

COSTIN-NICOLAE GHINESCU MRCVS

DECISION OF THE DISCIPLINARY COMMITTEE

1. Mr Ghinescu appeared before the Disciplinary Committee (“the Committee”) to answer the following Charge (as amended):

That, being registered in the Register of Veterinary Surgeons:

1. *On 18 July 2019, at Londonderry Magistrates Court, you were convicted, following a guilty plea, of the following offences:*
 - a. *On 1 May 2019, you, without lawful excuse made to Alina Ionita a threat to kill her intending that she would fear it would be carried out, contrary to section 16 of the Offences Against the Person Act 1861;*
 - b. *On 1 May 2019, you unlawfully assaulted Alina Ionita, contrary to section 42 of the Offences Against the Person Act 1861;*
 - c. *On 1 May 2019, you unlawfully assaulted Alina Ionita, contrary to section 42 of the Offences Against the Person Act 1861;*

And in respect of these convictions, you were sentenced to imprisonment for 6 months (regarding 1(a), imprisonment for 4 months (regarding 1(b)), imprisonment for 4 months (regarding 1(c)), all such periods of imprisonment to run concurrently, and an offender levy of 25 euros;

2. *On 22 December 2022, at Poole Magistrates Court, you were convicted, following a guilty plea, of on 18 July 2022 at Winchester driving a motor vehicle, namely SJZ 4964, on a road, namely M3 Southbound into Winchester Services Southbound, when the proportion of a controlled drug, namely Delta – 9 – tetrahydrocannabinol, in your blood, namely 7 micrograms, 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 1988;*

And that in relation to the above, you were disqualified from holding or obtaining a driving licence for 12 months, and ordered to pay a fine of £160, a surcharge to fund victim services of £64, and costs of £85;

AND THAT it is alleged that the convictions at 1 and/or 2 above render you unfit to practise as a veterinary surgeon;

3. In relation to the conviction at charge 2 above, on or about 2 April 2023, in an online registration application for your RCVS annual membership, represented that you did not have any cautions or criminal convictions (including any absolute or conditional discharges or spent convictions) or any adverse findings against you, whether in the UK or overseas, and in relation to the said representation, your conduct was:

a. dishonest; and/or

b. misleading;

You knew that the RCVS annual membership form required your convictions, including spent convictions, to be declared, that the declaration had to be answered truthfully and correctly and that you had not declared the conviction at charge 2 (which was, in any event, unspent). In light of that knowledge, your actions in completing the RCVS annual membership form were dishonest by the standards of ordinary decent people.

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

Preliminary matters

Application to amend

4. Miss David appeared on behalf of the College, Mr Ghinescu appeared and represented himself. He was also assisted by a Romanian interpreter. Before the Charge was put to Mr Ghinescu, Miss David made an application to make an amendment to Charge 3. Miss David submitted that the proposed amendment was to clarify the way in which the College put its case on the issue of dishonesty and for Mr Ghinescu to understand the case against him. The proposed amendment had been sent to Mr Ghinescu in advance of the hearing and he indicated that he did not oppose the application.

5. The Committee accepted the advice of the Legal Assessor that it could amend the allegation at any time up until the findings of facts, provided to do so would not cause injustice. The Committee noted that the amendment requested was for the College to particularise the case against Mr Ghinescu. The Committee agreed that it was important that Mr Ghinescu understand the way in which the College put its case in relation to the dishonesty and that Charges particularise allegations of dishonesty for this reason. The Committee noted there was no opposition to the application by Mr Ghinescu. In the circumstances the Committee was satisfied that the requested amendment could be made without injustice and allowed the application.

Application for part of the hearing to be in private

6. Miss David made an application, in effect on behalf of Mr Ghinescu, that parts of the hearing be heard in private. She indicated that there was reference within the papers to Mr Ghinescu's health and that if they were raised during the hearing they ought to be dealt with in private. Mr Ghinescu supported the application.

7. The Committee accepted the advice of the Legal Assessor that whilst these proceedings are ordinarily conducted in public, so that the public are aware of the functions being carried out by the Regulator, there was provision within the Rules to allow the hearing to go into private session where to do so was in the interests of justice. The interests of justice can include protecting the private life of a Respondent and matters relating to health are often dealt with in private for that reason. The Committee was satisfied that it was appropriate that any health matters be dealt with in private. Accordingly, where such matters were raised the Committee would go into private session.

Admissions

8. Mr Ghinescu admitted the facts as contained within Charges 1 and 2. He denied that these convictions rendered him unfit to practise as a Veterinary Surgeon.

9. Mr Ghinescu denied Charge 3.

Background

10. Miss David then proceeded to open the case on behalf of the College.

11. At all times material to the Charge before the Committee Mr Ghinescu was registered as a Veterinary Surgeon. He was first registered with the RCVS on 12 March 2019 and has remained on the Register since this date. Mr Ghinescu changed his registration status on the Register to Non-Practising on 27 May 2021, but he remains on the Register.

Charge 1

12. On 18 July 2019, in the Londonderry Magistrates 'Court Mr Ghinescu was convicted, following a guilty plea, of the three offences outlined above in Charge 1. He was subsequently imprisoned, as detailed in Charge 1.

13. The background, as taken from the Police case summary, is as follows:

"On Wednesday 1st May 2019 at approximately 1100 hours, Police received a report of a domestic incident at an address in [redacted].

On arrival Police spoke with Alina Ionita who told police that she had been assaulted by her partner, the defendant following a verbal altercation. Alina alleged that the defendant picked her up from her work at 8am and started an argument with her in the car, during which he forcefully slapped her on the face warning her not to cry or make a scene.

When they returned home Alina alleged the defendant told their three children that he was going to teach their mother a lesson before closing the door and continued to argue with her and assault her. It is alleged that during this incident the defendant punched her with full force to her body and face using both his fists.

The defendant is alleged to have kicked her in the stomach three times and kicked her on the thighs and buttocks. As the defendant was hitting her, it is alleged, he told her not to hold up her hands to defend herself or he would break her arms.

The defendant had to leave the home to attend the pharmacy during this time Alina contacted Police. It is further alleged that when Police arrived the defendant shouted

upstairs in Romanian "you will see what happens, I am going to kill you because you called the police."

The defendant was subsequently arrested by police and conveyed to Strand Road.

As a result of this incident Alina sustained swelling to her nose which was initially suspected to be broken. Swelling and bruising to her chin and scrapes to her neck. She attended the hospital for treatment and although doctors do not believe her nose to be broken following x-ray, they have requested she further hospital on 2nd May for a CT scan as they concerned about an injury to her jaw.

There is no previous domestic history on record in the street diction however Alina has informed Police that she has been repeatedly assaulted by the defendant since before Christmas 2018.

Photographs of injuries sustained were taken. A BWV account was recorded and a written statement was recorded from Alina.

During interview the defendant stated that he has been a victim of abuse by Alina throughout their relationship and she has used their children against him. [REDACTED]

[REDACTED] He could not give an account as to what happened reiterating that he had snapped. He did not dispute the account given by Alina [REDACTED]

[REDACTED]

14. In assessing the seriousness of the conviction, the College relied, *inter alia*, on comments made by Mr Ghinescu during his police interview that he “snapped”, he was “raging” and “seeing red”.

Charge 2

15. On 18 July 2022, police officers on the M3 motorway followed Mr Ghinescu for approximately 2-3 minutes, before stopping him at the Winchester Services. He was required to provide a drug wipe, which proved positive with an indication of the presence of cannabis.

16. Mr Ghinescu attended the Poole Magistrates' Court on 22 December 2022, charged with driving a motor vehicle on a road when the proportion of a controlled drug, namely Delta-9-tetrahydrocannabinol in his blood, namely 7 micrograms, exceeded the specified limit. He was sentenced by way of a fine and disqualified from driving for 12 months.

Charge 3

17. Charge 3 relates to Mr Ghinescu's failure to notify the College of his conviction from Poole Magistrates' Court.

18. Part 5.3 of the Code of Professional Conduct for Veterinary Surgeons states:

"Veterinary surgeons, and those applying to be registered as veterinary surgeons, must disclose to the RCVS any caution or conviction, including absolute and conditional discharges and spent convictions, or adverse findings which may affect registration, whether in the UK or overseas (except for minor offences excluded from disclosure by the RCVS)."

19. All veterinary surgeons are required to complete an annual renewal to maintain their registration status. Individuals are asked to complete their annual renewal online in the 'My Account' area of the RCVS 'website. The annual renewal involves the individual being asked to confirm their correspondence details, declare any convictions, confirm compliance with the RCVS 'CPD policy, and pay an annual renewal fee. The exact wording of the declaration regarding convictions is as follows:

Veterinary surgeons must disclose to the RCVS any caution or conviction, including absolute and conditional discharges and spent convictions, or adverse finding (including by another regulator or professional disciplinary proceedings) which may affect registration, whether in the UK or overseas (except for minor offences excluded from disclosure by the RCVS). For more information, please see www.rcvs.org.uk/convictions.

Disclosures declaration

[] I have no caution or conviction, including absolute and conditional discharges and spent convictions, or adverse finding (including by another regulator or professional disciplinary proceedings) in the UK or overseas, or, I have previously declared them to the RCVS.

[] I wish to declare the following caution or conviction, including absolute and conditional discharges and spent convictions, or adverse finding.”

20. On 2 April 2023, Mr Ghinescu completed his annual renewal form online through the ‘My Account’ area of the RCVS’ website. On that form Mr Ghinescu ticked the first of the two boxes above, namely to indicate that he had no convictions, cautions or adverse findings (not previously declared), when this was not true because he had been convicted on 22 December 2022 at the Poole Magistrates’ Court.
21. It was the College’s case that in declaring he had no convictions when this was not the case, Mr Ghinescu’s conduct had been dishonest and/or misleading. Dishonest because Mr Ghinescu knew that the RCVS annual membership form required his convictions, including spent convictions, to be declared, that the declaration had to be answered truthfully and correctly and that he had not declared the conviction at Charge 2 (which was, in any event, unspent). In light of that knowledge, the College alleged, Mr Ghinescu’s actions in completing the RCVS annual membership form were dishonest by the standards of ordinary decent people.
22. In an email sent to the College on 31 July 2023 Mr Ghinescu said:

“Regarding my annual membership renewal the question was not if I have any conviction to disclose but if I have any unspent conviction to disclose. Because this case was closed in December 2022 with my driver license suspended and a fee to be paid I considered that I have no unspent conviction or any conviction pending trial and that a traffic offence is not something RCVS is interested about. Because of this I do not consider myself dishonest in any way regarding my annual membership renewal, this being an unintentional mistake.”

The Committee’s determination on the Charge

Charge 1 - proved

23. The Committee found Charge 1 proved on the basis of Mr Ghinescu's admission, as supported by the evidence relied on by the College, namely the copy extract of the Memorandum of Conviction from the Londonderry Magistrates' Court.

Charge 2 - proved

24. The Committee found Charge 2 proved on the basis of Mr Ghinescu's admission, as supported by the evidence relied on by the College, namely the copy extract of the Memorandum of Conviction from the Poole Magistrates' Court.

Charge 3(a) - not proved

25. This Charge was disputed. The Committee heard live evidence from Mr Robert Girling, a Solicitor based in the RCVS's Professional Conduct Department, who produced the form completed by Mr Ghinescu and made reference to the 'RCVS protocol on handling of convictions, cautions and adverse findings declared by veterinary surgeons' ("the Protocol"). This document could be accessed via a hyperlink on the annual renewal online form, although Mr Ghinescu said he had not done so.

26. There was no dispute between the parties that Mr Ghinescu was duty bound to complete that form accurately and honestly and that he should have ticked the box declaring he had a conviction. Mr Ghinescu said in his oral evidence:

"I didn't understand that paragraph and more than that I did not consider losing my driving licence for one year was something that may affect my registration. I am sorry that I declared something that was not truthful. I did not want to be untruthful or mislead the College. Prior to that I admitted my other offences that were way more grave and could affect my registration with the College. Unfortunately the only person I consulted was my spouse and that is why she is my witness and unfortunately those are the choices I made afterwards."

27. In support of his case, Mr Ghinescu called his partner, Alina Ionita, to give evidence. She said that it had been a genuine mistake by them and that they had not fully understood the wording on the annual renewal form. When asked why Mr Ghinescu had asked her opinion, she said that her

English was better than his and it was a general thing that they would consult each other on such matters. She said she misunderstood the word ‘spent’ and missed the fact that the declaration also said ‘including’ spent convictions. She said her understanding of a ‘spent’ conviction was that the case had stopped, it was not ongoing, there were no more proceedings, the case was closed and the fine imposed. Miss David put to Ms Ionita that the reference to ‘spent’ convictions was irrelevant as the conviction in question was not spent. Ms Ionita replied saying, “*that is where the problem comes, fully understanding spent to unspent is confusing as a legal term and what it truly means when it comes to a conviction.*” She accepted that she had not taken any steps to clarify the meaning of the word ‘spent’.

28. When being cross-examined, Ms Ionita was taken to a decision of the Nursing and Midwifery Council (“NMC”), dated 6-7 June 2023 that resulted in her being struck off as a Registered Nurse. The allegations she faced, and that were all found proved in her absence, were as follows:

That you, a Registered Nurse:

1. You were convicted on 22nd April 2021 at Londonderry Magistrates Court of unlawful assault, contrary to the Offences Against the Person Act 1861.

AND in light of the above, your fitness to practise is impaired by reason of your conviction.

2. You failed to disclose the NMC investigation against you to your employer, the Royal Bournemouth Hospital, between 14th September 2020 or before – 19th October 2020.

3. You failed to disclose to your employer, the Royal Bournemouth Hospital, that you had a Fitness to Practice Interim Order Review Hearing on 26th October 2020.

4. Your conduct in Charge 2, above, was dishonest in that you knew you should disclose the NMC investigation to your employer but sought to conceal that information from them.

5. Your conduct in Charge 3, above, was dishonest in that you knew you should disclose the interim conditions of practice order to your employer but sought to conceal that information from them.

AND in light of the above, your fitness to practise is impaired by reason of your misconduct.

29. Miss David put to Ms Ionita that the date of this hearing was just a couple of months after she had been giving Mr Ghinescu her opinion on what he should tick on his annual renewal form and thus she would have been fully aware of the importance of the need to disclose matters. Ms Ionita said she did not agree with the conviction or the findings of the NMC. She said she had not been given the opportunity to give her account of what happened with reference to the alleged assault and that her employer never informed her that she was to be referred to the NMC. Thereafter, she said, there were difficulties with her accessing documents sent to her by the NMC and she felt she was not being listened to. Ms Ionita said it was all very distressing because she loved being a nurse and her career as a nurse ended based on a “*false accusation*”. She added that she gave up trying to engage with the NMC because she was not listened to.

30. Miss David referred Ms Ionita to the NMC Panel’s decision on sanction, where it stated:

“The panel then considered a suspension order. It has found that there is evidence of a harmful, deep seated attitudinal problem. Ms Ionita abused her position of trust, whilst deliberately concealing the NMC investigation and the ICOPO from her employer. Therefore, the panel determined that Ms Ionita’s dishonesty was at the upper end of the scale of seriousness. Furthermore, there was no evidence before the panel to indicate that Ms Ionita has any insight into her misconduct nor that she does not pose a significant risk of repeating similar dishonest behaviour. Furthermore, the panel has found that Ms Ionita’s misconduct and conviction is fundamentally incompatible with her remaining on the register.”

31. Ms Ionita was asked about this and she said she found it all very distressing as it made her sound like a criminal. She said their findings were “*far from the truth*” adding, “*I was not being listened to and I just gave up.*” She maintained that with regards to Mr Ghinescu’s annual renewal form the ticking of the wrong box was a genuine mistake.

32. The Committee took a number of factors into consideration when deciding whether the College had satisfied the high burden of proving that Mr Ghinescu had acted dishonestly, that is to say the Committee had to be sure. It noted that English is not his first language, although he was able to participate during the fact finding stage of this hearing without recourse to the interpreter. It also noted that the renewal form makes reference to the need to disclose convictions “*which may affect registration*” ... “*except for minor offences excluded from disclosure by the RCVS*” suggesting it may not be all convictions that have to be disclosed. Without recourse to the Protocol this may be

considered to be slightly ambiguous phrasing and it was Mr Ghinescu's case that he did not think at the time that his driving conviction was something that might affect his registration and therefore he did not think it was something he had to disclose. He was wrong about that and accepts as much now, but maintained he did not set out to mislead the College or to act dishonestly. He pointed out that he had declared the far more serious matters from 2019, that hitherto had not affected his registration, but he felt the driving matter was in a different category and that was why he ticked the box saying he had no convictions.

33. However, like Ms Ionita, Mr Ghinescu had not made any attempt to clarify what his obligations were by, for example, contacting the College or reading the Protocol. Furthermore, it was not entirely accurate to say he had disclosed the 2019 convictions. On 20 November 2019 a member of the RCVS Registration Department telephoned Mr Ghinescu because he had failed to submit his annual declaration regarding criminal conviction compliance for his 2019/2020 annual renewal application. It was during that telephone call that Mr Ghinescu is said to have told the College that he had been convicted in May 2019 of assault. Following on from that telephone call Mr Ghinescu was written to by the College's Chief Investigator and reminded of his obligation to provide details of his conviction. On 7 February 2020, Mr Ghinescu sent an email to the Chief Investigator providing details of his conviction.
34. When asked about this in evidence, Mr Girling said that members sometimes make errors and the College did not seek to enforce matters in an unreasonable manner. He said that where there had been a mistake drawn to the attention of the member and a reasonable or plausible response is received and the error corrected, then the College allowed some latitude in the matter.
35. There was also, according to Mr Ghinescu, some confusion about what constituted a 'spent' conviction, but Mr Ghinescu accepted this was irrelevant because the declaration includes spent convictions in any event, so that even if he had erroneously believed his conviction was spent, he would still have been required to disclose it.
36. Mr Ghinescu relied to some extent on the evidence of his partner, Ms Ionita. However, the Committee felt unable to place much weight on her evidence in light of the disclosure about her own criminal conviction and subsequent fitness to practice proceedings before the NMC, which resulted in her being struck off for dishonestly failing to disclose the NMC investigation and her Interim Order review hearing to her employer. Furthermore, throughout her evidence she sought to go behind her conviction for assault and the findings of the NMC fitness to practise panel,

which is prohibited by Rule 23.4(a) of the Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) 2004 Rules. All of this cast doubt on the credibility and reliability of Ms Ionita as a witness and the Committee concluded that it could not safely rely on her evidence.

37. It is right to note that in January 2020 the College's Chief Investigator sent an email to Mr Ghinescu in relation to the 2019 convictions and included the paragraph, "*Veterinary surgeons, and those applying to be registered as veterinary surgeons, must disclose to the RCVS any caution or conviction, including absolute and conditional discharges and spent convictions, or adverse finding which may affect registration, whether in the UK or overseas (except for minor offences excluded from disclosure by the RCVS)*". However, the Committee could not be sure that Mr Ghinescu would have necessarily remembered this over three years later when completing his annual renewal form in April 2023.
38. Accordingly, the Committee focused on the evidence provided by Mr Ghinescu. Applying the test for dishonesty taken from the case of Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017] UKSC 67, referred to by the Legal Assessor, the Committee had first to ascertain, subjectively, the actual state of Mr Ghinescu's knowledge or belief as to the facts. Mr Ghinescu said his knowledge or belief as to the facts at the time was that he was not required to declare the driving conviction. Although this was plainly unreasonable of him and wrong, the Committee could not be sure the belief was not genuinely held. In other words, the College had not satisfied the Committee so that it was sure Mr Ghinescu's account was untrue. Having so determined the Committee could not be satisfied so that it was sure that this amounted to dishonest behaviour by applying the objective standard of ordinary decent people (the second part of the test from Ivey). Accordingly, the Committee was not satisfied that the College had proved its case on the allegation of dishonesty and found Charge 3(a) not proved.

Charge 3(b) - proved

39. As a matter of logic, the completed form was misleading, even if not intentionally so, since it conveyed incorrect information to the College by stating that Mr Ghinescu had no convictions to declare (that had not been previously declared) when in fact he should have declared the conviction from the Poole Magistrates' Court. Anyone at the College reading or looking at his annual renewal would have been misled by his declaration into believing he had no convictions,

cautions or adverse findings. Accordingly, the Committee found Mr Ghinescu had unintentionally been misleading and on that basis it found Charge 3(b) proved.

Fitness to Practise and Disgraceful Conduct in a Professional Respect

40. Mr Ghinescu gave evidence under affirmation again and said that with regards to Charge 1 it had been an ‘outburst’. He said there was no justification or excuse and that “*to this day*” he could not find any mitigating circumstances and he was “*very shameful of his actions.*” He said he understood the questions raised by the College about his fitness to practise as a Veterinary Surgeon because he had given an oath to protect life in any form and he broke that oath. [REDACTED]

[REDACTED] He said this was not an excuse for what he had done, but “*unfortunately all those facts lead me to that outburst, it was not an outburst that had happened before or again after.*”

41. Mr Ghinescu said that he was now working [REDACTED]. He said that unfortunately he could not turn back time and if he could he would change what had happened. He said he had very limited contact with his solicitor in Northern Ireland and was not allowed by the Judge to speak at his trial, so he could not present his case.

42. With regards to Charge 2, Mr Ghinescu said he had agreed to give two ‘black men’ a lift in his car. The police had followed him and spoken to him at the service station, not because of any erratic driving or issues with his driving, but because the police said a white man driving two black men suggested they were drug traffickers. The police searched the car and found nothing, but a drug test on him proved positive. He said he did not know how that was the case but he could not afford to challenge the result and the case was brought “*with no justification.*”

43. Mr Ghinescu said he understood the gravity of his convictions and they were not something he was proud of, but he had learned from them and improved his behaviour. He said. there had never been any suspicion of his being under the influence of anything whilst at work (not veterinary related), he had raised two ranks and was given more responsibility, with his employer always happy about his conduct. He said, “*That is why I believe my fitness to practise would not be impaired by my convictions.*”

44. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

45. With regards to Charge 3, Mr Ghinescu said it was true his actions when renewing were misleading to the College, but this was not done intentionally and not done to obtain any benefit as he was not working then or now as a Veterinary Surgeon. He apologised for his misunderstanding and said that now that he knew better it would not happen again. Mr Ghinescu said he hoped the Committee would find that he was still fit to practise, saying that he had never in fact practised as a Veterinary Surgeon in the UK and that although it was his 'life dream' to work as a Veterinary Surgeon, he did not think at his age that he would return to work in the field. However, retaining his registration, he said, related to his pride to be a member of the Royal College.

46. Before being cross-examined by Miss David, the Legal Assessor raised a matter arising out of the evidence given by Mr Ghinescu and the references he had made to issues relating to his health. As a consequence it was agreed that he would be released from his affirmation so that he could speak in private with the Legal Assessor and Miss David. Following that discussion Miss David, on behalf of the College, agreed to obtain a further statement from Mr Girling, exhibiting a number of additional documents from the hitherto unused material. In order to provide context and a chronology of events, Mr Girling exhibited a number of documents and correspondence between the College and Mr Ghinescu [REDACTED]
[REDACTED] detailing the issues faced by the College in progressing this case.

47. That statement and exhibits were then provided to Mr Ghinescu and he indicated that he was content for them to be provided to the Committee. Mr Girling was then recalled and his statement and exhibits were entered into evidence. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

48. Mr Ghinescu then returned to giving evidence. [REDACTED]

[REDACTED]

[REDACTED]

49. When cross-examined, Mr Ghinescu said he accepted the timeline of correspondence produced by Mr Girling and he accepted the College had tried to engage with him [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

50. Mr Ghinescu agreed that because of his lack of response Mr Girling and the Chief Investigator had to visit him at his home. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

51. It was not possible to conclude the hearing in the time originally set aside and accordingly the case was adjourned until December 2025. When the case resumed on 22 December 2025, the same people were present. The Committee proceeded to hear submissions on fitness to practise and disgraceful conduct in a professional respect.

52. Miss David provided written submissions, which she expanded orally, on the issue of Mr Ghinescu's fitness to practise. She submitted that the nature and circumstances of the offences, which led to the convictions, were such as to render Mr Ghinescu unfit to practise as a Registered Veterinary Surgeon. Miss David also argued that Mr Ghinescu's misleading declaration amounted to disgraceful conduct in a professional respect.

53. Mr Ghinescu pointed out what he said was an error in Miss David's written submissions where she referred to a urine sample being refused by him; he said it was hair and blood, he was not asked for a urine sample. He also highlighted what he considered to be wrong in Miss David's summation of the first conviction because, he said, his children were not present. [REDACTED]

[REDACTED]

[REDACTED]

54. With reference to Charge 3(b), Mr Ghinescu said that although it was misleading, he was not working at the time as a Veterinary Surgeon, before or after, and therefore it was not done for any financial or other gain, but rather was a mistake.

The Committee's Determination on Fitness to Practise

55. The Committee considered the submissions made by the parties together with all the relevant evidence. The Committee accepted the advice of the Legal Assessor that the issues of unfitness and disgraceful conduct were matters for the Committee's judgement. The Committee also took into account the Code of Professional Conduct for Veterinary Surgeons (The Code) and in particular the declaration made by all Veterinary Surgeons, namely:

“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.”

56. The Committee found Mr Ghinescu had breached the following part of the Code:

6.5 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.

57. The Committee next considered what factors either aggravated or mitigated the actual offences committed by Mr Ghinescu. It did not consider there to be any aggravating factors at this stage. It did find there to be the following mitigating factor in relation to charge 3(b):

- he said there was no financial gain because he was not practising as a Veterinary Surgeon

Charge 1 Conviction

58. This conviction consisted of three offences, threats to kill and two assaults, on Mr Ghinescu's partner, Ms Ionita, on 1 May 2019, so some six years ago. They are clearly serious offences as reflected in the prison sentence Mr Ghinescu was required to serve. There were two separate assaults on Ms Ionita, one in the car and then a prolonged attack in the house, involving repeated punches to the face and kicks to the body, followed by threats to kill.

59. When focussing on the nature and circumstances of the criminal offences in Charge 1, the Committee paid particular heed to the following:

- The criminal charges are of a very serious nature, involving physical assault and a threat to kill his wife (with the intention that she would fear that it would be carried out).
- Mr Ghinescu said to his children (aged 6, 9 and 10) immediately before the second assault in the home, *stay there, while I teach mummy a lesson*”. The children were in the house when the second assault took place. Mr Ghinescu did not deny that allegation during the police interview, only saying that he would have to think about it. The Committee noted that Mr Ghinescu now says his children were not present, but this is inconsistent with the evidence and not accepted by the Committee.
- The assault involved repeated violence involving slapping his wife whilst driving (which dazed her and caused her eye to flicker), pushing her at least 10 times, kicking her in the stomach (which he did not deny during the course of his interview), thighs and buttocks.
- When his wife tried to defend herself, Mr Ghinescu told her not to use her arms to block him otherwise he would break her arms.
- Ms Ionita, who sustained serious injuries as a result of the attacks, explained that she was *petrified*” of him and he is *very vengeful*”.

60. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

61. The Committee took into account comments made by Mr Ghinescu during his police interview, when he acknowledged that he “snapped”, that he was “raging, seeing red” and that consequently he was unable to recall how many times he had punched and kicked his wife. When considering motive, the Committee noted Mr Ghinescu’s comment that his wife was abusing him mentally by refusing to have sex with him for six months.

62. The Committee was of the view that a Veterinary Surgeon completely losing control and inflicting serious injuries on his partner, when his young children are nearby, as well as suggesting that an apparent refusal to have sex constitutes mental abuse and justifies that conduct, are extreme factors to be taken into account in considering the nature and circumstances of the offence, which would undermine the public’s confidence in the profession and fail to uphold the professional standards of a veterinary surgeon.

63. Mr Ghinescu’s conduct was liable to have a seriously detrimental effect on the reputation of the profession and to undermine public confidence in the profession. The Committee considered that members of the public would rightly be appalled that a Registered Veterinary Surgeon had committed offences of this nature and behaved in this way.

64. The Committee was satisfied that this conduct fell far below the standard expected of a Registered Veterinary Surgeon and that Mr Ghinescu’s conviction was of a nature and seriousness that rendered him unfit to practise as a Veterinary Surgeon.

Charge 2 conviction

65. This criminal conviction involved Mr Ghinescu driving on a motorway on 18 July 2022 with cannabis (a controlled drug) exceeding the specified limit in his blood. His sentence involved a fine (£160), a victim service surcharge (£64), a disqualification for 12 months, and an endorsement on his licence.

66. In terms of the nature and circumstances of the offence, the Committee considers this to be a serious offence under the Road Traffic Act 1988, even though it was downplayed by Mr Ghinescu in his oral evidence. It is inherently dangerous to members of the public (including his passengers

and other road users), as a result of the potential for reduced reaction speed. Furthermore, the offence took place on a motorway (the M3), where the speeds are faster, and the journey was not a short one, thereby increasing the levels of potential danger caused by someone driving whilst under the influence of an illegal drug.

67. The Committee was of the view that Mr Ghinescu's conviction, including its nature and circumstances, brings the Veterinary Surgeon profession into disrepute and concluded that, as a result of this criminal conviction, Mr Ghinescu is rendered unfit to practise as a Veterinary Surgeon.

The Committee's determination on disgraceful conduct in a professional respect

68. Miss David sought to persuade the Committee that Mr Ghinescu's failure to tick the correct box on his annual membership form amounted to disgraceful conduct in a professional respect.

69. The Committee found that Mr Ghinescu had misled the College by erroneously ticking the box to say he had no convictions when he should have ticked the box to reflect his conviction at the Poole Magistrate's Court for the matter in Charge 2. However, since the Committee was unable to conclude that this had been an intentional act it meant Mr Ghinescu's culpability was low. If confused or in any doubt about what he should have been ticking he should have referred to the Protocol and/or contacted the College for advice, rather than simply deciding he did not have to declare his conviction. This was careless of him and could even be considered to be negligent. However, careless or negligent acts do not amount to misconduct unless particularly serious or repeated. The Committee did not consider this error fell into either of those categories.

70. Accordingly, the Committee decided that Mr Ghinescu's conduct in respect of Charge 3(b) did not amount to disgraceful conduct in a professional respect.

Sanction

71. Miss David informed the Committee that Mr Ghinescu has no previous disciplinary matters recorded against him.

72. Mr Ghinescu said he accepted the decision of the Committee and that it was fair. In answer to questions from the Chair, Mr Ghinescu said he qualified as a Veterinary Surgeon in Romania in

2006. However, he did not practice as a Veterinary Surgeon but worked for a time as a Meat Inspector in Romania. He then came to the UK in 2014 and then registered with the RCVS in 2019, however he had never worked in the UK as a Veterinary Surgeon. He said he had not done any Continuing Professional Development. [REDACTED]

[REDACTED]

[REDACTED]

The Committee's Determination on Sanction

73. In reaching its decision on sanction, the Committee took into account all the evidence and documents provided, together with the submissions made by Mr Ghinescu and all matters of personal mitigation. The Committee also referred to the RCVS Disciplinary Committee Procedure Guidance. The Committee had in mind that the purpose of sanctions was not to punish Mr Ghinescu for a second time, but to protect animals, maintain public confidence in the profession and maintain proper standards of conduct and performance. The Committee was also cognisant of the need to ensure that any sanction is proportionate. The Committee accepted the advice of the Legal Assessor.

74. The Committee first considered any aggravating and mitigating factors in this case. The Committee found no aggravating factors beyond the seriousness of the criminal offences themselves.

75. The Committee considered the following mitigating factors:

- no previous disciplinary history;
- admissions to the extant matters alleged both at Court and to the College;
- some developing insight, with an acceptance that he had acted shamefully and had no mitigation for his behaviour.

76. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



77. In light of the seriousness of the conduct, the Committee did not consider this was an appropriate case to take no further action or cause for judgement to be postponed.

78. The Committee next considered whether to reprimand or warn Mr Ghinescu about his behaviour. However, the Committee was firmly of the view that such a sanction would not reflect the seriousness of the conduct which led to his convictions. Mr Ghinescu had beaten his wife on more than one occasion and threatened to kill her. In addition, he was convicted of driving a motorcar on a motorway whilst under the influence of an illegal drug. The Committee was of the view that public confidence in the profession, and the College as its Regulator, would be seriously undermined if such behaviour were dealt with by either a reprimand or a warning.

79. The Committee then considered whether to suspend Mr Ghinescu's registration with the RCVS. The College's guidance states that suspension may be appropriate where some or all of the following apply:

(a) the conviction is serious, but a lesser sanction is inappropriate and the conduct in question falls short of being fundamentally incompatible with remaining on the register;

(b) the Respondent veterinary surgeon has insight into the seriousness of the misconduct and there is no significant risk of repeat behaviour;

(c) the Respondent veterinary surgeon is fit to return to practice (after the period of suspension).

80. The Committee was satisfied that the convictions are serious and that a lesser sanction would be inappropriate. Whilst Mr Ghinescu has some insight into his offending behaviour, this is limited. He has made admissions and has said that there was no justification or excuse for his conduct and that "*to this day*" he could not find any mitigating circumstances and he was "*very shameful of*

his actions.” He said he understood the questions raised by the College about his fitness to practise as a Veterinary Surgeon because he had given an oath to protect life in any form and he had broken that oath. The Committee noted that the assaults took place in May 2019, so over six years ago and there was no evidence that he had repeated his behaviour and his wife attended the hearing to give evidence on his behalf; they are still together. The same was true of the driving offence committed in July 2022, which had not been repeated. The lack of any previous or subsequent history of offending meant the Committee could not say there was a significant risk of repeat behaviour. There was, however, a risk because such an explosive, violent loss of control directed at his wife, is not normal and is suggestive of deep-seated attitudinal problems. Mr Ghinescu does not really seem to understand why he behaved in such a despicable way and there is no evidence of remedial steps to prevent a recurrence, such as attendance on an anger management course [REDACTED]

[REDACTED]

[REDACTED]

81. Of particular concern to the Committee was the effect of Mr Ghinescu’s behaviour on the reputation of the profession and therefore the wider public interest. The Committee was firmly of the view that public confidence would have been severely affected by Mr Ghinescu’s behaviour. Serious, repeated domestic abuse resulting in physical and emotional injury, for which he received a prison sentence, is not the behaviour the public expects from a registered Veterinary Surgeon and member of the Royal College. For all these reasons, the Committee considered that suspending Mr Ghinescu’s registration would not be sufficient to reflect the seriousness of the convictions and to maintain confidence in the profession and that, therefore, for public interest reasons, a suspension would not be sufficient. If Mr Ghinescu faced Charge 2 alone, then the situation may well have been different, but such was not the case here.

82. The Committee also referred to its Guidance document, which states the following:

“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...*
- c. Causing serious harm (or causing a risk of serious harm) to animals or the public.*

83. The Committee was of the view that the nature and seriousness of Mr Ghinescu's behaviour, which led to the convictions, particularly the assault on his wife, was fundamentally incompatible with being registered as a Veterinary Surgeon and that the above matters listed were applicable in this case. They are clearly serious offences as reflected in the prison sentence Mr Ghinescu was required to serve. There were two separate assaults on Ms Ionita, one in the car and then a prolonged attack in the house, involving repeated punches to the face and kicks to the body, followed by threats to kill. The Committee considered this to be disgraceful conduct of the most grievous and reprehensible kind. The conduct represented a serious departure from professional standards; it was inexplicable, abhorrent behaviour, resulting in injuries to his wife. In light of these conclusions, the Committee decided that the only appropriate and proportionate sanction in this case was removal from the Register.

84. In reaching this decision the Committee recognised the impact this may have on Mr Ghinescu, although it noted that he is not practising as a Veterinary Surgeon, has not done so for many years, says he has no intention of doing so in the future, and only wanted to stay on the Register as a matter of pride. The Committee had considered all the limited mitigating factors with care, however the need to protect the reputation of the profession and thus the wider public interest, outweighed Mr Ghinescu's interests and the Committee concluded that removal was the only appropriate and proportionate sanction in this case. The Committee determined that it was important that a clear message be sent that this sort of behaviour is wholly unacceptable and not to be tolerated. It brought discredit upon Mr Ghinescu and discredit upon the profession.

85. The Committee therefore directs the Registrar to remove Mr Ghinescu's name from the Register.

DISCIPLINARY COMMITTEE

22 December 2025