

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**INQUIRY RE:**

**DR RAZVAN ALEXANDRU GEORGESCU MRCVS**

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**DECISION ON UNFITNESS TO PRACTISE  
AND DISGRACEFUL CONDUCT IN A PROFESSIONAL RESPECT**

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1. The Respondent was charged as follows:

- 1 *On 8<sup>th</sup> April 2024, at Newcastle Magistrates' Court, following a guilty plea, were convicted of driving a motor vehicle, namely a blue BMW registered mark, YB12 KDO, on 20 June 2023, on a road, namely Denmark Street when the proportion of a controlled drug, namely Benzoylecgonine (BZE cocaine breakdown) in your blood exceeded the specified limit; contrary to section 5A(1)A and (2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act;*

*In relation to which offence, you were disqualified from driving for 20 months, fined £634, ordered to pay £254 victim surcharge and £150 costs;*

*AND it is alleged that the above conviction renders you unfit to practise veterinary surgery*

*And/or*

- 2 *Between 8<sup>th</sup> April 2024 and 20<sup>th</sup> November 2024, in relation to a request from the College for information regarding the circumstances leading to your conviction on 8<sup>th</sup> April 2024, at Newcastle Magistrates' Court;*
- i. in an email dated 22 May 2024, told the College that, when stopped by the police on 20 June 2023, you were dropping off a colleague at your place of work and that it was your day off, when you had in fact been due to work on that day; and/or*

- ii. *on 6<sup>th</sup> September 2024 submitted or allowed to be submitted to the College a practice staff rota relating to 20 June 2023 which purported to be contemporaneous to 20 June 2023, when it had in fact been created in 2024, for the purpose of submission to the College to support your assertion that it had been your day off;*

3 Your conduct in relation to 2(i) and (ii) above was:

- i. *misleading; and/or*
- ii. *dishonest;*

*AND THAT in relation to the above matters, set out at 2 and/or 3 above, whether individually, or in any combination, you are guilty of disgraceful conduct in a professional respect.*

### **Summary of the Primary Facts**

2. The Respondent is a Registered Veterinary Surgeon. He qualified on 1 July 2016 and was first registered with the College on 13 December 2016. There are no previous RCVS matters known or recorded against him.
3. Charge 1 arises out of a conviction the Respondent had recorded against him on 8 April 2024 for driving above the legal limit of *Benzoylcegonine (BZE cocaine breakdown)*. The Police documents in the Inquiry Bundle show that on 20 June 2023, Dr Georgescu was stopped by police and taken to the police station for testing. It was found that the level of BZE in his blood was 368 micrograms per litre of blood. The legal or specified limit is 50 micrograms per litre.<sup>1</sup> He was charged on or around 2 December 2023 and attended court on 24 January 2024 where he entered a not guilty plea. He subsequently changed his plea on 8 April 2024 when he was formally convicted and sentenced.
4. Charges 2 and 3 arise out of his conduct following his conviction in April 2024. Dr Georgescu self-reported to the College but initially told the College that he had not been due to work on the day he was arrested.
5. This assertion was later purportedly supported by Dr Georgescu providing to the College a staff rota for the week of his arrest. Dr Georgescu's colleague and business partner and veterinary surgeon, Dr M, then submitted a staff rota for the relevant month which also sought to support this contention. However, at an announced visit by Michael Allen

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<sup>1</sup> <https://www.gov.uk/government/collections/drug-driving>

MRCVS and Michael Hepper of the RCVS on 21 November 2024, Dr Georgescu confirmed that a staff rota did not exist at the time he was convicted, and the rota was prepared in response to enquiries by the College in 2024 by looking at the appointment diary and clinical records for the corresponding appointments. In correspondence sent to the College on 28 November 2024, Dr Georgescu said “*Before I reported the incident to RCVS, I went back and modified the rota from the system*”.

### **Charge 1**

6. The relevant court extract (memorandum of conviction) can be found at **divider 2-1 to 2-4, PDF 12 to 15** of the Inquiry Bundle. It confirms that on 8 April 2024 Dr Georgescu entered a guilty plea to the offence of driving when the proportion of a controlled drug, namely Benzoylcegonine (BZE Cocaine breakdown), in his blood, was above the specified limit. The specified limit is 50 microgrammes per litre, but on the day he was arrested, the level in Dr Georgescu’s blood was 386 microgrammes per litre. The documents indicate that prior to 8 April, Dr Georgescu had entered a not guilty plea. Following his change in plea, Dr Georgescu was sentenced. He was disqualified from driving for 20 months, fined £634, ordered to pay £254 victim surcharge and £150 costs.

7. It is the position of the College that the court extract/memorandum of conviction referred to above is conclusive proof of the conviction. In addition, at rule 23.4 it states:

**23.4.** *Unless proved otherwise to the satisfaction of the Committee—*

*(a) The findings of fact of any court or tribunal shall be admissible as conclusive evidence of those facts*

8. The College additionally relies on the plea of guilty entered by the Respondent when this charge was put to him at the commencement of these proceedings, when he admitted the Charge, the facts specified in the Charge and that this conviction rendered him unfit to practise as a veterinary surgeon. The entitlement of the Committee to rely on such admissions is set out in rule 23.5 which states:

**23.5.** *The Committee may accept admissions made by any party and may in such case dispense with proof of the matters admitted.*

9. At this Hearing the Respondent has been represented and advised by Counsel. His admissions therefore carry greater evidential weight than otherwise they might.

### **Charge 2**

10. Between 8 April 2024 and 20 November 2024, the College sought to obtain information from Dr Georgescu regarding his intention to work on 20 June 2023.
11. In an email dated 22 May 2024, Dr Georgescu told the College that, when stopped by the police on 20 June 2023, he was dropping off a colleague at his place of work and that it was his day off.
12. In response to the enquiries of the College, Dr Georgescu on 6 September 2024 submitted a practice staff rota relating to 20 June 2023 which purported to be contemporaneous to 20 June 2023.
13. Michael Hepper (Chief Investigator for the College) attended the practice of Dr Georgescu in November 2024 in conjunction with a Michael Allen MRCVS, a College investigator.
14. At this visit, Dr Georgescu admitted that he had in fact been due to work on 20 June 2023 and that the rota had been created in 2024, for the purpose of submission to the College to support the assertion that it had been Dr Georgescu's day off. Whilst Mr Hepper was present at the practice Dr Georgescu asserted that the colleague he had been driving on the day of the incident, was blackmailing Dr Georgescu and later on via email he provided details of this.
15. Those messages establish that Dr Georgescu had provided his colleague Dr S with a text to provide to the RCVS on his (Dr S's) behalf. This text (translated from Romanian) gave the impression that Dr Georgescu was not due to work that day.
16. To this Charge also, the Respondent admitted the facts recited within the Charge and that this conduct amounted to Disgraceful Conduct in a Professional Respect.

### **Charge 3**

17. The College alleged that the conduct cited in Charge 2 was misleading and/or dishonest and that the conduct of the Respondent could be both misleading and dishonest.
18. In the Respondent's first email to the RCVS dated 8 April he stated: "I was stopped by the police on Tuesday morning, while I was on my way to the practice to drop off my housemate to work". This is repeated in an email dated 22 May 2024.
19. On 6 September 2024, Dr Georgescu submitted a practice staff rota relating to 20 June 2023 which purported to be contemporaneous to 20 June 2023.

20. On 21 November 2024, Dr Georgescu admitted at the in-person meeting with the RCVS that he had in fact been due to work on that day and that the rota had been created in 2024 for the purpose of submission to the College to support the false assertion that it had been Dr Georgescu's day off.
21. On 28 November 2024, Dr Georgescu emailed Michael Hepper confirming what he had set out in the meeting on 21 November 2023, namely that he had been intending to work on 20 June 2024 and confirming that he had amended the practice records to show that he was not working on that date.
22. Dr Georgescu provided messages between himself and another veterinary surgeon who he said was the colleague he had been dropping off to work on the date of the behaviour. The messages with Dr S demonstrate that Dr Georgescu involved colleagues in his false account he initially gave to the College namely that he was off on Tuesday 20 June "without mentioning" he was meant to work.
23. Within the messages Dr S states "*ok, I'll have to send them an email! We must talk to let me know what you have told them exactly, not to mix up our "statements"!*" to which Dr Georgescu replies "*yes perfect! Thanks, We'll talk later*".
24. The next message the Respondent provided, on 17 November 2024, shows a proposed response to the RCVS sent from Dr Georgescu to Dr S. The email mentions that Dr S was a passenger in the car and "Razvan" (Dr Georgescu) was "dropping him to the practice".
25. It was after this message is sent that Dr S apparently began to blackmail Dr Georgescu and asked for the sum of £3,000. This threat was received on 19 November 2024. Dr Georgescu admitted the whole truth of the situation to the RCVS on 21 November 2024. The College contends that it is clear that Dr Georgescu's admission was prompted by the behaviour of his colleague, rather than a desire to be honest with his professional regulator which he had been misleading for a number of months.
26. The Committee had full regard to the legal advice provided by the Legal Assessor. The law in relation to misleading statements that the Committee applied, on the issue of whether the conduct of the Respondent was misleading, was that a statement is misleading if it omits material information so that it is misleading when taken as a whole.
27. Similarly, the Committee applied the law in relation to dishonesty as clarified by the Supreme Court in the case of *Ivey v Genting Casinos* [2017] UKSC 67, where at paragraph 74 of that judgment, Lord Hughes stated: "*When dishonesty is in question the fact-finding*

*tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. ... When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest."*

28. Applying that test the Committee is satisfied, so that it is sure, that the Respondent had no belief in the truthfulness of the facts that he initially asserted when writing to the College. He well knew that he was concocting a false account when he stated that he was not due to work on 20 June 2023 but was simply dropping off a colleague when he drove to the car park of his practice. The Committee is so satisfied because the Respondent only recanted and admitted that he was due to work on that day when he realised that his passenger was not going to back up his false account unless he received payment of £3000. His admissions of guilt to Charge 2 confirm his continuing acceptance of the falsity of the account he originally gave to the College about not being due to work on 20 June 2023 and that he was only dropping off a colleague at the practice when stopped by the Police and of the falsity of the concocted rota that he provided to the College on 6 September 2024.
29. Charge 2 having been proved to the entire satisfaction of the Committee, it proceeded to consider whether either of the constituent parts of Charge 3 were also made out. The Committee is satisfied so that it is sure that when acting as charged in Charge 2 the Respondent was acting dishonestly, had planned so to act and persisted in his false account for several months and only recanted when he realised that he was not going to be supported by his passenger, Dr S. It follows that the Respondent's conduct in the respects found proved as particularised in Charge 2, were also misleading and intended to mislead the College.

### **Unfitness to Practise – Charge 1**

30. The Committee took into account the Respondent's admission of guilt to Charge 1, to the facts specified in Charge 1 and to his admission that his conduct in that regard did render him Unfit to Practise.
31. The Respondent gave evidence on oath and asserted as follows. He stated that he had gone to Edinburgh with his then girlfriend on the afternoon of Saturday 17 June 2023 to attend a party she had arranged with her friends. He was feeling under pressure because of issues with his veterinary practice and the ill-health of his sister and wanted to "disconnect a bit". He became intoxicated. He asserted that, at the end of the house party

at about 2am on Sunday 18 June, he was offered drugs by someone who said it would make him happy. It was 4am before he retired back to his hotel room. He stated that on Monday he had a bit of a hangover but by Tuesday (20 June 2023) he felt no effects of what he had consumed.

32. Under cross examination the Respondent accepted that the BZE reading in the sample of blood taken from him by the Police after he was stopped on 20 June 2023 was more than 7 times the limit prescribed by Parliament in the governing Road Traffic legislation. He was asked to put himself in his clients' shoes and how they would then feel about their animals being treated by a veterinary surgeon who gave such a blood test reading. The Respondent's answer was "not comfortable for sure".
33. Counsel for the Respondent has placed before the Committee a Paper which addresses the issue of BZE readings as they apply in Spain, where it appears that they are disregarded because BZE metabolites are inactive. Accordingly, in Spain the law requires, in addition, proof of the presence of cocaine in the blood sample. Counsel relied on this to support a contention that the presence of BZE should not have any effect on an individual's functioning capabilities and contended that the Respondent was, therefore, not intoxicated at the time he attended at his clinic for work on 20 June 2023.
34. The College's submissions on this issue were that of particular relevance in this case is the fact that the Registrant had been on his way to work and that the level of BZE found in his system was 7 times higher than the specified limit which is 50. The sentence imposed by the Court indicates that this was a category 2 for 'seriousness' which indicates "Higher culpability and lesser harm or lower culpability and greater harm"<sup>2</sup>. A reasonable inference here is that this was likely to be higher culpability and lesser harm due to the presence of cannabis in the sample provided at the roadside to police which is an aggravating feature, even if not present at levels to meet the legal thresholds.
35. Next, the College submitted that the circumstances of the offending make it relevant to his professional practice. But for the stop by the police, the Respondent would have gone on to attend work that day and see and treat patients. A member of the public would, the College submits, be extremely concerned if they learnt that such behaviour had taken place or that there was an intention for such behaviour to take place by the Respondent.
36. Further, that the legal limit was created by Parliament and was put in place for a reason. Notwithstanding the submission of Counsel for the Respondent that presence of BZE, being an inactive metabolite, would have no toxic effect, the Committee considers that

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<sup>2</sup> <https://www.sentencingcouncil.org.uk/offences/magistrates-court/item/driving-or-attempting-to-drive-with-a-specified-drug-above-the-specified-limit/>

the issue of the level of impairment is not relevant. The issue in this case is that the Respondent was over the prescribed limit and over the limit by a significant amount. There was, therefore, a potential for risk of harm not just to animals, but other road users, his passenger and to Dr Georgescu himself.

37. The Committee considers that it does not have to decide the issue of whether or not the Respondent was unfit to drive his vehicle to work on 20 June 2023. The fact is that Parliament after taking advice and after debate resolved that, for safety reasons, persons with BZE metabolites in excess of 50 microgrammes per litre should not be driving on a public road. In this case the Respondent had a level which was in excess of 7 times that prescribed limit. It follows that he was driving on his way to work at a time when he was clearly well over the limit prescribed by Parliament. More importantly, the Respondent had no idea what he had consumed during the period leading up to his leaving the party at 4am on Sunday 18 June 2023 and accordingly had no idea whether or not he was fit to drive or fit to work. Instead he took a chance that he was fit to drive and fit to work without checking what he had consumed and whether the prohibited drugs he had consumed had been eliminated from his system. He was, therefore, prepared to take the risk that he might not be fit to treat and undertake surgery on animals that he would be treating that day. This behaviour on the part of the Respondent was, in the judgment of the Committee, reckless conduct in that he did not care whether or not it would be lawful for him to drive to work that day or whether his drug taking meant that he posed a risk to other road users.
38. With regard to the impact this conduct would have on right thinking members of the public, he himself said, when cross examined, that were he standing in the shoes of an owner of an animal he was going to treat that day with the knowledge that he had in his blood more than 7 times the prescribed limit of a prohibited drug he “would not be comfortable for sure” and would cause such persons to “lose trust”.
39. Having regard to the above facts and matters the Committee has no hesitation in concluding that the facts relevant to his commission of the offence charged in Charge 1 were so serious and presented such prospective risks to other road users that it renders the Respondent unfit to practise as a veterinary surgeon.

### **Charges 2 and 3 – Disgraceful Conduct in a Professional Respect**

40. The facts pertaining to these charges which have been proved to the satisfaction of the Committee have been set out above in paragraphs 10 to 29.
41. The College’s submissions on these Charges commenced with the contention that the behaviour in Charges 2 and 3 entailed a wilful misleading of the Respondent’s professional



Regulator as to the actual circumstances of the offence and that that was maintained for a period of months and was repeated to the College several times. It involved the creation of a rota which had not been in existence at the time. This was an attempt to bolster the original account provided by Dr Georgescu and dragged his co-owner Dr M and colleague Dr S into a perpetuation of his lie that he was not due to work in his practice on 20 June 2023. This was not a one-off or heat-of-the-moment lie but one that was maintained, repeated and added to over the course of 6 months. Whilst Dr Georgescu maintained in his written and oral evidence before the Committee that he had, by 9 November 2024, decided to come clean when the visit by the College became known to him, he then went on to continue to confirm the lie in the response he wrote for Dr S on 17 November 2024 as can be seen in that document in the Inquiry Bundle.

42. The College drew attention to the oath which veterinary surgeons make upon entry to the profession, which states:

*'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'.*

43. It was the College's submission that in this case Dr Georgescu has failed to uphold this oath, that he misled the College and failed to act with integrity for a prolonged period of time.

44. On the issue of dishonesty, the College submitted that dishonesty represents a breach of one of the fundamental tenets of the profession. The Code of Professional Conduct for Veterinary Surgeons provides that one of the five key principles that must be maintained by registrants is "*honesty and integrity*".

45. The Committee's attention was drawn to section 6.5 of the Code of Conduct which provides:

*"Veterinary Surgeons must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession."*

46. Respondent Counsel's submissions commenced with a further acknowledgement that Charges 2 and 3 were admitted. His submissions were therefore limited in scope and were largely confined to contending that there was no deceit when the Respondent modified the diary entry for 20 June 2023 because that was a "common practice", namely to rectify any changes that had taken place since the diary had been compiled – e.g. staff sickness, etc. The Committee is prepared to accept that was the practise but Charge

2(ii) relates to the production and presentation to the College of the falsely created rota, which his counsel accepted was misleading and dishonest conduct.

47. Having considered carefully the evidence placed before it and the advice provided by the Legal Assessor, the Committee is satisfied so that it is sure that the conduct particularised in Charges 2 and 3 does amount to disgraceful conduct on the part of the Respondent. Most certainly it is conduct which falls far below that to be expected of a member of the veterinary profession.
48. The Committee finds that the Respondent resolved to lie to the College from the outset about the important question so far as his Regulator was concerned, namely whether he was intending to work on 20 June 2023. In furtherance of his decision to lie about that fact he created a plan, which involved his practice co-owner. He carried on with that lie even as late as 17 November 2024, when he created the message of that day for Dr S, who had been his passenger on 20 June 2023. This he admitted in cross examination when it was put to him that in writing the 17 November message for Dr S who said the Respondent was just dropping him off at his practice, he was continuing the lie. His answer was that he “was kind of” confirming his earlier lie.
49. His decision to lie about whether he was going to undertake work at his practice on 20 June 2023 also involved the creation of a false rota which purported to confirm that he was not on duty that day. In the view of the Committee it matters not whether he altered an existing rota or created a wholly fictitious new rota. What matters is that he sought to back up his earlier lie about not intending to work at this practice on 20 June 2023 with a fictitious document which he forwarded to the College intending them to believe it was a genuine and contemporaneously created rota.
50. The Committee has found it difficult to accept the Respondent’s account that he delayed informing the College of the true position until he was able to meet with Mr Hepper in person, as he did on 21 November 2024. If the Respondent was intending to come clean with the College at an early stage he did not need to create the misleading message for Dr S that he did on 17 November 2024.
51. The conclusion that the Committee has reached is that the Respondent realised that he had no option but to confess to Mr Hepper that he had not told the College the truth about not intending to work on 20 June 2023. By that stage he realised that Dr S was not going to support his false account but was, instead, likely to inform the College that the Respondent had been trying to persuade him to support that false account. In the result the Respondent’s conduct and decisions meant that the task of getting to the truth was dragged out for 6 months. Worse than that it put his co-owner at risk of complicity in

supporting the contents of the false rota that the Respondent had compiled for presentation to the College.

52. The Committee considers that mis-informing a Regulator is a matter of considerable seriousness. If repeated untruths are told to a Regulator that is obviously still more serious.
53. In reaching its conclusion that the conduct particularised in Charges 2 and 3 were misleading and the Respondent's conduct was dishonest and that each constituted disgraceful conduct in a professional respect the Committee had regard to the RCVS Guidance document, August 2020 which, at paragraph 76, provides:  
*"Proven dishonesty has been held to come at the top end of the spectrum of gravity of disgraceful conduct in a professional respect."*
54. The Committee also finds that there are present in this case a number of aggravating features which confirm the seriousness of the Respondent's misconduct as charged and as found above. These include the fact that the Respondent's conduct was premeditated; entailed conduct which was sustained and repeated over a period of time; and involved a wilful disregard for the role of the RCVS in its regulation of the veterinary profession. Clearly the College had a duty to ascertain whether the Respondent was intending to undertake veterinary work on 20 June 2023, given the criminal charge to which he had pleaded guilty. Similarly, the Respondent had a clear duty to inform the College what the true answer to that question was. In breach of that clear duty the Respondent chose to avoid answering that question truthfully for some 6 months, until he realised he could sustain his falsehoods no longer. This was, therefore, a very delayed admission of the true position by the Respondent.
55. The Committee can, in these circumstances, find no factors which mitigate the misconduct charged in Charges 2 and 3.
56. It, therefore, has no hesitation in finding that the Respondent's conduct in the respects charged fell far below the standard expected of a registered veterinary surgeon and that that conduct amounts to disgraceful conduct in a professional respect.
57. The Committee will therefore proceed to Stage 3 of this disciplinary process and consider what might be the appropriate Sanction in this case.

**DISCIPLINARY COMMITTEE**  
**2 APRIL 2025**

