ROYAL COLLEGE OF VETERINARY SURGEONS
DISCIPLINARY COMMITTEE INQUIRY RE:

Dr CRAIG KIRBY MRCVS

DECISION OF DISCIPLINARY COMMITTEE

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1. Dr Kirby initially appeared before the Disciplinary Committee ("the Committee") on 5-6 November 2025 (and subsequently on 24-25 September 2026) to answer the following charge:

   That, being registered in the Register of Veterinary Surgeons:

   1. On 22nd January 2025 at the Basildon Crown Court, you were convicted, following a guilty plea, of four counts of Indecent Assault on a man aged 16 or over, in relation to which conviction you were sentenced to a total of 18 months' imprisonment suspended for 18 months, a 60 day rehabilitation activity requirement and a 12 month mental health treatment order, notified of a 10 year requirement to register with the police and directed to pay compensation;

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

Preliminary matters

<u>The November 2025 hearing</u>

2. At the hearing on 5-6 November 2025, Dr Kirby appeared and was represented by Counsel, Mr Stuart Jessop. Miss Curtis, Counsel instructed by Capsticks Solicitors, appeared on behalf of the College.

3. On 5 November 2025, Dr Kirby, through his Counsel, made an application that his name should only be heard in private (in effect, he applied for anonymity). He called Dr Tim Rogers, a [redacted] as a witness in support of the application, which was heard in private. The application was refused. The Committee agreed, however, that all matters relating to Dr Kirby's health would be dealt with in private.

4. The hearing continued in public and the charge was put to Dr Kirby. Through his Counsel, Dr Kirby admitted the facts of the charge (namely the fact of the conviction) but denied that the conviction rendered him unfit to practise. The facts of the charge were found proved by the Committee as a result of that admission (see below).

5. Before hearing submissions on Stage 2, it had been agreed that Dr Kirby could call a character witness out of turn (his evidence being relevant to Stage 3, if that Stage were reached), because he was only available on day 1 of that listing. Accordingly, the Committee heard from retired Colonel Dr Neil Smith. He served as a regular officer in the Royal Army Veterinary Corps and on the General Staff for over 30 years. He was aware of the allegations faced by Dr Kirby. He has known Dr Kirby since 2001 and had met him several times during a Foot and Mouth outbreak. He subsequently got to know him better when Dr Kirby was involved with the Veterinary Public Health Association and now considers him to be a friend. He referred to Dr Kirby as well-respected and someone who takes his role seriously. He said he had never heard anything untoward about Dr Kirby's behaviour and said he had always found him to be *"a very considered and measured individual."*

6. The College then made submissions relating to Stage 2, namely that the conviction rendered Dr Kirby unfit to practise. Dr Kirby then re-called Dr Rogers to give evidence with regards to Stage 2, and this evidence was heard in private (see below). At the end of Day 1, the Committee retired and indicated that the following morning they would provide full reasons for their decision on the application to keep Dr Kirby's name private.

7. On Day 2, 6 November 2025, full reasons were given for the decision to refuse Dr Kirby's application for his name to be kept private. Dr Kirby indicated he would go to the High Court to seek leave to apply for Judicial Review of that decision. At 14:45 that day, the matter was adjourned, because there was insufficient time to continue with the remainder of the hearing.

8. After the November 2025 hearing, Dr Kirby duly made an application to the High Court to seek permission to apply for Judicial Review of the decision. That application was refused, and the matter was re-listed for this resumed hearing.

The September 2026 hearing

9. The hearing resumed on 24 September 2026. The same Committee presided and Miss Curtis once again appeared on behalf of the College. The Committee was assisted by a different Legal Assessor, Mr Richard Ferry-Swainson. Dr Kirby attended, but was no longer represented. He was assisted by a 'McKenzie Friend', Professor Robert Huey (who also provided a testimonial and gave oral character evidence). The College did not object to Professor Huey acting as Dr Kirby's McKenzie Friend, whilst also being a character witness, because it had been agreed he would not be making submissions on Dr Kirby's behalf, but rather acting in support.

Background

10. At all times material to the allegation before the Committee Dr Kirby was registered as a veterinary surgeon.

11. The certificate of conviction and transcript make it clear that Dr Kirby pleaded guilty to all four counts of sexual assault. The assaults were on a sixteen-year old work experience student referred to in the proceedings as Person A. They took place in the 1990s. At the time of the assaults (27 September 1997 to 27 September 1999), Dr Kirby was (and still is) a qualified veterinary surgeon and member of the College.

12. During the sentencing hearing, prosecution Counsel set out the facts of the case. She stated that the first incident took place at Dr Kirby's home address, after he had invited Person A there for a drink after work. It appears that this incident includes the first three assaults which were admitted, including the most serious, which was reflected in Count 3. Prosecution Counsel stated:

> *"They were sitting on the sofa in the living room having a drink and watching an episode of a television programme. [Person A] describes that it didn't take long for him to feel tipsy as a result of the alcohol and as the night progressed, Mr Kirby moved closer to him in the vacant chair that was in the room. And he was at that stage sitting next to [Person A] and placed his arm around him before attempting to kiss him on the cheek.* [This appears to be Count 1]

[Person A] describes Mr Kirby using his free hand to rub [Person A's] groin area outside his clothing in what he describes as an attempt to encourage him to participate in the activity. [Person A] said he used his hands to push Mr Kirby's hands off his groin and said no multiple times, clearly indicating that he didn't wish to participate in any sexual encounter with Mr Kirby. [This appears to be Count 2]

[Person A] describes Mr Kirby grabbing his hand as [Person A] was pushing him away and dragged him into the bedroom with some force, throwing him onto the bed.

He said Mr Kirby then climbed on top and proceeded to kiss him on his chest area before undoing his jeans and pulling them and his boxers down to his ankles. [Person A] describes being panicked and unsure of what to do. Being in a vulnerable position in particular in relation to their relative size and the position they were in. And he describes [Person A] then making contact with his penis with no clothing present so naked genitalia as relevant to the sentencing guideline. [This appears to be Count 3]

And eventually, Mr Kirby stopped, allowed [Person A] to sit up and move freely again, at which point Mr Kirby he said apologised. The complainant, [Person A], stayed at the property that night under a blanket that had been given to him by [Person A], sleeping in the living room whilst Mr Kirby was in the living room. And the following morning an apologetic Mr Kirby said 'let's keep it between us 'to which [Person A] responded 'okay, yes okay. 'And he said he didn't know what else to say before he was taken home by Mr Kirby. [Person A] describes trying to process what happened the night before the following day.

He continued to volunteer at the veterinary surgery and describes an awkward vibe or atmosphere in the workplace after the incident with Mr Kirby. He's pretending that nothing had happened."

13. Prosecution Counsel then described the second occasion when a further assault took place:

"The second occasion [Person A] describes as being something like a month or two later and took place in similar circumstances of the first incident.

On this occasion, there was an understanding that [Person A] would be collected by Mr Kirby and again go to his home address for a drink and a smoke. [Person A] agreed and again after they finished work, attended Mr Kirby's home address. They were in a similar position and similar activity, watching television, having a drink or a smoke.

And again, [Person A] describes beginning to feel tipsy as a result of the alcohol and notes that Mr Kirby was getting closer to him, causing him to flash back to the previous incident.

Mr Kirby, he says, said to him 'shall we try it again? 'and leant over and tried to kiss [Person A] on the cheek. On this occasion, however, [Person A] understanding what was coming pulled his head away, although Mr Kirby he describes continuing to try and lean into him, and eventually, succeeded in kissing him on the cheek and lips. [This appears to be Count 5]

There was said again to be some touching over clothing and again, [Person A] describes on this occasion having frozen but being reluctant to engage in any activity and making that clear to Mr Kirby. It apparently became clear to Mr Kirby who [Person A] recalls becoming angry and saying words to the effect 'if you're not going to participate then fuck off'.

It was clear that [Person A] was not responding to these advances and the same pattern was followed in relation to this occasion where Mr Kirby slept in the bedroom, [Person A] on the sofa in the living room. But he describes a less amicable or apologetic atmosphere than the previous occasion.

He was taken home and he describes having become too embarrassed to tell anyone about the incident and therefore carried on as normal until as he describes having reflected on the matter, some time later and realising the inappropriate nature of these exchanges and reporting the matter to police."

14. Prosecution Counsel then described the effect that the assaults had on Person A, referring to an Impact Statement:

"In terms of the effect upon him, [Person A] describes that immediately after the incident, he started to feel anxiety and on edge and worry about what people were thinking. He would become paranoid that people knew what had happened and felt like he was being judged.

He felt ashamed about what had happened to him and felt alone. He had people that he could have turned to like his parents, but he was too scared. And he felt as though it were … his fault what had happened to him, and he was embarrassed.

He describes sleepless nights after the incident took place, having flashbacks as to what had happened. And this had an impact on his relationships in his teenage years, struggling with intimacy, getting flashbacks as to what happened and causing him to have no desire for sexual contact.

He describes that in 2007 and 2008, he went through a period of depression and attributes part of that to this incident. He had some treatment and therapy in order to assist him and move forward but looking back, he feels that his teenage years were stolen by these incidents, which should have been fun and enjoyable but instead were characterised by embarrassment and guilt over what had happened to him.

He struggled sexually in his teenage years and as a young man continued to feel ashamed and embarrassed. It knocked his confidence. It took, he described, several years to recover from the incident. He was prior to this incident he said trusting of people and happy to engage with others but afterwards became less trusting and willing to engage.

It strained his relationship with his parents as they didn't know what was wrong and didn't understand why he had suddenly changed from being happy and confident to withdrawn and angry, pushing them away at every point he could. He says 'I felt as though I had to put barriers up to protect myself from everyone around me as this was the only way to keep me safe'.

He says 'I could have told my parents what had happened to me, but I couldn't find the words to say it. I bottled it up and pushed everyone away from me'. He was a good student at school but explained that there was some impact in relation to his academic life. In particular, he had planned to complete A levels and attend university and subsequently withdrew and didn't engage as he used to and ended up leaving school at 16.

He didn't complete A levels or attend university, meaning that training as a vet, which he'd once dreamed of, was not a career he could pursue. He described having spent several years rebuilding himself since the incident and has worked hard to be strong and to make sure he is in a better place mentally and physically and having faced the allegations now so many years after what had happened."

15. Prosecution Counsel then dealt with Dr Kirby's antecedent history and stated that Dr Kirby had one conviction for drink driving and two cautions for sexual assault on a boy under the age of sixteen years (it was later agreed that this was one caution for two sexual assaults). She

explained that her understanding was that these offences had been admitted on the basis that Dr Kirby had no recollection of the conduct, having been under the influence of drink. The cautions led to Dr Kirby being placed on the Sex Offenders 'Register.

16. HHJ Leigh then made the following comments when sentencing:

> *"You're now 53. You pleaded guilty to four counts of indecent assault on a male person and the old Sexual Offences Act 1956, counts 1, 2, and 3, and then 5. Counts 4 and 6 will lie on the file.*
>
> *The offending all took place between … the 27th of October 1997 and the 27th of September 1999…*
>
> *The victim in this case was (Person A). His age at the time would have been between 16 and 17 and the offending took place at your address in Westcliff where you were living at the time. There is about a 10 year age gap between the two of you.*
>
> *You met because you were working as a veterinary surgeon at Earls Hall Veterinary Group in Shoebury, where [Person A] was carrying out work experience because he was looking to potentially go into veterinary practice when he was older. He would work a couple of days after school, the odd weekend. You, at the time, as I said, were a senior veterinary nurse, as I understand it, and you would regularly work together.*
>
> *The first incident is in the late summer months of '96, '97, following a night of where you were both working together – it was either a Tuesday or a Thursday, it matters not – you invited [Person A] to come back for a few drinks and a smoke; he agreed. You drove back to your address, once there you walked to the shop and returned with some alcohol. The pair of you were sitting in the living room. [Person A] describes that it wasn't long before he felt tipsy due to the alcohol. You then moved closer to him from one chair to where he was and put your arm around him before attempting to kiss him on the cheek. You then used your other hand to rub his groin area or outer clothing and that is said to have been an attempt to make him participate or get him to participate. He, [Person A], used his hand to push your hand off. He did say no a number of times. You then move him forcibly into the bedroom, clothing is removed and then there is the rubbing of his naked genitals, his penis.*
>
> *That represents the first incident to take place, obviously the most serious, as everyone accepts, is the touching of naked genitals. It is right that at some point after*

that took place that evening that you said sorry, because it's right that [Person A] did stay over because you'd had a drink that evening. He slept in another room to you, and the following morning, again, it is said that that was an apology given by you, and something along the lines of keep it between us, to which he agreed.

[Person A] carried on working, volunteering at the veterinary practice and a second incident occurred a month or so later. Similar sort of circumstances, there was a plan to meet Mr Kirby on that occasion. You picked [Person A] up from his home address, again, it was to have some drinks and a smoke after work and, as I said, the same things would have unfolded whilst watching television, [Person A] describing being a little tipsy and you making a suggestion that you try again, and then there was a lean over and a kiss in relation to that.

[Person A]'s victim impact statement has been read this morning by Miss Ritchie who prosecutes, and I had already indicated that I've read it. It outlines very eloquently the impact that this has had upon him, both at the time of the offending and the ongoing effect, meaning that because of his age at the time he then didn't complete his education as he had planned in relation to A Levels and university. I make it clear, and I echo what [defence counsel] has just said to me in his closing submissions, my sentence is not a value put on… the impact that this has had upon [Person A] and the lasting impact, and neither is any assessment of compensation meant to be a value or an assessment of that. It is just, in some ways, as [defence counsel] says, a marking of it as a token.

…

They all say that there is an abuse of … trust.. – and also that there was alcohol used. That's been fully ventilated in the hearing, and the Crown know that I agree with the … the defence submissions, in that the drink wasn't used to facilitate and there isn't an abuse of trust within the guideline meaning, which means that it elevates it in for culpability. But those are two factors that then come in as additional factors when I look for adjustments that are made from the starting point that I find in relation to this.

The starting point, therefore, for a category 2B offence, is one year with a high level community order to two years and count 3 is the lead offence. The others are category 3B which is a high level community order.

We then look at the aggravating factors. There is the caution in relation to the indecent assault and then this is where the alcohol and the difference in age and the context

of how these two met, and the fact that they met when [Person A] was doing work experience where Mr Kirby worked.

I then have the mitigating factors which are set out in the sentencing bundle which, as I've said, refer to the psychiatric assessment. Mr Kirby's long alcohol addiction that he's had that he is now finally free of, as a result of having to have a liver transplant for the damage that had been caused. Also, the character references indicating his positive good character and also the letter from Mr Kirby himself, which I accept is giving genuine remorse and, also, of course, the pre-sentence report and sentencing note.

Had all of these offences been a trial then the sentence would have been in the region, I think, of about 28 to 30 months. Credit for guilty plea for the reasons that have already been articulated, is at PTPH credit at 25 percent.

I then, therefore, make the reductions, as I said, in relation to aggravating and mitigating factors. The sentence then is reduced to 18 months on count 3 – that is the lead offence – it will be suspended for 18 months. On the other counts it will be three months. Everything will be concurrent.

As [defence counsel] acknowledged, the only question is going to be whether it should be suspended and for all of the reasons I've already articulated, in my view it is justified that it should be suspended with conditions of 60 days of rehabilitation activity requirement and a 12 month mental health treatment order will also be applied to the order as is requested by the pre-sentence report writer. The barring provisions also apply as does registration. There is then the costs of compensation. I actually think compensation is more important in relation to this than its costs… and, as I said, the assessment that I make isn't meant to be a value of what has happened, it is to mark what has happened and I will say that there should be compensation in relation to this of £5,000 and I will say that 12 months for that to be paid….

The registration period for that length of sentence is …10 years."

17. Dr Kirby disclosed the conviction to the College, who wrote to him on 15 May 2025, asking for his comments on the allegation that the conviction was likely to bring the profession into disrepute or undermine public confidence in the profession. He replied, through legal representatives, admitting the conviction and setting out mitigating circumstances, as follows:

“Mr Kirby accepts full responsibility for his actions. He does not seek to excuse his conduct in any way and recognises the serious nature of the offence. He offers his profound and sincere apology for the distress and harm caused and acknowledges that his behaviour fell far short of the standards expected of a veterinary professional.

Mr Kirby entered a guilty plea at the earliest appropriate opportunity, once the relevant factual basis, including the age of the complainant, had been established. He has fully cooperated with both the criminal justice and regulatory processes.

….

While the offending is serious, it occurred during a particularly complex and difficult period in Mr Kirby's life. [redacted] *This background does not excuse the offence but provides important context as to how an individual of previously good character found himself acting so far outside his normal ethical framework.*

There is no suggestion that alcohol was used to incapacitate the complainant or to facilitate the offence in a predatory or coercive manner. The complainant retained the capacity to resist and did so. This is relevant to the assessment of intent and the absence of any significant planning or predation.

Furthermore, while Mr Kirby and the complainant shared an element of mentorship in their relationship, it is submitted that it did not involve a significant power imbalance or the kind of fiduciary responsibility typically associated with a formal breach of trust in criminal or regulatory terms. The sentencing judge concluded that there was no abuse of trust in the sense envisaged by the applicable guidelines and confirmed that alcohol was not used to facilitate the offence.

Mr Kirby has undertaken a process of profound reflection and has developed genuine insight into the impact of his behaviour-not only on the complainant but on the public perception of the veterinary profession as a whole. He fully acknowledges the breach of both professional and moral standards.

Since the incident, Mr Kirby has:

- *Engaged in therapeutic work to address underlying behavioural and psychological factors;*

- [redacted]

- *Fully complied with all aspects of the criminal justice and regulatory proceedings;*

- *Consistently demonstrated insight, remorse, and accountability in interactions with his legal,* [redacted] *teams.*

He has also obtained a number of positive character references from colleagues, clients, and peers. These individuals, many of whom have worked with him over a sustained period, attest to his professionalism, compassion, and longstanding dedication to animal welfare. Mr Kirby remains widely respected within his field.

Prior to these events, Mr Kirby enjoyed a respected career grounded in integrity and commitment to the veterinary profession. [redacted]

In addition to the health challenges, Mr Kirby has endured considerable personal consequences, including [redacted] *the ongoing stigma and isolation associated with the conviction. While these difficulties do not absolve him of responsibility, they form part of the broader picture of the personal and professional toll he continues to bear.*

The offence occurred over 30 years ago, when Mr Kirby was in his twenties. He has not reoffended since and there is no evidence to suggest any ongoing risk to the public.

In the time since, he has taken sustained steps to rebuild his life with integrity and responsibility:

- [redacted]

- *He has engaged in professional development and structured rehabilitation efforts;*

- *He continues to uphold the values of animal welfare and remains deeply committed to the principles of veterinary practice.*

Mr Kirby's sentence was suspended by Basildon Crown Court, which imposed a structured rehabilitative order, including 60 days of Rehabilitation Activity Requirement and a 12-month Mental Health Treatment Requirement. The sentencing judge emphasised that this outcome was appropriate only because of Mr Kirby's demonstrable progress, genuine remorse, and the evidence of low risk of reoffending.

…

Mr Kirby acknowledges that a conviction of this nature inevitably raises serious questions about professional suitability and public confidence in the veterinary register. He does not seek to diminish the seriousness of his conduct.

However, he respectfully invites the RCVS to consider:

- *The historic nature of the offence (over three decades ago);*

- *His early guilty plea and full cooperation with proceedings;*

- *The sentencing judge's findings on remorse, rehabilitation, and low risk;*

- *The substantial personal and professional consequences already incurred;*

- *His* [redacted] *demonstrated insight, and sustained commitment to rehabilitation.*

Mr Kirby is deeply remorseful. He accepts the RCVS must prioritise public confidence and the integrity of the register. Nevertheless, he respectfully submits that he does not present a current risk to the public and that his ongoing rehabilitation supports the case for a measured and proportionate regulatory response.

He seeks the opportunity to continue to demonstrate that he is capable of practising in accordance with the high standards expected of veterinary professionals, as he has done for over 30 years."

The Committee's determination on the Charges

18. As referred to above, on 5 November 2025 the Committee made the following findings on the Charge:

Charge 1

19. The Committee found this charge proved on the basis of Dr Kirby's admission to the College, as supported by the evidence relied on by the College, namely the copy extract of the Memorandum of Conviction from the Crown Court at Basildon.

Fitness to Practise

20. On 5 November 2025, Miss Curtis, on behalf of the College, provided detailed written submissions to the Committee, as developed orally, and submitted that the nature and circumstances of the offences, which led to the conviction, were such as to render Dr Kirby unfit to practise as a Registered Veterinary Surgeon. On 24 September 2026, Miss Curtis confirmed the College's position remained the same.

21. [redacted]

22. [redacted]

23. On 24 September 2026, Dr Kirby addressed the Committee and argued that the nature and circumstances of the offences, which led to the conviction, were not such as to render him unfit to practise as a Registered Veterinary Surgeon. In so doing he relied on written submissions prepared by Mr Jessop, who had appeared on his behalf on the last occasion in November 2025.

The Committee's Determination on Fitness to Practise

24. The Committee considered the submissions, both written and oral, made by Miss Curtis and Dr Kirby, together with the documentation provided [redacted] The Committee accepted the advice of the Legal Assessor and also took into account the Code of Professional Conduct for Veterinary Surgeons ("The Code").

25. The Committee found Dr Kirby had breached the following part of the Code:

> *"6.5 Veterinary surgeons must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession….."*

26. When considering the nature and circumstances of the conviction, and the underlying behaviour resulting in that conviction, the Committee found the following aggravating factors:

- actual injury to a human (the impact statement sets out the harm caused to Person A);

- predatory behaviour towards a client or colleague (here a work experience student at Dr Kirby's practice);
- the involvement of a vulnerable client (here a sixteen year old work experience student and the concomitant power imbalance);
- any relevant increased position of trust or responsibility (Although the sentencing judge did not consider there to be an abuse of trust for the purpose of determining the category of offence, she said that it was nonetheless a factor to consider, along with the effect of alcohol - the Committee was satisfied that Dr Kirby as the veterinary surgeon was clearly in a position of trust and by his behaviour abused that trust);
- conduct exacerbated by drug or alcohol misuse.

27. [redacted]

    - [redacted]

28. The Committee had been referred, by Miss Curtis, to the case of CHRE v GDC and Fleischmann [2005] EWHC 87 (Admin), which provides that as a general principle, a professional who has been convicted of a serious criminal offence should not be allowed to practise until such time as the satisfactory completion of their sentence. This is referred to at paragraph 49 of the RCVS Disciplinary Committee Procedure Guidance. That was clearly a relevant factor when this matter was first listed in November 2025. However, the suspended prison sentence period of Dr Kirby's sentence came to an end in July 2026 and accordingly the principle enunciated in Fleischmann no longer applies in this case, given the date this case resumed. Furthermore, although Miss Curtis had also made reference to Dr Kirby's registration as a sex offender not expiring until January 2035, this is an ancillary order and does not form part of Dr Kirby's sentence. Accordingly it does not bring this case within the Fleischmann principle. However, the fact that Dr Kirby remains on the Sex Offenders' Register and will do so for many years, was, the Committee considered, a relevant factor when deciding whether Dr Kirby was unfit to practise.

29. Although Dr Kirby argued his conviction did not render him unfit to practise, the Committee noted in Dr Kirby's submissions to the College, dated 18 June 2025, it was stated, *"He offers his profound and sincere apology for the distress and harm caused and acknowledged that his behaviour fell far short of the standards expected of a veterinary professional."*

30. The conduct underlying this conviction involved repeated sexual assaults on a teenager. The Committee considered it to be deplorable behaviour that was liable to bring the profession into serious disrepute and undermine public confidence in the profession. This is all the more so given that the offence took place during a period when the teenager was undertaking work experience with Dr Kirby at a veterinary practice. The Committee considered that the fact that the matters took place some time ago did not undermine the inherent seriousness of the conduct involved when determining the issue of unfitness to practise. Furthermore, the assaults may have occurred many years ago but the conviction was far more recent.

31. In the Committee's view, a further aggravating factor is the serious and lasting harm caused to another individual, namely Person A, as detailed in his Impact Statement in the Crown Court proceedings, including the fact that he did not finish his education as planned, and was unable to pursue the career in veterinary surgery "*he'd once dreamed of*". Person A also spoke of how the assaults had impacted his relationship with others and his parents (as detailed above). Furthermore, the seriousness of the offences is reflected in the fact that the conviction led to a custodial sentence, albeit one that was suspended.

32. The Committee considered that there has been a clear breach of section 6.5 of the Code of Conduct in terms of not engaging in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession. Dr Kirby's conduct was liable to have a seriously detrimental effect on the reputation of the profession and to undermine public confidence in the profession. The Committee considered that members of the public would rightly be appalled that a Registered Veterinary Surgeon had committed offences of this nature.

33. The Committee was satisfied that this conduct fell far below the standard expected of a Registered Veterinary Surgeon (as acknowledged by Dr Kirby in his June 2025 response) and that his conviction was of a nature and seriousness that rendered him unfit to practise as a veterinary surgeon.

Sanction

34. Miss Curtis informed the Committee that Dr Kirby has no previous disciplinary matters recorded against him. As well as the conviction the subject matter of this case, Dr Kirby was also convicted in 1999, when aged 28, of driving a motor vehicle with excess alcohol. He was disqualified from driving for 24 months and required to undertake 60 hours of Community Service. In addition he was cautioned in 2002 for two offences of indent assault on a male under 16.

35. Dr Kirby pointed out that although reference had been made by prosecution Counsel to there having been two cautions for indecent assault, there was in fact only one caution but for two offences. This was reflected by the comments made by the Judge, who referred to only one caution and the Committee accepted that this was the position. Dr Kirby's memory is that these offences arose when he was very drunk, at an operatic and dramatic society summer party. He said that he had admitted to the allegations on the basis that he did not recall what had happened, due to the amount of alcohol that he had drunk. He accepted a caution and remained on the Sex Offenders' Register for five years.

36. Dr Kirby called on Professor Huey to provide character evidence. Professor Huey's evidence was as follows:

"I have known Craig as both a friend and professional colleague for over thirty years. During this time, I have come to know him as a person of integrity, compassion, and deep professional commitment. His work within the veterinary and meat hygiene sectors has been consistently of the highest standard, and he has made significant contributions to public health, animal health and animal welfare.

Craig's conviction relates to a historic conviction for 'indecent assault of a male over 16 ' which occurred more than three decades ago, during a deeply troubled and chaotic period in his life. [redacted] *It is important to recognise that this offence occurred in a context that is far removed from the person Craig is today.*

Since that time, Craig has completely transformed his life. He has lived in a stable, ordered and productive manner, dedicating himself to his profession and to the service of others.

…

His professionalism and attention to detail have earned him widespread respect. in all aspects of his work and maintained the confidence, as a member of the veterinary profession, of all who come into contact with him.

…

Craig's career over the past thirty years has been marked by dedication, responsibility, and service. I believe that his long-standing professional conduct and the positive impact he continues to have on the veterinary field far outweigh a mistake made during a time of personal crisis. I therefore wish to strongly express my opinion that Dr Kirby is fit to practice as a veterinarian and should therefore remain as a full and active member of the veterinary profession.

37. Professor Huey also described Dr Kirby as *"an exemplar of the redemptive process"* and as someone who still has *"a huge amount to give to the profession."*

38. Dr Kirby also relied on the character evidence provided by Dr Smith (as detailed above), together with a number of written testimonials from colleagues who speak of his professionalism, integrity and of how he is highly respected within the profession and regarded as an indispensable part of the AiMS (Association of Independent Meat Suppliers) team. The Head of Policy at AiMS said:

"I have reflected on whether Dr Kirby's current behaviour might undermine public confidence in the veterinary profession or fall short of its high standards of professional conduct. On the contrary, his performance and integrity over the past decade reinforce confidence in the profession's capacity for accountability and rehabilitation.

In my professional opinion, Dr Kirby poses no risk to the public, has demonstrated complete professional reliability, and continues to make a significant contribution to animal welfare and food safety. I believe his current conduct and standing are entirely consistent with the standards expected of a Member of the Royal College of Veterinary Surgeons."

39. Peter Hewson, Veterinary Director at AiMS, said of Dr Kirby:

"Craig's work for AIMS involves long hours, early starts, and extensive travel supporting businesses across the meat industry in complying with the complex framework of animal health, public health, and animal welfare regulation. His knowledge, professionalism, and diligence are exceptional, and he is regarded by both industry and regulators as an irreplaceable and trusted expert in his field.

Away from work, Craig is kind, considerate, and unfailingly courteous. He is an engaging companion and a loyal friend.

I am aware of the criminal convictions to which Craig has pleaded guilty, and I have spoken to him candidly about them. He has shown me deep remorse, shame, and genuine insight into the gravity of his past conduct. [redacted]

In my view, he has demonstrated complete rehabilitation, both personally and professionally. I have never observed any behaviour that would suggest risk to others or to the public, and I consider the likelihood of any re-offending to be extremely remote.

… I have considered whether Dr Kirby's conviction and present conduct might undermine public confidence in the veterinary profession or be incompatible with the high standards of conduct expected of veterinary surgeons. Having known him for many years, and having observed his integrity, professionalism, and commitment since his conviction, I believe he now fully meets those standards. In my opinion, he poses no risk to the public, and his ongoing work in promoting animal welfare and public health serves the profession and the public interest.

In summary, I regard Dr Kirby as a competent, ethical, and conscientious veterinary surgeon who has faced and addressed his past failings with honesty and humility. His present conduct reflects the rehabilitation, insight, and integrity that are consistent with continued registration as a veterinary surgeon."

40. Dr Kirby is also regularly instructed as an expert by solicitors as *"an important cog in the AIMS wheel and does a job that really only he is qualified to do – there is no-one else who understands or is sufficiently experienced in their field who can assist AIMS members with animal welfare issues."*

41. Dr Kirby also provided a statement for these proceedings, in which he said:

"The events of the past three years, beginning when I was first contacted by Essex Police in October 2022, have forced me to confront, in painful detail, the harm I caused so many years ago. What has been most difficult, and most important, has been coming to understand the profound and lasting impact my actions had on the victim. The fact that

this matter was brought to the attention of the police decades later is a stark reminder that the trauma I caused did not fade with time. It endured. That truth has weighed heavily on me. I am deeply, unreservedly sorry for the hurt and distress that my actions caused and for the lifelong consequences the victim has had to bear.

I cannot undo what I did, nor erase the pain I caused. I have taken full responsibility and faced the reality of my actions without excuse, and to commit myself to change. [redacted] *but even more important has been learning to confront the underlying attitudes and behaviours that contributed to the harm I caused. The person I am today bears no resemblance to who I was then. I am profoundly grateful to have had the opportunity to change, but I recognise that no amount of change can undo the damage done. My remorse is genuine and enduring, and I carry the awareness of the victim's suffering with me every day.*

I cannot go back to the person I was back then, and change who I was, [redacted] *the person you see before you today is a completely different person, not even a shadow of his former self remaining.*

…

I am lucky to work in a profession, and in a field that I am passionate about. The opportunities I have had in this field, whether from a policy and decision making perspective, to on the ground, day to day abattoir and processing plant work, and finally to teaching and sharing knowledge, whether it be trainee Official Veterinarians (I taught on the Bristol & Glasgow courses for many years) to my work now assessing new slaughter staff for competencies in the welfare of animals at the time of killing, all puts me in a position where every single day is a new challenge, no day is the same, and helps me promote the profession's goals in protecting animal & public health, and animal welfare."

42. In his oral submissions, Dr Kirby said, *"My job is my life. … I am at my happiest when at work."* He spoke of the work he does and his passion and commitment to making life as stress-free as he can for the animals he is responsible for, as they await slaughter. [redacted] He spoke of how he alerted the profession to an outbreak of foot and mouth in 2001 and worked closely with the

meat industry. He felt he had given much to the profession and hoped the Committee agreed with him.

The Committee's Determination on Sanction

43. In reaching its decision on sanction, the Committee took into account all the written evidence and all matters of personal mitigation. The Committee also referred to the RCVS Disciplinary Committee Procedure Guidance. The Committee had in mind that the purpose of sanctions was not to punish Dr Kirby, 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.

44. The Committee first considered the aggravating and mitigating factors present in this case.

45. The Committee found the following aggravating factors:

- actual injury to a human (the impact statement sets out the harm caused to PersonA);
- predatory behaviour towards a client or colleague (here a work experience student at Dr Kirby's practice);
- the involvement of a vulnerable client (here a sixteen year old work experience student and the concomitant power imbalance);
- any relevant increased position of trust or responsibility (Although the sentencing judge did not consider there to be an abuse of trust for the purpose of determining the category of offence, she said that it was nonetheless a factor to consider, along with the effect of alcohol - the Committee was satisfied that Dr Kirby, as the veterinary surgeon, was clearly in a position of trust and by his behaviour abused that trust);
- conduct exacerbated by drug or alcohol misuse.

46. The Committee found the following mitigating factors:

- no previous adverse disciplinary findings;
- [redacted]
- a long and unblemished career;
- open and honest with the court process and the College;
- subsequent significant efforts to avoid a repetition of such behaviour;
- subsequent efforts to remediate past behaviour;

- significant lapse of time since the incident;
- significant demonstration of insight into the offences committed;
- a number of impressive personal character references/testimonials.

47. From the testimonial and character evidence, it is apparent that Dr Kirby is deeply respected and highly regarded within the profession and there is no doubt about his clinical abilities and professionalism as a veterinary surgeon.

48. The Committee was also satisfied that Dr Kirby is a very different person now than he was at the time of the offences, almost 30 years ago. This is an unusual and in many ways exceptional case. The Committee recognised and acknowledged the seriousness of the offences committed by Dr Kirby and the severe impact of his actions on Person A. The seriousness was reflected by the Crown Court sentence of imprisonment, albeit suspended. Nothing this Committee decides is intended to undermine the seriousness of the offending behaviour, but the Committee recognised that it is required to fulfil a different role than that of the Judge who passed sentenced in this case. Dr Kirby committed a number of serious criminal offences and he has rightly been punished for that in the criminal justice system. It is not this Committee's role to punish him for a second time, but rather to decide on the appropriate and proportionate sanction, if any, in light of all the circumstances presented at this hearing.

49. [redacted]

50. [redacted]

51. What was particularly unusual in this case was the fact that these offences occurred nearly 30 years ago. Accordingly, the Committee was particularly interested in Dr Kirby's insight and remediation since the offences were committed. [redacted]

[redacted] Professor Huey spoke of Dr Kirby as an exemplar of redemption and the Committee agreed. He impressed the Committee when addressing the issue of sanction, coming across as genuine, contrite and full of humility.

52. [redacted] Following intense self-scrutiny he has contributed significantly to the profession, [redacted] He clearly understands the seriousness of his behaviour and its impact upon Person A and the profession. He has demonstrated profound insight and the most active remediation, [redacted] The Committee is satisfied that Dr Kirby is doing, and has for sometime been doing, everything he can to help himself. Indeed, Dr Rogers had said in his report for the Crown Court that Dr Kirby was someone who needed minimal input to prevent re-offending.

53. It was clear the Judge thought Dr Kirby was at low risk of re-offending and did not feel the need to make a Sexual Harm Prevention Order and also felt able to suspend the prison sentence she passed on Dr Kirby. He was placed on the Sex Offenders' Register and the Committee considered whether this had any part to play in the appropriate sanction. Being placed on the Sex Offenders' Register is automatic given the offences and the sentence passed. The Committee noted that, had these matters been dealt with at the time of the offences, Dr Kirby would no longer be on that Register. Furthermore, the Committee agreed with the Judge that Dr Kirby was most unlikely to reoffend now, as demonstrated by 24 years without any further offending. Accordingly, the Committee decided that being placed on the Sex Offenders' Register

did not influence its decision on sanction, since it was only linked to risk and no perceptible risk had been identified.

54. It is clear that Dr Kirby is passionate about being a veterinary surgeon and the warmth he feels for his job was conveyed when addressing the Committee on how he strives to make the last moments of those animals facing slaughter as stress free as possible. The Committee is in no doubt that Dr Kirby is a most valued member of the profession, working in a particularly challenging field that does not attract many who join the profession. As a result he is rather uniquely experienced and it was clear that any time spent off the Register could have a seriously detrimental impact on this particular area of the profession.

55. The Committee was satisfied that Dr Kirby does not, and never has, represented any risk of harm to the welfare of animals, indeed quite the opposite, he could not do more to protect the welfare of animals, but that is not what this case is about. This case is about the need for Registered Veterinary Surgeons to not engage in any activity or behaviour that would be likely to bring the profession into disrepute, or undermine public confidence in the profession. Clearly he has failed in this regard, as reflected in the Committee's finding on unfitness to practise. Looking ahead, the Committee had to decide whether allowing Dr Kirby to remain on the Register would continue to undermine public confidence in the profession. That meant considering whether a fully informed member of the public, knowing all that this Committee knows, would conclude that removal from the Register, either by way of suspension or removal is the only way to ensure public confidence is maintained. For all the reasons referred to, the Committee did not believe this to be so, as demonstrated by many of the comments made by his professional colleagues.

56. The College's Guidance on sanctions states that *"in certain cases, the Committee may consider a finding that a respondent veterinary surgeon is guilty of disgraceful conduct in a professional respect, or that a conviction renders him or her unfit to practise, is sufficient to protect animals and the wider public interest, without a reprimand or warning as to future conduct; in such cases, the Committee may decide to close the case with 'no further action'."* For all the reasons given above, the Committee decided this was such a case.

57. The Committee did give serious consideration to more onerous sanctions such as a reprimand and/or warning, suspension and removal from the Register. However, in light of the extensive mitigation, the significant insight and remediation, [redacted] and the nearly 30 years since these offences were committed, any of these sanctions would, in the Committee's view, be disproportionate. It is not this Committee's role to punish Dr Kirby. The Committee was satisfied that its finding of unfitness to practise is sufficient

to protect animals and the wider public interest and that any more severe an approach would be punitive in nature.

58. This was not a case, in the Committee's view, where a more severe sanction was therefore warranted. It would not serve the public interest, for example, to suspend from practice an otherwise exemplary veterinary surgeon and in all the circumstances of this case, such a sanction would be both disproportionate and punitive.

59. The decision of this Committee is, therefore, that no further action be taken with regards to Dr Kirby. In reaching this decision, the Committee took into account the Guidance issued by the College, which notes that the Privy Council has stated that a Disciplinary Committee should not feel bound to remove from the Register an otherwise competent and useful practitioner who presents no danger to the public in order to satisfy any public demand for blame and punishment.

60. Although the Committee has not imposed a sanction in this case, Dr Kirby should be in no doubt that any finding of unfitness by his regulatory body is a serious matter and he should not take this finding lightly.

DISCIPLINARY COMMITTEE
25 September 2026