

## PUBLIC HEARING

### Professional Conduct Committee Review Hearing

7 April 2026

**Name:** GARCIA MIGUEL, Lorena

**Registration number:** 285430

**Case number:** CAS-201899

---

**General Dental Council:** Miss Peta-Louise Bagott, counsel  
Instructed by Amy Jones, IHLPS

**Registrant:** Not Present  
Not represented

---

**Fitness to practise:** Impaired by reason of misconduct

**Outcome:** Suspended indefinitely

---

**Committee members:** Clive Powell (Lay) (Chair)  
Shabnum Ali (Dentist)  
Donna Lightbody (DCP)

**Legal adviser:** Mark Sullivan

**Committee Secretary:** Sarah Crewe

### **Purpose of hearing**

1. The purpose of this hearing is to carry out a statutory review of an order suspending Miss Garcia Miguel's registration. The hearing is being held in accordance with section 36Q of the Dentists Act 1984 (as amended) ('the Act').

### **Service of Notice of Hearing**

2. The Committee was informed at the start of this hearing that Miss Garcia Miguel was not in attendance nor was she represented. In her absence, the Committee first considered whether the notice of this hearing had been served on Miss Garcia Miguel in accordance with rules 28 and 65 of *the General Dental Council (Fitness to Practise) Rules Order of Council 2006 (the Rules)*.
3. The Committee received a copy of the Notification of Resumed Hearing which was dated as sent to Miss Garcia Miguel's registered address via Special Delivery on 16 February 2026. The notice was also sent via first class post and secure email.
4. The Committee had sight of an extract from the Royal Mail Track and Trace service (track and trace) which states the item returned to sender on 10 March 2026. However, the Committee reminded itself that the duty on the GDC is to send the notice, not for it to be delivered.
5. In all the circumstances, the Committee was satisfied that the notice had been served in compliance with the rules.

### **Proceeding in the absence of Miss Garcia Miguel:**

6. The Committee then considered whether to exercise its discretion under Rule 54 to proceed in the absence of Miss Garcia Miguel. The Committee heard the submissions made by Miss Bagott on behalf of the General Dental Council (GDC). 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 Miss Garcia Miguel's absence. 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.
7. Miss Bagott outlined the background to this case, including the lack of engagement from Miss Garcia Miguel previously and the fact that this case relates to non cooperation.
8. Miss Bagott submitted that, having regard to the information before the Committee, it would be appropriate to proceed in the absence of Miss Garcia Miguel. She submitted that Miss Garcia Miguel has voluntarily absented herself. Further, that the Committee should take into consideration the previous lack of engagement in this case.
9. The Committee weighed Miss Garcia Miguel's interests against the need to protect the public and uphold the public interest. Miss Garcia Miguel has not made any request for an adjournment and the Committee considered that it was essential to review the existing order before it lapsed to ensure that the public would not be put at risk. The current suspension order is due to expire on 7 May 2026.

10. The Committee was satisfied that the public interest in this respect outweighed Miss Garcia Miguel's interests and determined to proceed in her absence.

### **Factual background**

11. In October 2023 the PCC considered allegations relating to Miss Garcia Miguel's conduct. The PCC found proved that Miss Garcia Miguel failed to co-operate with a GDC investigation between 4 January 2022 and 9 September 2022 in that she did not provide the GDC with any or sufficient evidence of her indemnity insurance arrangements.
12. That PCC determined that the facts found proved amounted to misconduct, and that Miss Garcia Miguel's fitness to practise was impaired by reason of that misconduct. In reaching its decision on impairment the PCC noted that Miss Garcia Miguel had provided no evidence of any insight into or remediation of her misconduct. It determined that Miss Garcia Miguel posed a risk to the public, and further that a finding of impairment was also in the public interest. The PCC determined to suspend Miss Garcia Miguel's registration for a period of six months, with a review hearing to take place prior to the expiry of the suspension. It also made recommendations to Miss Garcia Miguel about the evidence that she might wish to provide to a reviewing Committee.
13. The PCC reviewed the order of suspension on 23 March 2024. It noted that Miss Garcia Miguel had not engaged with the proceedings and had produced no evidence of any insight into or remediation of her misconduct. It considered that Miss Garcia Miguel continued to pose a risk to the public, and that her fitness to practise continued to be impaired. It further considered that a finding of impairment was required to declare and uphold proper professional standards of conduct and behaviour, and to maintain public trust and confidence in the profession and in the regulatory process.
14. The PCC determined that the order of suspension should be continued for a period of 12 months, with a review. That PCC also set out some information from Miss Garcia Miguel that would assist the next reviewing Committee.
15. A second review took place in March 2025. At that review hearing the Committee determined that Miss Garcia Miguel's fitness to practice remained impaired and extended the suspension for a further 12 months. Miss Garcia Miguel was not in attendance at that hearing.

### **Current review hearing**

16. This Committee has comprehensively reviewed the suspension order. In so doing, it has had regard to the GDC's bundle of documents as well as the submissions from Miss Bagott. Miss Garcia Miguel has not engaged with the GDC since the last review hearing and has not provided any information for this Committee to consider as part of the review.

### **Submissions**

17. Miss Bagott outlined the background of this case and summarised the previous decisions made at the initial PCC hearing and the subsequent reviews. She submitted that Miss Garcia Miguel has remained non engaging and has therefore not provided any evidence of remediation or insight. Miss Bagott referred the Committee to the attempts made by the GDC to contact Miss Garcia Miguel regarding the matters that the previous Committees had outlined and the recommended steps that Miss Garcia Miguel could take to demonstrate insight and remediation to this reviewing Committee. No response was forthcoming.

18. The GDC's position is that Miss Garcia Miguel's fitness to practise remains impaired by reason of her misconduct, and that a further period of suspended registration for 12 months would serve no purpose given the lack of engagement and that there has been no material change since the initial hearing in 2023.
19. Miss Bagott submitted that the lack of engagement from Miss Garcia Miguel demonstrates a lack of insight and there is no information of any attempts to remediate her misconduct. Therefore, Miss Bagott submitted that there remains a risk to the public given the wilful disregard for the role of the regulator.
20. Miss Bagott submitted that the public's confidence would be undermined if a finding of impairment were not made in the circumstances of this case. She submitted that Miss Garcia Miguel's fitness to practise remains impaired on public interest grounds.
21. In looking at the possible sanctions available to this Committee Miss Bagott outlined the position of the GDC and summarised why it is said that nothing short of indefinite suspension would be appropriate in this case. Miss Garcia Miguel has not engaged with these proceedings, starting from the initial hearing in 2023. Miss Bagott referred the Committee to the requirements for an indefinite suspension to be imposed and submitted that these are met in this case.
22. The Committee accepted the advice of the Legal Adviser.

### **Current Impairment**

23. The Committee was mindful that there is a persuasive burden on the registrant to demonstrate that their fitness to practise is no longer impaired. The Committee considered that there has been no material change of circumstances since the last PCC review hearing in March 2025. Miss Garcia Miguel has not engaged with these proceedings and has produced no evidence of any insight into or remediation of her misconduct. The Committee concluded that Miss Garcia Miguel therefore continues to pose a risk to the public
24. Whilst the Committee considered that the misconduct found in 2023 was potentially remediable there is no evidence that any efforts have been made by Miss Garcia Miguel to undertake relevant and appropriate remediation since the initial hearing. The Committee had no evidence before it to be able to assess Miss Garcia Miguel's level of insight.
25. As a result of the above, the Committee concluded that Miss Garcia Miguel's fitness to practise remains currently impaired on public protection grounds.
26. The Committee also considers that a further finding of impairment is required to declare and uphold proper professional standards of conduct and behaviour, and to maintain public trust and confidence in the profession and in the regulatory process.

### **Sanction**

27. 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.
28. The Committee was aware that it should have regard to the principle of proportionality, balancing the public interest against Miss Garcia Miguel'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.

29. The Committee noted its powers outlined in 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 Committee also had the power to impose an indefinite suspension.
30. 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.
31. The Committee then considered whether a conditions of practice order would be an appropriate order in this case. Given Miss Garcia Miguel's lack of engagement, the lack of any current evidence of steps taken to address the misconduct and the lack of insight demonstrated by Miss Garcia Miguel, 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 that in the Committee's view Miss Garcia Miguel would likely not engage with them.
32. 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 months since the suspension order was imposed Miss Garcia Miguel has not demonstrated that she is willing to undertake the necessary steps to address the misconduct or to meaningfully engage with her professional regulator. The Committee concluded that in the absence of any evidence of willingness on his part to address the misconduct and engage with the GDC, she poses a real risk to the public.
33. There was no evidence before the Committee to suggest that Miss Garcia Miguel's attitude towards this process was likely to change in the next 12 months and as such the Committee was of the view that to extend the order of suspension for a further 12 months would serve no useful purpose.
34. The Committee determined that the only appropriate and proportionate sanction in this case is that at the expiry of the current order Miss Garcia Miguel's registration will be made subject to indefinite suspension. The Committee concluded that this would protect the public and uphold the public interest. Miss Garcia Miguel may apply to the GDC for a review of the order should her circumstances change after two years have elapsed.
35. The Committee was aware that the effect of this order is that Miss Garcia Miguel will be prevented from working as a registered dental professional in the UK. 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 Miss Garcia Miguel's interests in this regard are significantly outweighed by the need for public protection and protection of the wider public interest.
36. The Committee therefore directs that Miss Garcia Miguel's registration be indefinitely suspended. 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.

