

DR AMIR KASHIV MRCVS

DECISION OF THE DISCIPLINARY COMMITTEE

1. Dr Kashiv appeared before the Disciplinary Committee (“the Committee”) to answer the following charge (as amended at the Case Management Conference on 6 March 2025 and at a hearing on 27 March 2025):

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

1. On 2 January 2024, at Stevenage Magistrates’ Court, you were convicted, following a guilty plea, of the offence of carrying out a prohibited procedure on a protected animal, namely that on 17 December 2022 at Broxbourne in the county of Hertfordshire carried out on a protected animal, namely a Labrador dog called Bella, a procedure which was prohibited by section 5(3) of the Animal Welfare Act 2006, namely de-chipping her;

and in relation to the above, you were sentenced to a community order of an unpaid work requirement of 50 hours within 12 months, and ordered to pay a surcharge to fund victim services of £114 and costs of £85;

AND THAT it is alleged that the conviction above renders you unfit to practise as a veterinary surgeon;

2. On 17 July 2024, at Stevenage Magistrates’ Court, you were made subject to a Criminal Behaviour Order made for five years from 17 July 2024, with the following requirements:
 - i. Ensure all dogs owned by you have a working and up to date microchip, and you must provide full details of this dog (microchip number, date of ownership, breed, age of dog, colouring and markings, name, previous ownership) to the Local Authority dog warden service provider;

- ii. Inform the Local Authority dog warden service provider if at any time any dog leaves your care or ownership for any reason, including the date of change and fate of the dog;
- iii. Use your best endeavours to ensure your property/land and its boundary (and in particular any fencing) is maintained to prevent any dog you own from escaping/straying off of the land;
- iv. Allow inspection of your property every three months by a constable or officer of the local authority for the purpose of ensuring compliance of this order;
- v. To fix any issues raised by those inspecting your property under the terms of this order and to record it with a nominated individual acting as a witness;

and with the following prohibition: accept permanent or temporary care or ownership of any additional dog(s) for rehabilitation, veterinarian procedures or rehoming beyond those you already have;

- 3. In relation to the offence at 1 above, your conduct was dishonest, in that you removed the microchip in order to conceal Bella's identity;
- 4. In relation to the offence at 1 above, you failed to keep any adequate clinical records in relation to Bella, and your conduct was thereby:
 - (i) misleading: and/or
 - (ii) dishonest.

AND that in relation to the matters set out at 2 and/or 3 and/or 4 above, whether individually or in any combination, you are guilty of disgraceful conduct in a professional respect.

Preliminary matters

Admissions

5. Mr Orpin-Massy, on behalf of Dr Kashiv, indicated that Particulars 1 and 2 were admitted and that the stem of Particular 4 was also admitted. Dr Kashiv denied, however, that his conduct was at any stage misleading or dishonest. He also did not accept that his conviction rendered him unfit to practise as a veterinary surgeon or that any of the matters set out in Particulars 2 to 4 amounted to disgraceful conduct in a professional respect.
6. The Chair formally announced that Particulars 1, 2 and the stem of 4 were found proved.

Background

7. Miss Curtis then proceeded to open the case on behalf of the College.
8. At all times material to the allegation before the Committee Dr Kashiv was (and still is) registered as a veterinary surgeon.

The Conviction

9. On 2 January 2024, in the Stevenage Magistrates 'Court Dr Kashiv was convicted, following a guilty plea, of the offences outlined in Particular 1 above.
10. Dr Kashiv was sentenced to a Community Order, as detailed in the Particulars of the Charge above.
11. The prohibited procedure referred to in the Memorandum of Conviction was the removal of a microchip from a Labrador named Bella. The removal took place on 17 December 2022.
12. In summary, on 7 December 2022, Bella was stolen from her owner, Mr AH. There is no suggestion that Dr Kashiv was in any way involved in the theft. On 17 December 2022, someone who was involved in the theft presented Bella to Dr Kashiv, who performed surgery to remove her microchip, so she could be re-homed without being traced.
13. On 28 February 2023, Dr Kashiv was arrested for performing the surgery. On the same day, he was interviewed by police officers. He admitted the offence.

14. Documents provided to the College by the Police, including statements taken as part of their investigation and the recording of their interview with Dr Kashiv, explain the nature and circumstances of the offence in more detail.
15. A statement from Bella's owner, Mr AH, was read to Dr Kashiv during his interview with the Police. Mr AH explained that Bella was a female black Labrador who was five years old at the relevant time. He had owned Bella since she was an eight-week-old puppy. Bella had been spayed, microchipped and was fully vaccinated. Mr AH, following a hip replacement which led to him "*hobbling*" accepted what he thought was a kind offer from a young neighbour to pay her to walk Bella for him.
16. On 7 December 2022, the neighbour collected Bella as usual, but about twenty minutes later, she ran back to Mr AH's house, telling him that a firework had frightened Bella and that she had run off. A number of people helped Mr AH try to find his dog, but without success.
17. During the police interview, officers referred Dr Kashiv to statements taken from friends who were in the same sixth-form as the young neighbour. They explained that the neighbour had confessed to her friends that she and her sister, Miss AF (referred to as Ash or Ashley), planned to steal Bella from Mr AH whilst purporting to take her for a walk. Miss AF was known to be involved in an organisation known as 'Animal Rebellion', an animal rights group. The friends also told the Police that Miss AF had taken Bella to a veterinary practice near London after she had been stolen, so that her microchip could be removed.
18. Several weeks later, Bella was found and she was reunited with Mr AH (it is unclear, from the documents available to the College, how Bella came to be found).
19. On 28 January 2023, Bella was taken to West Mount Vets in Halifax, the veterinary practice which had cared for her throughout her life. Dr AP, a veterinary surgeon at that practice, examined Bella and found a shaved section on her neck. Dr AP re-shaved the area and found a small surgical scar consistent with the removal of a microchip. Dr AP considered that the nature of the scar indicated that the person who had made it "*knew what they were doing.*" She used a scanner to see if it would detect a microchip and it did not. Dr AP also saw that Bella's forelimb had been shaved, which was consistent with the insertion of a catheter or needle for the purpose of sedation prior to surgery.

20. Dr AP also explained, in her police statement, that Bella's owner had not wanted Bella to undergo sedation in order to take an x-ray to confirm whether the microchip had been removed, but that her (Dr AP's) findings, namely the scar and the scanner not detecting anything, were consistent with a chip having been removed.
21. Police investigations tracked the mobile telephone signals for Miss AF and another member of 'Animal Rebellion', Mr DG, whom Police believed had been involved in the theft. This revealed that, on 17 December 2022, ten days after Bella had been stolen, AF and DG's telephones had been in the vicinity of Medivet in Broxbourne, the veterinary practice where Dr Kashiv worked and was present.
22. On 28 February 2023, Police officers, together with Michael Hepper, a barrister in the College's Professional Conduct Team and Michael Allen MRCVS, a College Veterinary Inspector, attended at Medivet in Broxbourne. They examined the practice's rotas and saw that, although there were other staff members working on 17 December 2022, the only veterinary surgeon working that day was Dr Kashiv. Mr Allen examined the appointments diary for 17 December 2022, but could see nothing consistent with a microchip removal. A search of Dr Kashiv's locker, however, revealed a 2022 diary, which had the following entries for 17 December 2022:
- “31.5 0.31 Sed
 0.31 atp,
 1.3 met
 Ryc (100 +20) x2”
23. Mr Allen took the view that these entries were consistent with notes of the weight of a Labrador and amounts of drugs used to sedate a dog of this size for surgery. He explained that the range of weights of Labradors was 24kg to 35kg and suggested that “0.31 Sed” could refer to an appropriate quantity of Sedator, “0.31 atp” could be an appropriate amount of Atipamezole and “1.3 met” an appropriate quantity of Methadone *[sic]*.
24. On the same day, 28 February 2023, Police officers arrested Dr Kashiv and interviewed him under caution. He was represented by a solicitor at the interview. The recording of the interview was transcribed for the purposes of the College's hearing.
25. During the interview, Dr Kashiv admitted removing a microchip surgically from Bella after sedating her and giving her a local anaesthetic. He said that he had been approached by someone

who had asked him to remove a chip from a dog and he had agreed, doing so on a Saturday night at about 8pm or 9pm. He stressed that, although the surgery had been undertaken at the premises where he worked, nobody else from the practice had been involved. He said that when the dog had come into the practice “*she was in good condition*”.

26. Dr Kashiv said that he had been told that the dog had “*come from a bad situation*” and had “*a good home lined up for it*”. He said that, a week before the surgery, someone had contacted him by text, asking him whether he would perform the surgery and he had agreed to do so for a payment of around £30. He said he did not know the person herself, but stated that she knew people whom he trusted. He said he himself was “*what s called an animal rights person*” and that he was aware of a network of similar people. He said he had met the woman in question in the car park of his practice.
27. Dr Kashiv explained that he had sedated Bella by intramuscular injection and then made an incision. He agreed that the entries in his 2022 diary related to Bella’s weight and drugs relating to sedation. He accepted that he had not been under any pressure or duress to remove Bella’s microchip. He nonetheless claimed that he had done so “*for the welfare of the dog*”. When reminded that he had himself described the dog as being in a good condition, Dr Kashiv stated that he had trusted the people who had brought her in when they had said she had not been in a good place and that she was being abused. He agreed that Bella had no visible injuries and that there was no evidence that she had been in a poor environment.
28. Dr Kashiv was asked to comment on the various statements taken by the Police, including from Bella’s owner, Mr AH, the friends of the young neighbour who had stolen Bella, and Dr AP, the veterinary surgeon who had examined Bella after she had been recovered.
29. Mr AH’s police statement (apparently given prior to Bella being discovered, and as read to Dr Kashiv during the interview) clearly indicated that he was distraught by the loss, saying:

“Bella may just be a dog to some people, but I love her unconditionally and my life has not been the same since she was taken. I have numerous health conditions and thought these people were trying to help me out with Bella and instead they have taken her from me. I have been unable to sleep since Bella was taken and I am worried I may never see her again.”

30. Dr AP's statement (again, as read to Dr Kashiv during the police interview), confirmed that veterinary surgeons at her practice had seen Bella consistently throughout the dog's life; that Bella had been frequently brought to the practice for worming and flea treatments and was up to date with her vaccinations. She stated that the owners had attended the practice with Bella a couple of times for minor issues, which showed that Bella lived with a caring family who were concerned about the welfare of their dog.
31. When it was put to Dr Kashiv in the police interview that Bella had actually been "*in good health and appeared to be very happy*" he said, "*I feel bad as I say if it s all true I feel bad. I feel like I have been mis-sold the situation and I regret it.*"
32. Dr Kashiv was charged by the Police and, on 2 January 2024, he appeared before the Stevenage Magistrates 'Court. He pleaded guilty to carrying out a prohibited procedure on a protected animal and was sentenced to a Community Order including unpaid work for fifty hours.

The Criminal Behaviour Order

33. On 17 July 2024, the Stevenage Magistrates' Court imposed a Criminal Behaviour Order (CBO) on Dr Kashiv.
34. Huntingdonshire District Council (HDC) provided the College with documents relating to the background leading to its request for the CBO. They included statements and reports indicating that in 2020, 2021, 2022 and 2023, a number of dogs belonging to Dr Kashiv were found wandering without supervision in the vicinity of his home address or further afield. On some occasions, neighbours made complaints to the authorities. On two occasions, the dogs were found roaming freely and were taken to rescue centres. HDC investigated the reports and issued notices and penalties on Dr Kashiv in relation to keeping his dogs from straying.
35. By way of background, in 2014 and 2015, there were a number of episodes of Dr Kashiv's dogs escaping from his land, and issues with dogs barking and howling. He was served with warnings and Community Protection Notices as a result.
36. In April 2016, Dr Kashiv was convicted of three offences of breaching the Community Protection Notices. The breaches related to allowing dogs to roam freely on the public highway. He was also convicted of one offence of breach of an Abatement Notice, relating to a failure to take action to

resolve noise arising from barking and howling of dogs at his home address. He was sentenced to fines and was made subject to a CBO for two years. In November 2016, he was convicted of breaching that CBO, by allowing a dog to escape from his premises and stray onto a public road. He was fined for that breach.

37. In July 2017, Dr Kashiv appeared before the College's Disciplinary Committee in relation to the two convictions in 2016. On 20 July 2017, the Disciplinary Committee concluded that the convictions did not render Dr Kashiv unfit to practise veterinary surgery. A copy of this decision was provided to the Committee and sets out the details of the 2016 convictions. In its determination, the 2017 Committee stated:

“The Committee regards this as case close to the borderline. These offences, involving the mismanagement by a veterinary surgeon of his animals and repeated offences demonstrates that Dr Kashiv had a less than adequate insight in 2014 and 2015 into the seriousness of the situation or into the understandable concerns of the neighbours and of the authorities. They are capable of bringing the profession into disrepute.”

38. Following that 2017 Disciplinary Committee decision, in November 2018, Dr Kashiv was again convicted for a breach of the CBO. This matter was not referred to the Disciplinary Committee.
39. As noted above, in 2020, 2021, 2022 and 2023, there were further instances of Dr Kashiv's dogs straying from his premises. These further instances led to HDC applying for the CBO in 2024.
40. The documents provided by HDC show that Dr Kashiv kept a considerable number of dogs and cats at his home address between 2020 and 2023. In February 2023, in his interview with the Police relating to Bella, he stated that he kept eleven dogs and about twenty cats at his home. In March 2023, when a Police officer, a veterinary surgeon and an RSPCA Inspector attended at his home, there were ten dogs and approximately twenty cats present. In a letter to the College, dated 5 November 2024, Dr Kashiv accepted that he kept a lot of dogs at his home, and that he had used the premises as a rescue centre.
41. There were three consecutive days in September 2020, one day in January 2021, one day in February 2021 and one day in October 2023 when one of Dr Kashiv's neighbours complained about stray dogs in the vicinity of Dr Kashiv's house. The neighbour reporting the January 2020

incidents described the dog as aggressive, showing it's teeth and barking at her when she approached. In addition, in March 2022 and February 2023, stray dogs that were taken to rescue centres were discovered to be registered to Dr Kashiv. Regarding the dog found straying in February 2023, Dr Kashiv accepted that this was his *elderly Staffie*", who had escaped from a breach in his fence.

42. In the application for the Criminal Behaviour Order, the background was detailed as follows:

"On 20 April 2016 a Criminal Behaviour Order was served on AMIR KASHIV for a period of 2 years, following conviction of breach of Community Protection Notice (in relation to dog control). During this period, AMIR KASHIV was convicted for breach of a Criminal Behaviour Order on 16 November 2016 and 07 February 2018.

Leading to the necessary serving of a Criminal Behaviour Order on 20 April 2016 and subsequently during the two years the Criminal Behaviour Order was active, AMIR KASHIV's anti-social behaviour has persistently and continuously had a detrimental effect on those within the locality of Warners Drove, Somersham, and has caused alarm and distress in doing so. This anti-social behaviour continued beyond the expiration of the Criminal Behaviour Order on 20 April 2018.

As described in section 4 below, throughout 2021, 2022 and 2023 HDC received complaints from members of the public in relation to AMIR KASHIV's lack of dog control, resulting in dogs straying, at time several miles from his home address. The lack of dog control displayed by AMIR KASHIV has caused a number of risks, including to local wildlife and to the dogs and motorists, as often times his dogs have been found straying on the highway. Additionally, the lack of dog control has had a detrimental effect on the residents of Warners Drove, Somersham, as described in the enclosed statement. Therefore, HDC issued a Community Protection Warning on 09/02/2021, a Community Protection Notice on 29/03/2022 and a fixed penalty notice for breach of Community Protection Notice on 24/04/2023.

Since the expiration of the last Criminal Behaviour Order on 20/04/2018, Huntingdonshire District Council have visited AMIR KASHIV's address at Edwards Farm several times to discuss the matter of dog control with him but found the property to be inaccessible. However, upon written notice, Huntingdonshire District Council have

carried out inspections of Edwards Farm on 25/05/2022 and 14/03/2023. Both inspections of Edwards Farm raised concerns regarding the suitability of the property's boundary fencing due to disrepair and gaps which allow the escape of animals. When discussed with AMIR KASHIV he has made attempts to improve the fencing, but either to an insufficient quality, or not maintained sufficiently to prevent failures."

43. Although there is no written decision from the Magistrates' Court, and the CBO was imposed with consent from Dr Kashiv, the Committee was advised that as a matter of law it can only have been imposed on the basis that Dr Kashiv had engaged in behaviour which caused or was likely to cause harassment, alarm or distress to any person. In his letter to the College, Dr Kashiv accepted that the application for the CBO was made on the basis of the information provided by HDC in relation to allowing dogs to stray from his property repeatedly over a number of years.

Dr Kashiv's position

44. In a letter dated 22 May 2024, sent by Dr Kashiv to the College, he said:

"Sometime in early December 2022 (I cannot pinpoint the exact date) I was contacted by a friend about the dog Bella. I have known this friend for several years through her work in dog rescue and rehoming, which is something I too am involved in. Over the years I saw several dogs brought to me by her or, more commonly, by volunteers for checkups, vaccinations etc. I saw these dogs out of hours and only charged for consumables, at cost.

I was told that Bella was being abused by her owner: being caged for most of the day, being hit regularly and not having ailments seen to properly. I was advised that several complaints had been made to the RSPCA, by different people, but no action was taken (this did not surprise me from my own experience with the RSPCA). I was told that the concerned people had decided to remove Bella from the owner and to find her a new home and I was asked if I would remove her chip in order to make this new life more secure; I agreed to do it. On 17.12.22, Bella was brought to me by two volunteers, in the evening, out of hours. No-one else was present at the practice nor did anyone else know what I was doing. I carried out the procedure with sedation and local anaesthetic and sent her home with pain relief for 2 days. I advised that the new owners would need to re-chip her. I wasn't completely clear about my own legal position. As this was an unofficial

procedure, I didn't keep any notes apart from making a note in my diary about the drugs I used.

Based on my understanding at the time, I genuinely felt that removing the chip was in Bella's best interests as she could now have a home where she would be exercised, cared for and loved, none of which it seemed she had in her previous home.

The legality of the situation became clear on 28.2.23 when I received a visit from the police and was arrested. The charge came much later and related to the removal of the microchip (which was in legal terms carrying out an unnecessary procedure on a protected animal). In that respect, the RCVS allegation set out in your letter is factually correct.

Even though I considered I was acting in Bella's best interests, I now know that what I did was illegal and in contravention of guidelines with regard to microchip removal set out in the RCVS Code of Professional Conduct. I fully accept that it was wrong of me to acquiesce in the whole project. With hindsight I accept that I should have advised my friend and the volunteers to persist with their complaints to the RSPCA and maybe involve other authorities such as the police or the local authority. Equally, I should have considered my own report to the RSPCA.

Should such a situation arise again, I will politely refuse to participate and will advise the other parties as above. Additionally, I will try to support their efforts, if I feel the welfare of a particular animal is under threat, e.g. by encouraging a report to the appropriate authorities, giving my professional opinion should that be sought or in any other way I consider I might be able to help but which falls within the law and the College's guidelines. I accept that it was remiss of me not to have done proper due diligence when I saw and treated Bella. I have had much of time to contemplate this case and I sincerely regret my previous decisions and actions."

45. In a second, undated, letter sent to the College by Dr Kashiv, he spoke of having chosen his property because of its rural location and space, he has 10 acres. He said he had always been involved in dog rescue and for the most part got on with his neighbours, but about 10 years ago matters started to deteriorate with one set of neighbours. He acknowledged that in 2014 he

probably had too many dogs. He agreed with the Council to reduce the number and to erect an inner fence. However, he considered the Council were being vindictive and heavy-handed towards him and he was being served with a Community Protection Notice the moment one of his dogs *“placed an unattended paw outside the property.”* He said that since 2018 the number of dogs had crept up but he was conscious of not letting matters get out of hand again. Dr Kashiv said the last time a dog had escaped the property was in February 2023. He said the Dog Warden had attended and was happy and satisfied with what he had seen of the fencing around the property. Dr Kashiv said he was told by a friend that he would likely get a fine so he was surprised when the Council applied for a CBO by *“rehashing the history”* for which he had already been punished. His only conclusion was that the Council continued to *“persecute”* him.

46. Dr Kashiv provided a statement dated 21 June 2024, prepared in opposition to the application for a CBO. In that statement he said:

"I do not believe that the Order is necessary to prevent me from engaging in behaviour which is likely to cause harassment, alarm or distress to any person.

I am a qualified veterinary surgeon and have been for 31 years, although I am no longer working as such. As long as I can remember I have been an 'animal lover', having dogs and cats from a young age, vegetarian for 54 years, vegan for 37 years; becoming a vet was a natural progression for me.

I was employed by Medivet until I resigned in February/March 2023. I am doing some voluntary work at three establishments: Animals In Need in Wellingborough, Brook Farm Animal Sanctuary in Raunds and Hillside near Norwich which are animal sanctuaries.

When I was working at Medivet, it was known that I looked after dogs and cats essentially as a sanctuary and customers would sometimes asked me to look after or re-home their pets when they could no longer cope with them. The practice were aware of this and also asked me to help with stray animals that came into the surgery. As I am no longer working, this is not something that is happening now.

In 2016, I had about 30 dogs living at my address. It is a large premises with about 10 acres of land. At that time, I accept that things were a bit out of hand as, although I tried my best, I struggled to manage the animals under my care and control due to the number of them

living with me. Numbers just grew without me really realising it as whenever I was asked to help out, I agreed to do it. I was also in contact then with a large dog rescue centre near Peterborough, providing some veterinary services pro bono, and as they were always full to capacity, I was always asked to take a dog if I could and too often I agreed, especially with dogs that for whatever reason seemed to be overlooked by the adopting public. There were some problems around that time and I received a Community Protection Notice and a Criminal Behaviour Order as a result.

Since the expiration of the Criminal Behaviour Order, there have only been a few minor issues and the number of dogs at the premises has decreased considerably. It is right that in September 2020 one of the dogs got out of the premises and that the same thing happened with a different dog in January 2021 and June 2021. The dogs are not dangerous and would not harm a member of the public. I accept that another dog managed to get out in February 2022 and again in February 2023.”

47. Dr Kashiv went on to say that the escape in February 2023 was an elderly dog with dementia that he had allowed to roam the garden. Dr Kashiv said he had remedied the situation by mending the breach in the fence. He also said that he had secured the entire 10 acre site and he would undertake regular checks to ensure the perimeter was secure. He concluded by saying he cared deeply for animals and he looks after them well.
48. Notwithstanding this statement, the Court on 17 July 2024 imposed a CBO for a period of five years in the terms detailed above.
49. Following the amendments to the Charge in this case, and in particular the addition of allegations of dishonesty, Dr Kashiv provided a statement for these proceedings, dated 6 August 2025, stating:

“Throughout my career and indeed preceding it, I have been associated with animal advocacy and rescue organisations. I have given pro bono and discounted services wherever possible, amongst other things. It is in this capacity that I have known Niz Khan of Animal Adoption International for many years.

Sometime towards the end of 2022, Niz approached me about the dog Bella; her information was that Bella was being abused by her owner: kept most of the time in a cage, being beaten

quite often and not receiving veterinary attention when needed. One example that I remember being given was that the owner gave her charcoal to eat when she had haemorrhagic diarrhoea.

The owner couldn't walk Bella as he was disabled and a young woman who knew Bella offered to walk her; I believe the information was gathered through this person.

The RSPCA had been contacted a few times but had not responded. This I did not find particularly surprising based on my knowledge of the RSPCA. This person felt sorry for Bella and had decided to remove her from the owner and rehome her.

I was asked if I would be prepared to remove her microchip in order to make her new life more secure. I agreed to do this, believing that I was acting in Bella's best interests.

I carried out the procedure in mid-December, at my then place of work, but after hours, on my own. I made only very rudimentary notes, documenting the drugs that I had used, as this was an official procedure. The procedure was completed uneventfully, and Bella left the practice fully awake, walking and comfortable.

In late February 2023, I was arrested in connection with the procedure. I admitted that I had carried it out.

In January 2024, I pleaded guilty at Stevenage Magistrates Court and received 50 hours community service.

Having had plenty of time to reflect on my actions, I now realise that I was too hasty in agreeing to participate in a project that was at least legally questionable. It wasn't clear to me at the time that my actions were illegal. I should have ascertained the legality beforehand; I should also have advised the people involved to make sure they had exhausted all legal avenues open to them e.g. approaching the local authority animal welfare officer, consulting local dog charities, trying the RSPCA again. I could have offered to speak on their behalf.

Whatever legal protections there are for pets, they are often poorly enforced, and I can fully understand people's frustration when confronted with an abuse case where they feel unable

to help. However, I should have been the adult in the room” in this case rather than letting myself be swept along.”

50. No live evidence was called on behalf of the College, there being no dispute about the evidence contained within the Inquiry Bundle.
51. The Committee heard evidence from Dr Kashiv and a witness he relied on, Ms Nizrin Khan.
52. Dr Kashiv confirmed the contents of his statements and letters to the College as true to the best of his knowledge and belief. He was taken to his Continuing Professional Development (“CPD”) records to show that he was more than up to date with his CPD and he also provided copies of some of his clinical records to demonstrate his record keeping. In addition, Dr Kashiv provided photographs showing the efforts he had taken in securing the fences around his property.
53. With regards to Bella, Dr Kashiv said he was contacted by Ms Khan, a dog rescue person he has known for a number years. She said that Bella was being abused by her owner, kept in a cage at home and given charcoal when she had diarrhoea. He was told by Ms Khan that the owner beat the dog every now and again and he could not walk her as he was disabled. She said various people had talked to the RSPCA but nothing had been done. Ms Khan asked him if he would be willing to take out a chip so that the dog could be re-homed. Dr Kashiv said Ms Khan was devoted to dog rescue, he had good relations with her and never had any reason to doubt her, he considered her to be a reliable and trustworthy person: she would often bring dogs to the practice without issue.
54. Dr Kashiv said, *“I understood Bella would be taken from its owner and re-homed and Ms Khan asked would I remove the chip. I agreed to do that for Bella’s welfare, as she was in a bad situation and not being properly cared for, to give her the chance of a better life. I had no reason to disbelieve her and I did believe her.”*
55. A date was agreed and Bella was brought to him at the practice by a woman, he understood to be called Ashley. It had all been arranged in advance and he knew what he was required to do. He did not remember anything said by Ashley, who waited outside. Dr Kashiv said Bella was a Labrador, who was a bit overweight, but in good condition. He was asked if that rang any alarm bells for him and he said it did not because no outward signs of abuse did not mean Bella was not being abused. He then detailed the procedure he carried out to remove the chip, which went

smoothly. Dr Kashiv said, *“I removed the chip for the purpose of re-housing Bella because she was not being taken care of properly and being abused by her owner.”*

56. Dr Kashiv was taken to his private diary where he had recorded the medication he had used. He said he had made the record so that he could pay the practice back for whatever he used. He said he had not done the procedure for money and the £30 given by Ashley was to cover the costs of the medication. He did not recall any further conversation with Ashley when handing Bella back.
57. Dr Kashiv said that during the police investigation it *“seemed that things were not quite as they were presented to me and I should have acted differently.”* He said he could have asked more questions and maybe tried to contact the RSPCA or Dog Warden himself, or to contact the British Veterinary Association, the British Small Animal Veterinary Association or the RCVS for advice. He said with hindsight he had *“acted rashly”*. He added, *“I regret it and feel bad about it.”*
58. With regards to the CBO, Dr Kashiv said the Council wanted him to go down to one dog and he had eight at the time. He said he was not happy to agree to go down to one dog as he would have to re-home the dogs and that is not easy and he wanted to keep them. It was subsequently agreed that he could keep the eight dogs but have no more. Dr Kashiv said there had been no dog escapes since February 2023. He said that since the CBO was put in place there had been no inspections and no issues. He said he still had eight dogs and also 12 cats.
59. Dr Kashiv said he wanted to be able to continue work as a veterinary surgeon, but was looking to move area. He still very much enjoyed being a veterinary surgeon.
60. When cross-examined, Dr Kashiv said that he did not have much contact with Ashley when she dropped Bella at the Practice. He did not ask her questions about Bella, but agreed that he knew Bella had been taken from her owner and she was going to be re-homed in a new home without the knowledge of the owner. He accepted that the purpose of removing the microchip was to remove the ability for anyone to know she was Bella. He also accepted that it had been a deliberate act by him to conceal Bella’s identity and that anyone scanning Bella would be misled and this amounted to a deception. It was put to him that such conduct was dishonest. Dr Kashiv replied, *“You could call it dishonest, but I explained why I did it.”* Ms Curtis said, *“If you deceive someone about the true facts, that is dishonest?”* Dr Kashiv responded saying, *“If you put it like that, yes it is dishonest, but if you think of the greater good, then no.”* He went on to say that he was not sure of the legality of what he was doing, but knew it was a *“grey”* area.

61. With regards to the lack of any formal clinical record, Dr Kashiv said such a record would have defeated the whole purpose of having carried out “*an unofficial procedure.*” He accepted that the lack of such a record was to cover up the fact that the procedure had been carried out and that it would deceive others into thinking nothing had happened.
62. Dr Kashiv was asked why, in his police interview much closer in time to the events in question, he had not made any mention of Bella being beaten quite often by her owner and in fact went so far as to say, “*I don’t think anyone’s talking about physical abuse no.*” This was in contrast to what he now claims he was told about Bella being kept in a cage and beaten quite often. Dr Kashiv said at the time of the police interview he had been in “*turmoil*” and must have forgotten that day. He denied trying to make things sound worse subsequently in order to justify his actions. He agreed that in the police interview he had said Bella was in good condition and there was no evidence to show she had been kept in a poor environment.
63. When asked by the Committee what he meant when he described removing the microchip as an ‘unofficial procedure’, Dr Kashiv said, “*It was under the radar, not something professional.*” He was unsure in earlier correspondence with the College why he had referred to Bella being brought to him by two volunteers, since he only saw one person get out of the car, Ashley, and he did not know what her role was in what was taking place.
64. Ms Khan gave evidence that she had set up a not-for-profit organisation called Animal Adoption International in 2012. She said that the aim of the organisation is to rescue dogs from abroad and the UK and to try and find them new homes. Ms Khan said she was first introduced to Dr Kashiv in about 2017 or 2018. At that time, they needed a vet to undertake a check up on a dog they were placing into a foster home. The home was in the area where Dr Kashiv was practising and she was told that Dr Kashiv was very rescue orientated and would charge less than most other vets and would often provide his services without charge. She added, “*I would say he is one of the most honest people I have met, especially in the veterinary community, and he cares greatly about the animals. I would say he was not about profit but all about the animals and this may be somewhat unusual.*”
65. With regards to Bella, Ms Khan said “*I cannot recall exactly when but sometime in late 2022, I was approached by a friend and introduced to a young woman who called herself Ash about a dog called Bella who she said was being abused by her owner. I was told that the dog was being*

abused and that there had been several reports to the RSPCA by neighbours that had not been followed up or acted upon by the RSPCA. The dog was not being walked and was kept in a cage. Ash was now walking the dog herself and told me that she saw the owner hit Bella. She said the owner had refused Bella veterinary care when she had stomach issues and gave her charcoal to eat instead. He did not really want the dog and was not concerned when Bella went missing."

66. Ms Khan added, *"Ash wanted to make sure the dog was healthy and, if chipped, would have asked to have the chip removed. I contacted Amir and he agreed to see the dog. When Ash got to Amir's practice, she called me and I called Amir to tell him she was there. I was not present at the appointment. The dog would have needed a home after that but this was not being done through Animal Adoption International. I did not know Ash but my friend told me she was reliable. I could not do any checks on what she had said but I had no reason to disbelieve her. I am sure she was not lying. No-one would want to take a dog from a good home."*

67. When cross-examined, Ms Khan said Bella could not have been re-homed without putting a new chip in. She said she had re-homed dogs by updating their existing microchip, but in Bella's case the original chip had to be removed *"so the original owner could not find her."* She accepted that she had never met Ash or Bella and was relying on the account given to her by her friend, whom she trusted. She was not prepared to name her friend. When asked whether she had considered calling the RSPCA herself, Ms Khan said, *"I would not know how to contact the RSPCA and my experience is that they do not do very much in these cases."* Ms Khan was asked if she considered it legitimate for someone to remove another person's pet based on their own conclusions that the animal was not being well-cared for. She said, *"I think if you think an animal is being abused and you have tried the legal routes and failed, then yes."* It was put to Ms Khan that she knew asking Dr Kashiv to remove the chip was illegal. She responded saying, *"I knew it was probably against the ethics, but I did not know 100% that it was against the law."*

68. Dr Kashiv also provided the Committee with a number of character references.

69. Mrs Tavener, the Proprietor of Vets and Pets Ltd, said, *"Mr Kashiv was employed by myself and my sister as our head veterinary surgeon in our new business. Together we created a low cost veterinary surgery that enabled a lot of people to have great treatment at affordable prices. Mr Kashiv worked for us for 18 years and in that time he was very professional and went above and beyond in his job, spending a lot of unpaid time helping all our customers. I would honestly trust Amir with any of my animals and he was so sadly missed by all of our clients when he resigned"*

from our clinic, so much so that I still have people, personally phoning me to see where he is, and if his still practicing as a vet. They would be prepared to travel a long way to take their animals to him. He has always been the most caring and considerate vet I have had the pleasure to work with."

70. Mr Jand, a Director at Oak Vets in Potters Bar, who has worked with and currently employees Dr Kashiv spoke in similar positive tones and with regards to his honesty said, *"In relation to honesty, I have mentioned it above, but I can add and say that I have found Amir to be honest, both with his dealings with clients and with other members of staff. Moreover, on occasion he has been honest even to his own detriment. As for his record keeping, I have read many of his records as is normal in any multi-vet practice; I have found them perfectly informative and adequate."*
71. Mr Richardson, the owner of Brook Farm Animal Sanctuary, spoke very highly of Dr Kashiv and the many thousands of pounds he had saved the charity over the years by donating his time and money to help with the veterinary care of their animals. He went on to say, *"Amir has always shown himself to be a caring and compassionate man donating his time and skills, never considering the costs involved but only the therapeutic outcome. I have had dealings with many, many vets over the years. I can in all honesty say that Amir is the best vet I have ever encountered. This is why I always refer to Amir if I need honest, caring and professional when other vets may have made mistakes or seem more concerned with money. In addition, Amir always kept a separate notebook with meticulous details in about each animal he ever treated from the sanctuary which was invaluable if the animal in question was ever poorly again."*
72. Other professional colleagues and clients spoke equally highly of Dr Kashiv, with many references to his passion, dedication, compassion and empathy as a veterinary surgeon, often sacrificing his own time and money to provide better care for animals and to help clients that could not afford treatment. One referee, who has worked with Dr Kashiv for nearly 18 years said of his record keeping, *"Amir was always very meticulous with animal records and wrote up ever card after consult ..."* A client of Dr Kashiv's for 19 years said, *"I have since come to know Dr Kashiv on a more personal level and in my opinion, there is no doubt that he sees animals with the same eyes as if they were humans and as a result he will spare no effort to ensure that they are safe, happy, healthy and free of fear or pain. On several occasions, he stayed on duty long after his shift had ended to care for one of my seriously ill dogs and even financially contributed*

towards some of the cost of the veterinary bill ensuring that my ability to pay did not mean having to make the unbearable choice between treatment or euthanasia.”

73. A retired Civil Servant actively involved in animal rescue since 1984 and who has known and relied on Dr Kashiv for 18 years, referred to his outstanding dedication to animal welfare, saying *“Dr. Kashiv’s life revolves around animal welfare and well-being. His commitment, care, and compassion know no limits, often volunteering at shelters on his days off, remaining on duty past his shift whenever a patient is critically unwell, and, on occasion, even contributing financially to veterinary bills for clients who would otherwise have no option but to euthanize their pets due to lack of funds. Being a vet is not just a job for him; it is a vocation, not dissimilar to a calling - a quality that has benefited thousands of animals and their owners throughout his career. Money, luxury holidays, expensive cars, and large houses are irrelevant to him. The well-being of animals is all that matters.”* She concluded saying, *“I cannot imagine a more honest and caring person and am humbled to have him as my vet.”*

The Committee’s determination on the Charge

74. The Committee considered with care all the evidence relied on by the parties, together with the submissions made by Miss Curtis and Mr Orpin-Massy. The Committee accepted the advice of the Legal Assessor and bore in mind that it was for the College to prove the facts and to do so to the highest civil standard of proof, that is to say the Committee must be sure of the matters alleged in order to find them proved. In reaching its decision on the disputed facts the Committee took into account all the oral evidence together with the documents relied on by both parties.

75. The Committee made the following findings on the Particulars:

Particular 1

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

On 2 January 2024, at Stevenage Magistrates’ Court, you were convicted, following a guilty plea, of the offence of carrying out a prohibited procedure on a protected animal, namely that on 17 December 2022 at Broxbourne in the county of Hertfordshire carried out on a protected animal, namely a Labrador dog called Bella, a procedure which was prohibited by section 5(3) of the Animal Welfare Act 2006, namely de-chipping her;

and in relation to the above, you were sentenced to a community order of an unpaid work requirement of 50 hours within 12 months, and ordered to pay a surcharge to fund victim services of £114 and costs of £85;

76. The Committee found Particular 1 proved on the basis of Dr Kashiv's admission, as supported by the Memorandum of Conviction from the Stevenage Magistrates' Court.

Particular 2

On 17 July 2024, at Stevenage Magistrates' Court, you were made subject to a Criminal Behaviour Order made for five years from 17 July 2024, with the following requirements:

- i. Ensure all dogs owned by you have a working and up to date microchip, and you must provide full details of this dog (microchip number, date of ownership, breed, age of dog, colouring and markings, name, previous ownership) to the Local Authority dog warden service provider;*
- ii. Inform the Local Authority dog warden service provider if at any time any dog leaves your care or ownership for any reason, including the date of change and fate of the dog;*
- iii. Use your best endeavours to ensure your property/land and its boundary (and in particular any fencing) is maintained to prevent any dog you own from escaping/straying off of the land;*
- iv. Allow inspection of your property every three months by a constable or officer of the local authority for the purpose of ensuring compliance of this order;*
- v. To fix any issues raised by those inspecting your property under the terms of this order and to record it with a nominated individual acting as a witness.*

and with the following prohibition: accept permanent or temporary care or ownership of any additional dog(s) for rehabilitation, veterinarian procedures or rehoming beyond those you already have;

77. The Committee found Particular 2 proved on the basis of Dr Kashiv's admission, as supported by the Magistrates 'Court extract showing the Order was imposed on 17 July 2024.

Particular 3

In relation to the offence at 1 above, your conduct was dishonest, in that you removed the microchip in order to conceal Bella's identity;

78. Dr Kashiv denied that he had acted dishonestly by removing Bella's microchip, maintaining that he had been acting out of what he considered at the time to be Bella's best interests, based on the information given to him. However, during his evidence he accepted that his actions in removing the microchip were done in order to conceal the identity of Bella and that this amounted to a deception. He also accepted that if you deceive someone about the true facts that is dishonest, although he went on to say that if it were done "*for the greater good*" then it was not dishonest.

79. The Committee noted the accounts given by Dr Kashiv in his police interview a matter of two months after the event. They included saying that as far as he knew there was no question of physical abuse of Bella and this was supported by her presentation. However, he now says he was told Bella was being beaten and then, when taken to his statement, accepted he had said being beaten "*quite often*". In the letter he sent to the College on 22 May 2024, Dr Kashiv went further and said, "*I was told that Bella was being abused by her owner: being caged for most of the day, being hit regularly and not having ailments seen to properly.*" In his police interview there was no mention of Bella being hit regularly or kept in a cage, but that then became part of his justification for his actions in removing the microchip. These were serious and worrying inconsistencies in his account and at the very least raised questions about whether he was trying to add credence to bolster his account of why he was prepared to carry out the procedure in the way he did.

80. The evidence of Ms Khan did little to assist either way on the question of dishonesty. To some extent it supported Dr Kashiv's account of how Bella came to be at the practice, but beyond that the Committee considered she had little credibility as a witness. She was prepared to sanction the theft of someone's pet by effectively acting as judge and jury without ever having met the dog or the person complaining that the dog wasn't being cared for. The Committee found her attitude to be quite extraordinary and deeply concerning. She knew that what she was asking Dr Kashiv to do was wrong, having been turned down by another veterinary surgeon who was not prepared to

carry out the procedure: she assumed for ethical reasons. She claimed to not know how to contact the RSPCA, despite having been involved with animal rescue for many years and the availability of the internet. Overall the Committee found Ms Khan to be a completely unreliable witness and gave no weight to her claim that Dr Kashiv was an honest man.

81. The very positive references provided show that Dr Kashiv is highly thought of as a veterinary surgeon, someone who cares deeply about animals, is not motivated by money and can provide good quality care. However, the references had to be viewed through the lens of his previous convictions and Orders made against him and Dr Kashiv's willingness to carry out procedures "*under the radar*" and to operate in areas where the legality of what he was doing he described as "*grey*". Consequently, the Committee concluded that the references could be afforded little weight when considering the question of dishonesty.
82. The Committee thus considered whether Dr Kashiv's conduct in Particular 1 was dishonest. The Committee considered what it was that Dr Kashiv had done, what his intentions were and whether the ordinary decent person would find that conduct to be dishonest.
83. On 7 December 2022, Bella was stolen from her owner. On 17 December 2022, someone involved in that theft presented Bella to Dr Kashiv. Dr Kashiv then carried out an unlawful and unjustified surgical procedure on Bella based not on what he knew, nor even on what his trusted friend Ms Khan knew, but rather on what a third person, not known to either Ms Khan or Dr Kashiv had said about Bella's treatment by her owner. He had taken no steps to verify the account given and indeed Bella's presentation at the practice, he admitted, did not demonstrate any signs of poor care or abuse. On his own account he should have carried out some due diligence and at the very least considered contacting various organisations for advice. Instead he conducted a clandestine procedure, late on a Saturday evening when no one else was present and without making any records that would give away the fact that he had removed Bella's chip, so that it could, as Dr Kashiv said, go "*under the radar*". He admitted this was unprofessional and was all done to conceal the true identity of Bella so she could be re-homed without being traced; he accepted it was deceitful. The only purpose of removing the microchip, as accepted by Dr Kashiv, was in order to conceal stolen Bella's identity and to prevent anyone from being able to connect her to her true owner. Anyone who scanned Bella after the removal would be deceived as to the dog's true identity, a fact accepted by Dr Kashiv. This was plainly Dr Kashiv's intention, even if he genuinely (albeit wrongly) considered he was doing it for noble motives, i.e. in the interests of animal welfare or "*for the greater good*" as he put it. He knew Bella had an owner; he knew Bella

had been taken from the owner without the owner's consent, i.e. stolen; and he knew that what he was doing was wrong. The Committee was satisfied that an ordinary decent person would find such deceitful behaviour to be dishonest.

84. Accordingly, the Committee found Allegation 3 proved.

Particular 4

In relation to the offence at 1 above, you failed to keep any adequate clinical records in relation to Bella, and your conduct was thereby:

(i) misleading: and/or

(ii) dishonest.

85. Dr Kashiv said:

"I carried out the procedure in mid-December, at my then place of work, but after hours, on my own. I made only very rudimentary notes, documenting the drugs that I had used, as this was an official procedure."

86. In oral evidence Dr Kashiv said that was a typo and it should have said an "*unofficial*" procedure. As matter of admitted fact, Dr Kashiv did not create any formal patient record for Bella. He did not record the procedure in any way other than a few scribbled notes of abbreviations of medication in a diary kept in his locker, in order to allow him pay the practice for the medication he had used, but in a way that the practice would not know what the medication had been used for. By reference to some of the testimonials provided, Dr Kashiv may have been able to demonstrate that he generally keeps good records, but that did not help him here. This was not about good record keeping but rather about not making any records in order to conceal the fact that the procedure had taken place at all.

87. The Committee is satisfied that this conduct was misleading. Any veterinary surgeon who came to treat Bella after the procedure, or any member of staff at the practice who wished to know what procedures had been undertaken that day, would have had no idea about what had taken place, and would thereby be misled in relation to what had actually happened to Bella. There is no

requirement that the misleading has to be intentional or deliberate (although in this case it was both). It is sufficient if, as matter of fact, the conduct was misleading, which it was.

88. Accordingly, the Committee found Particular 4(i) proved.

89. What, then, was Dr Kashiv's motive for not making any formal clinical record, something of which by all accounts he was perfectly capable of doing. The Committee was satisfied that it was connected to his desire to conceal his actions in respect of Bella and he admitted as much. He wanted to ensure nobody, other than the people who brought Bella to him, knew that she had been in the practice. The Committee noted the circumstances, namely that the procedure was undertaken out of hours, with no other practice staff present. Dr Kashiv was keen for there to be no trace of Bella having attended the practice or of his having removed her microchip and that is why there was no formal record. In his oral evidence, Dr Kashiv said such a formal record would have defeated the whole purpose of having carried out "*an unofficial procedure.*" He accepted that the lack of such a record was to cover up the fact that the procedure had been carried out and that it would deceive others into thinking nothing had happened. The Committee was satisfied that an ordinary decent person would find such deceitful conduct to be dishonest.

90. The Committee, therefore, found Allegation 4(ii) proved.

Fitness to Practise

91. Miss Curtis, on behalf of the College, submitted to the Committee that the nature and circumstances of the offence, which led to the conviction in Particular 1, were such as to render Dr Kashiv unfit to practise as a Registered Veterinary Surgeon. She further submitted that Dr Kashiv was guilty of disgraceful conduct in a professional respect with regards to the matters found proved in respect of Particulars 2, 3 and 4.

92. Mr Orpin-Massey, on behalf of Dr Kashiv, indicated that Dr Kashiv did not dispute that his conviction rendered him unfit to practise as a Registered Veterinary Surgeon. Furthermore, Dr Kashiv did not dispute that his behaviour with regards to Particulars 2, 3 and 4 amounted to disgraceful conduct in a professional respect.

The Committee's Determination on Fitness to Practise

93. The Committee considered the submissions made by the parties and noted that Dr Kashiv no longer disputed that the nature and circumstances of the offence, which led to his conviction, were such as to render him unfit to practise as a Registered Veterinary Surgeon. The Committee took this concession into account, but accepted the advice of the Legal Assessor that the issue of unfitness remained a matter for the Committee's judgement and that there was no burden or standard of proof required.

94. The Committee also took into account the Code of Professional Conduct for Veterinary Surgeons (The Code) and found Dr Kashiv had breached the following parts of the Code, in respect of Particular 1:

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

1.3 Veterinary surgeons must provide veterinary care that is appropriate and adequate.

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

6.4 Veterinary surgeons must comply with legislation relevant to the provision of veterinary services.

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”.

95. The Committee next considered what factors either mitigated or aggravated the conviction. Any mitigation at this stage was restricted to the circumstances of the facts found proved and not, for instance questions of insight and remorse, or the positive testimonials, all of which would become relevant when considering sanction, were that stage to be reached.

96. The Committee did not identify any mitigating factors at this stage.

97. The Committee did find the following aggravating factors:

- actual injury to an animal, Bella;
- risk of injury to an animal, Bella;
- psychological and emotional harm to Bella's owner;

- recklessness in trusting people he should not have been trusting and no due diligence;
- premeditated conduct in carrying out the procedure;
- abuse of professional position.

98. The conduct underlying the conviction involved Dr Kashiv performing unjustified and prohibited surgery on Bella. This was a clear breach of the Code of Conduct and the Committee considered this to be very serious and deplorable conduct on the part of a veterinary surgeon, a member of a profession specifically entrusted to look after and care for animals.

99. Dr Kashiv's conduct caused Bella actual harm (unjustified surgery) and also put her at a real risk of harm: all surgery carries inherent risks and in this case Dr Kashiv knew nothing about Bella's history, not even checking when she had eaten that day, which can be detrimental when using sedation. Furthermore, Dr Kashiv's conduct was illegal and was liable to have a seriously detrimental effect on the reputation of the profession and to undermine public confidence in the profession. Its purpose was to cover up a theft and to facilitate the unlawful separation of Bella from her owner, causing distress to Mr AH and almost certainly to Bella as well. The Committee considered that members of the public would rightly be appalled that a Registered Veterinary Surgeon had committed an offence of this nature.

100. The Committee was satisfied that this conduct fell far below the standard expected of a Registered Veterinary Surgeon and that Dr Kashiv's conviction was of a nature and seriousness that rendered him unfit to practise as a veterinary surgeon.

The Committee's Determination on Disgraceful Conduct in a Professional Respect

101. The Committee considered with care the submissions made by the parties, together with all the evidence in the case pertinent to the facts it had found proved. It was cognisant of the fact that the question of disgraceful conduct in a professional respect was very much a matter for its own judgment and that there was no burden or standard of proof that applied. However, it did take into account Mr Orpin Massy's indication on behalf of Dr Kashiv that Dr Kashiv did not dispute the assertion that his conduct amounted to disgraceful conduct in a professional respect, with regards to Particulars 2, 3 and 4. The Committee accepted the advice of the Legal Assessor and took into account the Code of Professional Conduct for Veterinary Surgeons, together with its Supporting Guidance.

102. The Committee found Dr Kashiv had breached the following parts of the Code, in respect of Particulars 2, 3 and 4:

2.4 Veterinary surgeons must communicate effectively with clients ... and ensure informed consent is obtained before treatments or procedures are carried out.

2.5 Veterinary surgeons must keep clear, accurate and detailed clinical and client records.

6.1 Veterinary surgeons must seek to ensure the protection of public health and animal health and welfare and must consider the impact of their actions on the environment....

6.4 Veterinary surgeons must comply with legislation relevant to the provision of veterinary services....

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.

103. The Committee next considered what factors either mitigated or aggravated the facts found provide in Particulars 2, 3 and 4. Again, any mitigation at this stage was restricted to the circumstances of the facts found proved and not, for instance questions of insight and remorse, or the positive testimonials, all of which would become relevant when considering sanction, were that stage to be reached.

104. The Committee did not identify any mitigating factors at this stage.

105. The Committee did find the following aggravating factors:

- attempts made to cover up his dishonest conduct;
- the risk of harm to an animal or human by allowing the dogs in his care to repeatedly escape and roam the neighbourhood and to be on the highway;
- recklessness by not ensuring his property was properly enclosed to ensure his dogs were unable to stray;
- lack of integrity for a regulated professional to have behaved in such a way;
- misconduct sustained over a period of time;
- conduct contravening advice issued by the RCVS, including the Preliminary Investigation Committee and Professional Conduct Department, or other appropriate authority [here the local authority and Courts, together with a finding by the Disciplinary Committee that

conduct relating to allowing dogs to stray was capable of bringing the profession into disrepute].

106. The five principles of practice set out in the Code of Professional Conduct for Veterinary Surgeons include acting with honesty and integrity. In addition, the Committee's Procedure Guidance indicates that:

"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."

107. Dr Kashiv received a five year Criminal Behaviour Order in July 2024 having previously breached a Community Protection Notice in relation to dog control in 2016 and having breached a Criminal Behaviour Order on 16 November 2016 and 7 February 2018. His anti-social behaviour continued beyond the expiration of the Criminal Behaviour Order on 20 April 2018. Then throughout 2021, 2022 and 2023 HDC received complaints from member of the public about Dr Kashiv's lack of dog control, causing a risk to local wildlife, the dogs themselves and motorists when the dogs were found straying on the highway. The lack of dog control also had a detrimental effect on locals and caused them alarm and distress.

108. The Committee considered it to be of relevance that the conduct related to Dr Kashiv's care and management of animals, albeit outside the context of his veterinary practice. His conduct, in causing or being likely to cause harassment, alarm or distress, in connection with his care of animals, repeated over many years and despite warnings, had the potential to bring the profession into disrepute and to undermine public confidence in the profession. The Committee considered this to be behaviour that fell far below the standard expected of a veterinary surgeon, it brought discredit upon Dr Kashiv, the veterinary profession and the College as its Regulator. The Committee was satisfied that other members of the profession and the public would find such behaviour deplorable. Accordingly, the Committee was satisfied that Dr Kashiv's conduct in relation to Particular 2 amounted to disgraceful conduct in a professional respect.

109. With regards to Particulars 3 and 4, Dr Kashiv performed a prohibited procedure on Bella and whilst he might be a competent veterinary surgeon, the procedure was unjustified and resulted in a criminal conviction. Furthermore, the Committee found that in carrying out the procedure he

had acted dishonestly. The dishonesty was linked to the procedure performed by Dr Kashiv in his position as a veterinary surgeon, in order to conceal the identity of a pet that he knew had been taken from its home. The dishonesty with regards to not completing any formal clinical records also related directly to his practice as a veterinary surgeon, as part of a ‘cover up’ so that nobody would know what had happened to Bella at the practice.

110. The Committee considered that the dishonesty with regards to removal of the microchip and clinical records was very serious. It was directly linked to Dr Kashiv’s professional practice and represented a breach of one of the fundamental tenets of the profession, namely acting with honesty and integrity. This was conduct which fell far below the standard expected of a veterinary surgeon: it brought discredit upon Dr Kashiv, the veterinary profession and the College as its Regulator. The Committee was satisfied that other members of the profession and the public would find such behaviour deplorable. Even if Dr Kashiv misguidedly believed he was acting in Bella’s best interests, he carried out no due diligence and instead just accepted the second or third-hand hearsay accounts given by a stranger, notwithstanding the inconsistency of those accounts (bullying and neglect) with the way in which Bella presented, namely “*she was in good condition*”.

111. Accordingly, the Committee was satisfied that Dr Kashiv’s conduct in relation to Bella, as detailed in Particulars 3 and 4 amounted to disgraceful conduct in a professional respect.

Sanction

112. Miss Curtis reminded the Committee that Dr Kashiv has previous disciplinary matters recorded against him, as already disclosed.

113. Mr Orpin-Massey sought to persuade the Committee that this was not a case whereby it was necessary to remove Dr Kashiv from the Register. He pointed out that there are degrees of dishonesty and that Dr Kashiv’s dishonesty was towards the lower end of the spectrum, allowing for a more lenient approach by the Committee.

The Committee’s Determination on Sanction

114. In reaching its decision on sanction, the Committee took into account all the evidence and documents provided, including the testimonials already referred to above, together with the

submissions made by Mr Orpin-Massy on behalf of Dr Kashiv and all matters of personal mitigation. The Committee also referred to the RCVS Disciplinary Committee Sanctions Guidance. The Committee had in mind that the purpose of sanctions was not to punish Dr Kashiv, 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 was proportionate. The Committee accepted the advice of the Legal Assessor.

115. The Committee first considered any aggravating and mitigating factors in this case. The Committee found the following aggravating factors:

- actual injury to an animal, Bella;
- risk of injury to an animal, Bella;
- psychological and emotional harm to Bella's owner;
- recklessness in trusting people Dr Kashiv did not know and with no due diligence;
- premeditated conduct in carrying out the procedure;
- abuse of professional position;
- attempts made to cover up his dishonest conduct;
- the risk of harm to an animal or human by allowing the dogs in his care to repeatedly escape and roam the neighbourhood and to be on the highway;
- recklessness by not ensuring his property was properly enclosed to ensure his dogs were unable to stray;
- lack of integrity for a regulated professional to have behaved in such a way;
- misconduct sustained over a period of time;
- conduct contravening advice issued by the RCVS, including the Preliminary Investigation Committee and Professional Conduct Department, or other appropriate authority [here the local authority and Courts, together with a finding by the Disciplinary Committee that conduct relating to allowing dogs to stray was capable of bringing the profession into disrepute];
- previous convictions and adverse disciplinary findings of the College;
- limited insight.

116. The Committee considered the following mitigating factors:

- some admissions to the matters alleged both at Court and to the College;
- expressions of remorse to Mr AH, Bella, the Committee and the profession;

- in relation to the CBO action taken to maintain fencing and no incidents since February 2023;
- very positive testimonials.

117. When assessing the level of insight shown by Dr Kashiv, the Committee noted that in paragraph 14 of his written submissions on sanction, Mr Orpin-Massey said that “*Dr Kashiv now “gets it”, has come on a journey of reflection and realisation that he was duped in respect of Bella, and is himself responsible for being duped as his own naivety, stupidity etc fell well short of the standards expected of him, and led him to do something that fellow professionals would rightly consider amounted to serious misconduct.*” However, this suggests to the Committee that Dr Kashiv now considers he should not have done what he did because he was “*duped*”: this rather misses the point. Even if what had been conveyed to him via Ashley and Ms Khan had been entirely accurate, Bella was being abused and he had not been “*duped*”, he should still have not carried out the procedure since it would still have been illegal and it would still have facilitated an illegal enterprise, involving the theft of a dog. The Committee concluded that whilst Dr Kashiv has shown some insight, it is inadequate and he still has some way to go.

118. The Committee wanted to consider it unlikely that Dr Kashiv would behave in this way again, but could not be entirely sure that he would not let his fervent desire to care for animals he considered were being abused, to once again cloud his judgment. The Committee noted that in a summary of his police interview, Dr Kashiv is said to have stated, “*They came to me because they needed a vet. They came to me because they thought it was something that I might do. I may have done it once or twice in the past. Once was a breeding dog kept on a balcony. Probably a year or two ago, two, three or four times maximum.*” This suggested Bella may not have been a one-off. The Committee considered, therefore, that there was a real risk that similar behaviour could be repeated, if the right circumstances were presented to him.

119. It is apparent from the testimonials provided that Dr Kashiv is a dedicated, compassionate and respected veterinary surgeon, whose life’s work has been devoted to the welfare of animals and who has gone to great lengths, often at his own expense, to do all that he possibly could to alleviate the suffering of animals, particularly abandoned and unwanted animals. The Committee acknowledged that Dr Kashiv had not been motivated by any financial gain, but rather by a misguided belief that he was acting in Bella’s best interests and “*for the greater good*”.

120. However, with Bella he took a step too far. He allowed his ideology to cloud his judgment. His overwhelming desire to look after animals he believed were being abused meant he failed to carry out even the most rudimentary of checks in relation to Bella. He failed to seek or give appropriate advice and instead acted illegally on the basis of hearsay accounts. Furthermore, he took active steps to cover up his dishonest conduct and to do all he could to prevent Bella from being connected to the practice or being reunited with her rightful owner.
121. The Committee acknowledged that there is a spectrum of dishonesty. However, the Committee did not accept the assertion by Mr Orpin-Massey that this was at the lower end of the scale. Dr Kashiv was asked to play a part in a scheme that could not have succeeded without him, or another veterinary surgeon prepared to act illegally. He had ample opportunity to change his mind or withdraw from the enterprise. The Committee was satisfied that he was aware he was acting unethically and illegally and when confronted during his oral evidence he accepted he had deceived and therefore been dishonest, albeit he could not bring himself to say so, by caveating his response by saying if he was acting for the greater good it was not dishonest. He had also taken a deliberate decision to cover up his dishonesty by not making a formal record. That said, the Committee was satisfied that Dr Kashiv's driving motivation was animal welfare and saving animals he believed were being abused. However misguided this motivation was in this case the Committee accepted he was not doing this for any malicious reasons or for personal gain and this slightly reduced the level of seriousness. Thus, whilst not the most serious case of dishonesty, it was still serious and, in the Committee's view, towards the upper end of the spectrum of dishonesty.
122. In addition, Dr Kashiv was subject to a Criminal Behaviour Order, which still has a number of years to run, as a consequence of his repeated failures over many years to properly control and contain the animals at his home, causing alarm and distress to neighbours and putting his dogs at risk of harm. The Committee acknowledged that Dr Kashiv had taken steps to secure his premises and ensure compliance with the CBO and that there had been no issues of escape since February 2023.
123. In light of the seriousness of the conduct, particularly the conduct relating to Bella, which was without doubt the most serious conduct, the Committee did not consider this was an appropriate case to take no further action or for judgement to be postponed.

124. The Committee next considered whether to reprimand or warn Dr Kashiv 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 conviction and the dishonesty associated therewith, nor the seriousness of the CBO. 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.

125. The Committee then considered whether to suspend Dr Kashiv, as urged by Mr Orpin-Massey. 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;

(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).

126. The Committee noted the mitigating factors in this case and the fact that Dr Kashiv had appeared before a criminal court and been punished for his criminal behaviour. It was not this Committee's role to punish him further. However, it is its role to protect animal welfare and the reputation of the profession. Dr Kashiv's criminal offence was directly related to his practice as a veterinary surgeon; he dishonestly performed unjustified and illegal surgery on a dog that he knew had been stolen and he did so in order to conceal the identity of that dog so that its true owner could never be linked to the dog. Mr AH was devastated at the loss and feared he would never see Bella again. The whole episode must have been traumatic for Bella too. Furthermore, Dr Kashiv took active steps to cover up his wrongdoing in order to conceal it from the practice by not making any formal clinical record. At the time he somewhat misguidedly believed he was acting "*for the greater good*" and in Bella's best interests, albeit without himself asking any questions or making any enquiry into the true position or what might be the appropriate action to take. His judgment was clouded by his belief in what he was told by someone he trusted together with his background of actively supporting animal rights activists.

127. Of additional concern to the Committee was the effect of Dr Kashiv's behaviour on the reputation of the profession and therefore the wider public interest. The thought that a veterinary surgeon, whom the public rely on to care for their pets, could be complicit in, and a facilitator of, an enterprise involving the theft of a pet based on hearsay from unknown people, is deeply concerning. For the whole scheme to succeed, the thieves needed a veterinary surgeon who was prepared to break the law and perform the surgery. Accordingly, although Dr Kashiv was not party to the theft, he nevertheless played a crucial role in the overall enterprise. The Committee was firmly of the view that public confidence would have been severely affected by Dr Kashiv's behaviour. The Committee considered that suspending Dr Kashiv's registration would not be sufficient to maintain confidence in the profession and that therefore, for public interest reasons, as well as animal protection, a suspension would not be sufficient.

128. 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;*
 - b. Deliberate or reckless disregard for the professional standards as set out in the RCVS Code;*
 - c. Causing serious harm (or causing a risk of serious harm) to animals or the public;*
 - f. Evidence of a harmful deep-seated personality or attitude problem;*
 - g. Dishonesty (including false certification), particularly where persistent or concealed;*
- Persistent lack of insight into the seriousness of their actions or the consequences; where the nature and gravity of findings are such that a lesser sanction would lack deterrent effect or would undermine public confidence in the profession or the regulatory process.”*

129. The Committee was of the view that the nature and seriousness of Dr Kashiv's behaviour, which led to the conviction, was fundamentally incompatible with being registered as a veterinary surgeon and that all the above matters listed are applicable in this case. In light of these conclusions, the Committee decided that the only appropriate and proportionate sanction in this

case was removal from the Register. This would not be the case if the Committee were considering the CBO matter alone, when a lesser sanction would have been appropriate. However, his actions with regard to Bella, his limited insight and the fear that he could repeat such behaviour meant that removal was necessary in this case.

130. In reaching this decision the Committee recognised the negative impact this would have on Dr Kashiv. The Committee had considered with great care all the mitigating factors and the positive statements made about him in the testimonials provided. However the need to protect animal welfare, the reputation of the profession and thus the wider public interest, outweighed Dr Kashiv'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, particularly that relating to Bella, is wholly unacceptable and not to be tolerated.

131. The Committee therefore directs the Registrar to remove Dr Kashiv's name from the Register.

DISCIPLINARY COMMITTEE

20 August 2025