

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**INQUIRY RE:**

**PAVELS ANTONOV MRCVS**

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**DECISION ON DISCRACEFUL CONDUCT**

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1. The Respondent appeared before the Disciplinary Committee to answer the following charges:

That, being registered in the Register of Veterinary Surgeons and whilst in practice, you:

1. On 2 September 2020, whilst in practice at Beverley Vets4Pets, attended work when under the influence of alcohol; and/or
2. Between 25 September 2020 and 3 December 2020, whilst in practice at Peel Veterinary Clinic 5 Railway Street Hornsea HU18 1PS:
  - a. on or around 2 December 2020, attended for work when under the influence of alcohol; and/or
  - b. on or around 3 December 2020, attended for work when under the influence of alcohol;
3. Between around 1 February 2021 and 8 February 2023, failed to respond adequately to reasonable requests from the Royal College of Veterinary Surgeons for your response to concerns raised about your conduct and/or your health;

And that in relation to the above, whether individually or in any combination, you are guilty of disgraceful conduct in a professional respect.

**The Facts**

2. As the Respondent was not represented, the Committee permitted him a significant period of the morning on the first day of the hearing to consider his pleas in relation to the facts. In that time, he availed himself of the assistance of the Legal Assessor and Counsel for the College, Ms Manning-Rees. He was also assisted by the interpreter appointed by the College whom he engaged to translate passages from the witness statements of the witnesses to be called by the College and to interpret for him matters explained to him by the Legal Assessor and

the Case Presenter. Thereafter he had a further period of time to reflect on his pleas. At the end of that period, the Respondent was asked whether he admitted the facts of the charges. The Respondent thereupon admitted the facts of all the charges. The Committee accepted the Respondent's admissions to the charges and found the facts proved. Ms Manning-Rees then proceeded to open the College's case.

3. In respect of Charge 1, Ms Manning-Rees explained that the Respondent had begun working at Beverley Vets4Pets on 11 May 2020. On 2 September 2020, a member of staff reported smelling alcohol on the Respondent's breath. Alison Clark, a Health and Safety Manager, attended the practice at 11.45 am to establish the veracity of this concern. Although she observed that "*there was nothing about [the Respondent] which indicated to her that he had been drinking*", after the Respondent returned from a lunch break at 3 pm, when she opened the back door of the practice to let him in, she could smell alcohol on his breath. Initially the Respondent denied that he had been drinking; however he later asked if he could have a discussion with Ms Clark and in that discussion he admitted to drinking 2 glasses of wine at lunch. The Respondent was suspended from the practice whilst a formal investigation took place. He was dismissed on 17 September 2020.

4. In a subsequent communication with the College, the Respondent stated with regard to this allegation:

*On my lunch time I received a phone call from my family with distressing news from my family. I was very upset and began to worry that makes me distressed. To calm myself down I drunk 2 glasses of wine. I understand that it was a big mistake and I shouldn't go back to work. Anyway, I did. I understand that it's not acceptable, especially in relation to my profession.*

5. In respect of charge 2, Ms Manning-Rees explained that the Respondent had started working as a locum at the Hornsea Branch of the Peel Veterinary Clinic on 25 September 2020. On 1 December 2020, the Respondent did not attend his expected shift. Ms Trindall (Director of the Practice) decided to go to the Respondent's home to check that he was alright. Her account is that the Respondent appeared confused, and he believed he was still on leave. Ms Trindall told the Respondent that she did not think he was fit for work and he should not come to work until the following day. On the following day (2 December 2020), the Respondent came into work but was asked to leave and stay in the on-call flat (where he usually resided when working for the practice), as it appeared there were concerns about his health. The Respondent explained to Ms Keaney RVN, (a colleague at the practice), that he had been at the hospital over the weekend and [REDACTED] to which he was still adjusting. Ms Clubley SVN, (another colleague at the practice) described him as "*... acting a little strangely ... he seemed to be moving in quite a slow and deliberate way ...*"

6. On 3 December 2020, the Respondent again attended work. He was due to start at 8.30 am but did not appear until after 10.00 am. He was again sent back to the on-call flat and an ambulance was called as he still appeared unwell. The Respondent's colleagues went upstairs to the Respondent's flat with the paramedics when they arrived. They saw a large quantity of empty wine bottles, a number of receipts for alcohol, [REDACTED] and evidence of vomit. Photographs were taken in respect of these items. The Respondent's employment was summarily terminated.

7. Subsequently the Respondent was asked by the College for his comments on the concerns raised by Ms Trindall. In an email dated 15 February 2021 he stated:

*"I agree and approve Mrs Heather Trindall allegation. I absolutely understand my guilt and I apologize to her and to all of the clinic staff. I very much appreciate they care*

*and worries about my welfare and health. I found a lot of friends in Peel Vets and I felt very guilty. Secondly I want to let you know that Ive never worked under intoxication in clinic and never put animals at risk!"*

8. In a later response, the Respondent stated:

*"I'm writing to you my response about concerns that was raised on me by Mrs Heather Trindall. I confirm that I went at work intoxicated. I will not excuse myself. I agree and accept Mrs Heather Trindall allegation. I absolutely understand my guilt and I apologize to her and to all the clinic staff."*

9. In respect of charge 3, she explained that the College had requested information from the Respondent over the period 1 February 2021 to 8 February 2023. She observed that because of the Respondent's failure to respond adequately to requests from the College about the concerns relating to his conduct and also his health, the Preliminary Investigation Committee adjourned its decision on 5 occasions to allow him further time to provide relevant information. Insofar as he did respond, he did not adequately supply all the information requested. In particular, it proved not possible to obtain a medical assessment of him under the College's health protocol. His conduct was in breach of the Code of Professional Conduct for Veterinary Surgeons 2012 which included the following:

*5.4 – Veterinary surgeons must comply with reasonable requests from the RCVS as part of its regulation of the profession.*

### **Disgraceful Conduct in a Professional Respect**

10. The Respondent was permitted a period of time to consider his plea to the allegation that in relation to the charges found proved on his own admission, he is guilty of disgraceful conduct in a professional respect. On the second day of the hearing, as before, the Respondent availed himself of similar assistance and time. Following that period of time, he denied that he is guilty of disgraceful conduct in a professional respect as alleged.

### **Submissions**

11. Counsel for the College submitted the following:
- a. In relation to charges 1 and 2; attending work under the influence of alcohol is a serious matter in any employment but particularly an employment where you are seized with the care and attention of animals or people. On 2 September 2020. Mr Antonovs undertook a consultation of an animal when he had consumed alcohol. On 2 December 2020, had it not been for the intervention of veterinary nurse, Victoria Keaney, he would have proceeded with a dental procedure on an animal. On 3 December 2020, again Mr Antonovs attended for work under the influence of alcohol; fortunately, on this occasion he did not carry out any clinical duties.

b. In respect of charge 3, Mr Antonovs had extensive opportunities to engage with the College in respect of these allegations. A medical examiner was appointed and multiple letters, emails and phone calls were undertaken in an effort to enable Mr Antonovs to provide information which may assist him. The repeated failure to respond to these reasonable requests shows a disregard for the importance of the College as his professional regulator and clearly violates the Code of Conduct.

c. When joining the Register, veterinary professionals are obliged to undertake the following commitment:

*" I PROMISE AND SOLEMNLY DECLARE that I will pursue the work of my profession with integrity and accept my responsibilities to the public, my clients, the profession and the Royal College of Veterinary Surgeons, and that, ABOVE ALL, my constant endeavour will be to ensure the health and welfare of animals committed to my care."*

d. The following aspects of the Code of Conduct have been breached by the Respondent's behaviour in the admitted charges:

*1.1 Veterinary surgeons must make animal health and welfare their first consideration when attending to animals.*

*3.1 Veterinary surgeons must take reasonable steps to address adverse physical or mental health or performance that could impair fitness to practise; or, that results in harm, or a risk of harm, to animal health or welfare, public health or the public interest.*

*5.4 - Veterinary surgeons must comply with reasonable requests from the RCVS as part of its regulation of the profession*

*6.1 Veterinary surgeons must seek to ensure the protection of public health and animal health and welfare*

e. In addition, page 93 of the supporting guidance of the Code of Conduct in reference to the health protocol states:

*3...a Registrant's conduct in relation to their adverse health condition could be considered to amount to serious professional misconduct for one of the following reasons:*

*...[where] a Registrant fails or refuses to comply with reasonable requests from the RCVS (for example, by failing to demonstrate that they are taking*

*reasonable steps to address their adverse health, or by failing to undergo a medical examination, or by failing to provide medical reports or give undertakings to the RCVS in relation to the management of their health condition)*

- f. It is the submission of the College that the behaviour admitted by Mr Antonovs in the charges amounts to disgraceful conduct in a professional respect, either in respect of each individual charge or collectively.

12. The Respondent gave evidence and made his own submissions. In summary his evidence was as follows:

- He sincerely apologised for his actions which led to the proceedings;
- He expressed apologies to his colleagues for letting them down.
- He explained that this was the first time he had behaved like this in his professional career.
- He explained about his veterinary education in Latvia and why he came to England;
- He stated that he had started as a locum vet in the UK in April 2018, and continued doing locum work until the start of the Covid-19 pandemic. When the pandemic started, he was unemployed for some 2 or 3 months until his agency found him a permanent position in Beverley at Vets4Pets. He rented a flat there.
- In respect of charge 1, he explained that he arrived at work on 2 September 2020 absolutely sober and in a fit state. During his lunch break he received a telephone call from [REDACTED] who told him that [REDACTED] was in hospital. Later, after he had prepared his lunch, he received a further call from her to say that [REDACTED] had died. He was very upset to hear this information. He then *“did the most stupid decision I could make”*. He drank 2 glasses of wine to make himself calmer. He could not eat anything. He said he did not have a clear mind. He realised it was a big mistake and he shouldn't come back to work and he should give an explanation to the Receptionist. But, as he was the only vet on duty – Mrs Bridge MRCVS, Partner in Vets4Pets, was away – he came back to work as he had consultations. The nurse smelled alcohol on his breath and told the receptionist and they sent him home.
- In respect of charge 2, he explained that, as he had a long weekend off, he went back to check his Beverley flat. He felt lonely, fell into depression and he *“got lost in time”*.

He repeated his mistake and started drinking again. On 1 December 2020 (Tuesday), he was visited by Mrs Trindall who asked him why he was not at work that day. He explained to her that he thought it was Sunday, that he was lost in time. She told him that it was Tuesday and that there was no point his going into work now. He said he would be at work tomorrow. When he went into work on 2 December 2020, he was feeling very poorly. He asked the nurse if he could have a rest as he was feeling very poorly. She said she would speak with the head surgeon, Ms Lynne Clare MRCVS. When he went home he went to the shop and “took 2 drinks of alcohol” which he drank and went to sleep. The following day, he attended late on his morning shift. The staff knocked on his door. He was pale and feeling very poorly and. The staff were very worried about his health and welfare and called an ambulance. Paramedics arrived at lunch time and he was taken to hospital where he remained for 24 hours receiving IV fluids.

- In respect of charge 3 he stated that he was not ignoring letters. He said that there was a big difference between regulation in England and in Latvia. He could not understand all the regulations here. He had problems understanding the terminology. The difference between the Latvian Veterinary Society (LVS) and the RCVS was that the LVS does not give specific advice and help for difficult problems. Their main thing is to punish. He did not take the RCVS requests for information very seriously. He acknowledged his cooperation was not very good. Some letters he had not seen; they were in junk mail. When he spoke to Mr Girling at the College he could not find all the emails. He acknowledged he may not have been paying attention and just skipped emails. He didn't check emails every day as he was always busy at work. He now realises the RCVS wanted to help him and not to punish. He was worrying because of the language difficulty. He did skip some letters and didn't pay much attention.

In cross examination, he said:

- In respect of charge 1, he recognised his big mistake. It was a mistake as vets cannot work and “cooperate” with animals and the public when under the influence of drugs or drink. They can make harm and cause problems for animals and the public. They represent a potential danger. He realised he had impaired judgement (professional judgement) and that he could put animals at risk.
- He explained that he had been very close to [REDACTED]. He was very upset. Also he had [REDACTED] during covid. He was feeling lonely [REDACTED]. When he heard about [REDACTED] he wanted to go to Riga and visit his family but he could not. That was a stress factor for him. He had been living alone in Beverley since May

2020. He had no friends in that location. That was one of the reasons he [REDACTED]  
[REDACTED]

- He asked himself why he repeated his behaviour of September 2020 in December 2020. He loved his job. When at work, his mind concentrates on the job and he can forget moments of his life. It takes his mind off problems. But he made the same mistakes.
- He accepted that when he joined the RCVS he gave an undertaking to follow a Code of Conduct. By his conduct, he had not followed the Code. He had not really paid attention to the promises which he made. He acknowledged a language problem in understanding, but that had not really been a problem at work after he had been practising for some time. As to whether he had put the health and welfare of animals at the forefront of his role by his behaviour, he said he didn't remember so far as Beverley was concerned, but he would say: No. In respect of the case concerning dentals he would agree.

In response to Committee questions, the Respondent stated:

- He had started drinking again at the end of October 2020. He drank 5-7 bottles of low alcohol wine (5-6%) over a working week. He thought he might have drunk 6-7 bottles of this wine in the long weekend before and including the days when he returned to work on 2 and 3 December 2020.
- He stated that his drinking did not initially cause problems at work but it did after a time. He had become addicted at the end of November 2020. Sometimes his drinking affected his work. 99% of his feeling very poorly on 2 and 3 December 2020 was caused by the alcohol as opposed to any other cause.
- He accepted that the email which he received on 17 November 2022 from RCVS concerning the RCVS Health Protocol was supportive. As to why he did not engage with the RCVS thereafter, he said he thought the RCVS would send him a medical examiner to check his health. He is not sure why he did not answer subsequent emails. He did see such emails from Mr Girling. He regrets not pursuing the RCVS protocol.
- When asked whether his state of mind, his loneliness and lack of friends remained the same today, he explained that when he first arrived in England, he had a close friend in Salford. He always provided him with mental support to the extent that he boasted about his ability to sort out [REDACTED] problems including in respect of alcohol. They were able to talk. He visited his home in Latvia in summer 2020 which helped him and calmed him down. He said that these 2 things saved him.

- Currently he copes with stress by playing computer games, watching movies. They take his mind off things - also CPD, books, guitar and playing chess. He explained that he has 3 close friends, all school friends from Latvia, a construction worker in Northampton, a musician/sommelier in London and the friend in Salford.
- He gave a list of locum appointments after he was dismissed in Hornsea which involved at least 7 appointments up to and including April 2023. He is not working currently as he is unable to drive in the UK and he is therefore dependent on obtaining a locum appointment with accommodation. He has remained in Beverley.
- He had [REDACTED] in 2020 which may have been connected with alcohol. [REDACTED] His alcohol consumption [REDACTED]. So may also his cigarette smoking which he has now replaced with vape smoking. His last cigarette was in about Christmas 2021.
- He does not drink alcohol now. He used to drink 6 or 7 bottles a week, also a beer when going to a football match or the cinema. He has not drunk alcohol since November 2022. He is more addicted to nicotine. He has not had [REDACTED] since January 2022. He has no [REDACTED] issues now.

In submissions the Respondent stated:

- He completely understands and realises his actions, and that he needs to pay for them;
- September to December 2020 was a very dark period in his life which unfortunately affected his work;
- He wished to apologise to the RCVS, his colleagues and the Committee for his actions.
- He expressed his gratitude to all for helping him to realise that what he was doing was wrong, to improve his future and his continuing to work in the profession. He can learn from his mistakes. His mistake will not be repeated. It will have been a good lesson.

## Decision

13. The Committee accepted that the relevant test was whether the conduct falls far short of the standard that is expected of a member of the veterinary profession. The question of

whether conduct amounts to disgraceful conduct in a professional respect is a matter of judgment for the Committee, not a matter which is to be decided on a burden or standard of proof.

14. The Committee accepted that it could take into account mitigating circumstances relating to the Respondent's health if they accounted for his behaviour. Whether that was in fact the case was a matter for the Committee. It was not entitled to take into account purely personal mitigation.
15. In respect of charge 1, the Committee noted that when he made the decision to drink 2 glasses of wine after hearing the news that [REDACTED] had died, he knew that he was the only veterinary surgeon on duty, and that he was expected to return to work. He had alternatives. He could have sought permission to take the rest of the day off. He adopted a maladaptive coping strategy, which represented poor judgment. He did not limit his drinking to one glass of wine. He recognised that an alcoholic drink could impair his judgement and he had at least one consultation booked which was for 3 vaccinations. Further he ought to have known that if he returned to work after having drunk alcohol, his clients and/or his colleagues could well have recognised that he had taken alcohol and, if this occurred, the reputation of the profession would be in danger. Finally he knew or ought to have known that by drinking alcohol he put the animals that he was to treat at potential risk of harm. Moreover there may have been emergency cases for him to deal with as the only veterinary surgeon on duty.
16. The Committee understood that the Respondent experienced a significant degree of upset upon hearing the news about [REDACTED]. However, his decision to drink wine, and in that respect to drink 2 glasses, and to return to work represented conduct which was seriously below the standard that is expected from a member of the profession, particularly as he had alternative courses of conduct which he could have followed. The Committee therefore finds that by reason of the matters found proved on the Respondent's admission in charge 1, the Respondent is guilty of disgraceful conduct in a professional respect.
17. In respect of charge 2, the Committee noted that the Respondent had drunk a substantial amount of alcohol over the weekend period before and during the incidents in question, including during the Tuesday when he was due to appear at work but failed to do so. Although the alcohol which he drank was low alcohol wine, he accepts that the quantity which he consumed was responsible for his condition. He told the Committee that 99% of his problems were due to the alcohol that he drank at that time. The Committee had been interested to understand whether there could be another explanation for his condition relating to his health or [REDACTED] but the Respondent emphatically accepted that it was occasioned by his alcohol intake.
18. The Respondent acknowledged that he had become addicted to alcohol in November 2020. He suggested to the Committee that this may have constituted a resumption of an addiction which he had previously experienced when he was living in Salford, but which he had effectively addressed with the help of a friend. The Committee accepted that at the time he was, to use his own phrase, "in a dark place". He was alone, lonely, depressed and dealing with the [REDACTED]. It was covid and he was without friends or family in this country. However the Committee considered that his behaviour was all the more reprehensible since it occurred on top of the incident in early September 2020 which resulted in the loss of his job. It also occurred in the context of his having recognised that he was addicted to alcohol and his not having done anything about it. Further he knew that the consumption of alcohol may well affect his ability to work safely; a matter which would have been perfectly apparent to him as he felt so unwell on 2

December 2020 that he asked for a place to rest on his attendance, and, on 3 December 2020, he failed to turn up for work on time.

19. The Committee found that the Respondent's conduct in attending work on 2 and 3 December 2020 as found proved, on his own admission, represented conduct which was far below the standard that is expected of a veterinary surgeon. It was unprofessional. It meant that he was a potential risk to animals and it was unfair to his colleagues. The Committee found that these matters represented disgraceful conduct in a professional respect.
  
20. In respect of charge 3, the Committee noted that the Respondent was in breach of his obligations under paragraph 5.4 of the Code of Conduct. As Ms Manning-Rees argued, he had undertaken to comply with the Code and he failed to do so. Moreover the Committee found his argument that he did not understand that the College was in a significant respect seeking to understand and help him unconvincing. In November 2022, he knew all about the College's health protocol but thereafter did nothing about it notwithstanding several requests made to him in January 2023 by the College. Moreover, it is the case that the Respondent persisted in not responding adequately to the College for about 2 years. He either ignored their requests or put off responding and thereafter did not answer the requests. The Committee acknowledges he did eventually admit his conduct as alleged in charges 1 and 2, but this was not done in a timely fashion. The Committee concluded that he effectively shut out this aspect of his professional obligations and concentrated on his work as a way of avoiding addressing the matters the subject of this enquiry.
  
21. The Committee has reached the conclusion that the Respondent's conduct fell far below the standard that is expected of a veterinary surgeon by reason of the matters found proved on his admission in charge 3. It therefore found that he is guilty of disgraceful conduct in a professional respect in this regard.
  
22. The Committee, having found the Respondent guilty of disgraceful conduct in a professional respect in respect of each of the charges, also finds the Respondent guilty of disgraceful conduct in respect of all the charges when taken together.

**DISCIPLINARY COMMITTEE**  
**21 JUNE 2023**