

HEARING HELD IN PUBLIC**Professional Conduct Committee
Initial Hearing****24 – 26 August 2026****Name:** TREMBATH, Lyndsey Michelle**Registration number:** 192039**Case number:** CAS-208668-N2G9D7

General Dental Council: Mr Andrew Molloy, Counsel
Instructed by Amy Jones, IHLPS**Registrant:** Not Present
Unrepresented

Fitness to practise: Impaired by reason of caution, conviction and misconduct**Outcome:** Erased with Immediate Suspension**Immediate order:** Immediate suspension order

Committee members: Paul Hepworth (Chair, Lay Member)
Rebecca Northover (Dentist Member)
Christopher Park (Dental Care Professional Member)**Legal adviser:** Jayne Wheat**Committee Secretary:** Jenny Hazell

1. This is a Professional Conduct Committee (PCC) hearing in respect of a case brought against Ms Trembath by the General Dental Council (GDC). The hearing is being conducted remotely by Microsoft Teams video-link.
2. Ms Trembath is neither present nor represented at this hearing. Mr Andrew Molloy, Counsel, appears on behalf of the GDC.

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

3. At the outset, Mr Molloy made an application under Rule 54 of the GDC (Fitness to Practise) Rules Order of Council 2006 ('the Rules'), for the hearing to proceed in the absence of Ms Trembath. He submitted that the GDC has complied with the requirements of serving the Notice of Hearing (the Notice) on Ms Trembath in accordance with Rules 13 and 65, as demonstrated by the documents contained in the GDC's hearing bundle. This included a copy of the Notice of Hearing dated 13 July 2026, which sets out the allegations against Ms Trembath as well as the date and time of the hearing. Mr Molloy also referred to the documents which confirm that the letter was sent by Royal Mail Special Delivery to Ms Trembath's registered address. In addition, on 13 July 2026 the GDC emailed the Notice to Ms Trembath's registered email address.
4. Mr Molloy drew the Committee's attention to the emails dated 20 July 2026 and 3 August 2026 from the GDC to Ms Trembath's registered email address regarding this hearing and the absence of any response from her in relation to these emails. Mr Molloy also referred to the record of two telephone calls being made on 3 August 2026 to Ms Trembath but neither call was answered.
5. Mr Molloy submitted that Ms Trembath has not requested an adjournment of these proceedings and there is no indication that an adjournment would secure her attendance at a later date. In short, Mr Molloy submitted that there are no good reasons for adjourning the hearing and that the hearing should proceed in the absence of Ms Trembath. During the course of Mr Molloy's submissions he referred the Committee to paragraphs 33 to 37 (under the heading Proceeding in the absence of the registrant) of the GDC's "Guidance: Fitness to Practise: Guidance for the practice committees" (January 2026) (the GDC's Guidance).
6. The Committee has had regard to the submissions made by Mr Molloy. It has accepted the advice of the Legal Adviser.

Decision on service

7. The Committee first considered whether the Notice has been served on Ms Trembath in accordance with Rules 13 and 65 and Section 50A(2) of the Dentists Act 1984 (as amended) (the 'Act'). It has had sight of the Notice dated 13 July 2026 which was sent to Ms Trembath's registered address by registered post with the Royal Mail and was signed for on 15 July 2026. The Committee is satisfied that the address shown on the Notice is the same address as that shown in the bundle as being Ms Trembath's registered address with the GDC. The Notice contains all the required particulars, including the date and time of the hearing, as well as the allegations against Ms Trembath. The Notice further sets out that the Committee has the power to proceed with the hearing in the absence of Ms Trembath. The Committee is further satisfied that the GDC had complied with the 28-day notice period required by Rule 13 in light of information before it.
8. The Committee also notes that the Notice was sent via secure email to Ms Trembath's registered email address on 13 July 2026.

9. Accordingly, the Committee is satisfied that the Notice has been served on Ms Trembath in accordance with the Rules and the Act.

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

10. The Committee next considered whether to proceed with the hearing in the absence of Ms Trembath in accordance with Rule 54. It has taken into account the factors to be considered in reaching its decision, as set out in the case of *R v Jones* [2003] 1 AC 1HL, and as affirmed in the regulatory case of *General Medical Council v Adeogba* [2016] EWCA Civ 162. The Committee also had regard to the GDC's Guidance.

11. The Committee is satisfied that all reasonable efforts have been made by the GDC to notify Ms Trembath of this hearing. She was also invited to provide the GDC with any further evidence she wished to rely on. Ms Trembath did not respond to the GDC's Notice, emails or telephone calls in respect of this hearing. In these circumstances, the Committee has concluded that Ms Trembath has voluntarily absented herself from these proceedings. She has not requested an adjournment and there is nothing before it to suggest that adjourning this hearing would secure Ms Trembath's attendance at a future date.

12. The Committee has borne in mind the need to be fair to Ms Trembath as well as the GDC's overall statutory objective which is the protection of the public. The charge against Ms Trembath concern her being convicted of assault and battery charges towards two individuals and being sentenced at a Navy Court martial in July 2024, as well as alleged probity matters regarding her failure to declare these matters and a Simple Caution dated July 2021 to the GDC. In the Committee's judgement, the charges against Ms Trembath are serious and give rise to potential risks to the public and public confidence which ought to be determined without undue delay. Accordingly, the Committee has determined that it is fair and is in the public interest to proceed with the hearing in the absence of Ms Trembath.

Application that part of the hearing be heard in private

13. Mr Molloy made an application under Rule 53 that part of the hearing be heard in private given that there are references to Ms Trembath's health in the hearing bundle.

14. The Committee has accepted the advice of the Legal Adviser. It has borne in mind that, as a starting point, hearings should be conducted in public session. However, the Committee is satisfied that where there are references to Ms Trembath's health it is appropriate to move into private session so as to protect her private life. Accordingly, it acceded to the GDC's request under Rule 53(2)(a), although for the purposes of stage 1 of these proceedings, there was no need for the Committee to go into private session.

Amendment of the charge

15. Mr Molloy then made an application under Rule 18(1) to amend charge 3(ii) to read as follows: "3. On 25 July 2024 you were convicted by Court Martial at Bulford of (ii) *Assault by Beating on 08 October 2022, contrary to section 39 of the Criminal Justice Act 1988*. The proposed amendment was to reflect the correct section and Act relating to the offence of assault by beating, consistent with the record of the Court Martial proceedings and trial result notification at Bulford.

16. The Committee has had regard to the submissions made by Mr Molloy. It has accepted the advice of the Legal Adviser. The Committee considers that the proposed amendment to charge 3(ii) does not alter the substance of what is alleged and mirrors the record of the Court Martial proceedings and trial result notification at Bulford. It is satisfied that the amendment can be made "*without injustice*" and accordingly acceded to the GDC's amendment.

The GDC's case

17. The allegations against Ms Trembath are as follows:

"That being registered as a dental care professional:

1. *On 23 July 2021, you received a Simple Caution at Charles Cross Police Station in the county of Devon for three offences of Assault by Beating on 23 July 2021 at Plymouth, Contrary to section 39 of the Criminal Justice Act 1988.*
2. *You failed to immediately inform the General Dental Council that on 23 July 2021 you received a Simple Caution as mentioned at Charge 1.*
3. *On 25 July 2024, you were convicted by Court Martial at Bulford of:*
 - i. *Assault Occasioning Actual Bodily Harm on 08 October 2022, contrary to section 47 of the Offences Against the Person Act 1861.*
 - ii. *Assault by Beating on 08 October 2022, contrary to section 39 of the Criminal Justice Act 1988.*
 - iii. *Assault by Beating on 09 October 2022, contrary to section 39 of the Criminal Justice Act 1988.*
4. *You failed to immediately inform the General Dental Council that on 25 July 2024 you were convicted by Court Martial at Bulford of the convictions listed at Charge 3.*
5. *Your conduct in relation to Charge 2 and/or Charge 4 was;*
 - a. *misleading, and/or*
 - b. *dishonest*

And that by reason of the facts alleged, your fitness to practise is impaired by caution and/or conviction and/or misconduct".

18. Mr Molloy set out the background to the GDC's case. This was following receipt of information from an Informant (Informant 1) on 30 July 2024 in which they disclosed that Ms Trembath had been convicted of assaulting two dental nurses. Informant 1 attached a copy of the Court Martial Sentencing Certificate. In due course the GDC opened up a fitness to practise investigation. Informant 1 advised the GDC on 1 August 2024 that they understood that Ms Trembath did not plan to re-register as a dental nurse.

19. On 23 September 2024 the GDC received a complaint from a second Informant (Informant 2). During the course of the GDC's investigation letters were sent to Ms Trembath requesting information relating to her working and her indemnity arrangements.

20. On 7 October 2024 Ms Trembath responded by email in which she stated: *"I am no longer working as a dental nurse or registered as a dental nurse with the GDC and have not worked in a dental centre for two years.."* She also asked if it would be possible to accept the email as confirmation that she no longer wished to work as a dental nurse and close her case. Ms Trembath sent a further email to the GDC dated 21 October 2024 regarding a forthcoming hearing scheduled for 28 October 2024. In that email she set out her comments regarding the allegations against her in the event that she was unable to attend the hearing. In summary, she accepted that she was

convicted of assault of a dental nurse and another female who was not a dental nurse. She further stated that she stopped working as a dental nurse at that time and had not work in the profession since. Ms Trembath maintained that she notified the GDC via her work email of her caution in July 2023. She was unable to access her previous emails or personal emails whilst at the Military Correction Training Centre (MCTC).

21. In support of its case the GDC relies on the following witness statements with associated exhibits contained in the PCC hearing bundle:

- Witness 1's (GDC employee) statement, signed and dated 9 March 2026
- Witness 1's addendum statement, signed and dated 24 March 2026
- Witness 2's (GDC employee) statement, signed and dated 19 March 2026
- Witness 3's (GDC employee) statement, signed and dated 9 March 2026

22. Witnesses 1, 2 and 3 exhibited documents obtained as part of the GDC's investigation. They were not witnesses of fact. Witness 1 was called to give evidence in which he confirmed the content of his witness statements dated 9 and 24 March 2026. Witness 1 also explained in his oral evidence that the GDC's usual procedure on receipt of an email from a registrant is to attach it to their record on the GDC's Case Management System (CRM).

23. Mr Molloy indicated that Witnesses 2 and 3 were available to give evidence, should the Committee wish to hear from them. Having reviewed the contents of their statements carefully the Committee decided not to call Witnesses 2 and 3 since their statements draw mainly on documentary records which are contained as exhibits.

24. The Committee notes from Witness 1's statement that there is reference to Ms Trembath's previous fitness to practise history. The GDC puts its case that Ms Trembath was aware of the requirement to notify the GDC of a police caution and or criminal conviction given that she had co-operated twice previously when she had received a caution in 2011 and a conditional discharge in 2012.

25. There is also reference in the PCC hearing bundle to Ms Trembath being subject to an interim order of suspension. The Committee has disregarded this information as it is not relevant to its considerations at this stage of proceedings.

Findings of Fact

26. The Committee considered all the evidence presented to it. It has taken into account Mr Molloy's submissions on each of the alleged facts. The Committee has accepted the advice of the Legal Adviser. During the course of that advice, the Legal Adviser confirmed that Ms Trembath has no recorded regulatory history which led to a finding of misconduct. She has previously been dealt with by the Investigation Committee and received two warnings for criminal offences of violence. Ms Trembath is entitled to a modified version of the good character direction. The Legal Adviser advised that Ms Trembath has not attended the hearing or given evidence. There is correspondence from Ms Trembath in relation to charges 2 and 4. The Committee can take into account that there are no previous misconduct or impairment findings against her when evaluating what she says about these matters (*the credibility limb*). The fact that there are no previous findings of misconduct against her, especially in relation to any matters of dishonesty may make it less likely that she acted as is now alleged against her (*the propensity limb*). Ms Trembath's 'good character', in the limited circumstances above, is not a defence to the allegations; it is one factor to take into account when considering all of the evidence in the round. The Legal Adviser further advised that what weight should be given to good character and the extent to which it assists on the facts of this particular case will remain a matter for the Committee to decide.

27. The Committee has borne in mind that Ms Trembath has not formally responded to the allegations, although she has provided information in her emails to the GDC dated 7 October 2024 and 21 October 2024.

28. The Committee has considered the factual allegations 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 alleged matters are proved on the balance of probabilities. Ms Trembath need not prove anything.

29. Turning to the allegation of dishonesty, the Committee has applied the test set out in *Ivey v Genting Casinos (UK) Ltd. t/a Crockfords* [2017] UKSC 67. The test is that the Committee must decide subjectively the actual state of an individual's knowledge or belief as to the facts, and must then apply the objective standards of ordinary and decent people to determine whether the individual's conduct was dishonest by those standards.

30. The Committee made the following findings:

1	<i>On 23 July 2021, you received a Simple Caution at Charles Cross Police Station in the county of Devon for three offences of Assault by Beating on 23 July 2021 at Plymouth, Contrary to section 39 of the Criminal Justice Act 1988.</i> Found proved The Committee has had regard to the Certificate of Simple Caution dated 23 July 2021 which confirms that Ms Trembath received a Simple Caution for three offences of Assault by Beating on that date at Plymouth. The Committee is aware of the provisions of Rule 57(5) which states that where a respondent has been convicted of a criminal offence, a copy of the certificate of conviction certified by a competent officer of a court in the United Kingdom (or, in Scotland, an extract conviction) shall be conclusive proof of the conviction. While noting that this is for a caution rather than a conviction, the Committee is satisfied that Rule 57(5) can be applied in this instance. The Committee has also had regard to the PNC print out which confirms the date of the caution as 23 July 2021. Taking all these matters into account, the Committee finds this charge proved.
2	<i>You failed to immediately inform the General Dental Council that on 23 July 2021 you received a Simple Caution as mentioned at Charge 1.</i> Found proved The Committee has had regard to 9.3 of the GDC's Standards for the Dental Team which states "You must inform the GDC if you are subject to criminal proceedings or a regulatory finding is made against you anywhere in the world." The Committee has also had regard to the GDC's "Guidance on reporting matters to the GDC" (1 February 2025). It is satisfied that Ms Trembath had a duty to immediately inform the GDC that she had received a Simple Caution. In Ms Trembath's email dated 21 October 2024 she states that she did inform the GDC via email of the caution in July 2023. Her position is that she sent it via her work email and was supported with a character reference. However, she was not able to access her previous emails or personal emails whilst in MCTC. The Committee has heard from Witness 1 that there was no record of any email received from Ms Trembath notifying it of her caution. The Committee has accepted

	Witness 1's evidence on this matter. It considers that the likelihood of the GDC not recording receipt of the notification on Ms Trembath's CRM record is low. Accordingly, it is satisfied, on the balance of probabilities, that this charge is proved.
3	<i>On 25 July 2024, you were convicted by Court Martial at Bulford of:</i>
3i	<i>Assault Occasioning Actual Bodily Harm on 08 October 2022, contrary to section 47 of the Offences Against the Person Act 1861.</i> Found proved The Committee has had regard to the Court Martial Record of Proceedings and Trial Result Notification which sets out the details of charges 3i to 3iii and the guilty plea, which was accepted on 20 June 2024. It also sets out the sentence for the charges. The Committee has had regard to Rule 57(5) and is satisfied that this documentation is conclusive proof of the conviction.
3ii	<i>Assault by Beating on 08 October 2022, contrary to section 39 of the Criminal Justice Act 1988</i> Found proved This is for the same reasons as set out at 3i above.
3iii	<i>Assault by Beating on 09 October 2022, contrary to section 39 of the Criminal Justice Act 1988.</i> Found proved This is for the same reasons as set out at 3i above.
4	<i>You failed to immediately inform the General Dental Council that on 25 July 2024 you were convicted by Court Martial at Bulford of the convictions listed at Charge 3.</i> Found proved The Committee is satisfied that Ms Trembath had a duty to notify the GDC immediately of the convictions for the same reasons as set out at charge 2 above. The Committee has had regard to Witness 1's evidence, as set out in paragraph 20 of his witness statement that "On 6 February 2025, based upon the information gathered of the Registrant's convictions and the fact that she did not notify the GDC of them, I made the decision to refer the matter to the Case Examiners." Witness 1 confirmed in his oral evidence that there was no record of any email from Ms Trembath to the GDC notifying it of the convictions. Ms Trembath, in her email to the GDC dated 21 October 2024, accepted that she did not notify the GDC of her convictions on the basis that she thought that she was not required to do so because she had not been working as a dental professional in the last two years. The Committee nevertheless considers that Ms Trembath still had a duty to inform the GDC as she was still registered as a dental nurse at the time. The Committee has accepted Witness 1's evidence on this matter and is satisfied that it is more likely than not that she failed to immediately inform the GDC of her convictions of July 2024.
5	<i>Your conduct in relation to Charge 2 and/or Charge 4 was;</i>
5a	<i>Misleading, and/or</i> Found proved in relation to charges 2 and 4

	<u>Charge 2</u> The Committee has found as a matter of fact that Ms Trembath did not inform GDC immediately of her Simple Caution. It is satisfied that her failure to do so was misleading in that it misled the GDC into thinking there were no issues in relation to her fitness to practise when this was not the case. <u>Charge 4</u> The Committee has found as a matter of fact that Ms Trembath did not inform GDC immediately of her convictions listed at charge 3. It is satisfied that her failure to do so was misleading in that it misled the GDC into thinking there were no issues in relation to her fitness to practise when this was not the case.
5b	<i>Dishonest</i> Found not proved in relation to charge 2 Found not proved in relation to charge 4 The Committee has applied the test for dishonesty, as set out in <i>Ivey v Genting Casinos</i> [2017] UKSC 67 which is outlined above. Throughout its considerations on all charges involving dishonesty, the Committee has borne in mind that for the purpose of these proceedings, Ms Trembath has no regulatory findings in relation to dishonest conduct against her. It took into account the limited information about Ms Trembath's conduct that she sent to the GDC during the course of its investigation. It accepted that having not acted dishonestly before may make it less likely that Ms Trembath has acted in the way now alleged against her. <u>Charge 2</u> The Committee has found proved that in relation to the Simple Caution received on 23 July 2021, Ms Trembath had a duty to immediately inform the GDC of this and failed to do so, and that by omitting to inform the GDC, her conduct was misleading. Against this factual backdrop the Committee sought to determine (subjectively) Ms Trembath's state of mind. It took into account Ms Trembath's explanation as set out in her email dated 21 October 2024 to the GDC as follows: <i>'I did notify the GDC via email of the caution in July 2023. This was sent from my work email and was supported with a character reference. I do not have access to any previous emails or personal emails whilst here in MCTC...'</i> The Committee considered that there was potential confusion on the part of Ms Trembath, specifically over the date quoted in her email, given the caution dated to 2021, rather than 2023 as stated. It further considered that the GDC's case was that Ms Trembath was already aware of the duty to inform the GDC of receiving a caution, because she had already co-operated previously in informing the GDC. The Committee accepted the documentary evidence of these previous matters having been disposed of by way of warnings being issued. The Committee inferred that having notified the GDC previously Ms Trembath would likely have intended to inform the GDC again of this 2021 caution.

The Committee considered Ms Trembath's correspondence as a whole. This showed her clear intention not to return to the profession in the future, having not worked as a dental nurse since 2022. Ms Trembath was quite clear for the purposes of charge 4 that she had not notified the GDC and apologised. The Committee therefore considered that it did not make sense that she would admit to not notifying the GDC for one criminal matter and not the other.

It therefore accepted Ms Trembath's explanation in her email to the GDC dated 21 October 2024 that she genuinely believed she had indeed informed the GDC of the 2021 caution. The Committee has found Ms Trembath did not in fact notify the GDC. It was however mindful that her belief did not have to be reasonable, just genuinely held.

Having established Ms Trembath's subjective state of mind, the Committee next applied the standards of ordinary, decent people to determine whether her conduct in not informing the GDC of her caution, despite believing that she had done so, was honest or dishonest. The Committee concluded that ordinary, decent people would not think Ms Trembath's omission, in failing to inform the GDC that she had received the caution in 2021 was dishonest, in circumstances where it has found that Ms Trembath genuinely believed she had so informed the GDC. Therefore, Charge 5b in relation to Charge 2, is found not proved.

Charge 4

The Committee has found proved that Ms Trembath failed to immediately inform the GDC that she was convicted of 3 assault charges on 25 July 2024. It took into account that it has also found that in omitting to do so, Ms Trembath's conduct was misleading. Against this factual background the Committee went on to determine, subjectively, Ms Trembath's state of mind. It had regard to her email to the GDC dated 7 October 2024, in which she stated: *'I received a letter in the post today from you asking for me to provide you with some information about being convicted and sentenced at Court Martial to an assault. I am no longer working as a dental nurse or registered as a dental nurse with the GDC and have not worked in a dental centre for two years and therefore not sure if I am required to provide any information on to you? I do not plan to re-register as a dental nurse now or in the future.'*

In addition, the Committee had regard to Ms Trembath's email dated 21 October 2024, in relation to this charge, in which she stated: *'As I am no longer working as a dental professional and haven't been for the past two years and didn't re-register this year, I wasn't aware I would still need to notify the GDC of this conviction and for that I apologise.'*

The Committee considered that both emails were sent relatively soon after Ms Trembath was convicted and sentenced and whilst she was serving a period of detention. The Committee inferred from the GDC evidence that Ms Trembath had previously complied with her duty to declare, as explained above in relation to charge 2.

The Committee concluded that Ms Trembath genuinely believed that as she had not worked as a dental nurse for over two years and as she had not sought to re-register with the GDC, she did not need to notify the GDC of her convictions from July 2024.

It was the Committee's view that had Ms Trembath thought she was under a duty to notify the GDC she would have sought to comply with it, as she had done previously.

The Committee considered that whilst Ms Trembath's belief was incorrect, not least because she was never de-registered, it was a genuine belief. The Committee went on to consider whether ordinary, decent people would consider Ms Trembath's conduct, bearing in mind her subjective state of mind, to be dishonest. The Committee concluded it was not dishonest. The Committee considered that ordinary, decent people apprised of all the circumstances as outlined above, would not find Ms Trembath's conduct to have been dishonest, albeit her belief that she did not need to notify the GDC of her convictions was, in fact, incorrect. Therefore Charge 5b (dishonesty) in relation to Charge 4 is not proved

31. We move to stage 2 of the proceedings

Stage two of proceedings (held in public)

32. At this second stage of the hearing, the Committee has to consider whether the facts found proved amount to misconduct, and if so, whether Ms Trembath's fitness to practise is currently impaired by reason of her caution and/or conviction and/or misconduct. The Committee is aware that if it found current impairment on any of those statutory grounds, it would need to consider what sanction, if any, to impose on Ms Trembath's registration.

33. The Committee kept in mind the submissions made by Mr Molloy on behalf of the GDC in relation to these matters. It has accepted the advice of the Legal Adviser.

34. In reaching its decisions, the Committee has considered all the evidence presented to it at the fact-finding stage. It received no further evidence at this second stage.

Ms Trembath's fitness to practise history

35. Mr Molloy reminded the Committee that Ms Trembath has no recorded regulatory history which led to a finding of misconduct.

Summary of the GDC's submissions

36. Mr Molloy submitted that it was open to the Committee to conclude that the findings against Ms Trembath engage two statutory grounds of current impairment advanced by the GDC. In respect of the Simple Caution for three offences of assault in July 2021 Mr Molloy submitted that the Committee may wish to take into account the mitigating factors, namely that the event in question took place outside of Ms Trembath's professional practice as a dental nurse and that it happened a number of years ago. Regarding the conviction by Court Martial in July 2024 for three offences of assault on 8/9 October 2022, he submitted this was far more serious, which resulted in the imposition of a custodial sentence for 18 months at the Military Correction Training Centre (MTC).

37. Mr Molloy also submitted that Ms Trembath's failure to immediately inform the GDC that she had received a Simple Caution on 23 July 2021 and that she had been convicted by Court Martial of three charges of assault on 25 July 2024, both of which were found to be misleading, is highly damaging and represents a serious departure of the GDC's 'Standards for the Dental Team' (September 2013). He further submitted that the misleading conduct also calls into question Ms Trembath's integrity.

38. Mr Molloy submitted that the behaviour that resulted in the Simple Caution and the Conviction suggest a pattern of violent behaviour which is attitudinal in nature and there is a risk of repetition. He also invited the Committee to consider the extent, if any, of Ms Trembath's insight and the lack of any remediation.

39. On behalf of the GDC, Mr Molloy submitted that there would be a real risk of repetition of the conduct and therefore Mr Trembath's fitness to practise is currently impaired by reason of her caution, her conviction and her misconduct.

40. Mr Molloy referred the Committee to the relevant sections of the GDC's 'Guidance for the Practice Committees including Indicative Sanctions Guidance' (January 2026) (the GDC's Guidance) during his submissions.

41. Mr Molloy submitted that the most appropriate and proportionate sanction in this case is an order of suspension for a period of six months, with a review hearing to take place before the expiry of the order. This would afford Ms Trembath the opportunity to re-engage with the GDC and to provide evidence of remediation and insight. He submitted that any sanction less than suspension would not be sufficient to protect the public and the wider public interest.

Misconduct

42. The Committee has had regard to its factual findings. It has found proved that Ms Trembath failed to immediately inform the GDC that on 22 July 2021 she had received a Simple Caution and that her failure to do so was misleading. The Committee has further found proved that Ms Trembath failed to immediately inform the GDC that on 25 July 2024 she was convicted by Court Martial at Bulford of three counts of assault. The Committee has had regard to the particular circumstances of the failure to disclose in respect of each matter, which it found was misleading, but not dishonest, as set out in findings of fact. Nevertheless, it considers that Ms Trembath still had a duty to comply with the GDC's Standards.

43. The Committee has had regard to the following GDC's *Standards for the Dental Team* (September 2013) which it considers are engaged in this case:

9.1 *You must ensure that your conduct, both at work and in your personal life, justifies patients' trust in you and the public's trust in the dental profession.*

9.3 *You must inform the GDC if you are subject to criminal proceedings or a regulatory finding is made against you anywhere in the world.*

44. The Committee has also had regard to Ms Trembath's failure to follow the GDC's "Guidance on reporting matters to the GDC". It considers that Ms Trembath's conduct in failing on two separate occasions to notify the GDC immediately that she was subject to criminal proceedings on two separate occasions, fell far short of the standards reasonably expected of a dental nurse. The matters only came to light as a result of a referral by a third party. Taking all these matters into account, the Committee is satisfied that the facts found proved in relation to charges 2 and 4 are serious and amount to misconduct

Decision on current impairment Caution

45. The Committee next considered whether Ms Trembath's fitness to practise is currently impaired by reason of her caution. In doing so, 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.

46. The Committee has had regard to the documents provided by Devon and Cornwall Police. The log entry records *"The suspect [Ms Trembath] has been in a club and assaulted a member of the public [name redacted] by striking him (captured on CCTV). Following this she has been ejected and then assaulted a member of door staff and the bar manager. The suspect has provided a prepared statement fully admitting all three assaults."*

47. The Committee considers that Ms Trembath's caution is a serious matter. Notwithstanding the fact that the incident in question took place in 2021 and in the context of Ms Trembath's private life, it involved violent behaviour towards three members of the public. Ms Trembath's emails to the GDC dated 7 and 21 October 2024 provide no reflections as to the impact of her actions on others or how she would behave differently in the future. This therefore raises concerns about her lack of insight. In these circumstances, the Committee has concluded that there is a high risk of repetition of the behaviour that resulted in the caution. The Committee considered that a finding of current impairment is required on public protection grounds.

48. Turning to the wider public interest, the Committee is of the view that dental nurses occupy a position of privilege and trust and must make sure that their conduct at all times justifies both their patients' and the public's trust in the profession. This includes conduct both at work and in their personal life. The Committee is satisfied that given the serious nature of the offences, a reasonable and informed member of the public would be alarmed if a finding of current impairment were not made.

49. Taking all these matters into account, the Committee has concluded that Ms Trembath's fitness to practise is currently impaired by reason of her caution.

Conviction

50. The Committee next considered whether Ms Trembath's fitness to practise is currently impaired by reason of her conviction. The Committee has found that on 25 July 2024 Ms Trembath was convicted by Court Martial at Bulford of three separate counts of assault, one occasioning actual bodily harm on 8 October 2022 and two counts of assault by beating on 8 and 9 October 2022 respectively.

51. The Committee considers that the nature of Ms Trembath's conviction is extremely serious. It involved deliberate acts of violent behaviour to two others. It notes from the transcript of proceedings at the Court Martial at Bulford that Ms Trembath returned to the apartment in the early hours of 9 October 2022 and she attacked Victim 1 as she slept in her bed. The Judge Advocate described this as a *"Cowardly thing to do, and it was a ferocious attack... You used the term 'brutal' when speaking to the probation officer and there is no doubt that it was"*. The Committee has borne in mind that the matters were sufficiently serious to warrant the imposition of a custodial sentence for 18 months

52. The Committee notes from the transcript of proceedings at the Court Martial at Bulford that there is reference to Ms Trembath's behaviour when drinking excessively. Those representing Ms Trembath at the proceedings also referred to her deep regret and remorse for how she behaved on 8/9 October 2022.

53. In her email to the GDC, dated 21 October 2024, Ms Trembath stated that her conviction was in respect of an assault on a dental nurse and another female, who was not a dental nurse. She stated that she had reflected deeply on her behaviour over the past two years and its impact on others. Ms Trembath further stated in that email that she had now begun to address the personal issues that were a factor in her offending behaviour.

54. The Committee has received no information from Ms Trembath as to the steps she has taken to address the personal issues that were a factor in her violent behaviour. It considered that the emails she sent to the GDC in October 2024 provided no reassurances that she will not repeat the behaviour. The Committee considered that there was no evidence of real reflection upon her actions and how they impacted the victims or the reputation of the profession. In the absence of any evidence of remediation and the concern regarding Ms Trembath's lack of insight into serious matters relating to her violent behaviour the Committee concluded that there is a high risk of repetition in relation to these matters. The Committee considered that a finding of impairment is required on public protection grounds.

55. Turning to the wider public interest, the Committee is satisfied that in light of its findings, a reasonable and informed member of the public would be alarmed if a finding of impairment were not made in relation to a dental nurse who had been convicted for one offence of assault occasioning actual bodily harm and two offences of assault by beating (battery) which has been described by the Judge Advocate as a "*ferocious uncontrolled sustained drunken attack*." It noted the offences amounted to acts of serious violence on two victims, which warranted a custodial sentence of 18 months. The Committee has therefore concluded that public confidence in the dental profession would be seriously undermined in the absence of a finding of current impairment. It also took into account the need to uphold proper professional standards of conduct and behaviour.

56. Accordingly, the Committee determined that Ms Trembath's fitness to practise is currently impaired by reason of her conviction.

Misconduct

57. The Committee considered whether Ms Trembath's fitness to practise is currently impaired by reason of her misconduct. This is in relation to her failures to immediately inform the GDC that she had received a Simple Caution in July 2021 and that she had been convicted in July 2024. The Committee found that her conduct was misleading in this regard. The Committee has had regard to paragraph 83 of the GDC's guidance which states:

"Failure to inform the GDC immediately of criminal proceedings or a regulatory finding is a serious matter. That is because failure to declare information about criminal proceedings or regulatory findings deprives the Registrar of the ability to consider the impact of those proceedings on the registrant's fitness to practise, and whether any action (including on an interim basis) needs to be taken to protect the public or the wider public interest. As a result, failure to declare criminal or regulatory proceedings has the potential to undermine the integrity of the register."

58. Ms Trembath has provided no meaningful insight or reflections on this matter. The GDC, in its role as a regulator, has a duty to protect the public. Ms Trembath's omissions in twice not notifying her regulator of the caution and the convictions undermine the GDC's ability to protect the public. Given the Committee's conclusion that a high risk of repetition remains, the public requires protection. Therefore, the Committee is satisfied that a finding of impairment on the grounds of misconduct is required on public protection grounds. It is further satisfied that in light of its findings, a reasonable and informed member of the public would be alarmed if a finding of impairment on the grounds of misconduct were not made in relation to a dental nurse who, on more than one occasion, had failed to disclose criminal proceedings.

Decision on sanction

59. Having found Ms Trembath's fitness to practise is impaired by reason of her caution, her conviction and her misconduct, the Committee considered what sanction, if any, to impose on her registration. It has borne in mind that the purpose of a sanction is not to be punitive, although it may

have that effect, but to protect the public and uphold the wider public interest. The Committee had regard to the GDC's 'Guidance'. It has applied the principle of proportionality, balancing the public interest with Ms Trembath's own interests.

60. The Committee has had regard to Ms Trembath's email to the GDC dated 7 October 2024. In that email Ms Trembath stated that she is no longer working as a dental nurse and has not worked in a dental centre for two years. She stated that she did not plan to re-register as a dental nurse now or in the future. The Committee is aware from the documents provided that Ms Trembath did not pay her Annual Retention Fee (ARF) in 2024 or 2025.

61. The Committee identified the mitigating and aggravating factors in this case. In mitigation, the Committee took account of the following:

- No recorded regulatory history which led to a finding of misconduct.

62. The Committee identified the following aggravating factors:

- Actual harm to professional colleagues and members of the public, including one individual who was asleep at the time of the attack.
- A lengthy history of violent criminal behaviour.
- Lack of evidence of any recent insight.
- Lack of evidence of any remediation.

63. Taking all the above factors into account, the Committee considered the available sanctions, starting with the least restrictive. The Committee noted that it was open to conclude this case without taking any action in respect Ms Trembath's registration or to issue her with a reprimand. However, given the serious nature of the findings, and the identified high risk of repetition, the Committee concluded that taking no action or issuing a reprimand would not protect the public, nor would it satisfy the wider public interest.

64. The Committee next considered whether to impose conditions on Ms Trembath's registration. It decided that conditions would not address the concerns in this case which relate to Ms Trembath's behaviour and attitude. Furthermore, given the gravity of the convictions, the Committee concluded that a conditions of practice order would not be sufficient to protect the public, nor would it satisfy the wider public interest.

65. The Committee went on to consider whether to suspend Ms Trembath's registration for a specified period. In doing so, it had regard to paragraph 277 of the Guidance which states that:

Suspension may be appropriate when all, or some, of the following factors are present:

- a. There is evidence of repetition of the behaviour.*
- b. The registrant has not shown insight into the issues which led to a finding of current impairment being made, and/or poses a significant risk of repeating the behaviour.*
- c. A lesser sanction would be insufficient to meet the public interest.*
- d. There is no evidence of harmful deep-seated personality or professional attitudinal problems (which might make erasure the appropriate order).*

66. The Committee has concluded that factors a to c apply in this case. In the Committee's judgement, Ms Trembath's repetitive history of violent offending behaviour does suggest a harmful deep-seated personality problem.

67. The Committee had regard to paragraph 282 of the Guidance which deals with erasure. It identified the following factors as being relevant:

- *The findings include serious departure(s) from the relevant professional standards.*
- *Where serious harm to patients, colleagues, or other persons has occurred, either deliberately or through incompetence.*
- *Where a continuing risk of serious harm to patients, colleagues, or other persons is identified.*
- *Where there is a persistent lack of insight into the seriousness of actions or their consequences.*
- *A lesser sanction would be insufficient to meet the public interest.*

68. Having taken all the matters in this case into account, and with particular regard to the serious nature of the convictions, where the behaviour was described as being a “*ferocious attack*”, along with the high risk of repetition, the Committee has concluded that a period of suspension, even for the maximum period of 12 months, would not be sufficient to protect the public and the wider public interest. There was nothing before the Committee to suggest that any period of suspension would result in any meaningful change in Ms Trembath’s position or level of insight. Indeed, her last known contact with the GDC was in October 2024, in which she stated that she was no longer working as a dental nurse.

69. The Committee is satisfied that Ms Trembath’s violent offending behaviour, which has spanned over a period of several years, and which caused harm to others, is incompatible with being a registered dental nurse. Accordingly, the Committee has determined that the only appropriate and proportionate sanction is that of erasure. Unless Ms Trembath exercises her right of appeal, her name will be erased from the Register 28 days from the date that notice of this Committee’s direction is deemed to have been served on her.

70. The Committee will now invite submissions from Mr Molloy as to whether to make an immediate order of suspension on Ms Trembath’s registration.

Immediate order

71. The interim order of suspension on Ms Trembath’s registration is hereby revoked.

72. The Committee went on to consider whether to impose an immediate order of suspension on Ms Trembath’s registration. In so doing, the Committee took account of Mr Molloy’s submissions. He submitted that given that the Committee has identified that Ms Trembath’s behaviour continues to pose a risk, an immediate order of suspension is necessary for the protection of the public and to uphold public confidence in the dental profession. He also drew the Committee’s attention to paragraphs 285 to 288 of the GDC’s Guidance (January 2026) which provides guidance on immediate orders.

73. The Committee accepted the advice of the Legal Adviser, who drew its attention to the Guidance and outlined the statutory test for imposing immediate orders.

74. The Committee determined that the imposition of an immediate order of suspension on Ms Trembath’s registration is necessary for the protection of the public and is otherwise in the public interest.

75. In its substantive determination, the Committee has identified a high risk of repetition of the behaviour. In the circumstances, the Committee considers that it would be inconsistent not to impose an immediate order of suspension for the protection of the public.

76. The Committee is also satisfied that an immediate order is required in the wider public interest, in view of the gravity of the matters found proved. It considered that immediate action is

necessary in this case to maintain public confidence in the dental profession and the regulatory process, and to uphold proper professional standards of conduct and behaviour.

77. The Committee took into account that in the absence of an immediate order, Ms Trembath could, if she wished to do so, appeal against the Committee's decision of erasure.

78. The effect of the foregoing substantive determination and this order is that Ms Trembath's registration will be suspended to cover the appeal period. Unless Ms Trembath exercises her right of appeal, the substantive direction for erasure will take effect 28 days from the date of deemed service. Should Ms Trembath exercise her right of appeal, this immediate order will remain in place until the resolution of the appeal.

79. That concludes this determination.