

**ROYAL COLLEGE OF VETERINARY SURGEONS**

**INQUIRY RE:**

**MRS ALINA GRECKO MRCVS**

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**DECISION ON SANCTION**

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1. Having found Mrs Grecko guilty of disgraceful conduct in a professional respect, the Committee went on to consider what, if any direction it should issue in respect of this finding.
2. The Committee bore in mind that its purpose was not to punish Mrs Grecko, but to protect the public and maintain public confidence in the profession as a whole.
3. The College made no submission on the matter of sanction.
4. Mrs Grecko submitted to the Committee that she had not hurt any animal or put anyone at risk. Mrs Grecko submitted a letter to the Committee in which she stated that she accepted the Committee's findings and sincerely apologised for her behaviour and actions. She accepted that her actions had not met the standards expected from the veterinary profession. She acknowledged that she had made a massive mistake in judgement in trying to help her husband with his condition. Mrs Grecko submitted that she was led by love and by a human need to help another human.
5. Mrs Grecko wanted to assure the Committee that she had truly learned her lesson and reflected deeply on her actions. She submitted that there would never be any repetition of this behaviour.
6. Mrs Grecko told the Committee that she had been unable to obtain further employment as a veterinary surgeon after her dismissal from the Practice. She submitted that prospective employers had not engaged her, on learning that Mrs

Grecko was subject to disciplinary investigation. She submitted that she had lost two years of her career as a result.

7. [REDACTED]  
[REDACTED]  
[REDACTED]
8. The Legal Assessor advised the Committee that it had to consider what if any direction to make as to sanction and that, in taking action, the Committee had to be proportionate. Proportionality meant ensuring that a measure imposes no greater restriction on a Convention right than absolutely necessary to achieve its objectives. The intention was not to punish, but the Committee was concerned with the reputation or standing of the profession. He advised the Committee to have careful regard to the Disciplinary Committee Sanctions Guidance for Veterinary Surgeons (updated August 2020) (“the Sanctions Guidance”).
9. The Committee accepted the legal advice. It took into account the Sanctions Guidance and approached the available sanctions from the least serious and considered them in ascending order of severity.
10. The Committee reminded itself of the Aggravating and Mitigating factors which it had considered were involved in the case as set out in its previous determination. It found the following aggravating factors:
  - a. The misconduct had involved dishonesty and a lack of probity and integrity
  - b. The course of obtaining the medicine had been premeditated
  - c. There had been an abuse of her position as a veterinary surgeon by Mrs Grecko in using her ability to obtain a prescription only medicine
  - d. There had been a previous adverse regulatory finding against Mrs Grecko, also in respect of prescribing medication dishonestly representing that they were for legitimate veterinary use.
11. The Committee noted that there were also mitigating factors in the facts found, as follows:
  - a. No actual harm had been caused to an animal or human by her misconduct
  - b. There had been no financial gain from the misconduct

- c. Mrs Grecko had made frank admissions to a significant part of the misconduct, at the time to Dr TC, to the College in its investigation and at the hearing
  - d. Mrs Grecko had demonstrated some insight, in her admission of disgraceful conduct and her evidence given to the Committee in the hearing.
12. The Committee took into account that in addition there was also some mitigation in the professional and personal consequences that Mrs Grecko had experienced from the events.
13. The Committee balanced the disgraceful conduct it had found and the aggravating factors with the mitigation. The Committee considered that the disgraceful conduct was very serious, when taking into account the abuse of position and pre-meditated and dishonest conduct. Although there had been no harm to animals, the case concerned a threat to the standards of integrity in the profession and the safeguards around medicines. Mrs Grecko had apologised and made admissions indicating some insight. However, the Committee balanced this with the fact that this was a repetition of past conduct. It acknowledged that a serious sanction will have considerable effect on Mrs Grecko, but concluded that the case required a serious response.
14. In terms of any risk of repetition, despite the submission that Mrs Grecko had learned a lesson and would not repeat the misconduct, the Committee noted that there had been a previous finding against Mrs Grecko in relation to matters which had been dealt with in 2011. Although this was some years before the matters now in question, there were some significant similarities in the findings in each case.
15. The Committee first considered taking no further action in response to its findings. However, it considered that this was inconsistent with the seriousness of the disgraceful conduct and the Committee's obligation to protect the public and maintain confidence in the profession. The Committee noted that a sanction had been imposed on the previous occasion and this had not prevented a recurrence.
16. The Committee considered whether it should postpone judgement. However, there was no clear purpose to be achieved by postponement. The Committee noted that it could not impose undertakings without consent and no undertakings had been offered. The Committee concluded that there was no reason or justification for postponement.

17. The Committee next considered whether to reprimand and/or warn Mrs Grecko about her behaviour. However, the Committee noted that Mrs Grecko had previously been given a reprimand and a warning as to future conduct in the proceedings in 2011 but had gone on to commit further similar conduct in 2021. Therefore, it concluded that to give a further reprimand and/or warning would not meet the needs of protecting the public or maintaining public confidence.
18. The Committee next considered a suspension. It noted that a suspension could be imposed for a long period if necessary, although periods of up to two years were the range usually imposed if suspension was appropriate.
19. The Committee noted the guidance that suspension may be imposed where a reprimand is insufficient, but the conduct falls short of being fundamentally incompatible with continued registration. The Guidance states that suspension may be appropriate where some or all of the following apply (paragraph 71):
- a. the conduct 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 is fit to return to practice (after the period of suspension).
20. The Committee took into account and accepted the submissions that veterinary surgeons, as in the case of doctors and nurses, are trusted with the control and administration of prescription medications. The abuse of control of medications has serious implications for the public. In addition, the qualities of probity and integrity are fundamental aspects of the required character for veterinary surgeons.
21. The Committee noted that it had considered the dishonest conduct at the high end of the scale. It also took into account paragraph 76 of the College's Guidance:
- “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. The Privy Council has, in a case involving dishonesty, provided guidance on the distinction between removal and suspension from the register. [Walker v RCVS PC 16 of 2007]”.*

22. The Committee also noted paragraph 77 of the Sanctions Guidance, which states that removal may be appropriate where behaviour is fundamentally incompatible with being a veterinary surgeon. From the non-exhaustive list of factors set out, the Committee considered that the following applied:
- a. There had been a serious departure from professional standards as set out in the Code of Professional Conduct for Veterinary Surgeons and as set out in the determination on disgraceful conduct in a professional respect
  - b. The disregard had been 'reckless' in the sense that the proper controls on prescribing prescription only medicine had been avoided
  - c. The repeat of the previous dishonest behaviour indicated poor attitudes towards appropriate standards
  - d. The case involved dishonesty at the high end of the scale and had involved an attempt at concealment and a repetition of past dishonest conduct.
23. The Committee was very concerned that, having received a sanction previously for similar behaviour, Mrs Grecko had gone on to repeat conduct which was disgraceful conduct in a professional respect. This led the Committee to not accept Mrs Grecko's submission that she had learnt her lesson from this conduct. In the Committee's judgement, this indicated that Mrs Grecko presented a significant risk of further repeating errors of judgement and dishonest conduct.
24. Further, the Committee considered that members of the public would be very concerned to learn that, having once been reprimanded for her previous dishonest conduct, Mrs Grecko had repeated her behaviour.
25. In light of the Sanctions Guidance, the Committee considering that the above factors were engaged, it concluded that this rendered Mrs Grecko's disgraceful conduct in a professional respect incompatible with continued registration and no lesser sanction than removal from the register would be sufficient to protect the wider public interest in maintaining public confidence in the profession and declaring and upholding proper professional standards.
26. The Committee therefore directed the Registrar to remove Mrs Grecko's name from the Register of Veterinary Surgeons.

**Disciplinary Committee**

**21 September 2023**