

## HEARING HELD IN PUBLIC

### Professional Conduct Committee Review Hearing

10 April 2026

**Name:** BROWN, Robert Walter

**Registration number:** 55986

**Case number:** CAS-204252-R6F8D4

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**General Dental Council:** Rebecca Vanstone, Counsel  
Instructed by Naila Hadid, IHLPS

**Registrant:** Not Present  
Not Represented

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

**Outcome:** Suspension extended (with a review)

**Duration:** 12 Months

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**Committee members:** Andrew Waite (Chair, Lay Member)  
Gillian Jones (Dentist Member)  
Yasmin Lawton (Dental Care Professional Member)

**Legal Adviser:** Charles Apthorp

**Committee Secretary:** Lola Bird

1. This is a resumed hearing before the Professional Conduct Committee (PCC), pursuant to section 27C of the *Dentists Act 1984 (as amended)* ('the Act').
2. The hearing is being conducted remotely by Microsoft Teams video-link.
3. The purpose of the hearing has been for the Committee to undertake a review of a substantive order of suspension that is currently in place on Mr Brown's registration.
4. Mr Brown is not present at these proceedings, and he is not represented in his absence. The Case Presenter for the General Dental Council (GDC) is Ms Rebecca Vanstone, Counsel.

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

5. At the outset, Ms Vanstone made an application under Rule 54 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules'), to proceed with the hearing notwithstanding Mr Brown's absence.
6. Ms Vanstone drew the Committee's attention to the relevant documents on service and submitted that Mr Brown had been notified of this hearing in accordance with the Rules. She outlined that a copy of the Notice of Hearing dated 11 March 2026 was sent to Mr Brown at his registered address. She stated that registered address is a dental practice that is now closed and so the Notice of Hearing was subsequently returned to the GDC. Ms Vanstone highlighted that a further copy of the Notice of Hearing was sent to an alternative address held by the Council for Mr Brown, but that copy was not delivered, as there was no one at that address at the time. Ms Vanstone further referred to the unsuccessful attempts made by the GDC to contact Mr Brown using his registered telephone number.
7. Ms Vanstone submitted that Mr Brown has not kept his registered address or registered mobile number held by the GDC up to date. She reminded the Committee that there is no requirement under the Rules for the Council to prove that the Notice of Hearing was received, only that it was sent, and she submitted that the GDC had met this requirement.
8. Ms Vanstone next made submissions inviting the Committee to proceed in Mr Brown's absence. She told the Committee that the review of the suspension order had originally been listed to take place on 10 March 2026, but that hearing was adjourned at Mr Brown's request due to a personal appointment he needed to attend for which he provided evidence. However, Ms Vanstone stated that since that date, Mr Brown made no contact with the GDC until yesterday, when he informed the Council that he could not attend today.
9. It was Ms Vanstone's submission that Mr Brown had voluntarily absented himself. She highlighted that there had been no information from him as to why he did not communicate his non-attendance today earlier. Ms Vanstone submitted that there had not been any request from him for an adjournment on this occasion, and there was no indication that he would attend a hearing on a future date. She asked the Committee to take into account that the hearing on 10 March 2026 was adjourned at Mr Brown's request, and yet he has not attended today. She also referred the Committee to the background of this case and submitted that Mr Brown is not a registrant who has engaged with these proceedings thus far.

10. Ms Vanstone highlighted that the current suspension order is due to expire at the end of today, and she submitted that there was a clear public interest in continuing with the hearing in Mr Brown's absence.

11. The Committee took account of Ms Vanstone's submissions, and the supporting documentation she drew to its attention. The Committee accepted the advice of the Legal Adviser in relation to the issues of service and proceeding with a hearing in the absence of a registrant.

### **Decision on service**

12. The Committee considered whether notice of the hearing had been served on Mr Brown in accordance with Rules 28 and 65 of the Rules and section 50A of the Act.

13. The Committee had before it a copy of the Notice of Hearing, dated 11 March 2026 (hereafter 'the notice'), which was sent to Mr Brown's registered address by Special Delivery and First Class post. A copy was also sent to him by email. The Committee noted that the copy of the notice sent by Special Delivery was 'returned back to sender' on 13 March 2026, having not been delivered at Mr Brown's registered address.

14. The Committee also noted that a further copy of the notice was sent, including by Special Delivery, to an alternative address held by the GDC for Mr Brown. As of 14 March 2026, delivery of that copy of the notice was pending. The Royal Mail 'Track and Trace' receipt indicated that delivery had been attempted, but there did not appear to be anyone at the alternative address at the time.

15. 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. The Committee was satisfied from the proof of postage information provided, that the GDC had met the requirement to send notice to Mr Brown.

16. The Committee was further satisfied that the notice sent to Mr Brown complied with the 28-day notice period required by the Rules, and that it contained all the required particulars, including the date and time of the hearing, and that it was intended that the hearing would take place remotely by Microsoft Teams video-link. Mr Brown was also advised in the notice that the Committee had the power to proceed with the hearing in his absence.

17. On the basis of all the information provided, the Committee was satisfied that notice of the hearing had been served on Mr Brown in accordance with the Rules and the Act.

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

18. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Brown. It approached this issue with the utmost care and caution. The Committee took into account 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.

19. The Committee bore in mind that fairness to Mr Brown is an important consideration. It was also mindful of the need to be fair to the GDC, and of the public interest in the expeditious review of the suspension order currently in place on Mr Brown's registration.

20. The Committee was satisfied that all reasonable efforts had been made by the GDC to notify Mr Brown of the hearing and that he is aware of today's proceedings. It noted that in addition to the notice of 11 March 2026, further attempts were made by the GDC to engage Mr Brown, and there was an exchange of emails between him and the Council. The Committee took into account that in an email to the GDC yesterday, 9 April 2026, he stated that he would not be able to attend the hearing today due to a personal appointment.

21. It was the view of the Committee that Mr Brown had voluntarily absented himself from these proceedings. In reaching its conclusion, it took into account that in his email yesterday, he did not fully explain why he could not attend based on the information he provided, nor did he request an adjournment. The Committee also took into account the last minute nature of his communication regarding his non-attendance, despite having requested an adjournment of a previously listed hearing a month ago, so that he could prepare for the review. The Committee also took into account the overall sporadic nature of Mr Brown's contact with the GDC. It noted that the substantive matters in this case relate to issues regarding his engagement with his regulatory body.

22. It was the conclusion of the Committee, having considered these factors, that an adjournment would not serve any useful purpose. It remained cognisant of the fact that the current suspension order is due to expire today and there are public protection considerations in this case. In all the circumstances, the Committee was satisfied that it was reasonable and in the public interest to proceed with the hearing in the absence of Mr Brown.

### **Summary of the case background**

23. Mr Brown's case was first considered by a PCC at a hearing in March 2025. He did not attend that hearing, nor was he represented on that occasion. That initial Committee considered and found proved an allegation that, from 5 October 2022 to 26 June 2023, Mr Brown failed to fully cooperate with an investigation conducted by the GDC by not providing the Council with patient records and indemnity evidence.

24. Mr Brown's failure arose following a patient complaint received by the GDC on 1 November 2021 raising clinical concerns in respect of treatment provided by Mr Brown. It was understood that he was the Principal of the dental practice at the material time.

25. Mr Brown was sent letters by the GDC between 5 October 2022 and 26 June 2023, which was the information gathering period, requesting details of his indemnity insurance and patient records in accordance with the Council's usual investigation process. It was noted that, during that eight month period, there was a clear pattern of requests to Mr Brown for information with no satisfactory response. It was noted that whilst he maintained communication with the GDC, he failed to provide the information requested. Mr Brown did eventually provide the Council with evidence of his indemnity, after the period in question, however, he failed to provide any patient records.

26. The initial PCC determined that Mr Brown's failure to fully cooperate with the GDC's investigation amounted to misconduct. It stated the following in its determination:

*"The Committee considers that Mr Brown has breached the following GDC's Standard:*

*9.4: Co-operate with any relevant formal or informal inquiry and give full and truthful information*

*The Committee considers that Mr Brown's actions fell far below the conduct expected of a registered dentist. In the Committee's view, Mr Brown's failure to cooperate with the GDC's investigation into his fitness to practise by failing to provide it with information falls far below the standards expected of a reasonably competent dentist. The Committee is satisfied that despite numerous requests, he persistently disregarded his regulator in its investigation. This undermined the role of the GDC as his regulator and was in clear breach of standard 9.4, which would bring the profession into disrepute."*

27. In determining that Mr Brown's fitness to practise was impaired by reason of his misconduct, the initial PCC stated that:

*"...The Committee considered that Mr Brown's misconduct was serious and was not an isolated incident. His actions in failing to cooperate and provide information for the GDC's investigation have brought the profession into disrepute. His misconduct has breached a fundamental GDC standard.*

*The Committee next considered whether the misconduct found proved is remediable. It noted that it appears Mr Brown's conduct appears to be an attitudinal failing. Nonetheless, the Committee went on to consider whether Mr Brown has in fact remedied his failings.*

*The Committee noted that Mr Brown has not provided any evidence of remediation or demonstrated that he has any insight into his misconduct. There is no evidence of his understanding of the importance of all Registrant's requirement to follow the GDC's standards. The Committee considered that this risk of non-cooperation was compounded by the fact that Mr Brown had previously been the subject of an earlier GDC investigation and adverse findings of clinical misconduct. The Committee also took into account his nonengagement with this GDC investigation and on-going process. The Committee therefore considers that his failure to cooperate with his regulator's requests for information over a period of time, demonstrates an underlying attitudinal behaviour. In these circumstances, the Committee determined that there was a high risk of repetition of him failing to cooperate with his regulator, and this would pose an on-going risk to patient safety.*

*The Committee considers that Mr Brown has not expressed any insight into his actions or the potential impact or risk. The Committee considered that there is a high risk of repetition of the misconduct of failing to cooperate with his regulator. It therefore concluded that a finding of impairment by reason of Mr Brown's misconduct is necessary in the interest of public protection.*

*The Committee further considered that public confidence in the profession and in the GDC as its regulator would be severely undermined if a finding of impairment in relation to misconduct was not made given the serious nature of the findings in this case. Accordingly, it determined that a finding of impairment by reason of Mr Brown's misconduct is in the wider public interest".*

28. By way of sanction, the initial PCC directed that Mr Brown's registration should be suspended for the maximum period of 12 months, with a review of the suspension order to take place shortly before its expiry. In directing a review, the initial PCC considered that the reviewing Committee would be assisted by receiving the following from Mr Brown:

- *A detailed reflective statement demonstrating his insight into and understanding of the importance of cooperating with his regulator.*
- *His participation in these proceedings.*

### **Today's resumed hearing**

29. This is the first review of the substantive order of suspension imposed on Mr Brown's registration in March 2025. In comprehensively reviewing the order today, the Committee considered all the evidence placed before it. It took account of the submissions made by Ms Vanstone on behalf of the GDC.

30. Ms Vanstone reminded the Committee that, at this review, the persuasive burden is on Mr Brown to demonstrate that his fitness to practise is no longer impaired. She submitted, however, that there is no evidence before the Committee of any remediation undertaken by him, either by way of reflection or any submissions. Ms Vanstone highlighted that the GDC's Case Review Team had sent emails to Mr Brown on 14 March 2025 and 3 December 2025 to remind him of the recommendations made by the initial PCC. She asked the Committee to note that whilst there is evidence that those emails were delivered, Mr Brown did not respond to them. Ms Vanstone further invited the Committee to note that more recently, on 31 March 2026, a further email was sent to Mr Brown by the GDC's solicitor, in which he was asked if there was any information that he wished to put before this Committee today, but there was also no response to that communication.

31. It was Ms Vanstone's submission that much like the original allegation found proved in this case, Mr Brown has not acknowledged the recommendations made to him by the initial PCC. She submitted that in the circumstances, this Committee could not be satisfied that there is no longer any risk of repetition. She submitted that the risk to the public remains. Ms Vanstone further submitted that the public interest requires a finding of current impairment, given Mr Brown's ongoing lack of engagement and the lack of any evidence of remediation. She stated that public confidence in the dental profession would be undermined if a finding of impairment were not made in this context.

32. In relation to sanction, Ms Vanstone submitted that there has been no progress at all since the initial hearing in March 2025, and therefore it would be inappropriate to revoke the current suspension order or to impose conditions. She highlighted that conditions had previously been determined to be unworkable in view of Mr Brown's conduct and his lack of engagement. Ms Vanstone submitted that the position remains the same today. She invited the Committee to consider extending the current suspension order on Mr Brown's registration by a period of 12 months, with a review, as it would be inappropriate for him to be able to return to either restricted or unrestricted practice. Ms Vanstone also stated that an extension of the current suspension order would have the benefit of giving Mr Brown a further opportunity to submit any evidence of his remediation.

### **The Committee's decisions**

33. In reaching its decisions, the Committee accepted the advice of the Legal Adviser in relation to its powers at this review, as set out under section 27C(1) of the Act, the approach it should take in conducting its review and the applicable legal principles and guidance.

34. The Committee exercised its independent judgement. It bore in mind the overarching 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. The Committee also had regard to the GDC's *'Fitness to Practise: Guidance for the practice committees (Effective from 6 January 2026)'* ('the Guidance').

### **Decision on current impairment**

35. The Committee took into account that there is a persuasive burden on Mr Brown to show that he has addressed his impairment. It considered that the matters found proved at the initial PCC hearing in March 2025 indicated serious attitudinal failings on his part in relation to his engagement with his regulatory body. The Committee noted that since that initial hearing, Mr Brown's failings in attitude have continued. He has not engaged in any meaningful way with the GDC. Consequently, there is no evidence before the Committee today to demonstrate that he has remedied his misconduct. In this regard, the Committee noted paragraph 53 of the Guidance which states that:

*"The courts have held that all professionals subject to a regulatory regime have a duty to engage with their regulator, both in relation to the investigation and to the ultimate resolution of allegations made against them. This is part of the responsibility they sign up to when being admitted to a profession"*

36. There has been no evidence from Mr Brown of any insight, reflection or remediation. The only evidence from him has been that he could not attend this hearing for personal reasons, but he did not provide any specific detail as to why those circumstances prevented his participation or indeed how they mitigate his total failure to engage with the recommendations made to him by the initial PCC over a year ago.

37. It was the view of the Committee that there has been no material change in the circumstances of this case since it was initially considered. In fact, the Committee's view is that the aggravating features have continued. Mr Brown still has not demonstrated any insight into his misconduct and his lack of meaningful engagement with the GDC persists. The Committee considered this to indicate a deep-seated attitudinal concern. In the circumstances, the Committee concluded that the risk of repetition continues to be high in this case, which raises a serious concern about patient safety. The Committee took into account that the GDC's regulatory function includes the protection of the public and had regard to the risk posed by a registrant who repeatedly disregards requests from the Council. Accordingly, the Committee determined that Mr Brown's fitness to practise remains impaired and that such a finding is necessary for the protection of the public.

38. The Committee also considered the wider public interest. Mr Brown's conduct, as highlighted in this case, is not the standard of behaviour expected of a registered dental professional, and in the Committee's view, it is conduct that brings the profession into disrepute. The Committee considered that public confidence in the dental profession would be seriously undermined if a finding of impairment were not made in the circumstances of this case. It also bore in mind the need to promote and maintain proper standards of conduct and behaviour. The Committee was therefore satisfied that a finding of impairment is also in the wider public interest.

39. The Committee determined that Mr Brown's fitness to practise remains impaired by reason of his misconduct.

### **Decision on sanction**

40. The Committee next considered what action to take in respect of Mr Brown's registration. It had regard to section 27C(1) of the Act, which sets out the options available to the Committee at this review. The Committee also took account of the Guidance. 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 Brown's own interests.

41. To date, Mr Brown has not engaged with the fitness to practise process in any meaningful way, and as such, there continues to be no evidence of insight, reflection or remediation from him in relation to his misconduct. 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 courses would not protect the public, nor would they uphold the wider public interest.

42. The Committee also concluded that a period of conditional registration would not be appropriate or proportionate, given the nature of Mr Brown's misconduct and his ongoing lack of meaningful engagement with his regulator. The Committee considered that there are no workable or practical conditions, which would address what it considers to be a deep-seated attitudinal issue on Mr Brown's part. It therefore decided that a conditions of practice order would not be appropriate, proportionate or sufficient to protect the public and the wider public interest.

43. In all the circumstances, the Committee determined to extend the current suspension order on Mr Brown's registration by a period of 12 months, which is the only remaining option available to it at this review. The Committee was satisfied that continuing the suspension order for the maximum period available is appropriate and proportionate, given that this matter has not moved forward since the initial PCC hearing in March 2025. The Committee also took into account its ongoing concerns about the deep-seated nature of Mr Brown's attitude towards the GDC. The Committee remained mindful of the need to protect the public, maintain public confidence in the dental profession and uphold proper professional standards. It considered that anything less than a suspension for a further 12 months would not satisfy the public interest.

44. The Committee directs that a review of the order of suspension should take place at a resumed hearing to be held shortly before the end of the 12-month period. Mr Brown will be informed

of the date and time of that resumed hearing. In directing a review, the Committee reiterates the recommendations made to my Brown by the initial PCC, namely that a reviewing Committee may be assisted by:

- A detailed reflective statement demonstrating his insight into and understanding of the importance of cooperating with his regulator.
- His participation in these proceedings.

45. Unless Mr Brown exercises his right of appeal, the current order of suspension on his registration will be extended by a period of 12 months. Section 33(3) of the Act comes into operation to cover any period between the expiry of the current suspension and the date when the direction ordered by this Committee comes into force.

46. That concludes this determination.