

PRIVATE HEARING**Health Committee
Review Hearing****3 July 2025**

Name: KADUJI, Nafisa
Registration number: 67075
Case number: CAS-200759-G8S6K7

General Dental Council: Sian Priory, Counsel
Instructed by Amy Jones, IHLPS

Registrant: Not Present
Not Represented

Fitness to practise: Impaired by reason of health and misconduct

Outcome: Suspension extended (with a review)

Duration: 12 Months

Committee members: Martin Isherwood (Chair, Dental Care Professional Member)
Jeannett Martin (Lay Member)
Robin Barber (Dentist Member)

Legal Adviser: Gerard Coll

Committee Secretary: Lola Bird

At this hearing the Committee made a determination that includes some private information. That information has been omitted from this public version of the determination, and this public document has been marked to show where private material has been removed.

1. This is a resumed hearing before the Health Committee (HC), pursuant to section 27C of the *Dentists Act 1984 (as amended)* ('the Act').
2. The hearing is being conducted remotely by Microsoft Teams video-link.
3. The purpose of the hearing has been for the Committee to review a substantive order of suspension that is currently in place on Miss Kaduji's registration. The order was imposed following an initial HC hearing which took place in July 2024.
4. Miss Kaduji is not present today, and she is not represented in her absence. The Case Presenter for the General Dental Council (GDC) is Ms Sian Priory, Counsel.

Application to proceed with the hearing in the absence of the registrant

5. At the outset, Ms Priory made an application under Rule 54 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules'), to proceed with the hearing notwithstanding Miss Kaduji's absence.
6. Ms Priory submitted that more than sufficient notice had been provided to Miss Kaduji of this hearing. She submitted that cooperation and engagement have been central issues in this case, so it is of little surprise that Miss Kaduji is not present today. Ms Priory noted that Miss Kaduji did not attend the initial HC hearing in July 2024. [PRIVATE]. Ms Priory submitted that the Committee could not be confident that an adjournment today would secure Miss Kaduji's attendance in future.
7. The Committee took account of Ms Priory's submissions, and the supporting documentation provided. It accepted the advice of the Legal Adviser in relation to service and proceeding with a hearing in the absence of a registrant.

Decision on service

8. The Committee first considered whether notice of the hearing had been served on Miss Kaduji in accordance with Rules 28 and 65. It had sight of the Notice of Hearing dated 19 May 2025 ('the notice'), which was sent to Miss Kaduji's registered address by Special Delivery and First Class post.
9. The Committee noted that the copy of the notice sent to Miss Kaduji by Special Delivery was marked to be 'Returned to Sender' after it exceeded the holding period of the postal service without collection. However, the Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent. The Committee was satisfied on the evidence before it that the GDC had complied with the requirement to send notice.

10. The Committee further took into account that a copy of the notice was sent to Miss Kaduji by email on 19 May 2025, and that she responded to that email on 21 May 2025.

11. The Committee was satisfied that the notice sent to Miss Kaduji complied with the 28-day notice period specified in the Rules. It was also satisfied that the notice contained all the required particulars, including the date and time of the hearing, confirmation that the hearing would be conducted remotely by Microsoft Teams, and that the Committee had the power to proceed in Miss Kaduji's absence.

12. On the basis of all the information provided, the Committee was satisfied that Miss Kaduji was duly notified of the hearing in accordance with the Rules.

Decision on whether to proceed with the hearing in the absence of the registrant

13. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Miss Kaduji. It approached this issue with the utmost care and caution. The Committee took account of the factors to be considered in reaching its decision, as set out in relevant case law, including the cases of *General Medical Council v Adeogba* and *General Medical Council v Visvardis* [2016] EWCA Civ 162.

14. The Committee bore in mind that fairness to Miss Kaduji is an important consideration. It was also mindful of the need to be fair to the GDC, and of the public interest in the expeditious review of the suspension order currently in place on Miss Kaduji's registration.

15. The Committee was satisfied that all reasonable efforts had been made to notify Miss Kaduji of the hearing. It noted that she received and responded to the copy of the notice sent to her by email. [PRIVATE].

16. Having considered the matter, the Committee concluded that adjourning this hearing would serve no meaningful purpose. Miss Kaduji did not request an adjournment, and there is no information before the Committee to suggest that deferring the hearing would secure her attendance on a future date. It noted that she did not attend the initial HC hearing in July 2024.

17. The Committee bore in mind that the suspension order currently in place on Miss Kaduji's registration is due to expire on 12 August 2025. It considered that, without good reason for a delay, today's review should proceed as scheduled. The Committee was satisfied that it was fair, reasonable and in the public interest to proceed with the hearing in the absence of Miss Kaduji.

Decision on application to hold the hearing in private

18. Ms Priory next made an application under Rule 53 for the hearing to be held entirely in private. She submitted that, whilst this is a health and misconduct case, the issue of Miss Kaduji's health is a pivotal feature, and that most, if not all, of what will be said should be heard in private session.

19. In reaching its decision, the Committee accepted the advice of the Legal Adviser.

20. The Committee noted that this case is almost entirely based on Miss Kaduji's health or aspects of her health. It was therefore satisfied that Rule 53(2)(a) is engaged, which provides that

all or part of a hearing may be held in private for the protection of a registrant's private and family life. The Committee considered that it would be difficult to hold any part of these proceedings in public. Accordingly, it determined that a wholly private hearing is necessary to protect Miss Kaduji's private and family life.

21. As is the usual practice, the Committee has produced both a private version of its determination, as well as a suitably redacted public version.

Summary of the case background

22. The Committee heard that concerns regarding Miss Kaduji were first referred to the GDC on 13 May 2022. [PRIVATE].

23. [PRIVATE].

24. In 2023, the GDC's Case Examiners referred a number of allegations to the HC. Miss Kaduji's case was first considered by the HC at a hearing which took place from 8 to 10 July 2024. She did not attend that hearing and she was not represented in her absence.

25. The initial HC considered and found proved matters relating to Miss Kaduji's health, including that she had an adverse health condition [PRIVATE].

26. [PRIVATE].

27. There was also a finding that from 24 May 2022 to at least 14 November 2022, Miss Kaduji failed to cooperate with an investigation conducted by the GDC [PRIVATE].

28. Miss Kaduji was also found to have misled the GDC by making an inaccurate statement in relation to her health. [PRIVATE].

29. [PRIVATE].

30. The initial HC found that Miss Kaduji's failure to cooperate with the GDC's investigation, her inaccurate statement to the Council in relation to her health, and [PRIVATE] amounted to misconduct. That initial Committee stated that "*Miss Kaduji's conduct represents a serious departure from proper professional standards of conduct and behaviour*".

31. The initial HC went on to determine that Miss Kaduji's fitness to practise was impaired by reason of her misconduct on both public protection and wider public interest grounds. It stated in its determination:

"The Committee has determined that, whilst Miss Kaduji's misconduct is capable of being remedied, it has not been provided with any evidence to suggest that she had developed any insight into or reflections upon her misconduct, or that she has taken any steps to remedy her misconduct. The Committee has found that Miss Kaduji's acts and omissions have placed the public at unwarranted risk of harm. As Miss Kaduji has not demonstrated insight into, or remediation of, her misconduct, or indeed of any willingness to do so, the Committee considers that a repetition of her misconduct cannot be said to be highly unlikely. The

Committee finds that the public is at unwarranted risk of harm because of Miss Kaduji's unremediated misconduct, and that accordingly her fitness to practise is currently impaired by reason of misconduct.

The Committee also considers that a finding of impairment is required to maintain public confidence in the profession and to declare and uphold proper professional standards of conduct and behaviour..."

32. In determining that Miss Kaduji's fitness to practise was also impaired by reason of adverse health on public protection and wider public interest grounds, the initial HC stated:

[PRIVATE].

33. The initial HC determined to impose a suspension order on Miss Kaduji's registration for a period of 12 months. An immediate order of suspension was also imposed. In directing a review of the substantive suspension order shortly before its expiry, the initial HC stated:

Although the Committee in no way wishes to bind or fetter the future Committee which will review Miss Kaduji's suspension, it considers that it would be assisted by her engagement and co-operation with the GDC, evidence of her reflections upon and insight into her adverse health and misconduct, and an updated medical report.

Today's resumed hearing

34. In comprehensively reviewing the suspension order today, the Committee considered all the evidence provided. It took account of the submissions made by Ms Priory on behalf of the GDC. The Committee accepted the advice of the Legal Adviser.

35. No material or submissions were received from, or on behalf of, Miss Kaduji.

36. Ms Priory referred the Committee to the information received since the initial HC hearing in July 2024. **[PRIVATE]**.

37. Ms Priory submitted that Miss Kaduji has not engaged meaningfully with the GDC since the initial HC hearing, including that **[PRIVATE]**, nor has she provided any evidence of her reflections upon and insight into her adverse health and misconduct, as recommended by the initial Committee.

38. Ms Priory submitted that in the absence of any evidence of compliance with the previous recommendations or any evidence of insight or remediation, Miss Kaduji's fitness to practise remains impaired for the same reasons given at the initial HC hearing on both public protection and public interest grounds. Ms Priory invited the Committee to extend the current suspension order on Miss Kaduji's registration by a period of 12 months, with a review, in the hope that Miss Kaduji would take the opportunity to fully engage with the GDC regarding the matters in this case.

Decision on current impairment

39. The Committee considered whether Miss Kaduji's fitness to practise remains impaired by reason of her adverse health and her misconduct. In reaching its decision, the Committee exercised its independent judgement. It had regard to the over-arching objective of the GDC, which is: the protection, promotion and maintenance of the health, safety and well-being of the public; the promotion and maintenance of public confidence in the dental profession; and the promotion and maintenance of proper professional standards and conduct for the members of the dental profession.

40. The Committee took into account that, at this review, the persuasive burden is upon Miss Kaduji to satisfy it that she has addressed her past impairment. However, she has not engaged with the GDC in any meaningful way since the initial HC hearing, and consequently, there is no evidence before this Committee in relation to her insight into her health condition or in relation to any reflections or remediation in respect of her misconduct. [PRIVATE].

41. In the absence of any evidence from Miss Kaduji in relation to her insight into her health, the Committee considered that there is an ongoing risk to the public in this case. [PRIVATE]. The Committee also considered that there is a risk of repetition in relation to the misconduct matters, given the lack of any evidence to show that Miss Kaduji has acknowledged those concerns or taken any steps to remedy them. In all the circumstances, the Committee concluded that a finding of current impairment is necessary for the protection of the public.

42. The Committee also concluded that a finding of current impairment is in the wider public interest, given Miss Kaduji's ongoing lack of meaningful engagement with her regulatory body and her failure to address the recommendations made by the initial HC in relation to her insight into her adverse health and her misconduct. The Committee considered that public confidence in the dental profession would be undermined if a finding of impairment were not made in the circumstances. It also considered that such a finding is required to maintain and promote proper professional standards.

43. Accordingly, the Committee determined that Miss Kaduji's fitness to practise remains impaired by reason of her adverse health and her misconduct.

Decision on sanction

44. The Committee next considered what action to take in respect of Miss Kaduji's registration. It had regard to section 27C(1) of the Act, which sets out the options available to it at this review.

45. The Committee also took into account the '*Guidance for the Practice Committees including Indicative Sanctions Guidance*' (effective from October 2016; last revised December 2020). It noted that the purpose of any sanction is not to be punitive, although it may have that effect, but to protect the public and the wider public interest. The Committee applied the principle of proportionality, balancing the public interest with Miss Kaduji's own interests.

46. The Committee determined that it would be inappropriate to terminate the current suspension order and take no further action, or to allow the suspension order to lapse. It has identified an ongoing

risk to the public and a risk of repetition in this case, and such a course would not protect the public or uphold the wider public interest.

47. The Committee next considered whether it could terminate the current suspension order and replace it with a conditions of practice order. However, it concluded that it could not formulate any workable conditions, given Miss Kaduji's ongoing lack of meaningful engagement with the GDC. There is no evidence before the Committee to suggest that she would comply with conditions, even if they could be imposed. The Committee therefore decided that a conditions of practice order would not be adequate to protect the public and the wider public interest.

48. In all the circumstances, the Committee determined to extend the current suspension order by a period of 12 months, with a review. It considered that a further period of suspension is the only appropriate and proportionate sanction to protect the public and to satisfy the wider public interest. In deciding on a 12-month period, the Committee took account of the seriousness of the concerns in this case. It also bore in mind the time that would be required by Miss Kaduji to sufficiently address the matters that have been raised, both in relation to her adverse health and her misconduct. The Committee considered that a period of 12 months would give her the opportunity to [PRIVATE], and to provide evidence demonstrating her insight into her health and any remediation she has taken in relation to her misconduct.

49. As this Committee has directed a review, a further resumed hearing of Miss Kaduji's case will be convened shortly before the expiry of the 12-month extension. That Committee will consider what action to take in relation to Miss Kaduji's registration at that time. She will be informed of the date and time of the resumed hearing.

50. This Committee in no way wishes to bind or fetter the future Committee which will review Miss Kaduji's suspension. However, it considered that the reviewing Committee would be assisted by evidence of her meaningful engagement and co-operation with the GDC, evidence of her reflections upon and insight into her adverse health and misconduct, and an updated medical report.

51. Unless Miss Kaduji exercises her right of appeal, the current order of suspension on her registration will be extended by a period of 12 months, beginning with the date that they would otherwise expire.

52. Miss Kaduji will have 28 days from the date that notice is deemed to have been served upon her to appeal this decision. In the event that she does exercise her right of appeal, the suspension order currently in place on her registration will remain in force until the resolution of the appeal.

53. That concludes this determination.