

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**INQUIRY RE:**

**DR RAZVAN ALEXANDRU GEORGESCU MRCVS**

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**DECISION ON SANCTION**

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1. The Committee having found the Respondent unfit to practise as a veterinary surgeon in relation to the facts found proved on Charge 1 and guilty of disgraceful conduct in a professional respect in relation to the conduct particularised in Charges 2 and 3, it has proceeded to consider the appropriate sanction in accordance with Rule 18 of the Veterinary Surgeons (Procedure and Evidence) Rules 2004.
2. The Committee has had fully in mind that the primary purpose of the available sanctions is not to punish but:
  - (i) to protect the welfare of animals,
  - (ii) to maintain public confidence in the profession and
  - (iii) to declare and uphold proper standards of conduct.

And that the sanction which it applies must be proportionate to the nature and extent of the conduct and to the maintenance of appropriate standards and professional competencies expected of members of the veterinary profession and must weigh seriousness of the professional misconduct and the public interest with and against the interests of the Respondent. The wider public interest includes the maintenance of public confidence in the profession and the deterrent effect upon other registered veterinary surgeons. The Committee notes that the Privy Council, in the case of Walker v RCVS PC 16 2007 (a case involving dishonesty), when commenting on the issue of punitive and deterrent element of disciplinary sanctions cited with approval earlier observations of Lord Bingham “*The order would then be primarily directed ... (b) more fundamentally to maintaining the reputation of and sustaining public confidence in the profession ‘as one in which each member may be trusted to the ends of the earth’; for this reason ‘considerations which would ordinarily weigh in mitigation of punishment have less effect on the exercise of this jurisdiction than on the ordinary run of sentences passed in mitigation’*”.

3. The Committee accepts that the Respondent has been punished by the Criminal Court in relation to the conduct covered by Charge 1, is currently still unable to drive and will remain unable to drive until December of this year. That having been said the decision taken by the Respondent to drive on 20 June 2023 when he was unaware what precise drugs and in what quantities he had consumed in the early hours of 18 June and, therefore, what effect they may have had on his ability to drive demonstrates that he was prepared to take that risk and to risk undertaking surgical procedures when he arrived at his surgery. In short, he put his self-interest before that of other road users, his passenger and the animals he was going to treat that day. It also follows that, to date, the Respondent has received no sanction in relation to the misconduct covered by Charges 2 and 3, which directly affect his Regulator.
4. The Committee has reached the conclusion that, although the Respondent's misconduct related only to one issue, namely whether he was travelling to undertake work at this surgery on 20 June 2023, the lie that he told in that connection was persisted in over a period of time when he had opportunities to resile from it, but chose not to do so. He did immediately report his conviction to the College but the Committee is entirely satisfied that he knew from the outset that his intention to work would be of interest and concern to his Regulator. Accordingly, his motivation in telling the lie that he was not travelling to his surgery in order to undertake work was to cover up that fact. For the reasons set out in the Decision on Stage 2, the Committee is clear that the Respondent knew that his Regulator would regard that fact as an aggravating matter when deciding whether or not to commence disciplinary proceedings against him. That explains why, when asked to produce a rota to enable the College to ascertain whether he was booked to undertake work at the surgery on 20 June 2023, the Respondent concocted a rota designed to confirm that he was not due to work that day. He should have used that opportunity to tell his Regulator the truth. He did not but, instead, opted to perpetuate the lie that he was not due to work on that day. Again he opted to put his self-interest first. The same motivation explains why he chose to involve Dr S in the deception of his Regulator. He did not need to involve Dr S in the deception but chose to do so as late as 17 November 2024. It was only when, on 19 November 2024, the Respondent realised that the support for his lie would not be forthcoming that he decided to come clean with his Regulator at the in person meeting with Mr Hepper, the RCVS Investigator, on 21 November 2024. In the result his deception may have concerned only one lie but it was persisted in and embellished for a period of 6 months. That is the gravamen of the misconduct covered by Charges 2 and 3.
5. The Committee has assessed the Respondent's culpability on the basis of each head of charge and taken into account the relevant aggravating or mitigating factors present.
6. Having regard to the contents of paragraph 39 of the Committee's Procedure Guidance, this Committee considers that the following aggravating factors are present in this case:
  - The Respondent's misconduct posed a potential risk of harm to animals that he was intending to treat and operate on following his arrival at his surgery on 20 June 2023.

- He had no proper or sound basis for concluding that he was fit to undertake those professional tasks.
  - He could not be sure what he had consumed by way of prohibited drugs during the early hours of 18 June 2023 but was minded to treat animals regardless.
7. The Committee is satisfied that the misconduct covered by Charges 2 and 3 was premeditated. The lie was not told on the spur of the moment, was not done in panic and was not told on a single occasion. Instead it was a lie which, whilst it related to only one issue, was persisted in and embellished over a period of 6 months and thereby constituted extended and repeated dishonesty on the part of the Respondent. His conduct constituted clear breaches of trust, namely the trust reposed in him by his Regulator that he would be true to the oath he took on entering the veterinary profession. His misconduct was sustained and repeated over a lengthy period of time. His scheme of deception revealed a degree of determination and involved him seeking to persuade other veterinary surgeons to support the untruth he had told his Regulator.
  8. The most troubling aspect of the misconduct charged, which the Respondent has accepted, is the fact that his conduct in misleading his Regulator over a period of 6 months undermined an integral part of a regulatory regime which was designed to protect members of the public who use veterinary services and also fellow practitioners. Members of the public are entitled to demand high standards of behaviour and integrity from members of the veterinary profession. The Regulator of the profession is entitled to expect that a veterinary surgeon's honesty can be relied on without question when it makes enquiries of a veterinary surgeon following a report that a crime has been committed which is relevant to an entitlement to continue to practice. Open, frank and prompt admissions in the Respondent's dealing with his Regulator were required, but did not happen in this case.
  9. The Committee notes that the Disciplinary Committee's Procedure Guidance 2020 (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. In such cases, the gravity of the matter may flow from the possible consequences of the dishonesty as well as the dishonesty itself."*

And paragraph 77 of the same Guidance goes on to state: *"Removal from the register may be appropriate where behaviour is fundamentally incompatible with being a veterinary surgeon and may involve any of the following (the list is not exhaustive):*

    - a. *Serious departure from professional standards as set out in the RCVS Code of Professional Conduct for Veterinary Surgeons .."*
  10. The Committee also reflected on the matters raised in mitigation by the Respondent's counsel in a detailed, well focussed, submission which were concentrated on the Respondent's insight and remediation measures and the references secured from colleagues with whom he has worked. They were presented in a Defendant's Bundle and were reflected on when the Committee retired to consider its decision on sanction. The references all spoke to and supported the contention that the Respondent is a capable, caring and supportive veterinary surgeon. The Committee accepts the assessments made of the Respondent by those referees.

11. The Committee also accepts that no actual harm was caused to any animal or human by the Respondent's conduct. It accepts that he has an unblemished record to date. It is satisfied that he made some efforts at avoiding a repetition of drug taking but is disappointed to note that he lapsed whilst on holiday in Spain, shortly before he was due to appear in the Magistrates Court for sentence. That having been said, the Committee does accept that the Respondent has subsequently attended the Road to Recovery Trust and made changes to his lifestyle to avoid future lapses. He has also shown insight into the reasons for the commission of the offence in Charge 1 by agreeing to fund and undertake a drug testing procedure on 10 March 2025 to prove that he is "clean". In his evidence he demonstrated insight into the conduct covered by Charges 2 and 3, however late in the day this insight has come about.
12. As is apparent from the findings made in its Stage 2 Decision and from that which appears above, there were other aspects of Mr Archer's Submissions which the Committee did not accept. Whilst he has already been punished by the criminal court for the misconduct covered by Charge 1, that does not mean that a Disciplinary Committee is not entitled to impose a further sanction on the Respondent. That would be to render the disciplinary process otiose. It had been said that, whilst there are many benefits to belonging to an honourable profession, the converse also applies, namely that those benefits carry with them concomitant important obligations which, if breached, result in serious consequences. The reputation of the profession is more important than the interests of one veterinary surgeon. Lord Bingham described the issue thus "*Membership brings many benefits, but that is part of the price*".
13. In the context of Charges 2 and 3 it is important to note that in the oath that veterinary surgeons declare upon entry to the profession, they declare:  
  
*'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 ...'*
14. Further, in the context of disciplinary proceedings, the public interest is defined as having three elements:
  - (i) protection and promotion of the health and welfare of animals and the protection of public health;
  - (ii) promotion and maintenance of public confidence in the veterinary profession;
  - (iii) promotion and maintenance of proper professional standards and conduct in the veterinary profession.

In RCVS disciplinary proceedings, references to the public interest are to be read as including these elements. Disciplinary Committees will have regard to these three elements in its consideration of cases before it, in particular when considering the question of an appropriate sanction.
15. The Committee, as advised by the Legal Assessor, has approached the issue of the appropriate sanction by commencing with the lowest level of sanction and considered the sufficiency of each before proceeding to the next level of sanction in order of seriousness. Its conclusions on each are as follows.

16. No Further Action: This is too serious a case to warrant an outcome of No Further Action.
17. Postponement: This formed the thrust of the submission advanced by Mr Archer. He submitted that the Respondent's practice might not survive without him and that members of his staff were at risk of losing their employments. He submitted that, being a good veterinary surgeon, members of the public would then lose access to a competent and caring veterinary surgeon in the location of his practice near Newcastle. If appropriate safeguards were put in place the Respondent should have the opportunity to prove that he has remediated. He contended that no animals would be put at risk if suitable undertakings were secured from the Respondent given that he has developed very real insight into how to avoid a repetition of the conduct which has brought him before this Committee. It would enable him to undertake further training on ethical issues and standards, continuation of his counselling sessions and attendance at the Drugs Drop in Centre that he had visited would ensure he acquired knowledge of the dangers of drug use. He emphasised that the Respondent was willing to comply with any undertakings the Committee might see fit to impose and would accept supervision and retraining requirements. He had the potential for remediation and had already demonstrated that capability. As to whether the Respondent had an underlying medical problem, Mr Archer stated that that was not the case here. His final contention was that the Committee should only reach a final determination in this case after the Respondent had been allowed to undertake remediation work.
18. Mr Archer referred the Committee to decisions reached in 3 other cases, in each of which the respective Committees resolved to postpone sanction. This Committee has considered the summaries of the decisions in question as published on the College's website. The first point to note is that these are summaries of the more detailed Decisions handed down by those Committees in those cases. Secondly, it is clear that in disciplinary cases there is no strict concept of precedence precisely because it is accepted that each case has to be decided on its own facts and circumstances and references to other cases where lesser or different penalties were imposed are not of assistance, as Sharp LJ stated in Scott v SRA [2016] EWHC 1256 (Admin).
19. All that having been said, the Committee noted that in each of the cases relied on by Mr Archer, the Respondent was suffering from a recognisable medical or psychiatric condition which was identified by and supported by expert medical evidence. Each case involved a veterinary surgeon suffering from alcohol addiction. That is not the case with this Respondent. Indeed he denies that he is addicted to any prohibited drugs. Instead his case is that he consumed drugs on occasions when he was under stress, had consumed alcohol to excess and was seeking to de-stress. In these circumstances the Committee is concerned that by postponing sanction the Respondent's stress levels will be heightened and prolonged. A monitor could be put in place but no monitor could police how a person chooses to run his personal life, especially when, as in this case, the Respondent has asserted that he has not consumed any illicit drugs since May 2024. Similarly, this is not a case where the Respondent has been shown to be deficient in clinical or surgical skills which deficiencies need to be addressed and monitored over a period of time to ensure that the necessary levels of expertise have been attained. Finally, the Committee has

reflected on the fact that the consumption of illegal drugs is but one aspect of the conduct that has brought the Respondent before this Committee. The other charges relate to misconduct of a kind for which monitoring is not relevant or appropriate, namely providing a false account to his Regulator when questioned about the facts pertaining to his charge of driving whilst the level of BZE in his blood exceeded the limit prescribed by law.

20. Accordingly, the decision of the Committee is that nothing of value would be achieved by a postponement of this Hearing. Instead it considers that it is clearly in the public interest that this matter should be determined without further delay and the public need to know that cases of this kind are being dealt with expeditiously.
21. Reprimand or Warning as to the Respondent's future conduct: This would, in the judgment of the Committee, be a manifestly insufficient sanction, given the presence of the aggravating factors identified above and the dishonest and misleading information provided by the Respondent to his Regulator.
22. Suspension: The Committee considers that this sanction would serve to mark the seriousness of the Respondent's misconduct and would send the message to the profession that the making of dishonest and misleading statements to its Regulator will not be tolerated. That would be the expectation of right thinking members of the public as well and it is important to maintain their trust in the profession's Regulator's ability to ensure that veterinary surgeons will act with honesty and integrity when investigations are commenced against them.
23. Having regard to the public interest factor which is relevant to this case and to which the Committee must give consideration in a case such as this, in particular Charges 2 and 3, when considering the question of an appropriate sanction, it finds that two of the ingredients apply. They are the promotion and maintenance of public confidence in the veterinary profession and the promotion and maintenance of proper professional standards and conduct in the veterinary profession.
24. The misconduct of the Respondent is serious but his misconduct falls short of being fundamentally incompatible with remaining on the Register. He does have insight into the seriousness of his misconduct and there is, in the judgement of the Committee no significant risk of repeat misleading behaviour. The Committee also considers that the Respondent will be fit to return to practice after the period of suspension in question.
25. The Committee did consider striking the Respondent from the Register but determined that this sanction would be unduly punitive and deprive the public and the profession of an otherwise competent veterinary surgeon.
26. The Committee has reflected carefully on the question of how long the period of suspension should be and has determined that it should be a period which is not so long that it will result in the loss of the Respondent to the profession which he professes to love and in which his referees assert he is a capable and caring veterinary surgeon. When giving evidence the Respondent indicated, when questioned about what he would do if he was not entitled to practise, that he would remain with his practice but would undertake administrative and management tasks which did not entail working as a veterinary surgeon.

27. In the result it is the view of this Committee that a period of suspension from practice for a period of 6 months properly reflects the sanction objectives identified above and constitutes the minimum interference with the Respondent's right and ability to practise veterinary surgery and it so orders.

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