

Hearing held in private

Summary

Name:	GLITHERO, Mark James [Registration no: 148536]
Type of case:	Health Committee (review)
Outcome:	Indefinite suspension
Date:	4 February 2014

IN PUBLIC

Ms Harris,

The Committee has considered all the information before it, including the submissions you have made on behalf of the General Dental Council (GDC). It has accepted the advice of the Legal Adviser and the Medical Adviser.

SERVICE AND PROCEEDING IN THE ABSENCE OF THE REGISTRANT

Mr Glithero was neither present nor represented at today's hearing. The Committee saw a copy of the notice of hearing dated 18 October 2013 that was sent to Mr Glithero's registered address by first class post and by recorded delivery. It saw a printout from the Royal Mail Track and Trace website which indicated that the recorded delivery item was returned to sender. The Committee was satisfied that Rule 28 of the Fitness to Practise Rules had been complied with by the sending of the notice to Mr Glithero's registered address. It reminded itself that the onus is on a registrant to keep the GDC informed of an up to date registered address.

The Committee saw a copy of a letter dated 24 October 2013 enclosing the notice that was sent to another known address of Mr Glithero's, by first class post and by recorded delivery. It saw a printout from the Royal Mail Track and Trace website which indicated that the recorded delivery item was returned to sender on 25 October 2013.

The Committee saw printouts of emails enclosing the notice of hearing dated 18 and 24 October 2013 that were sent to Mr Glithero's email address.

A telephone attendance note dated 24 October 2013 details a conversation between Mr Glithero and a representative of the GDC at Capsticks solicitors. It was noted that Mr Glithero stated that he had not seen the notice that had been sent to him by post or by email. He did however confirm that the second address, the email address and phone number used by the GDC were his current contact details. He stated that he would read the emails. He was told that the GDC would wish to seek a medical report and was asked whether he would attend this hearing. He was asked to confirm his consent in writing, but he did not do so.

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 him of these proceedings.

The Committee was satisfied that Mr Glithero is aware of this hearing today and that he has voluntarily waived his right to be present or to be represented. The Committee did not receive any information to suggest that an adjournment was sought by him or that he would attend on a future date. It decided that it was fair and appropriate in the public interest to proceed in his absence.

BACKGROUND AND IMPAIRMENT

This is the second review of Mr Glithero's suspension from the Dental Care Professionals Register. The suspension was imposed by the Health Committee for a period of twelve months on 11 January 2012 and reviewed and extended for a further 12 months on 7 January 2013.

On 10 November 2009, Mr Glithero pleaded guilty in the criminal courts to driving whilst under the influence of excess alcohol, on 3 March 2010, he pleaded guilty to battery and on 10 March 2010 he pleaded guilty to criminal damage and he was convicted of all three offences.

The evidence before the initial Health Committee suggested that Mr Glithero had experienced a significant deterioration in his health shortly before the hearing. Mr Glithero did not attend that hearing, nor was he represented. He had indicated that he was content to submit to a voluntary suspension for at least a period of 6 months while he tried to regain his health.

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This Committee has determined that Mr Glithero's criminal convictions no longer impair his fitness to practise. It takes the view that the period of suspension that he has been subject to to date has addressed the public interest issues arising from these convictions.

However the Committee has determined, in the absence of any information since 2010 in relation to the current state of Mr Glithero's health, that his fitness to practise remains impaired by reason of his adverse health.

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In the absence of information to suggest that Mr Glithero would be willing or able to comply with conditions of practise, the Committee decided that this would not be an appropriate order in this case.

The Committee has therefore determined that Mr Glithero's name should be suspended from the Dental Care Professionals Register. It considered whether to suspend his

registration for a further specified period. However in the light of his non-engagement, despite the GDC's continuing regular correspondence and previous Committee's recommendations, and the consequent continuing lack of information or evidence regarding his current state of health, the Committee took the view that a specified period of suspension with a further review would not be appropriate.

The Committee has therefore decided, balancing the public interest with Mr Glithero's own interests, that an indefinite suspension of his registration is the appropriate and proportionate sanction in this case. This is necessary for the protection of the public and to maintain public confidence in the profession.

The Committee would remind Mr Glithero that it is open to him to seek a review of this order after a period of two years.

That concludes the case for today.