

HEARING HEARD IN PRIVATE*

*The Committee has made a determination in this case that includes some private information. That information has been omitted from the text.

MARAGENI, Konanani Patricia

Registration No: 81414

HEALTH COMMITTEE

MAY 2013- SEPTEMBER 2016**

Most recent outcome: Indefinite suspension

** See page 8 for the latest determination.

Konanani Patricia MARAGENI, a registered dentist; BDS MEDUNSA 2001 was summoned to appear before the Health Committee on 7 May 2013.

Ms Marageni did not attend and was not represented at the hearing. On 8 May 2013 the Chairman announced the findings of fact to the Counsel for the GDC:

“Mr Singh,

Ms Marageni was neither present nor represented at this hearing. At the outset, on behalf of the General Dental Council (GDC), you made an application to proceed in her absence, pursuant to Rule 54 of the GDC (Fitness to Practise) Rule 2006 (the Rules).

The Committee first considered whether notification of this hearing had been duly sent to Ms Marageni in accordance with Rules 13 and 65. It had regard to the Notification of Hearing letter, dated 5 April 2013 and the associated Royal Mail ‘track and trace’ receipt. While it noted that the letter was ‘returned to sender’, it noted that the requirement within the Rules is to send notification to a respondent’s known registered address. Notwithstanding this, the Committee took into account the further efforts made by the GDC to notify Ms Marageni of these proceedings, which included: contacting members of Ms Marageni’s family in South Africa; making enquiries with the South African Health Professions Council, as Ms Marageni is originally from South Africa; and instructing a Search Agent and a Process Server to re-deliver the Notification of Hearing letter that was previously returned from her registered address. On the basis of this information, the Committee was satisfied that service had been effected in accordance with the Rules and that all reasonable efforts had been made to notify Ms Marageni of this hearing.

The Committee next considered whether to exercise its discretion to proceed with the hearing in Ms Marageni’s absence. It approached this issue with the utmost care and caution. It had regard to your submissions and it accepted the advice of the Legal Adviser.

The Committee considered that the GDC’s efforts in trying to engage with Ms Marageni went over and beyond what would normally be expected. It took into account the witness statement and supplementary witness statement of Ms Sian Jones, Legal Assistant at Kingsley Napley, the solicitors for the GDC. Ms Jones set out in detail the attempts made to correspond with and notify Ms Marageni of these proceedings. She also confirmed that she

received a telephone call from Ms Marageni on 22 February 2013. Ms Jones stated that during their conversation about this scheduled Health Committee hearing, Ms Marageni stated words to the effect of “no, I’m not interested” and “it’s rubbish”.

The Committee was satisfied that Ms Marageni had deliberately decided not to participate in these proceedings and that she was not willing to engage in any way with her regulatory body. There was no evidence before it to suggest that Ms Marageni would be any more likely to attend if the hearing was adjourned until a future date. In these circumstances, the Committee concluded that it was in the interests of justice and in the public interest to proceed in Ms Marageni’s absence.

The Committee then acceded to a further application made by you, to hear Ms Marageni’s case in private, pursuant to Rule 53(2)(a) of the Rules. This case relates to Ms Marageni’s health, as well as an allegation that she failed to co-operate fully with inquiries relating to her work carried out by NHS Coventry and the GDC. The Committee accepted that these matters were inextricably linked and, as such, it was practical to hear Ms Marageni’s case entirely in private.

The Committee considered all the evidence presented to it. It accepted the advice of the Medical Adviser and that of the Legal Adviser. The Committee considered each head of charge separately, bearing in mind that the burden of proof rests with the GDC and that the standard of proof is the civil standard, that is, whether the matters are proved on the balance of probabilities.

I will now announce the Committee’s findings in relation to each head of charge:

1.	Proved. [Reason given in the private determination].
2a.	Proved. [Reason given in the private determination].
2b.	Proved. [Reason given in the private determination].
3.	Proved. The Committee heard evidence from Mr Iloya, who confirmed that he had sent a letter to Ms Marageni, dated 21 September 2010, to which he had had no response. Mr Iloya confirmed that, in light of the concerns that had been raised by Ms Marageni’s missed medical appointments, he wrote to her to try to establish whether she was practising dentistry at that time. The Committee saw a copy of this letter, as well as the associated Royal Mail proof of delivery. It noted that the letter was delivered to an address known to be Ms Marageni’s place of residence, but was signed for by someone else who resided at that same address. While the Committee took this matter into account, it considered the other evidence before it, which indicated that Ms Marageni had signed for letters at that same address, as recently as February 2012. The Committee was therefore satisfied that Ms Marageni was residing there in September 2010, when the letter from Mr Iloya was delivered. It was also satisfied on the balance of probabilities that she received the letter, but did not respond.

	The Committee again noted the GDC's publication 'Raising Concerns' which requires all dental professionals to co-operate fully into inquiries relating to their work.
4a.	Proved.
4b.	<p>Proved.</p> <p>The Committee read and accepted the witness statement of Sonia Claris, who confirmed that she had sent letters to Ms Marageni, dated 16 January 2012 and 9 February 2012, and that Ms Marageni did not respond. The Committee had regard to the associated Royal Mail proof of delivery receipts, which show that these letters were signed for at Ms Marageni's registered address by a 'K Marageni'.</p> <p>On the basis of the evidence before it, the Committee was satisfied that the letters were received by Ms Marageni. There was no evidence to suggest that Ms Marageni had responded to the letters and therefore the Committee was also satisfied that Ms Marageni had failed to meet her obligation to co-operate with the inquiry by the GDC, which is what the letters were inviting her to do.</p>

We move to Stage Two.”

On 9 May 2013 the Chairman announced the determination as follows**:

**The Committee has made a determination in this case that includes some private information. That information has been omitted from the text that follows:

“Mr Singh,

Ms Marageni was neither present nor represented at this hearing.

The Committee considered all the evidence presented to it. It took account of your submissions made on behalf of the General Dental Council (GDC), and it accepted the advice of the Medical Adviser and the Legal Adviser.

In reaching its decisions, the Committee exercised its own independent judgement. It bore in mind that its duty is to consider the public interest, which includes the protection of patients, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour.

The proven facts in this case relate to Ms Marageni's health and her failure to co-operate with inquiries into her work, carried out by NHS Coventry and the GDC.

Health

The Committee determined that Ms Marageni's fitness to practise is currently impaired by reason of her adverse physical health.

Misconduct

Ms Marageni failed to follow medical advice in respect of her health condition. There was no evidence before the Committee to suggest that Ms Marageni had received any medical advice or treatment after May 2010.

Further, she failed to co-operate fully with inquiries relating to her work carried out by NHS Coventry and the GDC, in that she failed to respond to correspondence sent to her by these bodies in order to establish her employment status.

The Committee had regard to the relevant Department of Health guidelines. It also had regard to the relevant GDC standards, as set out in its publication *'Principles of Raising Concerns (May 2006)'*.

The Committee considered that Ms Marageni had a professional duty to adhere to the relevant Department of Health guidelines. It was also her professional duty to co-operate with the inquiries carried out by NHS Coventry and her regulatory body. The Committee was satisfied that her failure to act as she was required to do, amounted to serious misconduct.

Next, the Committee considered whether Ms Marageni's fitness to practise is impaired by reason of her misconduct. In so doing, it had regard to all the circumstances of this case. It noted in Ms Marageni's favour that there has been no previous fitness to practise finding against her.

The Committee was of the view that Ms Marageni's disengagement with the medical professionals involved in her care and her lack of co-operation with the regulatory process demonstrated that she has no insight into her responsibilities as a registered dentist. The Committee concluded that this failure was such that it brought the dental profession into disrepute and it was satisfied that public confidence in the profession would be undermined if a finding of impairment were not made. In all the circumstances, the Committee determined that Ms Marageni's fitness to practise is currently impaired by reason of her misconduct.

Sanction

The Committee next considered what sanction, if any, to impose on Ms Marageni's registration. It reminded itself that the purpose of a sanction is not to be punitive, but to protect patients and the wider public interest.

The Committee took into account the *'Guidance for the Health Committee (November 2009)'*, as well as the *'Guidance for the Professional Conduct Committee (November 2009)'*. It noted that, given the nature of this case, all possible sanctions were available to it. The Committee considered them, starting with the least serious. It also applied the principle of proportionality, balancing the public interest with Ms Marageni's own interests.

The Committee determined that it would be inappropriate to conclude this case without taking any action or with a reprimand.

The Committee considered whether to impose conditions on her registration. It took into account that any conditions imposed would have to be clear, workable, measurable and enforceable. It also noted your submissions and the legal advice it received regarding the case of *Udom v General Medical Council [2009] EWHC 3242 (Admin)*, namely that the imposition of conditions which, in effect, amount to a suspension is unlawful. The Committee was mindful that most of the proven allegations in Ms Marageni's case relate to her failure to comply with necessary requirements and there has been no evidence of any insight on her part. Therefore, the Committee concluded that it was unlikely that Ms Marageni would comply with conditions in any event.

The Committee went on to consider whether to suspend her registration and it concluded that a period of suspension would be an appropriate and proportionate sanction. In reaching this decision, the Committee carefully reviewed its findings, particularly those relating to Ms

Marageni's behaviour. While the Committee took into account the serious nature of her misconduct, it reminded itself that its purpose is not to punish registrants for their wrongdoing. It considered the evidence it heard in private. In the light of this evidence and in the absence of any evidence about clinical concerns relating to Ms Marageni's work, the Committee concluded that it would be disproportionate to consider imposing a higher sanction. It was satisfied that a period of suspension would serve adequately to protect the public.

In all the circumstances, the Committee determined to suspend Ms Marageni's registration for a period of 9 months. It considers that this period would allow sufficient time for Ms Marageni to put in place all the necessary arrangements.

A Committee will review Ms Marageni's case at a resumed hearing to be held shortly before the end of the period of suspension. That Committee will consider what action to take in relation to her registration. She will be informed of the date and time of that resumed hearing, which she will be expected to attend.

The Committee reviewing Ms Marageni's case may find it helpful to receive evidence regarding her progress.

The Committee now invites submissions from you, as to whether Ms Marageni's registration should be suspended immediately, pending the taking effect of its substantive direction."

"Mr Singh,

The Committee has taken account of your submissions made on behalf of the GDC and it has accepted the advice of the Legal Adviser.

The Committee has determined that it is necessary for the protection of the public, in the public interest and in Ms Marageni's own interests to impose an order for the immediate suspension of her registration. Its reasons are as set out in its private determination on this issue.

The effect of the foregoing direction and this order is that Ms Marageni's registration will be suspended from the date on which notice is deemed to have been served upon her. Unless she exercises her right of appeal, the substantive direction for suspension, as already announced, will take effect 28 days from the date of deemed service.

Should Ms Marageni exercise her right of appeal, this immediate order for suspension will remain in place until the resolution of any appeal.

The interim order currently on Ms Marageni's registration is hereby revoked.

That concludes this hearing."

At a review hearing on 6 February 2014 the Chairman announced the determination as follows:

"Mr Neill,

Service

Ms Marageni was neither present nor represented at this hearing.

The Committee saw copies of the notice of hearing dated 23 December 2013 that were sent to Ms Marageni's registered address by first class post and by recorded delivery. It noted a photocopy of the envelope of the recorded delivery item which indicated that it was returned to sender. Further letters were sent in relation to this hearing on 24 and 30 January 2014 which were returned to sender or marked addressee gone away. It reminded itself that the onus is on a registrant to keep the General Dental Council (GDC) informed of an up to date registered address.

The Committee also took note of two telephone attendance notes of phone calls on 18 December 2013 and 4 February 2014 between a member of GDC staff and Ms Marageni's sister during which enquiries were made about Ms Marageni's contact details. No such details were obtained.

In light of all of the above, the Committee was satisfied by the documents produced on behalf of the GDC that all reasonable efforts had been made to notify Ms Marageni of these proceedings.

In the last direct contact the GDC had with Ms Marageni, a telephone conversation in February 2013, she indicated that she did not intend to engage with the GDC's proceedings. The Committee was satisfied that Ms Marageni has voluntarily waived her right to be present or to be represented. The Committee did not receive any information to suggest that an adjournment was sought by her and was satisfied that it was unlikely that she would attend an adjourned hearing on a future date. It bore in mind that its duty is to consider the public interest, which includes the protection of patients and it determined that it was in the public interest to proceed in her absence.

Substantive matters

The Committee considered all the evidence presented to it. It took account of your submissions made on behalf of the GDC, and it accepted the advice of the Medical Adviser and the Legal Adviser.

The Health Committee in May 2013 made findings in relation to Ms Marageni's health and her failure to co-operate with inquiries into her work, carried out by NHS Coventry and the GDC. On 8 May 2013 the Health Committee determined that her fitness to practise was impaired by reason of her misconduct and adverse health.

IN PRIVATE

[REDACTED]

IN PUBLIC

In light of a lack of evidence of Ms Marageni's engagement with appropriate medical professionals and her continuing lack of co-operation with the regulatory process, she demonstrates a continuing lack of insight into her responsibilities as a registered dentist. The Committee was satisfied that Ms Marageni's fitness to practise remains impaired by reason of her misconduct.

Sanction

The Committee considered whether to revoke the suspension order and take no further action against Ms Marageni's registration. It determined that such an outcome would be inappropriate as there continues to be a significant risk to the public as a result of her impaired fitness to practise.

The Committee considered whether to replace the order of suspension with one of conditions but took the view that in light of her past failure to comply with necessary requirements, her continuing failure to engage with her regulator and the lack of evidence of insight, it could not conclude that Ms Marageni would comply with conditions.

The Committee noted that there has been no substantive change since the original hearing. Taking all of the factors of this case into consideration, it determined that an extension of the suspension order currently in place would be the appropriate and proportionate sanction to protect the public. The suspension is imposed for a period of 12 months and will be reviewed shortly before the end of the period.

IN PRIVATE

[REDACTED]"

At a review hearing on 26 February 2015 the Chair of the Committee announced the determination as follows:

"Ms Marageni,

This is a resumed hearing for the purposes of s 27C of the Dentists Act 1984, held in private under Rule 53 of the General Dental Council (Fitness to Practise Rules) 2006 as matters relate to your health.

[IN PRIVATE]

The Committee, having found that your fitness to practise remains impaired, directs that your registration be suspended for a further period of six months.

That concludes the hearing."

At a review hearing on 20 August 2015 the Chair of the Committee announced the determination as follows:

"Ms Donnelly,

This is the third review of the case of Ms Marageni who was neither present nor represented. You made an application under Rule 54 of the General Dental Council (GDC) (Fitness to Practise) Rules Order of Council 2006 that service had been properly effected and that this hearing should proceed in the absence of Ms Marageni. The Committee accepted the advice of the Legal Adviser and the Medical Adviser.

The Committee saw a copy of the notice of hearing letter dated 14 July 2015 which was sent by special delivery to the respondent's registered address. It also saw a copy of the Royal Mail track and trace proof of delivery document which shows that the letter was returned to the GDC. The notice of hearing letter was also sent to an alternative address given to the GDC by the respondent in February 2015. That letter was also returned to the GDC. The Committee was satisfied that service had been effected in accordance with Rules 28 and 65 of the Rules.

The Committee next considered whether to proceed with the hearing in the absence of the respondent. It noted that Ms Marageni did not attend the initial Health Committee hearing in May 2013 neither did she attend the first review of the suspension order on her registration

which was held in February 2014. Ms Marageni attended the second review hearing in February 2015 accompanied by a friend who addressed that Committee on her behalf. At that hearing, Ms Marageni provided that Committee with a statement in which she stated that she was willing to engage with the GDC's proceedings forthwith and would take all reasonable steps to be present and/or be represented when it would be required of her to do so.

You told the Committee that further correspondence was sent to Ms Marageni following the hearing in February 2015 but she has again not engaged with the GDC. The Committee was satisfied that Ms Marageni has voluntarily absented herself from today's hearing. She has not made an application for an adjournment and the Committee was not assured that an adjournment would secure her attendance at a future hearing. The current order is due to expire on 9 September 2015. The Committee determined that there is a public interest in this hearing proceeding today in the absence of Ms Marageni.

You also made an application under Rule 53(2) of the General Dental Council (Fitness to Practise) Rules 2006 (the Rules) that this hearing should proceed in private as the matters under consideration relate entirely to Ms Marageni's health. The Committee accepted the advice of the Legal Adviser. It acceded to that application.

As a consequence, the Committee determined to suspend Ms Marageni's registration for a further period. In considering the length of the suspension, it took account of your submissions that a 6 month suspension would be appropriate and would enable Ms Marageni to engage with the GDC. The Committee noted that it has been six months since the last review hearing when Ms Marageni indicated a willingness to engage but so far she has not. The Committee determined that a period of 12 months would be appropriate in this case in that this will give her a longer period during which she can engage with the GDC and provide evidence about her health condition.

The Committee therefore determined, pursuant to section 27C(1)(b) of the Dentists Act 1984, to direct that Ms Marageni's registration be suspended for a further period of 12 months. This order will be reviewed prior to the end of the 12 month period."

At a review hearing on 1 September 2016 the Chairman announced the determination follows:

"Service of Notice of Hearing

The Committee was informed at the start of this hearing that Ms Marageni was not in attendance nor was she represented. In her absence, the Committee first considered whether the notice of this hearing had been served in accordance with rules 28 and 65 of *the General Dental Council (Fitness to Practise) Rules Order of Council 2006 (the Rules)*.

The Committee received a copy of the Notification of Resumed Hearing dated 2 August 2016. This was sent to Ms Marageni's registered address via Special Delivery and first class post. The notice was also sent to Ms Marageni via email. The notice sets out the date, time and venue of this hearing as well as notification that the Committee may proceed in the absence of Ms Marageni.

The Committee was informed by Miss Headley, on behalf of the General Dental Council (GDC) that notice was also sent to Ms Marageni via an alternate address abroad.

In all the circumstances, the Committee was satisfied that the notice had been served in compliance and accordance with the rules.

Proceeding in the absence of Ms Marageni:

The Committee then considered whether to exercise its discretion under Rule 54 to proceed in the absence of Ms Marageni.

The Committee heard the submissions made by Miss Headley. It accepted the advice of the Legal Adviser. The Committee bore in mind that it must exercise the utmost care and caution when considering whether to exercise its discretion to proceed in Ms Marageni's absence, in accordance with the cases of R v Jones (2003) 1 A C 1, HL and Tait v Royal College of Veterinary Surgeons [2003] UKPC 34. However, it has also borne in mind the overall fairness of the proceedings to both parties, as well as the public interest in the timely review of this case.

The Committee was aware that any registrant has the right to a fair hearing and the right to participate in it. However, a registrant may voluntarily absent herself. There was no application from Ms Marageni for an adjournment of this hearing and the Committee was aware that she has not engaged with the GDC. The Committee was aware that the current order was due to expire on 9 September 2016 and there was a public interest in considering this review today.

The Committee considered the information before it and was not satisfied that an adjournment would result in Ms Marageni's attendance. It considered that an adjournment today would serve no useful purpose, particularly given Ms Marageni's history of non-engagement.

Having weighed the interests of Ms Marageni with those of the GDC and the public interest in an expeditious disposal of this hearing, the Committee has decided to proceed in Ms Marageni's absence.

Hearing in Private:

Miss Headley informed the Committee that the matters contained within this hearing are interlinked to such an extent that it would require the hearing to be heard in private to ensure that private matters are not made public.

The Committee accepted the advice of the Legal Adviser in relation to rule 53 and the factors that the Committee must consider when deciding whether to hold this hearing in private.

Given the health matters in this case, the Committee determined that it was appropriate to hear this case in private, with a private and an appropriately worded public determination produced by the Committee.

Decision and Reasons:

The Committee has considered this case very carefully and decided to impose an indefinite period of suspension on Ms Marageni's registration. This order will come into effect upon the expiry of the current order.

This is the fourth review in this case, pursuant to Section 27C(1) of the Dentist Act 1984, as amended (the Act) and rule 29 the Rules. The Health Committee (HC), in May 2013,

directed that Ms Marageni's registration be suspended for a period of 9 months with a review prior to the end of the period.

The suspension order was first reviewed on 6 February 2014. That Committee determined that Ms Marageni's fitness to practise remained impaired by reason of her adverse physical health and her misconduct. It ordered that Ms Marageni's registration be suspended for a period of 12 months with a review prior to the end of the period.

The suspension order was again reviewed on 26 February 2015. Ms Marageni was present at that review and made representations through a friend. She also provided a written statement to that Committee in which she asked for the suspension to be revoked and for conditions to be imposed. That Committee noted that there was no current medical evidence regarding Ms Marageni's health condition nor was she under the care of a medical practitioner. It determined that her fitness to practise remained impaired by reason of her adverse physical health and her misconduct and extended the suspension order for a period of 6 months, with a review.

A third review took place on 20 August 2015. Ms Marageni was not present or represented at that review. At that review the HC determined that Ms Marageni's fitness to practice remained impaired by reason of misconduct and adverse health. It was noted by the HC that although Ms Marageni had attended the previous review and stated her intention to engage in the GDC process, she did not do so. The HC in August 2015 extended the suspension and gave the following reasons for its decision and made recommendations for Ms Marageni:

The Committee determined that a period of 12 months would be appropriate in this case in that this will give her a longer period during which she can engage with the GDC and provide evidence about her health condition.

The Committee therefore determined, pursuant to section 27C(1)(b) of the Dentists Act 1984, to direct that Ms Marageni's registration be suspended for a further period of 12 months. This order will be reviewed prior to the end of the 12 month period.

At today's review hearing, the Committee has comprehensively considered all the evidence before it. It has taken into account the submissions made by Miss Headley and had regard to the advice of the Legal Adviser and the Medical Adviser.

Today Miss Headley applied for an indefinite suspension order to be imposed on Ms Marageni's registration. She referred the Committee to the documentation before it and outlined the background of this case.

Miss Headley submitted that as there was no new information before this Committee from Ms Marageni and no independent medical information to the contrary the Committee may consider that Ms Marageni remains impaired.

Miss Headley submitted that in all the circumstances an indefinite suspension order was the proportionate and appropriate sanction in this case.

The Committee accepted the advice of the medical Adviser and the Legal Adviser.

The Committee first considered whether Ms Marageni's fitness to practise is currently impaired by reason of her adverse physical health and/or misconduct. It was of the view that in the absence of evidence to the contrary Ms Marageni's health continues to pose a real risk of harm to the public. Further, given the absence of engagement from Ms Marageni

there is no evidence before the Committee of any insight or remediation. The Committee concluded that in the absence of such information there remains a risk of repetition of the misconduct found by the HC in 2013.

The GDC has made numerous attempts to contact Ms Marageni since the last review in order to obtain consent for a medical assessment. No response has been received directly from Ms Marageni.

The Committee noted that Ms Marageni had not complied with the recommendation of the previous review Committee to provide information. The non-engagement of a professional with a serious health condition caused the Committee real concern that Ms Marageni presents a continuing risk to the public.

In all the circumstances, the Committee concluded that Ms Marageni's fitness to practise is currently impaired by reason of her adverse physical health and misconduct.

The Committee then considered what, if any, sanction to impose in this case. The Committee was aware of the range of sanctions available to it and that it must consider the sanctions in order from the least serious.

The Committee was aware that it should have regard to the principle of proportionality, balancing the public interest against Ms Marageni's own interests. The public interest includes the protection of the public, the maintenance of public confidence in the profession; and declaring and upholding standards of conduct and performance within the profession.

The Committee noted its powers under Section 27C(1) of the Act. The Committee had the power to extend the current order for a maximum period of 12 months. Alternatively, it could revoke the suspension order or allow it to lapse upon expiry, or it could replace the order with a conditions of practice order for up to 3 years. In the circumstances of this case the panel also had the power to impose an indefinite suspension.

The Committee first considered whether it would be appropriate to allow the current order to lapse at its expiry or to revoke it with immediate effect. The Committee considered that given all of the information before it, it would not be appropriate to revoke current order or to allow it to lapse, as this would not protect the public nor would it be in the public interest.

The Committee then considered whether a conditions of practice order would be an appropriate order in this case. Given Ms Marageni's lack of engagement, the lack of any current evidence of steps taken to address her health, the Committee considered that this would not be an appropriate order. The Committee considered that workable and appropriate conditions would be impossible to formulate in the circumstances, given her persistent lack of engagement.

The Committee considered whether to extend the period of suspension was the appropriate and proportionate response in this case. The Committee considered that in the intervening 12 months since the suspension order was imposed Ms Marageni has not demonstrated that she is willing to undertake the necessary steps to address the health concerns or to engage with her professional regulator. The Committee concluded that given that the health concern in the case is a communicable disease, in the absence of any evidence of willingness on her part to address her health and engage with the appropriate health professionals, she poses a real risk to the public.

The Committee determined that the only appropriate and proportionate sanction in this case is that at the expiry of the current order Ms Marageni's registration will be made subject to

indefinite suspension. The panel concluded that this would protect the public, uphold the public interest and provide Ms Marageni with the time to address her health and to apply to the GDC for a review of the order should her circumstances change in two years.

The Committee was aware that the effect of this order is that Ms Marageni will be prevented from working as a registered dental professional. This could result in financial hardship, though the Committee received no direct information about that matter. However, in applying the principle of proportionality, the Committee determined that Ms Marageni's interests in this regard are significantly outweighed by the need for public protection and protection of the wider public interest.

The Committee therefore directs that Ms Marengi's registration be indefinitely suspended pursuant to Section 27C(1)(d) of the Act. Section 33(3) of the Act comes into operation to cover any period between the expiry of the current suspension and the date when the direction ordered by this Committee comes into force.

That concludes this case."