

ROYAL COLLEGE OF VETERINARY SURGEONS

v

MR KFIR SEGEV

DECISION ON PROFESSIONAL MISCONDUCT

1. The Committee has found both allegations against Mr. Segev proved. The Committee now has to consider whether, on the facts found proved, Mr. Segev has been guilty of Disgraceful Conduct in a Professional Respect. It is agreed by both parties, and the Legal Assessor has advised the Committee that Disgraceful Conduct in a Professional Respect means conduct which falls far short of that which is to be expected in the profession. It is also agreed and advised that it is a matter for the Committee's judgment as to whether the facts found proved amount to Disgraceful Conduct in a Professional Respect.
2. The College submitted that, on the Findings of Fact in this case, Mr. Segev is guilty of disgraceful conduct in respect of both allegations. On the first allegation, he was found guilty of pervasive dishonesty, which puts this case at the top end of disgraceful conduct. On the second allegation, the College submits that Mr. Segev has been proved to have preyed on the ignorance of Zoe's owners, in an unethical way. It is submitted that he has been shown to be guilty of moral turpitude. He has been found to have been guilty of incidental dishonesty, in relation to his conduct towards Zoe's owners, in correspondence with the College, and in the witness box.
3. Mr. Segev, through his counsel, informed the Committee that, on the basis of the Findings of Fact, disgraceful conduct was admitted. The Committee accepts that this is a realistic admission in the circumstances. However, the Committee has to reach its own judgment as to whether disgraceful conduct has been made out.
4. The Committee unanimously agree that, on the basis of the facts found proved, and in relation to each allegation, Mr. Segev has been guilty of Disgraceful Conduct in a Professional Respect. The Committee agrees with the submissions

of the College in this regard. The findings of dishonesty in this case are very serious. The Committee has taken the view that Mr. Segev chose to embark on a dishonest course of conduct in relation to the condition of Zoe, which was sustained throughout the time that Zoe was in his care, and which led to his clients being misled over many days. The Committee has inferred from the evidence that Mr Segev resorted to this conduct with a view to financial gain. The Committee takes the view that Mr. Segev's conduct amounted to a serious dereliction of the fundamental duty of trust between a veterinary surgeon and his clients. He was dealing with a terminally ill dog, with rapidly resolving presenting symptoms following analgesia and cage rest. Against this background, Mr. Segev recommended to Mr. Barton that Zoe should undergo intrusive and risky procedures, which, to his knowledge, were unnecessary and/or would not promote Zoe's welfare. He never discussed with the owners the most obvious and likely cause of Zoe's immediate lameness and pain, and concealed from them the terminal condition and poor prognosis for Zoe.

5. The superior knowledge of the professional veterinary surgeon makes it incumbent upon him to be reasonable, proportionate and responsible in what he is prepared to condone. Mr. Segev failed to act reasonably, proportionately and responsibly in relation to the advice and recommendations made in this case. In addition, the Committee is conscious that the reputation of the profession is inextricably linked to its approach to financial matters, and trust is easily lost when there is abusive behaviour. Mr. Segev was guilty of abusive behaviour as set out above and in the Findings of Fact.
6. Accordingly, for the reasons set out above, and having regard to the Findings of Fact in this case, the Committee finds that Mr. Segev's conduct amounts to Disgraceful Conduct in a Professional Respect.