure to appreciate the seriousness of his condition.
8. The Committee is satisfied that Head of Charge 2 b amounts to disgraceful conduct. It is satisfied that the dishonest representation to Ms Stanley that Bonnie had Canine Herpes Virus when she did not was likely to cause serious concern to Ms Stanley and unnecessary treatment for her dog.

9. The Committee is satisfied that Heads of Charge 3 a to e amount to disgraceful conduct. It has found that throughout the period before and after the introduction of the rigorous standards in the Guide to Professional Conduct 2000 the clinical records consisted largely of a list of treatment and charges without any indication of clinical signs or diagnosis. It has found that the records if made available to veterinary surgeons would have given an insufficient case history on which the veterinary surgeons could act and in addition were difficult to interpret by veterinary nurses who were in charge of repeat prescriptions.
10. The Committee is not satisfied that Heads of Charge 4 a b and d amount to disgraceful conduct. It has found that Mr Basha acted in good faith in entering an incorrect diagnosis on the insurance claim forms in respect of 4 a and d. It makes a similar finding in respect of 4 b.
11. The Committee is satisfied that Heads of Charge 4 c amounts to disgraceful conduct. It has found that Mr Basha instructed an unqualified veterinary nurse to make a false entry on the records with the intention that the treated cat's charges were attributed to another cat for whom there was an insurance plan.

**DISCIPLINARY COMMITTEE
20 SEPTEMBER 2006**