

PUBLIC HEARING**Professional Conduct Committee
Initial Hearing****1-16 June 2026**

Name: Aspinall, William

Registration number: 250909

Case number: CAS-209804-VL78Y9

General Dental Council: Mr David Patience, counsel
Instructed by Melanie Spencer, ILPS

Registrant: Present
Represented by Mr Kevin McCartney, counsel.
Instructed by MDDUS

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension

Duration: 6 months

Committee members: Marnie Hayward (Chair and DCP member)
Amit Jinabhai (Lay member)
Gill Jones (Dentist member)

Legal adviser: Julien Weinberg

Committee Secretary: Jamie Barge

Mr Aspinall

1. You are present at this hearing and you are represented by Mr Kevin McCartney, Counsel. Mr David Patience, Counsel, appears on behalf of the General Dental Council (GDC).
2. This hearing before the Professional Conduct Committee ('the Committee') was convened for the purposes of an inquiry into a charge against you as follows:

That being registered as a dentist William Aspinall's (250909) fitness to practise is impaired by reason of misconduct. In that:

Witness 1

1. *On one or more occasions between around May 2021 and around April 2022, whilst you were in a surgery at the practice together with Witness 1, you intentionally:*
 - a. *Rubbed and/or pushed your crotch against Witness 1.*
 - b. *Slapped the area, on or around Witness 1's bottom, using a hand mirror.*
 - c. *Sprayed water and/or anaesthetic on Witness 1's chest/breasts area and/or legs and/or crotch and/or face.*
 - d. *Touched her leg whilst she was aspirating.*
2. *In relation to the touching and/or conduct referred to at charge 1a and/or 1b and/or 1c and/or 1d above, Witness 1:*
 - a. *Was not consenting.*
 - b. *You did not reasonably believe that she was consenting.*
3. *Your conduct in respect of charge 1a and/or 1b and/or 1c and/or 1d above was:*
 - a. *Inappropriate*
 - b. *Sexual and/or sexually motivated.*
4. *In around April 2022, whilst you were in a nightclub with Witness 1 and other staff members, you intentionally:*
 - a. *Touched Witness 1's waist using your hands.*
 - b. *Attempted to kiss her.*
5. *In relation to the touching and/or conduct referred to at charge 4a and/or 4b above, Witness 1:*
 - a. *Was not consenting.*
 - b. *You did not reasonably believe that she was consenting.*
6. *Your conduct in respect of charge 4a and/or 4b above was:*
 - a. *Inappropriate*
 - b. *Sexual and/or sexually motivated.*
7. *In around April 2022, a few hours after attending a nightclub with Witness 1 and other staff members, you messaged Witness 1 on Snapchat saying words to the effect of: "I'd like to see that ass in your pants or thong."*
8. *Your conduct in respect of charge 7 above was:*
 - a. *Inappropriate*
 - b. *Sexual and/or sexually motivated.*
9. *Your conduct in respect of charges 1 and/or 4 and/or 7, viewed individually and/or cumulatively, involved you engaging in conduct towards Witness 1, which:*
 - a. *Was unwanted by her.*
 - b. *Was of a sexual nature.*

- c. Had the purpose and/or effect of violating Witness 1's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for her.*

Witness 2

10. *On or around 13 July 2024, whilst in a taxi with her and other staff members, you intentionally touched Witness 2's leg.*
11. *In relation to the touching referred to at charge 10 above, Witness 2:*
- a. Was not consenting.*
 - b. You did not reasonably believe that she was consenting.*
12. *Your conduct in respect of charge 10 above was:*
- a. Inappropriate*
 - b. Sexual and/or sexually motivated.*

Preliminary matters

3. Mr McCartney made an application for one of the defence witnesses (Witness 4) to give their evidence remotely via Microsoft Teams video link as she was due to go away on holiday later that week when it was expected your defence case would start. Therefore, in order to expedite matters, it would be efficient for her evidence to be heard remotely. Mr Patience made no objection.
4. The Committee received and accepted legal advice from the Legal Adviser. The Committee took into account that all efforts should be made to ensure all witnesses give their evidence to the best of their ability. Therefore, it considered it appropriate and fair to allow the defence application and for Witness 4 to give her evidence via Microsoft Teams video link.

Admissions

5. At the outset Mr McCartney stated that no admissions are made by you.

Decision and reasons on the facts

6. The Committee considered all the evidence presented to it. The Committee accepted the advice of the Legal Adviser. It considered the heads of charge, 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 facts are found proved on the balance of probabilities. You are not required to prove or disprove anything.

Summary of the GDC's case

7. Mr Patience outlined the background to the GDC's case against you. The heads of charge you face, relate to alleged conduct towards a Dental Nurse and a Dental Therapist, during a period of time between around May 2021 and July 2024, when you were working as an Associate Dentist at The Practice.
8. On 6 January 2025, the GDC received a webform complaint from Witness 3 ("the Informant"), the owner of the Practice.
9. Witness 3 provided further information relating to these concerns to the GDC, whose investigation identified a number of allegations, which are summarised as follows:

10. Witness 1- On one or more occasions between around May 2021 and around April 2022, you touched a Dental Nurse ("Witness 1") in the surgery, where you moved closely past Witness 1, making her feel uncomfortable. This also included:

- *Rubbing and/or pushing your crotch against Witness 1.*
- *Slapping the area, on or around Witness 1's bottom, using a hand mirror.*
- *Spraying water and/or anaesthetic on Witness 1's chest/breasts area and/or legs and/or crotch and/or face.*
- *Touching her leg whilst she was aspirating.*

11. In addition, in April 2022, you and some colleagues attended the wedding of a staff member from the practice and afterwards, Witness 1 and a number of staff members, including you, went to a nightclub in Southport together. It is alleged that whilst you were in a nightclub with Witness 1 and other staff members, you intentionally touched Witness 1's waist using your hands and attempted to kiss Witness 1.

12. In relation of the above matters, it is alleged that your conduct in this respect was not consensual and that you did not reasonably believe that she was consenting, was inappropriate and was sexual and/or sexually motivated.

13. Also, a few hours after attending a nightclub with Witness 1 and other staff members, it is alleged you messaged Witness 1 on Snapchat saying words to the effect of: *"I'd like to see that ass in your pants or thong."* It is alleged that your conduct in respect of charge 7 above was inappropriate and sexual and/or sexually motivated.

14. Finally in respect of Witness 1, it is alleged that your conduct in respect of the above matters, viewed individually and/or cumulatively, involved you engaging in conduct towards Witness 1, which was unwanted by her, was of a sexual nature, and had the purpose and/or effect of violating Witness 1's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for her.

15. Witness 2- The complaint also alleges that on or around 13 July 2024, whilst in a taxi with Witness 2 and other staff members, you intentionally touched her leg. It is alleged that your conduct in this respect was not consensual and that you did not reasonably believe that she was consenting, was inappropriate and sexual and/or sexually motivated.

Evidence

16. The Committee received a bundle of documents provided by the GDC which comprised the following:

- A signed GDC witness statement dated 16 February 2026 from Witness 1 and supporting exhibits
- A signed GDC witness statement dated 1 April 2026 from Witness 2 and supporting exhibits.
- A signed GDC witness statement dated 15 January 2026 from Witness 3 and supporting exhibits.
- Defence bundle including your signed witness statement dated 21 May 2026.
- Signed witness statement dated 28 May 2026 from Witness 4, a Dental Nurse, who worked with you on a regular basis between January 2021 and April 2022.
- Bundle of testimonials.

17. The Committee received oral evidence in person from Witness 1, Witness 2 and Witness 3. It also heard oral evidence remotely via MS Teams video link from Witness 4.

18. Finally, the Committee has had regard to your own evidence, which you gave in person under oath.

Findings of Fact

19. The Committee considered all the evidence presented to it, both documentary and oral. It took account of the closing submissions on the alleged facts made by both parties. The Committee accepted the advice of the Legal Adviser, including in respect of your good character.

20. The Committee 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 found proved on the balance of probabilities. This means that the Committee has had to decide whether it is more likely than not that the alleged matters occurred.

21. The Committee has reached the following findings:

	<i>Witness 1</i>
1	<i>On one or more occasions between around May 2021 and around April 2022, whilst you were in a surgery at the practice together with Witness 1, you intentionally:</i>
1a	<i>Rubbed and/or pushed your crotch against Witness 1.</i> Proved. The Committee took into account the written and oral evidence of Witness 1. In her statement she stated <i>"There were between six and ten separate occasions where; while moving past me, his crotch rubbed against my behind, or he pushed me sideways into the unit or drawers. This happened while patients were seated in the dental chair, which made it extremely awkward to react or move away"</i>. Witness 1 stated in oral evidence that you both had some jokes and professional laughs together. However, Witness 1 stated that you had intentionally rubbed your crotch against her when you walked past her in the surgery. Witness 1 stated that she had never consented to this, regardless of the jokes and professional laughs you had with each other. You stated in oral evidence that you did not rub and/or push your crotch against Witness 1. You stated that it is impossible to avoid physical contact on occasions with a dental colleague in what is a closely confined space behind the dental chair. You stated it was an awkwardly set up surgery, and even when the dental chair was upright, it was cramped. In addition, you stated that you were wearing scrubs at that time and not jeans which Witness 1 alleges you were wearing at that time. You referred to a photograph (copy presented to the Committee) and stated you have never worn jeans in a clinical setting, although on rare occasions you admitted you had worn black chinos rather than scrub trousers. You stated that at no point did you intentionally rub or push your crotch area against Witness 1's bottom. The Committee notes there are opposing accounts of this alleged event.

	The Committee found there was no evidence to suggest that Witness 1 had any grudge against you or was acting out of spite. The Committee notes the subsequent statement of Witness 1 made to her employers dated 10 December 2024. It notes the purpose of gathering that statement was for a different reason (to capture her emotions for her employers) rather than the factual witness statement she later provided to the GDC and the Committee concluded this explained as to why some of the concerns that Witness1 raised to the GDC were not mentioned at the time. The Committee carefully noted in Witness 1's statements dated 10 and 13 December 2024, she did not state that you had rubbed your crotch against her bottom. However, she did note this in her GDC written statement and in her oral evidence that she could feel you pushing against her behind and could see your reflection in the window. In addition, Witness 1 stated you wore jeans. You stated that on occasions you had worn lightweight black chinos. However, the Committee considers these both could be interchangeable. It took into account the oral evidence of Witness 1 and found her recollection of events to be clear and consistent. She stated that this occurred 6 to 10 times. The Committee also took into account the photographs of the set-up of the surgery room. It considers that in a tight confined space there is a probability of you passing Witness 1 and making some physical contact. The Committee considers that you had rubbed and/or pushed Witness 1's bottom with your crotch area when moving behind the dental chair, during which resulted in you invading her physical space which made her feel uncomfortable. The Committee considered your explanation might be credible if this allegedly occurred on one occasion, however, it is satisfied that this happened on more than one occasion. Having determined the frequency of this, it is satisfied that your rubbing and/or pushing your crotch area against Witness 1's bottom was intentional. It considers that this was not an accidental movement made by you. Accordingly, the Committee finds this charge proved.
1b	<i>Slapped the area, on or around Witness 1's bottom, using a hand mirror.</i> Proved. The Committee took account the written statement of Witness 1 which stated "<i>On one occasion, around February 2022 when I was no longer shadowing another dental nurse during surgery, so the Registrant and I were the only staff members in the room. Whilst I was turned away from the Registrant preparing materials behind the patient's chair, he slapped my bottom with a hand mirror. The patient was present and sat in the chair, so they were facing away from me. I did not give any verbal reaction as to alarm the patient, but I just tried to stay away from the Registrant as much as possible</i>". Witness 1 stated in oral evidence that on one occasion you had slapped her bottom with a hand mirror when she had turned away from the patient, preparing materials. She stated she felt uncomfortable reporting this to her employers after it happened as it made her feel "<i>deeply uncomfortable</i>." You stated in oral evidence that you did not slap her bottom with a hand mirror. You stated that it couldn't have happened as there was no downtime to pick up the hand mirror in front of the patient and slap her bottom. You stated that the hand mirror was only used by the Dental Nurse to pass to the patient and was situated by the window behind the dental chair. You stated that there would never be a circumstance where you would have needed to pass the hand mirror to a patient during an appointment.

	The Committee having assessed all of the evidence before it, accepts the evidence of Witness 1. It found her evidence to be credible and consistent. Witness 1 was very clear in both her written and oral evidence that you had slapped her bottom with a hand mirror on one occasion, specifically when she was preparing materials whilst a patient was also in the room. The Committee did not find your assertion to be credible that you would never handle the mirror. The Committee is satisfied that it is more likely than not, albeit for a short period of time, you would have your hands free to pick up a mirror and slap Witness 1 on her bottom, which made her feel deeply uncomfortable. The Committee therefore considers on the balance of probabilities that there would have been an opportunity for you, when Witness 1 was mixing materials, to be able to reach out and grab the hand mirror and intentionally slap it against the bottom of Witness 1. It therefore finds this head of charge proved.
1c	<i>Sprayed water and/or anaesthetic on Witness 1's chest/breasts area and/or legs and/or crotch and/or face.</i> Not proved. The Committee took account of the written statement of Witness 1 which stated "<i>On other occasions, when I was seated on the nurse's chair, the Registrant directed the 3-in-1 spray and water jet towards me, spraying water onto my legs, crotch, and face. The 3-in 1 was directed at my crotch and then local anaesthetic was directed at my face and breast area before he put the needle in the patient's mouth</i>". Witness 1 stated in her oral evidence that you had on a couple of occasions squirted water and/or anaesthetic at her in the presence of patients who were in the chair. This included squirting water at her crotch area. She stated that she never squirted water back at you and this was never consensual. Witness 1 stated that the squirting was never done as a joke. You stated in oral evidence that you never squirted anaesthetic on Witness 1's chest/breasts area and/or legs and/or crotch and/or face. You acknowledged that on a small number of occasions, if Witness 1 was not paying attention you would squirt some anaesthetic to the side and/or back of her neck to get her attention. You stated this happened a few times, was silly immature behaviour, but was never done in a sexual manner. In respect of spraying water, you stated that this never happened. You stated if anything it was Witness 1 would spray you with water to get you back for squirting some anaesthetic in her direction. However, you maintain you never squirted water or anaesthetic towards her chest/breasts or crotch area. The Committee first considered whether you had sprayed anaesthetic at Witness 1. It notes that you admitted that you had done this previously at her neck to get her attention. Witness 1 was clear that you sprayed this towards inappropriate areas of her body. The Committee found Witness 1's evidence to be credible and consistent. Whilst the Committee is satisfied that you sprayed anaesthetic at Witness 1, the Committee concluded that the GDC has not discharged its burden of proof that you did so with the intention of spraying at Witness 1's chest/breasts or crotch area, and/or legs and face.

	The Committee then considered the squirting of water. You admitted that you did this and it was consensual. It notes that the 3-in-1 spray, particularly as the water nozzle has a high pressure, would be noticed by a colleague who had been sprayed. Whilst the Committee is satisfied that you sprayed water at Witness 1, the Committee concluded that the GDC has not discharged its burden of proof that you did so with the intention of spraying at Witness 1's chest/breasts or crotch area, and/or legs and face. It therefore finds this head of charge not proved.
1d	<i>Touched her leg whilst she was aspirating.</i> Not proved. Witness 1 stated in her written statement <i>"Sometimes, as I aspirated, the Registrant would touch my leg under the tray. When he would touch my leg, we would be sat down, so would touch me from my knee and all the way upwards closer to my crotch. This was occasional because I tended not to sit down after this occurred. There were also times when he appeared to look down the waistband of my trousers or placed his hand near the front of my crotch"</i>. You stated in oral evidence that this would be physically impossible to do this as you would have been holding a high speed drill or an ultrasonic scaler in one hand and a dental mirror in your left hand. You stated that both your hands would be occupied with dental instruments whilst Witness 1 was aspirating so it would be impossible for you to touch her as alleged. You stated that you simply would not be able to do this. The Committee is satisfied that your usual practice at that time was to have the dental mirror in your left hand and the drill or scaler in your right hand. The Committee considers the possibility that you had set down your dental mirror while treating the patient, to touch Witness 1 with your left hand for a lengthy time period of 1-2 minutes (as Witness 1 alleges in her oral evidence) is implausible. It considers Witness 1 would not usually need to aspirate if you were not treating the patient and if you were, then you had the mirror in your left hand and could not do as alleged. It considers the likelihood of Witness 1 aspirating for 1-2 minutes when you had your hands free was unlikely. The Committee is satisfied that the GDC has not discharged its burden of proof. It therefore finds this head of charge not proved.
2.	<i>In relation to the touching and/or conduct referred to at charge 1a and/or 1b and/or 1c and/or 1d above, Witness 1:</i>
2.a	<i>Was not consenting.</i> Found proved in relation to heads of charge 1a and 1b. In respect of charges 1a and 1b, the Committee has taken into account that you denied these charges at the outset. In the Committee's judgement, it must follow that you did not have consent to the matters which you say did not happen. In respect of charges above, Witness 1's oral evidence stated <i>"For a long time, I questioned myself and wondered whether I had done something to cause it. I remember thinking, "Did I do something that made him think this was okay?"... I realised later that I was simply polite and professional.</i>

	In addition, the Committee asked Witness 1 questions, including “<i>did you do or say anything to indicate you weren’t consenting to the behaviour ...?</i>” Witness 1 stated that she didn’t say anything in surgery as there was always a patient present, but she did shake her head, and try to avoid you as much as possible. She stated she didn’t laugh, would frown, and the behaviour was not playful. Your position in your written statement is that “<i>Whilst I accept that I was engaging in silly and horseplay behaviour Witness 1 actively participated in the horseplay as well. It was clear to me that as she was engaging with me in our silly games and that she consented to it, as we both actively participated in this immature and silly behaviour</i>”. Given the specific areas of Witness 1’s body that you were touching, as well as Witness 1’s written and oral evidence that she did not agree to the touching, the Committee is satisfied on the balance of probabilities that Witness 1 did not consent to the conduct found proved in heads of charge 1a and 1b. It therefore finds this head of charge proved.
2.b	<i>You did not reasonably believe that she was consenting.</i> Found proved in relation to heads of charge 1a and 1b. The Committee determined that the GDC has proved on the balance of probabilities that you did not reasonably believe that you had consent from Witness 1. In coming to that view, the Committee considered all of the evidence before it and concluded that an ordinary reasonable person in the same circumstances as you would not have reasonably believed that Witness 1 was consenting to the behaviour the Committee has found proved. Although Witness 1 did not specifically raise an objection at that moment in time, the Committee has considered that it would not have been appropriate conduct as you were in a senior position of trust. In a written statement provided to the practice owner, Witness 1 stated: “<i>I felt like I had cheated on my partner that I was with at the time, even when I never entertained or persuade [sic] the behaviour.</i>” The Committee has borne in mind that you have a number of years’ experience of liaising and working with female colleagues and would have been aware of the standards expected of a GDC registered dental professional. The Committee agrees with Mr Patience’s submission that “<i>that there is no basis upon which the Registrant could have held a genuine belief that she was consenting, or at the very least, a belief in consent that was reasonable to hold</i>”. The Committee determined that you took no steps to find out from Witness 1 during this period as to whether she was consenting to your actions in heads of charge 1a and 1b. In addition, the Committee considered there was no material evidence that there had been a previous conversation or interaction between you and Witness 1, such that you could have had a reasonable belief that she was consenting to the behaviour found proved. It is therefore satisfied that you did not genuinely believe that Witness 1 consented to your conduct and that there cannot have been a reasonable belief in consent on your part. It therefore finds this head of charge proved.
3.	<i>Your conduct in respect of charge 1a and/or 1b and/or 1c and/or 1d above was:</i>

3.a	<i>Inappropriate</i> Found proved in relation to heads of charge 1a and 1b. The Committee was satisfied that your conduct, as found proved at these heads of charge, was inappropriate. It considers this was highly unacceptable behaviour towards Witness 1, which occurred in the work environment and in the context of a professional relationship. The Committee finds that your conduct as referred to at head of charge 1 (a - b) amounts to inappropriate conduct. The Committee found above that your conduct amounts to a failure to maintain appropriate standards of behaviour towards a junior member of the dental team. Your behaviour towards Witness 1 was inappropriate, particularly as it related to her personal space, was intrusive and unwanted. In addition, this occurred in a professional working environment to a colleague, and in the presence of patients. The Committee therefore finds that your conduct was inappropriate and accordingly it finds the facts alleged at heads of charge 3(a) proved in relation to heads of charge 1(a), and 1(b). It therefore finds this head of charge proved.
3.b	<i>Sexual and/or sexually motivated.</i> Found proved in relation to heads of charge 1a and 1b. The Committee was satisfied that its findings in respect of heads of charge 1a and 1b were behaviours that were sexual and sexually motivated. It noted that sexual motivation requires specific intent. Your conduct, as found proved, was sexual in nature and, in the Committee's view, represented a pattern of behaviour that was for your own sexual gratification. You had intentionally aimed and physically contacted inappropriate and personal areas of Witness 1's body on more than one occasion, which occurred in a professional setting. It is satisfied that there is no other reasonable explanation for your conduct which was directed at intimate parts of Witness 1's body. The Committee determined that your conduct in relation to 1a and 1b was sexual in nature, in that your behaviour involved making physical contact with Witness 1's bottom, which the Committee concluded was an intimate area. The Committee reminded itself that sexual motivation requires specific intent. In the Committee's view, your conduct as found proved, represented sexualised behaviour that was for your own sexual gratification. You had intentionally made inappropriate physical contact with an intimate area of Witness 1's body on more than one occasion, which occurred in a professional clinical setting. It is satisfied that there is no other reasonable explanation for your conduct which was directed at an intimate part of Witness 1's body. It therefore finds this head of charge proved.
4.	<i>In around April 2022, whilst you were in a nightclub with Witness 1 and other staff members, you intentionally:</i>
4.a	<i>Touched Witness 1's waist using your hands.</i> Proved. Witness 1 stated in her written statement "At the club, the Registrant approached me on the dance floor. We had been there for 30- 45 minutes at this point. He grabbed my



hand, spun me around, and pushed me into a corner, away from view. He then grabbed my waist and attempted to kiss me. As he did this, he said words to the effect of "You look really nice tonight." I immediately pulled away from him and moved back to create space between us. The Registrant left with me after that, said nothing else that I recall and went back to Chris. I just wanted to go home; he appeared to be drunk. I felt shocked, disgusted, and uncomfortable".

Witness 1 stated in her oral evidence that she had only one beer at the nightclub and during dancing on the dance floor with colleagues and you, she alleges that you spun her around and pushed her into a corner near the fire exit away from view. Witness 1 alleges that soon after you grabbed her waist with your hands and attempted to kiss her. She stated she was disgusted and wanted to go home.

You stated in your written statement *"I have previously taken salsa dancing lessons when I was at University and enjoy Strictly Come Dancing. As we were all dancing together, I cannot exclude the possibility that whilst we were dancing that I would have spun members of our group around and as salsa dancing involves putting your hands on your dance partner's waist that is also possible. However, the account given by Witness 1 simply did not happen".*

You stated that you admitted to spinning her around by grabbing hold of her hand and waist as part of the dancing you had learned salsa dancing prior. You stated that you have never been to that nightclub before so you wouldn't know where the fire escape was. However, the Committee notes in your investigation interview on 17 December 2024 you said words to the effect of at no point did you think you behaved inappropriately towards Witness 1. You stated that you would have thought that another colleague, Chris, would have pulled your behaviour if you tried to kiss Witness 1, which you stated he did not.

Witness 4 stated in oral evidence that she did not see you spinning Witness 1 around on the dancefloor and that Witness 1 never raised any issues to her about your behaviour that night. The Committee placed little weight on the evidence of Witness 4, and found her evidence vague and inconsistent particularly with regard to what you and others were drinking at the time and how long she and you were in the nightclub.

The Committee notes Witness 1's evidence that stated you allegedly spun Witness 1 by the hand and pushed her towards a fire escape in what was a busy nightclub. The Committee found the written and oral evidence of Witness 1 to be credible and reliable. The Committee is satisfied that it is more likely than not that you had spun her around by her hand and that you grabbed her waist with your hands. You have accepted that you were drunk during the visit to the nightclub (in your internal investigation interview) and that as part of your salsa dancing you spun her around.

It therefore finds this head of charge proved.

4.b

Attempted to kiss her.

Proved.

Witness 1 stated that whilst in the nightclub, you spun Witness 1 by the hand and pushed her towards a fire escape in what was a busy nightclub and grabbed her by the waist. She stated that she attempted to turn her face away when you tried to kiss her on the lips.

You stated in your written statement *"Although I had quite a lot to drink that evening, I have a pretty good recollection of the evening as I have described above. I do not accept*

	<i>that any of my behaviour that night was sexually motivated. I had no intention of initiating any relationship whatsoever with Witness 1. I did not attempt to kiss Witness 1 at any point during that evening."</i> In oral evidence you stated that at no point did you attempt to kiss Witness 2. The Committee accepted the evidence of Witness 1. It found her written and oral evidence credible. Witness 1 made reference to you appearing to be drunk at that time and said to her "<i>you look really nice tonight</i>". It is satisfied on the balance of probabilities that you have attempted to kiss Witness 1 when at the nightclub. It therefore finds this head of charge proved.
5.	<i>In relation to the touching and/or conduct referred to at charge 4a and/or 4b above, Witness 1:</i>
5.a	<i>Was not consenting.</i> Found proved in relation to heads of charge 4a and 4b. In respect of charges 4a and 4b, the Committee has taken into account that you denied these charges at the outset. In the Committee's judgement, it must follow that you did not have consent to the matters which you say did not happen. Witness 1's oral evidence was that she tried to move away from you and just wanted to go home. She later stated that she did not want you touching her waist on the dancefloor, nor did she want you to kiss her. You appeared to be drunk and had said to her "<i>you look really nice tonight</i>". Given the specific areas of Witness 1's body that you were touching, an attempt to try to kiss her, as well as Witness 1's evidence that she did not agree to these actions. The Committee is satisfied on the balance of probabilities that Witness 1 did not consent to the conduct found proved in head of charge 4a and 4b. It therefore finds this head of charge proved.
5.b	<i>You did not reasonably believe that she was consenting.</i> Found proved in relation to heads of charge 4a and 4b. The Committee determined that the GDC has proved on the balance of probabilities that you did not reasonably believe that you had consent from Witness 1. In coming to that view, the Committee considered all of the evidence before it and concluded that an ordinary reasonable person in the same circumstances as you would not have reasonably believed that Witness 1 was consenting to the behaviour the Committee has found proved. Witness 1 stated that she tried to move away from you. The Committee determined that you took no steps to find out from Witness 1 during this period as to whether she was consenting to you touching her waist or attempting to kiss her. She had stated that soon after she wanted to go home. In addition, the Committee considered there was no material evidence that there had been a previous conversation or interaction between you and Witness 1, such that you could have had a reasonable belief that she was consenting to the behaviour found proved. The Committee determined that the GDC has proved that you did not genuinely believe that Witness 1

	consented to your conduct and that there cannot have been a reasonable belief in consent on your part. It therefore finds this head of charge proved.
6.	<i>Your conduct in respect of charge 4a and/or 4b above was:</i>
6.a	<i>Inappropriate</i> Found proved in relation to heads of charge 4a and 4b. The Committee was satisfied that your conduct, as found proved at these heads of charge, was inappropriate. This was all highly unacceptable behaviour towards Witness 1, which although did not occur in the work environment, it was in the context of a professional relationship. The Committee finds that your conduct referred to at head of charge 4 in its entirety amounts to inappropriate conduct. The Committee found above that your conduct amounts to a failure to maintain appropriate standards of behaviour towards a colleague. Your behaviour towards Witness 1 was inappropriate, particularly as it related to her being isolated away from the group in the nightclub and she stated that this was unwanted. The Committee therefore finds that your conduct was inappropriate and accordingly it finds the facts alleged at heads of charge 6(a) proved in relation to heads of charge 4a and 4b. It therefore finds this head of charge proved.
6.b	<i>Sexual and/or sexually motivated.</i> Found proved in relation to heads of charge 4a and 4b. The Committee was satisfied that its findings in respect of these heads of charge were behaviours that were sexual and was sexually motivated. It noted that sexual motivation requires specific intent. Your conduct, as found proved, was sexual in nature and, in the Committee's view, represented a pattern of behaviour that was for your own sexual gratification. You had intentionally touched Witness 1's waist and attempted to kiss her. You had told her that she looked really nice and initiated intimate physical contact. It is satisfied there is no other reasonable explanation for your conduct. The Committee determined that your conduct in relation to 4a and 4b was sexual in nature, in that your behaviour involved making intentional physical contact with Witness 1's waist with your hands and then attempting to kiss her on the lips. The Committee reminded itself that sexual motivation requires specific intent. In the Committee's view, your conduct as found proved, represented sexualised behaviour that was for your own sexual gratification. You had intentionally touched Witness 1's waist with your hands and had attempted to kiss her on the lips. It therefore finds this head of charge proved.
7	<i>In around April 2022, a few hours after attending a nightclub with Witness 1 and other staff members, you messaged Witness 1 on Snapchat saying words to the effect of: "I'd like to see that ass in your pants or thong."</i> Not proved.

	Witness 1 stated in her written statement <i>“At around 2 to 3 a.m. on 17 April 2022, after I had returned home, he sent me a Snapchat message which said something close to “I’d like to see that ass in your pants or thong.” I did not reply. I ignored the message. A few days later, I blocked him on Snapchat because I did not want to receive anything else like that. The message made me feel sick and violated. At the time, I was struggling in a toxic personal relationship, and I felt emotionally drained and vulnerable. Receiving that kind of message from a senior colleague - especially one who had already behaved inappropriately at work - left me feeling disgusted and used. I did not screenshot the message as Snapchat notifies the sender of screenshots”.</i> Witness 1 stated in oral evidence that after leaving the nightclub, at approx. 2am you had messaged her with the above words. She stated that she did not reply and ignored the message, and then subsequently blocked you on her Snapchat account. However, she stated that she did not screenshot the message. You stated in your witness statement that <i>“I have never messaged Witness 1 on Snapchat and categorically deny that I ever sent Witness 1 the message as it has been alleged. The language used in the alleged Snapchat message is not language I would even use. I have never used the word ‘ass’ as part of my vocabulary and it is just not a word I would ever say”.</i> In oral evidence, you stated that you have previously used Snapchat but had never messaged those words to Witness 1. The Committee noted the content of Witness 1’s handwritten statement dated 13 December 2024 in which she stated, <i>‘In the beginning of 2022 inappropriate touching was done in the surgery with patients in the surgery, Snapchat message were followed asking for nude/underwear pictures of myself. A night out after an employer’s wedding messaging, inappropriate touching and trying to kiss me happened.’</i> In her GDC witness statement dated 16 February 2026, Witness 1 stated, <i>‘We had never spoken on Snapchat prior to the night of the staff wedding. At around 2 to 3 a.m. on 17 April 2022, after I had returned home, he sent me a Snapchat message which said something close to “I’d like to see that ass in your pants or thong. I did not reply. I ignored the message. A few days later, I blocked him on Snapchat because I did not want to receive anything else like that.”</i> The Committee considered it was unclear whether there was more than one Snapchat message sent and whether the conduct alleged at head of charge 7 occurred on 17 April 2022, or another date prior, or at all. The Committee is satisfied that due to a lack of evidence to support this head of charge, the GDC has not discharged its burden of proof. It therefore finds this head of charge not proved.
8.	<i>Your conduct in respect of charge 7 above was:</i>
8.a	<i>Inappropriate</i> Falls away having found head of charge 7 not proved.
8.b	<i>Sexual and/or sexually motivated.</i> Falls away having found head of charge 7 not proved.

9.	<i>Your conduct in respect of charges 1 and/or 4 and/or 7, viewed individually and/or cumulatively, involved you engaging in conduct towards Witness 1, which:</i>
9.a	<i>Was unwanted by her.</i> Proved for same reasons given in heads of charge 2a and 5a.
9.b	<i>Was of a sexual nature.</i> Proved for same reasons given in heads of charge 3b and 6b.
9.c	<i>Had the purpose and/or effect of violating Witness 1's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for her.</i> Proved. The Committee has found that your conduct in this respect was both inappropriate, sexual and sexually motivated. It also considers that your conduct had the purpose and/or effect of violating Witness 1's dignity, and created an intimidating, hostile, degrading, humiliating or offensive environment for her. Witness 1 stated in her written statement "<i>Even now, being in the surgery can make me anxious. The memories of those moments still come back vividly - the smell of the room, the sound of the chair, the feeling of being trapped beside him</i>". In addition, Witness 1 described, in her written statement during the internal investigation how she had '<i>nightmares of the situations</i>' and felt '<i>very lost and alone</i>' as a result of what happened. The Committee is satisfied that your conduct found proved in heads of charge 1 and 4 clearly had a long term detrimental emotional effect on Witness 1. It therefore finds this head of charge proved.
	<u>Witness 2</u>
10.	<i>On or around 13 July 2024, whilst in a taxi with her and other staff members, you intentionally touched Witness 2's leg.</i> Proved. The Committee took account the written statement of Witness 2 who stated "<i>I was sitting in the back row of the car. Ashley Schofield was seated to my right and had fallen asleep. The Registrant was sitting to my left. In the front of the taxi were Chris Jones, Sophie Ainley, and a friend of Chris's wife. As the taxi approached the end of the journey, the conversation went quiet. Out of nowhere, the Registrant placed his hand on my upper thigh and began to squeeze. His hand was positioned midway up my leg. I froze. I am not a confrontational person, and my immediate reaction was shock and discomfort. I did not want to cause a scene or alert the others sitting in front of us, so I tried to continue the conversation as normally as possible. To deflect and hint to him to stop, I began talking about his child. After a few moments, he withdrew his hand. When the taxi reached my stop, I got out quickly and went straight home. I felt anxious, tense, and very uncomfortable</i>". Witness 2 stated in oral evidence that during the journey back from the races in a taxi you had put your hand on her upper thigh and squeezed. She stated that she had not

	asked you to do this and that your actions made her feel uncomfortable. Witness 2 stated that your squeezing of her upper thigh was “<i>definitely intentional</i>”. You stated in oral evidence that you were putting your hand in and out of your right trouser pocket to get your mobile phone to text your wife on more than one occasion. Your pocket containing your mobile phone was the side where Witness 2 was sitting beside you in the taxi. You were messaging your wife to see how things were as she was having difficulties in getting your two children to bed and that your hand must of unintentionally touched her leg. You stated that during the cab ride you can’t remember specifically whether you had touched Witness 2, but that if you did you may have touched Witness 2’s leg as an empathetic gesture following comments made by her about her child not getting to bed/sleep when she was away. The Committee accepts the evidence of Witness 2. It found her written and oral evidence to be consistent and credible. The Committee found there was no evidence to suggest that Witness 2 had any grudge against you or was acting out of spite. She was clear about how far from home she was along the taxi journey and that soon after you touched her on her thigh she got out of the taxi. She stated her immediate reaction was one of shock, causing her to freeze. The Committee finds it more likely than not that you intentionally touched Witness 2 on her thigh. It therefore finds this head of charge proved.
11	<i>In relation to the touching referred to at charge 10 above, Witness 2:</i>
11.a	<i>Was not consenting.</i> Proved. The Committee has taken into account that you denied this head of charge at the outset. In the Committee’s judgement, it must follow that you did not have consent to the matters which you say did not happen. The Committee took account the written statement of Witness 2 who stated “<i>I did not consent to the Registrant behaviour, and I do not believe it would have been reasonable for him to assume I was implying consent. I don’t believe I did or said anything that would imply consent as he knew I had a partner and family and had never knowingly given him the impression of my consent; we had a friendly relationship but nothing inappropriate.</i>” For the same reasons given in heads of charge 5.a, given the specific area of Witness 2’s body that you were touching, as well as Witness 2’s written and oral evidence, the Committee is satisfied that she did not agree to these actions. The Committee therefore determines on the balance of probabilities, that Witness 2 did not consent to the conduct found proved in head of charge 10. It therefore finds this head of charge proved.
11.b	<i>You did not reasonably believe that she was consenting.</i> Proved. The Committee determined that the GDC has proved on the balance of probabilities that you did not reasonably believe that you had consent from Witness 2.

	In coming to that view, the Committee considered all of the evidence before it and concluded that an ordinary reasonable person in the same circumstances as you would not have reasonably believed that Witness 2 was consenting to the specific touching the Committee has found proved. Witness 2 stated in her written statement <i>“The incident made me feel uneasy, embarrassed, and disappointed. I had always viewed him as a respected colleague. I had not given him any reason to think I was interested in him, and what happened in the taxi felt completely out of the blue. Afterwards, our working relationship was strained. I avoided him whenever possible and focused on my own work. The situation caused tension in what had previously been a friendly practice environment”</i>. The Committee determined that you took no steps to find out from Witness 2 during this period as to whether she was consenting to you touching her thigh. The Committee took into account the nature of your touching of Witness 2. She had stated that your conduct had made her feel embarrassed and uneasy. In addition, the Committee considered there was no material evidence that there had been a previous conversation or interaction between you and Witness 2, such that you could have had a reasonable belief that she was consenting to the behaviour found proved. The Committee determined that the GDC has proved that you did not genuinely believe that Witness 2 consented to your conduct and that there cannot have been a reasonable belief in consent on your part. It therefore finds this head of charge proved.
12.	<i>Your conduct in respect of charge 10 above was:</i>
12.a	Inappropriate Proved. The Committee was satisfied that your conduct, as found proved at head of charge 10, was inappropriate. This was highly unacceptable behaviour towards Witness 2. The Committee finds that your conduct amounts to inappropriate conduct. The Committee found above that your conduct amounts to a failure to maintain appropriate standards of behaviour towards a colleague. Witness 2 stated that the touching of her thigh by you <i>“felt like it went on forever”</i>. Your conduct resulted in Witness 2 wanting to get out of the taxi as soon as possible. The Committee therefore finds that your conduct was inappropriate and accordingly it finds the facts alleged at heads of charge 11(a) proved in relation to heads of charge 10. It therefore finds this head of charge proved.
12.b	Sexual and/or sexually motivated. Proved. Given that the Committee has found that you had touched Witness 2’s thigh, the Committee is satisfied that your touching, as described by Witness 2 as squeezing, was sexual in its nature. In the absence of a credible and innocent alternative explanation, the Committee concluded that your conduct was sexually motivated, in that it was for your own sexual gratification. In reaching that conclusion, the Committee has borne in mind its findings of sexual motivation in relation to Witness 1. In view of the similar nature of the conduct found proved, namely inappropriate sexualised touching of two junior female

colleagues, the Committee has concluded that its findings in relation to Witness 1, your conduct demonstrates a propensity to act in a sexually motivated way.

In the circumstances the Committee concluded that your conduct was sexually motivated and therefore finds this head of charge proved.

24. The Committee now moves to stage 2 of the proceedings.

25. Having concluded its findings of fact, the Committee went on to consider whether the matters found proved amount to misconduct, and if so, whether your fitness to practise is currently impaired by reason of that misconduct. The Committee noted that if it found current impairment, it would need to go on to consider the issue of sanction.

26. In reaching its decisions, the Committee considered all the evidence presented to it. The Committee in addition to receiving a bundle of testimonials previously submitted at Stage 1, received and carefully noted, a bundle of evidence including Continuing Professional Development (CPD) certificates, your reflective statement together with a development and restoration plan; as well as a number of patient reviews and additional testimonials. The Committee took into account the submissions made by Mr Patience on behalf of the GDC, those made by Mr McCartney on your behalf, and heard and accepted the advice of the Legal Adviser. It remained mindful that misconduct, impairment and sanction are matters for its own independent judgment. There is no burden or standard of proof at this stage of the proceedings.

Submissions

27. Mr Patience submitted that the facts found proved in this case do amount to misconduct. He submitted that you acted inappropriately and with sexual motivation towards Witness 1 and 2. Mr Patience submitted that the conduct found proved was inappropriate and involved failures to maintain appropriate standards of behaviour towards colleagues. He submitted your failings involved a significant departure of the standards expected of a dentist, that involved sexual and sexually motivated touching in respect of two female colleagues and in circumstances where they had not consented. Mr Patience submitted that in respect of Witness1, your behaviour had a long term and detrimental emotional effect upon her. In addition, some of your sexually motivated conduct took place outside of the clinical environment. Furthermore, your conduct would be considered by fellow practitioners to be deplorable.

28. Mr Patience further submitted that the sexual conduct in this case is manifestly an act that falls far below of what would be proper in the circumstances. Mr Patience identified a number of the GDC's standards that you had breached and submitted that your failings constitute a finding of misconduct.

29. Mr Patience further submitted that your fitness to practise is currently impaired by reason of your misconduct. He submitted that in respect of public protection, you do still pose a risk to the public. He submitted the conduct found proved involved you engaging in inappropriate and non-consensual sexual touching of two female colleagues. He submitted this is conduct which demonstrates fundamental attitudinal deficiencies, something which is not easily remediable. Whether or not you have remedied this, it appears to your credit you have engaged in some targeted CPD and have some developing insight. However, during cross examination at stage 1, in answers to questions of whether there had been a power imbalance between you and both witnesses, you struggled to accept this. Mr Patience submitted your insight may not yet be fully developed. He

submitted that accordingly on the evidence before this Committee it cannot be said that you do not currently present a risk to the public.

30. Mr Patience invited the Committee to find impairment on the basis of public interest as your conduct involved two young female members of staff. He submitted that a finding is also required in the public interest in order to declare and uphold proper professional standards and conduct to maintain public confidence in the profession.

31. With regard to sanction, Mr Patience submitted that a sanction of erasure is the most proportionate and appropriate sanction. He provided a number of aggravating and mitigating factors for the Committee to take into account. He submitted that there is evidence of an imbalance of power between you and two colleagues. Your conduct was deliberate and also in some circumstances where Witness 1 was isolated and away from colleagues. He submitted that your conduct had a detrimental impact on the emotional wellbeing of Witness 1. Mr Patience submitted that you have acted sexually towards two female colleagues on separate occasions and there is evidence of repetition of your inappropriate and sexual behaviour. Mr Patience submitted that your lack of insight indicates a significant risk of you repeating your behaviour. The interests of the public would not be sufficiently protected by the lesser sanction of conditions as the sexual conduct represents fundamental attitudinal deficiencies. He submitted it would not be possible to formulate conditions to mark the seriousness of the misconduct found and would not adequately protect the public. Mr Patience submitted that given there are attitudinal deficiencies, and in view of the conduct, some of which was repeated and your lack of insight, the appropriate sanction is one of erasure.

32. Mr McCartney conceded that you had fallen short of the expected standards and that your conduct amounts to serious professional misconduct. He made no further submissions on this issue.

33. Mr McCartney then went onto the issue of whether your fitness to practise is currently impaired by reason of your misconduct. He submitted that you have acted inappropriately in the past which caused distress, particularly to Witness 1. However, he submitted, taking into account the passage of time, the remediation you have undertaken and the positive professional testimonials, that there is no evidence that there is any risk of repetition in the future. Mr McCartney submitted that you have demonstrated insight into your inappropriate conduct and your breaching boundaries of professional colleagues. In addition, before any GDC allegations were made, you undertook a 1 day CPD course into ethics. Subsequently after this, you had reflected and recognised your inappropriate behaviour. This is supported by independent and objective evidence in the form of numerous professional and positive testimonials, some of which are from female dental nurses and the practice owner. He submitted all of these have a common theme; they have worked with you over a period of time and have no concerns with your behaviour. In addition, you have formulated a development and restoration plan to implement your new learning into your day to day practice.

34. Mr McCartney submitted in respect of Mr Patience's submissions that you have attitudinal deficiencies, this is strongly denied. He submitted that the Committee would need to take into consideration your conduct since. He submitted that although you made no admissions at this stage, this does not constitute you having no insight. You accepted during the internal interview that there had been some touching and unprofessional behaviour. In addition, you have undertaken targeted CPD courses and reflected particularly on the issues of the importance of maintaining professional boundaries, power imbalance, perception and accountability. In addition, you have formulated and implemented a restoration plan to ensure and develop and strengthen safe, professional boundaries. He submitted that there is little or no evidence of a repetition of your past behavior, and therefore no evidence that you currently pose a risk to either the public or the public interest. Mr McCartney submitted that there are no on-going public protection issues, therefore, if the Committee were

mind to find your fitness to practise is impaired, this should be on the grounds of the public interest only, because of your previous wrongdoing,

35. With regard to sanction, Mr McCartney submitted there is no evidence of any repetition or any harmful deep seated attitudinal issues. Mr McCartney submitted that when looking at the particular facts and merits of this case, applying the principle of proportionality by weighing the interests of the public, which includes the need for good dentists, with your interests, the least restrictive sanction which can be imposed upon you is one of suspension for a short period, subject to the Committee's judgment.

The Committee's decisions – 16 June 2026

36. The Committee considered all the evidence before it. It took account of the submissions made by Mr Patience on behalf of the GDC, as well as the submissions made by Mr McCartney on your behalf. The Committee accepted the advice of the Legal Adviser as to the approach it should take to its decision-making and the relevant legal principles and guidance.

37. The Committee bore in mind that there is no burden or standard of proof at this stage of the proceedings. Its decisions were for its independent judgement. The Committee had regard to the overarching statutory objective of the GDC which is: to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the dental professions, and to promote and maintain proper professional standards and conduct for members of those professions. The Committee also had regard to the Guidance (January 2026).

Decision on Misconduct

38. The Committee took into account that a finding of misconduct in the regulatory context requires a serious falling short of the professional standards expected of a registered dental professional. It had regard to the GDC's standards, as contained in the publication '*GDC Standards for Dental Professionals (30 September 2013)*'. The Committee considered that the following standards are engaged in this case:

6.1 *Work effectively with your colleagues and contribute to good teamwork.*

6.1.2 *You must treat colleagues fairly and with respect, in all situations and all forms of interaction and communication. You must not bully, harass, or unfairly discriminate against them.*

9.1 *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.*

9.1.1 *You must treat all team members, other colleagues and members of the public fairly, with dignity and in line with the law.*

39. The Committee considered that this was not conduct that you should have pursued given your trusted position as a dentist. It is conduct found that was inappropriate, non-consensual, sexual and sexually motivated towards two young female colleagues. Your inappropriate sexual touching resulted in emotional harm to Witness 1 and Witness 2. It noted that your behaviour occurred not only in the workplace but outside, in a nightclub and a taxi.

40. The Committee appreciated that the above breaches do not automatically result in a finding of misconduct. However, the Committee was of the view that the breaches in this case are serious. The Committee concluded that your conduct was a significant departure from the standards expected of a registered dental professional. Further, sexually motivated conduct towards two young female colleagues at your place of work and also outside of work, would be considered deplorable by fellow professionals. Further, the continued sexually motivated conduct towards two colleagues was conduct that fell significantly below the standards expected and brings the reputation of the profession into disrepute.

41. Accordingly, the Committee determined these facts found proved, both individually and cumulatively, fell seriously below the standards expected of a registered dental professional and amounted to misconduct.

Decision on Impairment

42. The Committee went on to consider whether your fitness to practise is currently impaired by reason of your misconduct. It had regard to the overarching objective of the GDC, which involves: the protection, promotion and maintenance of 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.

43. The Committee considered whether your misconduct is remediable, has been remedied and whether it is highly unlikely to be repeated. The Committee was satisfied that the misconduct found in this case, whilst serious, is capable of being remedied. The Committee noted that your inappropriate and sexually motivated conduct was repeated on more than one occasion, involving two young female colleagues. The Committee considers that there are similarities in the conduct you demonstrated towards both colleagues and is satisfied that you have demonstrated a pattern of sexually motivated behaviour. When considering whether you have remedied your misconduct, the Committee took account of the documentary evidence provided to it. It notes that at the early stages of the internal investigation (December 2024) you had acknowledged that you had demonstrated inappropriate and unprofessional behaviour towards a female colleague and begun a process of remediation. In addition, it notes in the testimonial bundle that you are currently under a conditions of practice order that requires you to be chaperoned. During this time, there have been no concerns of any repeat behaviour.

44. The Committee also noted that through your reflective statement you have accepted your touching of female colleagues was inappropriate. You have completed targeted CPD courses, some of which relate to professional boundaries and ethics and sexual harassment in the workplace. It also took into account the number of positive testimonials from colleagues who have worked with you for a large period of time, who have no concerns with your behaviour, including the practice owner and your chaperone. In addition, you have demonstrated remorse for your behaviour, some of which occurred over 4 years ago. In your reflective statement you now recognise that your previous inappropriate touching without consent was inappropriate. You have also reflected and understood the need for maintaining professional boundaries at all times and following completion of a number of CPD courses, you gave examples of how and why you would now behave differently. The Committee is satisfied that you have provided sufficient remediation and reflection tailored to your failings and how the learning you have undertaken has been embedded into your own personal behaviour.

45. Although the Committee recognises that sexually motivated conduct may be more difficult to remedy than, for instance, clinical shortcomings, the Committee is satisfied that the evidence that you have produced is sufficient for it to conclude that the risk of repetition of your behaviour and your

underlying conduct is now highly unlikely. The Committee therefore finds that you do not pose a risk to the public, and that your fitness to practise is not impaired with regard to such public protection considerations.

46. The Committee has borne in mind the wider public interest, including the need to declare and uphold proper professional standards of conduct and behaviour, in order to maintain public confidence in the profession. The Committee considered that your actions brought the profession into disrepute and that you breached fundamental tenets of the profession. Your repeated conduct was an exploitation of trust between you and two female colleagues. The Committee took into account your violation of the professional relationship between you and two colleagues, which undermines public confidence as well as having a detrimental effect on the reputation of the dental profession as a whole.

47. The Committee determined that it was reprehensible and inappropriate for you to fail to act within appropriate professional boundaries. The Committee therefore concluded public confidence in the profession and the regulatory process would be undermined were the Committee not to make a finding of current impairment.

48. Having regard to all of this, the Committee has concluded that your fitness to practise is currently impaired by reason of misconduct on the grounds of public interest only.

Decision on Sanction

49. Having found your fitness to practise to be impaired, the Committee considered what sanction, if any, to impose on your registration. It took into account 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 had regard to the Guidance. It applied the principle of proportionality, balancing public protection and the wider public interest with your own interests. The Committee has considered the range of sanctions available to it, beginning with the least restrictive.

50. The Committee found the following aggravating and mitigating factors in this case

Aggravating:

- Actual (emotional) harm caused to Witness 1 and 2;
- Premeditated misconduct;
- There was a substantial power imbalance between you and Witness 1 and 2.
- Breach of trust and the abuse of your position of authority;
- Misconduct sustained and repeated over a considerable period of time;

Mitigating:

- No evidence of previous FTP history;
- Evidence of previous good character;
- Evidence of insight, remorse and remedial action;
- Time elapsed;
- No repetition of the behaviour since;

51. The Committee has determined that it would be inappropriate to conclude this case without taking any action or issuing a reprimand, given the seriousness of your misconduct and the risk of repetition in this case. Further, the Committee determined that taking no further action or issuing a reprimand would not protect the public nor would it mark the seriousness of the conduct or the public interest concerns in this case.

52. The Committee next considered whether a period of conditional registration would be appropriate in this case. It was mindful that any conditions imposed must be proportionate, measurable and workable. The Committee notes that you are currently working under interim conditions. However, although they may have worked in the past, the Committee took the view that conditions would not adequately reflect the seriousness and the gravity of the charges that have been found proved, and the fact that impairment has been found on public interest grounds alone. In any event, the Committee considers that a period of conditional registration would not sufficiently declare and uphold proper professional standards and conduct to maintain trust and confidence in the profession, particularly considering the element of repeated sexual motivation found in this case. The Committee therefore concluded that conditions would not be appropriate nor proportionate in the circumstances.

53. The Committee went on to consider whether a period of suspension would be proportionate and appropriate in this case. It noted paragraph 277 of the Guidance:

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).*

54. Having given the matter very careful consideration and having had regard to the mitigating and aggravating factors referred to above, the Committee has determined that a period of suspension is the appropriate and proportionate sanction to impose, given the particular circumstances.

55. Furthermore, the Committee has borne in mind that there is no evidence of repetition of similar conduct, since the incidents. The Committee has borne in mind the positive testimonials including from professional colleagues who have worked with you since the events in question, with no reported concerns. You have reflected on your actions, and you have engaged in targeted remediation. Taking all these factors into account, the Committee has concluded that whilst the behaviour is inappropriate, you have shown the ability to reflect and remediate your misconduct. The Committee is satisfied that the misconduct in this case is not fundamentally incompatible with you remaining on the register. It was satisfied that, on the evidence before it, whilst your behaviour was highly inappropriate and deplorable, it did not support the GDC's suggestion that you have deep seated attitudinal behaviours.

56. The Committee noted that erasure is the most severe sanction that can be imposed. It should be used only when there is no other means of protecting the public and/or maintaining confidence in the profession. It found that to impose the more severe sanction of erasure from the Register would be disproportionate and punitive given all the circumstances. The Committee took into account that you do not have any previous fitness to practise history and bore in mind that, whilst serious, the Committee has insufficient evidence to connote a harmful professional or deep-seated attitudinal problem that would make you incompatible with remaining on the Register. The Committee was of the view that your failings have been remedied and that imposing a period of suspension allows the public to be served by your skills as a dentist in the future.

57. The Committee hereby directs that your registration be suspended for a period of 6 months. The Committee is not directing a review given that it is imposing a sanction on public interest grounds alone to mark the seriousness of your misconduct and there are no ongoing public protection concerns.
58. It now invites submissions from both parties as to the imposition of an immediate order.
59. Having directed that your name be suspended from the Register, the Committee has considered whether to impose an order for immediate suspension in accordance with section 31 of the Dentists Act 1984 (as amended).
60. The Committee considered the submissions made by Mr Patience on behalf of the GDC. He submitted that an immediate order is necessary on the basis of the public interest grounds only.
61. Mr McCartney submitted that the GDC's application is misconceived as the only issue is one of public interest. He submitted that the Committee has made a decision on public interest grounds only for six months suspension with no review. Therefore, the question of the public interest has been met and considered already by this Committee, and the question of an immediate order does not arise now.
62. The Committee heard and accepted the advice of the Legal Adviser.
63. The Committee determined that the imposition of an immediate order of suspension is not required in the absence of any ongoing public protection concerns. The Committee was satisfied that the substantive order of suspension is sufficient to uphold the wider public interest. It considered that immediate action is not required to protect public confidence in the profession or to uphold and maintain standards.
64. Any interim order on your registration is hereby revoked.
65. That concludes this determination.