

## ON PAPERS

### Professional Conduct Committee Review Hearing

1 September 2025

**Name:** RUGINA, Julien

**Registration number:** 109370

**Case number:** CAS-194588-9W4X6

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**General Dental Council:** Georgina Mayles, IHLPS

**Registrant:** Unrepresented

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

**Outcome:** Suspended indefinitely

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**Committee members:** Helen Goulding (Chair, Lay Member)  
Lauren Marland (Dentist Member)  
Nicola Rice (Dental Care Professional Member)

**Legal Adviser:** Helen Gower

**Committee Secretary:** Lola Bird

1. This is a resumed hearing of Mr Rugina's case before the Professional Conduct Committee (PCC), pursuant to section 27C of the *Dentists Act 1984 (as amended)* ('the Act'). The hearing is being conducted remotely by Microsoft Teams video-link.
2. The purpose of the hearing has been for the Committee to conduct a review of the substantive order of suspension currently in place on Mr Rugina's registration.
3. Neither party is present today, following a request made by the General Dental Council (GDC) for the review to take place on the papers. The Committee received from the GDC an indexed PCC review hearing bundle (47 pages) as well as the Council's written submissions (10 pages).
4. The Committee first considered the issues of service and proceeding with the hearing in the absence of Mr Rugina and any representatives for either party. The Committee heard and accepted the advice of the Legal Adviser in relation to both matters.

#### **Decision on service**

5. The Committee considered whether notice had been served on Mr Rugina in accordance with Rules 28 and 65 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules') and section 50A of the Act.
6. The Committee had regard to the indexed PCC review hearing bundle, which contained a copy of the Notice of Hearing dated 21 July 2025 (the notice'). The notice was sent to Mr Rugina's registered address by Special Delivery and First Class post. A copy of the notice was also sent to him by email on 21 July 2025.
7. The Committee noted from the Royal Mail 'Track and Trace' information provided that the copy of the notice sent to Mr Rugina by Special Delivery was refused at his address and 'returned to sender' on 24 July 2025. The Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent. It was satisfied from the evidence before it that the Council had met the requirement of sending notice to Mr Rugina.
8. The Committee was also satisfied that the notice sent to Mr Rugina complied with the 28-day notice period required by the Rules. It was further satisfied that the notice contained all the mandatory particulars, including the date and time of the hearing, confirmation that it would be held remotely by Microsoft Teams, and that the Committee had the power to proceed with the hearing in Mr Rugina's absence.
9. On the basis of all the information provided, the Committee was satisfied that notice of the hearing had been served on Mr Rugina in accordance with the Rules and the Act.

#### **Decision on whether to proceed with the hearing in the absence of the registrant and on the papers**

10. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Rugina and any representative for either party. It approached

this issue with the utmost care and caution. The Committee took account of the factors to be considered in reaching its decision, as set out in the case of *R v Jones* [2002] UKHL 5, and as affirmed in subsequent regulatory cases, including the joined cases of *General Medical Council v Adeogba* and *General Medical Council v Visvardis* [2016] EWCA Civ 162.

11. The Committee took into account that fairness to Mr Rugina was an important consideration but also bore in mind the need to be fair to the GDC, and the public interest in the expeditious review of the current suspension order. The Committee noted the submission made by the GDC inviting it to exercise its discretion to proceed with the matter in the absence of Mr Rugina and on the papers.

12. The Committee was satisfied that all reasonable efforts had been made by the GDC to notify Mr Rugina of this hearing. It noted that in addition to the notice of 21 July 2025, which was sent to him by post and by email, Mr Rugina was sent a follow-up email on 6 August 2025. In that follow-up email, Mr Rugina was further advised of the GDC's intention to request a review of the current suspension order on the papers in the absence of both parties. The email stated that if he wished to provide any written correspondence or documentation for the Committee's consideration, he should do so by 25 August 2025. Mr Rugina was also advised that he could request an oral hearing, at which both parties would be present, and that he should contact the GDC by 11 August 2025 if he would prefer an oral hearing.

13. An attempt was also made by the GDC on 11 August 2025 to contact Mr Rugina by telephone. The Telephone Attendance Note provided by the GDC's solicitor states that a call was made to Mr Rugina's registered mobile telephone number, but the call "*didn't connect and dropped. There was no option to leave a voicemail*".

14. In a further email to Mr Rugina dated 12 August 2025, the GDC stated "*...please note that as we have not received a response from you, the GDC will be arranging for the hearing listed for Monday, 1 September 2025 to take place on the papers and in absence of the parties*". Mr Rugina was informed that a copy of the GDC's written submissions would be sent to him in due course.

15. The Committee noted that Mr Rugina has a history of non-engagement with the GDC. He did not attend the initial PCC hearing of his case held in September 2023, nor did he attend the resumed hearing which took place in September 2024. Mr Rugina has not acknowledged any of the communications sent to him by the GDC in respect of today's proceedings, and the Committee received no information to suggest that adjourning this hearing would secure his attendance on a future date. In view of this, the Committee considered that an adjournment would serve no meaningful purpose. It was satisfied that Mr Rugina's absence is voluntary.

16. The Committee balanced Mr Rugina's interests with the public interest and fairness to the GDC. The Committee took into account its statutory duty to review the current suspension order on Mr Rugina's registration before its expiry, for the protection of the public and the wider public interest. The Committee concluded that without good reason for deferring today's hearing, the review of the order should be undertaken as scheduled.

17. In all the circumstances, the Committee was satisfied that it was fair and in the public interest to proceed with this hearing in Mr Rugina's absence and on the papers.

### **Case background**

18. On 14 May 2020, the GDC received information from an NHS Clinical Commissioning Group in respect of an alleged assault by Mr Rugina on 18 March 2020. The matter was reported to West Yorkshire Police and Social Services.

19. Mr Rugina was subsequently charged with assault under Section 39 of the Criminal Justice Act 1988 and bailed to Bradford Magistrates' Court on 13 July 2020. During this time, it is understood that Mr Rugina breached his bail conditions having left the UK. His appearance at court was adjourned due to the Covid-19 pandemic, but he was subsequently required to attend on 19 March 2021. Mr Rugina failed to attend, and a warrant was issued for his arrest.

20. On 21 June 2022, the police confirmed that they were unable to progress the matter until they were able to arrest Mr Rugina or he answered to the warrant.

21. As part of its investigation, the GDC requested information from West Yorkshire Magistrates Court ('the Court') in respect of the assault matter. On 12 May 2023, the Council was provided with two extracts for the matters outstanding with the Court. One extract related to the assault matter. The other extract concerned a separate criminal matter relating to Mr Rugina's failure to provide a specimen contrary to section 7(6) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988. That offence was said to have taken place in March 2020.

### **Initial PCC hearing – September 2023**

22. An initial PCC hearing of Mr Rugina's case took place in September 2023. That initial PCC was satisfied on the evidence provided to it, that on or around 8 March 2020, Mr Rugina was charged with an offence of failing to provide a specimen contrary to section 7(6) of the Road Traffic Act 1988. The initial PCC was also satisfied that Mr Rugina was charged with a second offence on or around 22 March 2020, namely assault by beating contrary to section 39 of the Criminal Justice Act 1988.

23. The initial PCC noted that the criminal allegations against Mr Rugina were yet to be determined by the courts, in light of him having left the UK. Therefore, the initial PCC's principal findings related to separate and distinct issues of Mr Rugina's conduct in the context of the criminal matters, in particular:

- his failure to inform the GDC that criminal proceedings had commenced against him, which the initial PCC found was misleading and dishonest;
- his failure to attend court in relation to either offence;
- his breach of his bail conditions in relation to the assault offence; and
- his failure to cooperate with the investigation conducted by the GDC in relation to his fitness to practise.

24. The initial PCC determined that the facts found proved against Mr Rugina amounted to misconduct, stating in its decision that:

*“The Committee considered it clear that Mr Rugina’s dishonesty in failing to inform the GDC about the criminal matters against him, his non-cooperation with the associated judicial proceedings, his breach of his bail conditions and his failure to cooperate with an investigation conducted by his regulatory body, all represent conduct that falls far short of the above GDC Standards.*

*Mr Rugina’s actions and omissions were serious and included breaches of fundamental tenets of the dental profession. He has acted in a manner that has placed the reputation of the dental profession into disrepute and has shown a complete disregard for his professional responsibilities and the regulatory role of the GDC. In the Committee’s view fellow dental professionals would regard Mr Rugina’s behaviour as deplorable”.*

25. The initial PCC went on to determine that Mr Rugina’s fitness to practise was impaired by reason of his misconduct. In doing so, it took into account that the lack of any information regarding Mr Rugina’s indemnity status was raised by the GDC as a factor that may raise a concern about a risk to the public. However, in reaching its decision on impairment, the initial PCC stated that it *“...given the nature of the misconduct found in this case, the Committee focused principally on the wider public interest when considering the issue of current impairment”*. The initial PCC stated in its determination that:

*“Mr Rugina has not attended or engaged with this hearing. Consequently, there is no evidence before the Committee in relation to his insight into his misconduct or in relation to any remediation that he has undertaken to address the matters of concern. In the absence of such evidence the Committee could not be confident that Mr Rugina would not repeat his misconduct.*

*The Committee concluded that in all the circumstances, public confidence in the dental profession would be undermined if a finding of impairment were not made in this case. It considered that such a finding is also required to promote and maintain proper professional standards.”*

26. The initial PCC determined that the appropriate and proportionate sanction in the circumstances of Mr Rugina’s case was to impose a suspension order on his registration for a period of 12 months. It directed a review of the suspension order shortly before the expiry of the 12-month period. An immediate order of suspension was also imposed.

27. In directing a review of the order, the initial PCC stated that:

*“This Committee considered that the reviewing Committee may find it helpful to receive the following:*

- *Evidence of Mr Rugina’s reflection on the GDC Standards, in particular the importance of reporting criminal proceedings to his regulatory body.*

- *Evidence of Mr Rugina’s reflection on his behaviour, as outlined in this case, and the impact of his conduct on the public and the dental profession.*
- *Information regarding Mr Rugina’s employment history and his indemnity*
- *Evidence of how Mr Rugina has maintained his knowledge and skills during the period of suspension, including evidence of any Continuing Professional Development undertaken”.*

### **First resumed hearing – September 2024**

28. A PCC conducted a review of the suspension order at a resumed hearing in September 2024. That Committee determined that Mr Rugina’s fitness to practise remained impaired by reason of his misconduct on both public protection and public interest grounds. It stated that:

*“The Committee considers that the factual findings which gave rise to the previous Committee’s findings of misconduct and impairment are very serious, relating as they do in particular to dishonest conduct. The Committee notes that Mr Rugina has not engaged in any way with these proceedings, and has not provided any evidence whatsoever to demonstrate that he has developed insight into, or has taken steps to remedy, his misconduct. The Committee therefore considers that the same risks to the safety of the public persist on account of Mr Rugina’s unremediated misconduct. The Committee also considers that a finding of current impairment is again required in the wider public interest, and more particularly to declare and uphold proper professional standards of conduct and behaviour and to maintain public trust and confidence in the profession”.*

29. The PCC in 2024 determined to extend the suspension order in place on Mr Rugina’s registration by a period of 12 months and directed a further review shortly before the expiry of the extended period. In directing a further review, the PCC in 2024 adopted the recommendations made to Mr Rugina by the initial PCC, in terms of the evidence that a reviewing Committee might find helpful to receive.

### **Today’s resumed hearing – September 2025**

30. This is the second review of the suspension order first imposed on Mr Rugina’s registration in September 2023. In comprehensively reviewing the order, the Committee considered all the evidence provided within the indexed PCC review hearing bundle. It also had regard to the written submissions provided by the GDC. No documents or written submissions were received from, or on behalf of, Mr Rugina.

31. The Committee accepted the advice of the Legal Adviser in relation to the relevant legal provisions and principles applicable to this review.

32. The Committee had regard to the chronology of events since the last resumed hearing in September 2024. It noted that the GDC’s Case Review Team (CRT) wrote to Mr Rugina on 4 September 2024 to remind him of the recommendations set out by the last Committee. A further email was sent to Mr Rugina on 9 May 2025 from CRT, again reminding him of the

recommendations. The Committee noted that the GDC has not received any response from Mr Rugina to those emails, nor has it received any documentation in relation to the recommendations reiterated by the PCC in 2024.

33. In relation to today's review and the issues of current impairment and sanction, the GDC stated in its written submissions that:

*"The Committee will be aware that the persuasive burden that the Registrant's fitness to practise is no longer impaired lies with the Registrant (Abrahaem v General Medical Council [2008] EWHC 183 (Admin) at Paragraph 23). The Committee will note that the Registrant has not provided any information to address the concerns that were identified by the previous Committees.*

*The Council submits that there is no evidence to show any material change in position since the last hearing as there has been no engagement from the Registrant or evidence provided showing insight and remediation into his misconduct and to demonstrate that his fitness to practise is no longer impaired.*

*For the reasons outlined above the Council submit that the Registrant's fitness to practise remains impaired by reason of misconduct.*

...

*The Council submit that indefinite suspension is proportionate and appropriate given the Registrant's lack of engagement in this matter, and the lack of indication that the Registrant will start engaging with the process..."*

### **Decision on current impairment**

34. The Committee first considered whether Mr Rugina's fitness to practise remains impaired by reason of his misconduct. In doing so, it exercised its independent judgement. It had regard to the over-arching objective of the GDC, which is: the protection, promotion and maintenance of the health, safety and well-being of the public; the promotion and maintenance of public confidence in the dental profession; and the promotion and maintenance of proper professional standards and conduct for the members of the dental profession.

35. The Committee took into account that, at this review, the persuasive burden rests with Mr Rugina to demonstrate that he has addressed his past impairment. Mr Rugina's misconduct was serious and included breaches of fundamental tenets of the dental profession. The information before the Committee today is that Mr Rugina's lack of engagement with the fitness to practise process is ongoing. He has not made any contact with the GDC in respect of this case. Consequently, there remains no evidence of insight or remediation from Mr Rugina in respect of his misconduct.

36. It was the view of the Committee that there has been no material change in the circumstances of this case since the initial PCC hearing in September 2023. Given that there has been no change in position, the Committee determined that Mr Rugina's fitness to practise remains impaired by reason of his misconduct on public protection and wider public interest grounds.

### **Decision on sanction**

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

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

39. Mr Rugina has not engaged with the fitness to practise process, and as such, there continues to be no evidence of insight or remediation in relation to the misconduct matters. In the circumstances, the Committee determined that it would be wholly inappropriate to terminate the current suspension order or to allow it to lapse. The Committee considered that such a course would not protect the public, nor would it uphold the wider public interest.

40. The Committee also concluded that a period of conditional registration would not be appropriate or proportionate, given Mr Rugina's lack of engagement. It was not confident that Mr Rugina would comply with conditions even if they could be imposed. The Committee therefore decided that a conditions of practice order would not be workable or sufficient to protect the public and the wider public interest.

41. The Committee next considered whether to suspend Mr Rugina's registration for a further specified period. In doing so, the Committee took into account that extending the current order, which it could do up to a maximum of 12 months, would continue to provide the same level of protection to the public as is currently being afforded. The Committee also took into account that a further specified period of suspension would give Mr Rugina the opportunity to re-engage with the GDC and to provide evidence of how he is addressing his misconduct. However, the Committee considered that the prospect of this happening is very low.

42. Mr Rugina has failed to engage with the fitness to practise process for a prolonged period of time. As a result, there has been no material change in the circumstances of this case since the initial PCC hearing in September 2023. There has been no indication that Mr Rugina is willing to address the concerns that led to the findings of misconduct and impaired fitness to practise. Given the complete absence of any engagement by him, the Committee concluded that an extension of the current order of suspension would not serve to maintain public confidence in the dental profession and the regulatory process.

43. In all the circumstances, the Committee determined that it was appropriate and proportionate to indefinitely suspend Mr Rugina's registration. In reaching its decision, the Committee was satisfied that the public interest outweighs Mr Rugina's own interests in this particular case. It considered that the onus should now rest with him to contact the GDC if and when he is willing to engage with its processes.

44. Accordingly, the Committee directs the indefinite suspension of Mr Rugina's registration in accordance with section 27C(1)(d) of the Act. In making this direction, the Committee was satisfied that the criteria for imposing an indefinite suspension are met.

45. Mr Rugina will have 28 days from the date that notice of this direction is deemed to have been served upon him to appeal the Committee's decision. In the event that he does exercise his right of appeal, the suspension order currently in place on his registration will remain in force until the resolution of the appeal.

46. That concludes this determination.