

PUBLIC HEARING**Professional Conduct Committee
Initial Hearing****28 July – 8 August and 1 October 2025****Name:** BULLARD, Clifford**Registration number:** 67016**Case number:** CAS- 203072

General Dental Council: Mr Tom Stevens, counsel.
Instructed by IHLPS**Registrant:** Present
Represented by Ms Vivienne Tanchel counsel.
Instructed by MDU

Outcome: Facts not proved, case concluded

Committee members: Peter Ommer (Chair and Dentist member)
Charlotte Carling (DCP member)
Jane Jones (Lay member)**Legal adviser:** Barrie Searle**Committee Secretary:** Jamie Barge

Heads of charge

That being a registered dentist:

CAS-201394-W7F3Y9

Witness 1

1. During the course of Witness 1's employment at Practice 1 you:
 - a) told Witness 1 to mix alginate like she was masturbating someone, or words to that effect;
 - b) on one or more occasions, whilst with Witness at Practice 1 you:
 - i. compared your penis to the size of a filling tray;
 - ii. said to Witness 1 *"It would never go all the way in"* or words to that effect;
 - c) pulled Witness 1 onto your lap and bounced her up and down;
 - d) said to Witness 1, during an appointment in which a patient had a seizure, *"I bet you wished you were sat on top of him"* or words to this effect;
 - e) said to Witness 1, during an appointment in which you provided Witness 1 with braces, *"I bet you'd be good at oral sex"* or words to that effect;
 - f) on one or more occasions, whilst at Practice 1, held onto your genitals in the presence of Witness 1 and said *"Stop looking at me"* or words to that effect;
 - g) called Witness 1 a *"fucking idiot"*, or words to that effect, after she had made you a hot drink;
 - h) threw a patient's extracted teeth across a treatment room, whilst the Patient was still being treated.
2. Your conduct in respect to charge 1.a) and/or 1.b) i. and/or 1.b) ii. and/or 1.c) and/or 1.d) and/or 1.e) and/or 1.f) was:
 - a) inappropriate;
 - b) unprofessional;
 - c) sexually motivated;
 - d) harassing.
3. Your conduct in respect to charge 1.g) and/or 1.h) was:
 - a) inappropriate;
 - b) unprofessional.

Witness 4

4. During the course of Witness 4's employment at Practice 1 you:
 - a) As amended - on one or more occasions, whilst at Practice 1, used Witness 4's arm to indicate to Witness 4 the size of your penis;
 - b) on one or more occasions, whilst at Practice 1, said to Witness 4 *"I was dreaming about you last night"* or words to that effect;
 - c) pulled Witness 4 towards you by her tunic, whilst she was providing you with chair side assistance and in doing so pinched her skin;

- d) on one occasion threw cotton wool rolls across a treatment room and said to Witness 4 *"I don't want you to do it like this"*, or words to that effect.
5. Your conduct in respect to charge 4.a) and/or 4.b) was:
- a) inappropriate;
 - b) unprofessional;
 - c) sexually motivated;
 - d) harassing.
6. Your conduct in respect to charge 4.c) and/or 4.d) was:
- a) inappropriate;
 - b) unprofessional;

Witness 3

7. During the course of Witness 3's employment at Practice 1 you:
- a) whilst at Practice 1, threw cotton wool rolls at Witness 3;
 - b) whilst inside of a car during a domiciliary visit with Witness 3, grabbed her hand and put it on the top of your leg;
 - c) on one or more occasions (other than specified in Charge 7.b) whilst inside of a car during a domiciliary visit with Witness 3, put your hand on top of Witness 3's hand, whilst rubbing the steering wheel of the car with your other hand;
 - d) on one or more occasions, said to Witness 3:
 - i. *"I've got a big cock"* or words to that effect;
 - ii. *"I can have any woman I want"* or words to that effect;
 - e) on one occasion, whilst at Practice 1, kissed Witness 3 on her lips;
 - f) on one or more occasions, whilst at Practice 1, asked Witness 3 to go to a house with you so that you could be alone together, or words to that effect;
 - g) on one occasion, whilst in the stock room at Practice 1 with Witness 3:
 - i. Showed her your penis;
 - ii. Compared your penis to the size of a filing tray.
8. Your conduct in respect to charge 7.b) and/or 7.c) and/or 7.d) i. and/or 7.d) ii. and/or 7.e) and/or 7.f) and/or 7.g) i. and/or 7.g) ii. Was:
- a) inappropriate;
 - b) unprofessional;
 - c) sexually motivated;
 - d) harassing.
9. Your conduct in respect to charge 7.a) was:
- a) inappropriate;
 - b) unprofessional.

CAS-202090-H5X2N7**Witness 2**

10. During the course of Witness 2's employment at Practice 1, you:

- a) told Witness 2 that if you were ever stressed that she should "*rub you on your legs*", or words to that effect;
- b) asked Witness 2 "*do you feel like hanging yourself*", or words to that effect;
- c) During an appointment that took place at some stage during the Covid pandemic:
 - i. grabbed a light from Witness 2's hand;
 - ii. threw an instrument across the surgery;
 - iii. As amended - grabbed Witness 2's wrist and pulled it towards you;
- d) told Person 5 that Witness 2 was an awful nurse and did not have a clue what she was doing, or words to that effect;
- e) made comments, along the lines of:
 - i. football coaches mess with young boys;
 - ii. As amended - Catholic priests mess around with young children;
 - iii. Muslim men sexually assault members of their family;
- f) said to Person 5 "*look at this*", or words to that effect, whilst your hand was touching your penis.

11. Your conduct in respect to charge 10.a) and/or 10.b) and/or 10.c) i. and/or 10.c) ii. and/or 10.c) iii. and/or 10.d) and/or 10.e) i. and/or 10.e) ii. and/or 10.e) iii. was:

- a) inappropriate;
- b) unprofessional.

12. Your conduct in respect to charge 10.f) was:

- a) inappropriate;
- b) unprofessional;
- c) sexually motivated.

AND that by reason of the matters alleged above, your fitness to practise is impaired by reason of misconduct.

PUBLIC DETERMINATION**FINDINGS OF FACT – 1 October 2025****Bullard, Clifford [Registration Number: 67016]**

1. This is a Professional Conduct Committee hearing. The members of the Committee, as well as the Legal Adviser and the Committee Secretary, conducted the hearing in person at the GDC's Wimpole Street offices. You were present at the hearing and represented by Ms Vivienne Tanchel, Counsel. Mr Tom Stevens, Counsel, appeared on behalf of the General Dental Council (GDC).

2. In opening the case for the GDC, Mr Stevens outlined the background to the matters against you. The referral of your case to the GDC arises from a complaint made against you by a previous employee of bullying and sexually harassing behaviour. The Complainant initially made the complaint anonymously to Care Quality Commission (CQC) in November 2020, having left her employment at the Practice which you owned and were the Practice Principal, in August 2020. Subsequently, when Witness 4's identity was known and her complaint came to the attention of the GDC, the Council made contact with her. During the course of its investigation into Witness 4's complaint, the GDC obtained witness statements from three other witnesses, Witness 1, Witness 2 and Witness 3 who have made similar complaints about you, covering a period from 1999 until around 2022.

3. The GDC alleges that your conduct and comments allegedly made towards all four dental nurses was inappropriate, unprofessional, sexually motivated and harassing.

GDC application to amend the charge under Rule 18 – 28 July 2025

4. The Committee considered an application, made by Mr Stevens under Rule 18 of the Rules, to amend the heads of charge. He requested minor administrative amendments to heads of charge 4. (a), 10(c).(iii), 10(e).(ii), and 12. The following amendments (highlighted) were as follows:

- Allegation 4.(a). – Amend to read – *on one or more occasions, whilst at Practice 1, used **Witness 2's** arm to indicate to Witness 2 the size of your penis;*
- Allegation 10(c). (iii). - Amend to read - *grabbed Witness 4's **wrist** and pulled it towards you;*
- Allegation 10. (e).(ii). – Amend to read - *Catholic priests mess around with young **children**;*
- Allegation 12 – Amend to read- *Your conduct in respect to charge 10.f) was:*
 - c) *inappropriate;*
 - d) *unprofessional;*
 - e) *sexually motivated.*

5. Ms Tanchel made no objection to the amendments requested by the GDC.

6. The Committee accepted the advice of the Legal Adviser. In granting the application, it had regard to the merits of the case and the fairness of the proceedings, and it was content that the proposed amendments could be made without causing injustice to either party. The Committee was

satisfied that the suggested amendments were minor. It accepted that the amendments did not change the substance of the charge against you.

Evidence

7. The factual evidence provided by the GDC included the following witness statements, along with associated exhibits:

- A written statement from Witness 1 dated 10 January 2023.
- A written statement from Witness 2 dated 21 January 2023.
- A written statement from Witness 3 dated 28 January 2023.
- A written statement from Witness 4 dated 2 September 2023.

8. All four witnesses gave live oral evidence.

9. In respect of your defence evidence, the Committee were provided with your written statement dated 5 June 2025 and associated exhibits. Also, a written statement from the Practice Manager dated 7 June 2025 who had been the Practice Manager at the time of the allegations. The Committee were also provided with written testimonial statements from character Witness 5 dated 12 June 2025, and from character Witness 6 dated 6 June 2025.

10. The Committee also received a defence bundle which included various materials: photographs of staff, staff Christmas events, Denplan awards, sketch of the Practice layout, and text message correspondence between Witness 4 and the Practice Manager. In addition, there were staff appraisal questionnaires, pertaining to Witness 2 and 4, and appraisal reports for Witness 4 and 1. The bundle also contained anonymised staff satisfaction questionnaires, India House training record for Witness 3, and a Care Quality Commission (CQC) inspection report dated 10 December 2013.

11. In addition, the Committee heard oral evidence from you and the Practice Manager. It also heard oral evidence (via Microsoft Team video link) from two character witnesses.

The Committee's findings on the alleged facts – 1 October 2025

12. The Committee considered all the evidence presented to it, both documentary and oral. It took account of the closing submissions made by Mr Stevens on behalf of the GDC and those made by Ms Tanchel on your behalf. It accepted the advice of the Legal Adviser.

13. The Committee considered separately each of the allegations against you, 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 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.

14. The Committee had regard to the submissions made by Ms Tanchel in respect of the issue of collusion and documentary evidence.

Background

15. The Committee when considering all of the heads of charge, took into account all of the evidence before it. The main source of the GDC's case came from evidence in person from Witnesses 1, 2 and 4, and Witness 3 via a video link. The Committee considered their written and oral evidence and noted the following.

16. Witness 1 worked at the Practice from 2005 to 2010 at the same time as Witness 2. She told the Committee that she occasionally bumped into Witness 2 and Person 5 (as they live nearby and are local to the Practice). She denied continuing friendships with Witness 4 and Person 5 since 2022, and she denied being friends with Witness 3. She stated to the Committee that she knew of Witness 3 as she had gone to school with her sister. She told the Committee that she only socialized at work events. The Committee noted her GP medical records dated 6 April 2010 and the entry recording her as being stressed at work; however, the notes did not refer to working with you as the cause of her stress or any of the incidents alleged at heads of charge 1.

17. Witness 2 worked at the Practice from 2000 to 2022. She stated to the Committee that she knew Witness 1 and Witness 4 and that Person 5 had worked with Witness 1. She stated that she was good friends with Person 5 and was aware that Person 5 had left the Practice in 2022. Witness 2 stated to the Committee that although they were good friends but denied discussing her witness statement with Person 5 or any of the other witnesses. She stated to the Committee that she had been at a wedding recently of a dental nurse and had seen Witness 3 there. She stated to the Committee that Witness 2 was the one that had contacted her to ask if she would be willing to give a statement to the GDC. It was Witness 4 that had passed on her contact details to the GDC. The Committee had sight of her medical records where it lists a number of occasions when she was prescribed anti-depressants by her GP. However, there was no evidence of a diagnosis or a reason for the medication being prescribed.

18. Witness 3 worked at the Practice between 1999 to 2003. She stated to the Committee that she now works in Sainsburys, and she sees Witness 1 at least twice a week when she is shopping in Sainsburys. She stated that Witness 1 told her that she had worked at the Practice 6 years ago. She knew Person 5 who also “pops” into Sainsburys regularly, and it was Person 5 who told her that you had sold the Practice and that Person 5 had left the Practice. Witness 3 denies discussing the reasons for Person 5 leaving. She also denied discussing the Practice with Person 5 when she was at Sainsburys “as it would only have been a few mins chat”. However, they have been in contact via Facebook.

19. On Committee questioning, Witness 3 stated that she had invited Person 5 to her husband’s 50th birthday party and explained that Person 5 and her sister had known Witness 3’s husband since they were young.

20. Witness 4 worked at the Practice between 2009 and 2021/2022. She qualified as a dental nurse whilst working at the Practice. She worked with Witness 2 and was trained by her at times. She couldn’t recall any details about her appraisals but believed that she had had some. She also stated that she had completed the staff satisfaction survey. She told the Committee that she socialised outside of work once a month with Witness 2 and Person 5. She told the Committee that she had attended a dental nurses wedding a few months before the hearing together with Witness 2 and that they still remain friends. She denied discussing the text message she had sent to the Practice Manager, with Witness 2.

Defence case

21. It also received oral and written evidence from you.

22. You stated in oral evidence that you worked for over two decades at the Practice, and there was never an occasion you or any patients saw your dental nurses upset or in distress. In addition, you stated that no concerns were raised by you to internal or external stakeholders about how you treated staff.

23. In respect of the appraisal forms, you stated that these began in the early 2000's, and the appraisal form process ceased pre Covid around 2019. You stated that it did not restart until you had treated the backlog of patients after Covid.
24. You stated any potential issues from staff could be raised with the Practice Manager, who was very approachable, or other dental colleagues at the Practice.
25. You stated you usually arrived at the Practice an hour earlier than anyone else, at 7.20am. You stated that no staff were present when you arrived. You stated you would be wearing your scrubs by the time staff arrive at the Practice at approx. 08.20am.
26. During lunch break, you stated the Practice would close for an hour, and some dental nurses would go out of the Practice for lunch. You stated that you would usually remain alone, away from staff as it was your usual Practice to work on your computer and to review patient notes and schedules for the day as well as check laboratory work. You stated that staff would have seen you leave to cycle home from the Practice at the end of the day.
27. During Covid you had to wear protective equipment and have extractor fans which made working at the Practice challenging, in particular you had difficulty hearing patients and staff.
28. You stated that your usual Practice was to use the first room/surgery after the reception since 1998 as shown in a sketch of the surgery. You stated you usually sat to the patient's right and your dental nurse usually stood and was located to the left-hand side of the chair where the suction device and trays were located. You stated that dental nurses were usually beyond an arm's length away from you, but there may have been times when they could have been within touching distance, when treating patients. You stated that it would be literally impossible to touch the dental nurses, as that would require you to lean directly over the patient in order to physically touch/grab the dental nurse.

Collusion

29. The Committee accepted the submissions made by Ms Tanchel of paragraph 18 in her written submissions namely;

"It is a well-known proposition that people's memories and recollections become contaminated by discussion of the evidence, and it becomes difficult to then ascertain what is in fact a genuine recollection and what is a recollection of something which a witness has been told. It is not necessary for the Committee to conclude that the witnesses have intentionally put their heads together to lie about facts because contamination of the evidence can happen simply by innocent discussion."

30. The Committee noted that there was evidence from all four GDC witnesses that whilst working at the Practice staff frequently had detailed and repeated discussions about the events in question. The Committee considered it likely that memories and recollections from a significant number of years ago (in some cases 25 years ago) could have been contaminated by those discussions. Witnesses may have held a belief of genuine recollection of an event when it may well have been a recollection of something they had been told by others. The Committee acknowledged that honest but mistaken witnesses can unintentionally mislead. The Committee concluded that due to the known repeated discussions at the time between the witnesses, the similarities in some of the evidence provided by them and the considerable passage of time between the alleged events and the witness statements that there was significant potential

for such contamination as well as difficulties with clear and accurate memory over that period of time.

31. The Committee heard no evidence that the witnesses had 'put their heads together' in order to give misleading or fabricated evidence. It noted that some of the witnesses were still in recent contact with each other to varying degrees ranging from seeing each other twice a week whilst one was at work in a local supermarket through to attending a wedding of another dental nurse a few months before this hearing. It was also the evidence of Witness 4 that she and Witness 2 had discussed their planned attendance and travel to London to give evidence at this hearing, but all of the witnesses denied discussing the details of their witness statements with each other.

32. In conclusion the Committee determined that there was a significant possibility that the evidence provided would have been contaminated by the repeated discussion within the Practice but not that there had been any evidence of recent collusion or intention to provide misleading evidence.

Documentary evidence

33. The Committee accepted the submissions made by Ms Tanchel in paragraph 64 of her closing submission document, namely;

"The Committee is respectfully reminded of the judgment in *Dutta v GMC* [2020] EWHC 1974 as set out above. In particular the Committee is reminded of Warby J's reliance on the judgment in *Gestmin* [2013] EWHC 3650 set out at paragraph 39 as follows:

"The best approach from a judge is to base factual findings on inferences drawn from documentary evidence and known of probable facts. This does not mean that oral testimony serves no useful purpose ... but its value lies largely ... in the opportunity which cross examination affords to subject the documentary records to critical scrutiny and to gauge the personality motivations and working practices of a witness rather than in testimony what a witness recalls of particular conversations and events Above all it is important to avoid the fallacy of supposing that, because a witness has confidence in his or her recollection and is honest, evidence based on that recollection provides any reliable guide to the truth"

34. The Committee has adopted the reasoning in *Dutta* when it considered the contemporaneous documents in this case, as set out above. The Committee considered that throughout the documentation there was no indication whatsoever of any complaint or any underlying unhappiness. The Committee examined carefully the contemporaneous appraisal forms which stated on more than one occasion that the dental nurses were happy at work. It considers that these contradict their written and oral evidence. The Committee concluded there was a distinct and total lack of any contemporaneous record of concerns in any of the documents provided.

35. The Committee reviewed the photographs taken during social gatherings which took place outside the Practice: However, these events were voluntary and attendance discretionary for each dental colleague. As a result, the Committee placed limited weight on the photographs as these gatherings took place in an artificial environment and did not reflect the events within the dental Practice.

36. The Committee's findings are as follows:

	Witness 1
1.	<i>During the course of Witness 1's employment at Practice 1 you:</i>

1.(a).	<p><i>told Witness 1 to mix alginate like she was masturbating someone, or words to that effect;</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated “<i>The Registrant was quite sexual towards me. As a trainee, I remember one time when I was mixing alginate in the surgery, and he told me to mix it like I was masturbating someone. I believe Witness 2 was in the room at the time. The Registrant would either be nice or horrible to you</i>”.</p> <p>In her oral evidence Witness 1 stated that she had no clear recollection of this now but stated that when this took place, she thinks that she was standing by the sink to the left of the chair in the surgery. She said she was shocked that this happened but was not able to stand up for herself and did not inform the Practice Manager.</p> <p>You stated in oral evidence that you never said this to Witness 1 when she was mixing alginate. You stated you had no issues with her, and that she was polite and pleasant during the time you worked with her at the Practice.</p> <p>The Committee considered the written and oral evidence of Witness 1 and the documentation, including the contemporaneous appraisal forms before it, in relation to the alleged events of above. Witness 1’s evidence contained no specific dates, or even a year as to when this allegedly occurred. The Committee noted the passage of time, of over 15 years, as well as her witness statement that was made over 2.5 years ago. The Committee considered Witness 1’s written and oral account of events to be unclear and lacking in detail. She was unclear as to who was in the room at that time. In cross examination Witness 1 was unable to provide a date or period for when this occurred or whether the matter was raised to senior staff.</p> <p>The Committee took into account her being stressed and seeking consultation from a GP. However, there was no detail in the medical evidence before it of whether this stress was work related.</p> <p>The Committee also took into account that Witness 1 stated in her written statement that all of this had put her off dentistry. However, the Committee found this to be implausible, as there was evidence that she continued working elsewhere in the dental profession for another 10 years and found it particularly rewarding.</p> <p>The Committee took into account your good character. It noted the positive testimonials from dental colleagues, friends and patients. They attest to you being a valued member of the community and the dental profession, who has high standards or care. It also noted you have not been the subject of any previous adverse findings.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(b).	<p><i>on one or more occasions, whilst with Witness 1 at Practice 1 you:</i></p>
1.(b).(i).	<p><i>Compared your penis to the size of the filling tray;</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated “<i>He would sometimes compare his penis</i></p>

	<p><i>to the size of a filing (sic) tray. He did this on a regular basis and said that “[it] would never go all the way in”. It was comments like this. He was not afraid to say this in front of the other girls (staff), but I cannot remember if someone else was in the room at the time when he made those comments to me. He never exposed himself to me, however”.</i></p> <p>Witness 1 stated in oral evidence that this happened on more than one occasion and you also did this to other dental colleagues.</p> <p>You stated in oral evidence that you never made these remarks to Witness 1, and it never happened.</p> <p>The Committee took into account the evidence before it and the passage of time of approximately 15 - 20 years. It noted Witness 1 was unable to give a specific date or year when this occurred. She stated that she did not report this to a senior colleague. The Committee considered that her recollection over the passage of time to be vague and imprecise.</p> <p>Although the Committee noted that there is one other witness who made similar allegations, the Committee concluded they may have had discussions between themselves at the time. However, it is not be possible now after the passage of time for this Committee to be satisfied that their recollections or memories are a genuine recollection and not contaminated, rather than something they have or may have been told.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(b).(ii).	<p><i>said to Witness 1 “It would never go all the way in” or words to that effect;</i></p> <p>Not proved – For the same reasons as provide in head of charge 1.(b).(i).</p>
1.(c).	<p><i>pulled Witness 1 onto your lap and bounced her up and down.</i></p> <p>Not proved</p> <p>Witness 1 in her written statement stated “<i>On one occasion, he pulled me onto his lap and made me sit on his lap and he started to bounce up and down. I cannot remember if anyone else was in the room at the time. This happened in the Registrant’s surgery. I did not report it to anyone was the Practice Manager. I did however tell the other staff members</i>”.</p> <p>Witness 1 stated in oral evidence that you pulled her onto your lap with one arm.</p> <p>You stated in oral evidence that it never happened.</p> <p>The Committee noted in Witness 1’s written and oral evidence she could not recollect when this happened. There was no contemporaneous record made of this, and she did not complain at any time to anyone. The Committee found it implausible that you could grab Witness 1 with one arm and place her on your lap in a dental setting.</p>

	<p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(d).	<p><i>said to Witness 1, during an appointment in which a patient had a seizure, "I bet you wished you were sat on top of him" or words to this effect;</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated <i>"On another occasion there was a medical emergency, during which a patient had a seizure. The Registrant said to me after the patient had left, "I bet you wished you were sat on top of him" or words to this effect. [Redacted] may have been in the room at the time".</i></p> <p>You stated in oral evidence that you never said this, and it never happened.</p> <p>The Committee noted in Witness 1's written and oral evidence she could not recollect when this happened. Nor could she specify who the patient was.</p> <p>The Committee found it implausible that you would say these words to a dental colleague, especially in front of another dental nurse, and given that this allegedly occurred during the Covid pandemic where you were in enhanced personal protective equipment.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(e).	<p><i>said to Witness 1, during an appointment in which you provided Witness 1 with braces, "I bet you'd be good at oral sex" or words to that effect;</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated <i>"I remember having my braces done by the Registrant. (The Registrant was my dentist before my employment at the Practice). In order to perform this treatment alginate is needed. As I did not gag when this was used, the Registrant said to me "I bet you'd be good at oral sex". I believe this was xx who witnessed this. It made me feel uncomfortable".</i></p> <p>You stated in oral evidence that you never said these words to Witness 1, and it never happened.</p> <p>The Committee in relation to this head of charge took into account the evidence. It noted that there was no reference to this incident made by any other witnesses who were said to be present by Witness 1. It also noted that no record was made, or a complaint made by other witnesses to an outside agency or the GDC. It considers that it would be highly unlikely given your good character, that you would have said these words in front of her whilst she was a patient as well as other dental colleagues.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>

1.(f).	<p><i>on one or more occasions, whilst at Practice 1, held onto your genitals in the presence of witness 1 and said "Stop looking at me" or words to that effect;</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated "<i>The Registrant used to cycle into work and have a shower afterwards. If he got there early, he'd say, "I'll leave the bathroom door open" which I took to mean that I could come in. At the end of the day, he would be wearing his cycle shorts which were quite tight, and he would hold his private parts (genital area) and say to whoever was at the reception, "Stop looking at me"</i>".</p> <p>Witness 1 stated in oral evidence that you said this in the reception area of the surgery in front of her. She said that you often said this in front of other colleagues in the reception area.</p> <p>You stated in oral evidence that you never said this, and it never happened.</p> <p>The Committee noted that Witness 1 stated that she spoke to the tutors at the training college and asked if she could work elsewhere as a student but failed to follow this up. However, the Committee noted there was no written record of this request. The Committee noted that all the comments were made at the reception areas near the front door and anybody could have overheard these comments. The Committee determined that it was implausible you would have made those comments in those circumstances and that there were no complaints made at the time.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(g).	<p><i>called Witness 1 a "fucking idiot", or words to that effect, after she had made you a hot drink;</i></p> <p>Witness 1 in her written statement stated "<i>On another occasion, the Registrant called me a 'fucking idiot' when I made him a hot drink and he burnt himself. The Registrant did not apologise for swearing at me and nor did I report it</i>".</p> <p>Witness 1 stated in oral evidence that she cannot provide a specific date when this happened and only had a vague recollection of this as it was 15 years ago. She stated that she recalled that after making your tea she was standing by the sink when you allegedly said these words to her. Witness 1 confirmed that she did not report this to any colleagues afterwards.</p> <p>You stated in oral evidence that you never raised your voice at Witness 1, were never hostile towards her and did not say these words to Witness 1. You stated that this simply did not happen, and it would have been out of character as you do not swear, particularly to dental colleagues.</p> <p>The Committee in relation to this head of charge took into account the evidence. It took into account testimonials that testify you as a man of good character and finds it unlikely that you would say these words to a dental colleague.</p>

	<p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
1.(h).	<p><i>threw a patient's extracted teeth across a treatment room, whilst the Patient was still being treated.</i></p> <p>Not proved.</p> <p>Witness 1 in her written statement stated "<i>I recall on one occasion when the Registrant was not in a good mood, and he had a patient; he threw the teeth that he had extracted across the room whilst the patient was still being treated, as the extraction was a difficult one. The patient had someone there with them in the room for support or to observe but the Registrant didn't care that they saw this</i>".</p> <p>Witness 1 stated in oral evidence that she cannot recall exactly when this happened, but she was standing by the patient when you threw the extracted teeth. Witness 1 stated that she picked them up from the floor and said nothing to you afterwards.</p> <p>You stated in oral evidence that you have never thrown a patient's extracted teeth in surgery, and that this never happened.</p> <p>In addition, the Committee noted there is no record of a complaint made by the patient or their companion.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
2.	<p><i>Your conduct in respect to charge 1.a) and/or 1.b)i. and/or 1.b)ii. and/or 1.c) and/or 1.d) and/or 1.e) and/or 1.f) was:</i></p>
2.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 2 falls away having found heads of charge 1 not proved.</p>
2.(b).	<p><i>unprofessional;</i></p> <p>Not proved.</p> <p>Head of charge 2 falls away having found heads of charge 1 not proved.</p>
2.(c).	<p><i>sexually motivated;</i></p> <p>Not proved.</p> <p>Head of charge 2 falls away having found heads of charge 1 not proved.</p>
2.(d).	<p><i>harassing.</i></p> <p>Not proved.</p>

	Head of charge 2 falls away having found heads of charge 1 not proved.
3.	<i>Your conduct in respect to charge 1.g) and/or 1.h) was:</i>
3.(a).	<i>inappropriate;</i> Not proved. Head of charge 2 falls away having found heads of charge 1 not proved.
3.(b).	<i>unprofessional.</i> Not proved. Head of charge 2 falls away having found heads of charge 1 not proved.
	Witness 2
4.	<i>During the course of Witness 2's employment at Practice 1 you:</i>
4.(a).	<i>on one or more occasions, whilst at Practice 1, used Witness 2's arm to indicate to Witness 4 the size of your penis;</i> In her written statement Witness 2 stated " <i>I recall for example, that the Registrant used to indicate on my arm, the size of his penis. He did this on numerous occasions. He would do this when no-one else was in the room. I know that he did this to other members of staff as we would talk about it amongst ourselves after it had happened. [Redacted] and Witness 1 who were employed at the time may have also heard comments like this from the Registrant, but I cannot say for sure. Witness 1 left the Practice eventually, but again I am not sure of the circumstances as to why she left</i> ". Witness 2 in oral evidence stated that these comments happened on more than one occasion between 2006 and 2010, usually before calling a patient into the surgery. She stated that you behaved in this way towards other staff as well. You stated in oral evidence that you never did this, and it just never happened. There was no record of a complaint or issue that was raised at the time. In fact, quite to the contrary, Witness 2's appraisals in particular state that she was happy at work and she got on with her manager and clinicians. The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.
4.(b).	<i>on one or more occasions, whilst at Practice 1, said to Witness 2 "I was dreaming about you last night" or words to that effect;</i> Not proved. In her written statement Witness 2 stated " <i>The Registrant used to say things to me like "I was dreaming about you last night". He would say this whilst in the surgery, but I do not know why he said these things to me. I would tell him that I did not want to hear such things and try to leave the surgery. I do not know if anyone had heard him say this to me, but I did tell other staff members about it, possibly Person 5, Witness 1 and Witness 4</i> ".

	<p>Witness 2 stated in oral evidence that this was said by you to her on more than one occasion usually when she was cleaning the dental surgery.</p> <p>You stated in oral evidence that you never said this to Witness 2. You stated that you had a good working relationship with her, and this simply did not happen.</p> <p>The Committee considered that this allegation contradicts what she stated in the staff appraisals at that time. In the most recent staff appraisal dated June 2019 she stated <i>"I get on well with my team members...I have got on well with my manager and clinicians"</i>.</p> <p>The Committee considered that it would be highly unlikely, a man of your good character, would say these words in front of other dental colleagues.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
4.(c).	<p><i>pulled Witness 2 towards you by her tunic, whilst she was providing you with chair side assistance and in doing so pinched her skin;</i></p> <p>Not proved.</p> <p>In her written statement Witness 2 stated <i>"On one occasion, I was working with the Registrant as the main Dental Nurse was on maternity leave. The Registrant suddenly pulled me towards him by my tunic and said that I was not standing close enough to him. When doing so, as he pulled me closer to the chair, he pinched my skin where he pulled my tunic. The patient did not see this as they were lying back on the chair. I started to cry while the patient was still in the chair but carried on working. The Registrant noticed that I was upset. I confronted him and said something along the lines of "There was no need to pull me. You have pinched my skin" and then I left the surgery and went upstairs to the staff room. I was crying and very upset. I do not recall that he apologised to me. The Registrant had a way of making you feel like you were the one in the wrong"</i>.</p> <p>Witness 2 stated in oral evidence that you pulled her towards you by holding onto her tunic. She stated that she was tearful particularly in front of the patient. Witness 2 stated this was done across the patient who was in the dental chair, and who said nothing. She stated that in doing so, you pinched her skin. She stated that she asked the Practice Manager if she could work elsewhere in the Practice from the next day.</p> <p>The Committee noted that Witness 2 did not describe where this took place and did not report this despite talking to the Practice Manager about wanting to be moved. Further, the Committee determined that it was implausible that the patient did not react nor was a complaint made immediately after the alleged incident.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>

4.(d).	<p><i>on one occasion threw cotton wool rolls across a treatment room and said to Witness 2 "I don't want you to do it like this", or words to that effect.</i></p> <p><i>In her written statement Witness 4 stated "It was difficult to complain to ,..., and nothing was ever done about it, so I did not report everything to her. xxx and I were frightened of him and had no one else to turn to. I have cried many times due to him being horrible to me. This sort of inappropriate behaviour went on all the time, not every day but it happened a lot of the time. Another example is when the Registrant threw cotton wool rolls across the room and said to me "I don't want you to do it like this", but the following week, it would be different again. So, I would be asked to do things one way and the following week, he would want it done a different way just to be awkward..., I had to take time off work for stress. xxx was aware of why I took time off work and asked me if I wanted to talk about anything, but it had already got to the point that things had gone too far, and I could not bring myself".</i></p> <p>Witness 2 stated in oral evidence that you did this on more than one occasion at the surgery, over a two-decade period. She acknowledged that she did not report this to any senior members of staff. Witness 2 stated that cotton wool rolls would often be thrown in her direction and in front of patients in the dental chair.</p> <p>You stated in oral evidence that you have never thrown used cotton wool rolls across a treatment room, and that this never happened. You stated that if this had been done, the patient would have noticed and raised this concern to colleagues at the Practice.</p> <p>The Committee noted Witness 2 stated that this was a subject matter in the staff room. However, the Committee noted that none of the witnesses had raised this with senior staff at that time. There is no record of a complaint being made. The Practice Manager in oral evidence stated that you have never thrown anything at work or at home and it would be out of character.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
5.	Your conduct in respect to charge 4.a) and/or 4.b) was:
5.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 5 falls away having found heads of charge 4 not proved.</p>
5.(b).	<p><i>unprofessional;</i></p> <p>Not proved.</p> <p>Head of charge 5 falls away having found heads of charge 4 not proved.</p>
5.(c).	<p><i>sexually motivated;</i></p> <p>Not proved.</p>

	Head of charge 5 falls away having found heads of charge 4 not proved.
5.(d).	<p><i>harassing.</i></p> <p>Not proved.</p> <p>Head of charge 5 falls away having found heads of charge 4 not proved.</p>
6.	<p><i>Your conduct in respect to charge 4.c) and/or 4.d) was:</i></p> <p>Not proved.</p> <p>Head of charge 6 falls away having found heads of charge 4 not proved.</p>
6.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 6 falls away having found heads of charge 4 not proved.</p>
6.(b).	<p><i>unprofessional;</i></p> <p>Not proved.</p> <p>Head of charge 6 falls away having found heads of charge 4 not proved.</p>
	Witness 3
7.	<i>During the course of Witness 3's employment at Practice 1 you:</i>
7.(a).	<p><i>whilst at Practice 1, threw cotton wool rolls at Witness 3;</i></p> <p>Not proved.</p> <p>In her written statement Witness 3 stated that "<i>Around two years after joining the Practice, the Registrant started to get arsy and very abrupt with me if I did not do something right. He even threw dirty cotton wool rolls at me</i>".</p> <p>Witness 3 stated in oral evidence that she could not give specific dates as these events started approximately 23 years ago. She stated that you threw bloody cotton wool rolls on various occasions across the room. Witness 3 also stated that these often hit her and landed either on the worktop or the floor.</p> <p>You stated that you don't have a specific recollection of working with Witness 3. You stated that you did not throw cotton wool rolls at her, and it is not your Practice to do that towards dental staff.</p> <p>The Committee took into account the India House Training and Recruitment Ltd documentation regarding Witness 3, where she stated "<i>...all the people are nice, and I have no problems in any subjects we have covered so far</i>". The Committee noted that there was no record of any concerns made to the Practice or the training assessors. The Committee considers for the same reasons as provided in head of charge 4. (d), that you would not have thrown cotton wool rolls at Witness 3.</p>

	<p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(b).	<p><i>whilst inside of a car during a domiciliary visit with Witness 3, grabbed her hand and put it on the top of your leg;</i></p> <p>Not proved.</p> <p>In her written statement Witness 3 stated that “<i>From memory, on one occasion and while we were in the car, the Registrant grabbed my hand and put it on the top part of his leg. I was only around 17 years old at the time, I am unsure of the date, and the Registrant may have been in his 30's but again I am not sure. I carried on as if nothing had happened as I was in shock. I didn't react. I did not pull my hand away at first as I was shocked and thought he is my boss, but I did pull it away afterwards. However, this happened more than once and the Registrant would put his hand on top of mine whilst rubbing the wheel with his other hand. I knew that the Registrant was married and this incident happened before</i></p> <p><i>This was the first time that the Registrant physically put his hands on me. After that, he would do this regularly when we were in the car together on domiciliary visits. Prior to this, the Registrant would just make jokes or comments at the Practice such as having a big cock, or just normal funny jokes, or sometimes they were rude jokes. I cannot remember specifically what was said as it was a long time ago but they were mostly said when I was alone in the surgery in between seeing patients and at lunch times”.</i></p> <p>Witness 3 stated in oral evidence that you had placed her hand on the top of your leg, and your actions made her feel uncomfortable. She stated that you did this on more than one occasion. However, in cross examination, she stated that she reported this incident to Person 5.</p> <p>You stated that you never placed her hand on the top of your own leg. You deny this ever happened.</p> <p>The Committee in relation to this head of charge took into account the evidence. The Committee took into account the passage of time, almost 25 years ago. It noted there are internal inconsistencies in Witness 3's written and oral evidence. In her written evidence she stated that this occurred on one occasion. However, in her oral evidence she stated that it occurred more than once. Also Witness 3 stated that she had raised this issue with a senior colleague, the Committee has seen no evidence to support this.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(c).	<p><i>on one or more occasions (other than specified in Charge 7.b) whilst inside of a car during a domiciliary visit with Witness 3, put your hand on top of Witness 3's hand, whilst rubbing the steering wheel of the car with your other hand;</i></p>

	<p>Not proved- For the same reason as above in head of charge 7.(c).</p> <p>The Committee considered that there are a number of inconsistencies as stated above, in her written and oral accounts.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(d)	<i>on one or more occasions, said to Witness 3:</i>
7.(d)(i).	<p><i>"I've got a big cock" or words to that effect;</i></p> <p>In her written statement Witness 3 stated that <i>"He made comments like "I've got a big cock" or "I can have any woman I want". As far as I am aware no one else heard him say these things to me. I was quite young when these comments were made towards me. I had no one to turn to or report him to".</i></p> <p>Witness 3 stated in oral evidence that you had said these words to her and these made her feel uncomfortable and upset. She confirmed that she did not report this to any senior staff.</p> <p>You stated in oral evidence that you never said this to Witness 3. You stated that you had a good working relationship with her and focused on dentistry. You stated that this simply did not happen.</p> <p>The Committee noted there was no reporting of this alleged incident.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(d)(ii).	<p><i>"I can have any woman I want" or words to that effect;</i></p> <p>Not proved for the same reason as provided above in head of charge 7.(d).(i).</p>
7.(e).	<p><i>on one occasion, whilst at Practice 1, kissed Witness 3 on her lips;</i></p> <p>In her written statement Witness 3 stated that <i>"I was usually the only one left in the Practice around lunch times as most of the staff went out for lunch. I was alone with the Registrant one afternoon and he came up to me and started talking to me. He kissed me on the lips and I didn't know what to do as he was my boss. The day had started with just the usual comments from the Registrant and then it led to this. He was the boss and I had to one to report the incident to".</i></p> <p>Witness 3 stated in oral evidence you approached her at the Practice and said to her that you liked her and kissed Witness 3 on her lips against the wall. She stated ... that the incident left her distressed.</p> <p>You stated in oral evidence that you never kissed Witness 3 on her lips, and that this simply did not happen.</p> <p>The Committee in relation to this head of charge took into account the evidence. It noted internal inconsistencies in the written and oral evidence of Witness 3. In oral</p>

	<p>evidence, she stated that this had occurred in the corridor and that you were laughing when this occurred. There was also contradictory evidence in that she stated she did not know what to do as you were her boss. In addition, there is no date provided or a record that she had reported this to senior staff or externally to the CQC.</p> <p>The Committee considered that it is inherently improbable that you would have kissed Witness 3 in the open corridor, potentially to be seen by other members of staff, including the Practice Manager.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(f).	<p><i>on one or more occasions, whilst at Practice 1, asked Witness 3 to go to a house with you so that you could be alone together, or words to that effect;</i></p> <p>In her written statement Witness 3 stated that <i>"When things calmed down and I was assisting him again, everything seemed to be fine. The Registrant told me that he had bought a house for his wife's family. He kept on asking me to go to the house with him so that we could be alone together. I refused. He asked me on at least three occasions to go with him...."</i></p> <p>Witness 3 stated in oral evidence that you said to her that you had bought a house and asked her on numerous occasions to go to his house. Witness 3 stated that she refused your requests and did not appreciate you making remarks such as these.</p> <p>You stated in oral evidence that you never said this to Witness 3.</p> <p>The Committee noted your oral evidence that there was an urgent need for you to buy a house at that time in order to support your wife's family. You stated that this was a stressful time for you and your family. You stated the house was never empty and was occupied by your wife's family immediately.</p> <p>The Committee is satisfied that given your family circumstances it would have been highly improbable that you would have made this suggestion to Witness 3.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(g).	<p><i>On one occasion, whilst in the stock room at Practice 1 with Witness 3:</i></p>
7.(g)(i)	<p><i>Showed her your penis;</i></p> <p>Not proved.</p> <p>In her written statement Witness 3 stated that <i>"On another occasion, but I cannot remember when exactly, I recall that I was on my break, and it was just myself and the registrant in the Practice. As you walk up the stairs of the Practice you would come across the staff room and stock room. The Registrant called me into the stock room. He had taken his penis out and had put it onto a filing tray and said "Look, I</i></p>

	<p><i>told you it's as big as a filing tray". I walked out of the stock room whilst shaking my head at him and said "No".</i></p> <p>Witness 3 stated in oral evidence that you had exposed your penis to her whilst at the Practice. She stated that this was an extremely unusual incident which shocked her.</p> <p>You stated in oral evidence that you never did this, and it never happened.</p> <p>The Committee noted that there is no record of Witness 3 having made a record of this or reporting this to senior staff or an external organisation. The Committee noted inconsistencies in her evidence as to who was present in the surgery. Witness 3 stated in oral evidence that she had no one to tell. The Committee considered that this was unlikely given the close working relationship she had with other colleagues, one of which invited her to their wedding.</p> <p>The Committee found this highly improbable that you would take such a significant risk of discovery by exposing yourself to a dental colleague in the stockroom which was open to all staff including the Practice Manager.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
7.(g)(ii).	<p><i>Compared your penis to the size of a filing tray.</i></p> <p>Not proved.</p> <p>For the same reason as provided above in head of charge 7.(g).(i).</p>
8.	<p><i>Your conduct in respect to charge 7.b) and/or 7.c) and/or 7.d)i. and/or 7.d)ii. and/or 7.e) and/or 7.f) and/or 7.g)i. and/or 7.g)ii. Was:</i></p>
8.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 8 falls away having found heads of charge 7 not proved.</p>
8.(b).	<p><i>unprofessional;</i></p> <p>Not proved.</p> <p>Head of charge 8 falls away having found heads of charge 7 not proved.</p>
8.(c).	<p><i>sexually motivated;</i></p> <p>Not proved.</p> <p>Head of charge 8 falls away having found heads of charge 7 not proved.</p>
8.(d).	<p><i>harassing.</i></p>

9.	<p><i>Your conduct in respect to charge 7.a) was:</i></p> <p>Not proved.</p> <p>Head of charge 9 falls away having found heads of charge 7 not proved.</p>
9.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 9 falls away having found heads of charge 7 not proved.</p>
9.(b).	<p><i>unprofessional.</i></p> <p>Not proved.</p> <p>Head of charge 9 falls away having found heads of charge 7 not proved.</p>
	Witness 4
10.	<p><i>During the course of Witness 4's employment at Practice 1, you:</i></p>
10.(a)	<p><i>told Witness 4 that if you were ever stressed that she should "rub you on your legs", or words to that effect;</i></p> <p>Not proved.</p> <p>In her written statement Witness 4 stated <i>"that I remember on one occasion the Registrant said to me that if he ever got stressed out. that I was to rub him on his legs. I was shocked when he said this to me. I went quiet. I think the Registrant knew by the look on my face that I was shocked by this. I cannot remember if anyone else was there at the time when he said this to me but after just a few months of working at the Practice I started to realise how the Registrant behaved. Although his comments and behaviour towards me were not sexually motivated, I felt bullied by him."</i></p> <p>You stated in oral evidence that you never said this to Witness 4, and it never happened.</p> <p>The Committee accepted Ms Tanchel's submission about the credibility of Witness 4 and in particular, the issue of her training. It noted that Witness 4 had stated that she had previously not completed all tasks required in order to be deemed properly qualified by the college assessors. However, the Committee noted that both assessors were dental professionals and consider that it is highly unlikely that that an independent assessor would sign Witness 4 off in these circumstances. It therefore finds Witness 4 to be an unreliable witness.</p> <p>In addition, the Committee noted the documentary evidence before it in respect of this head of charge. It noted the contemporaneous Care Quality Commission inspection report dated December 2013. It noted that it recorded that all dental standards and training for staff had been met. Furthermore, no concerns were raised by Witness 4, who was a trainee dental nurse at that time. The report stated that all staff felt supported.</p>

	<p>Also Witness 4 stated that she could not remember that particular inspection but remember being interviewed.</p> <p>However, the Committee noted the following:</p> <p>Staff appraisal questionnaire forms and in particular on dated June 2016 which does not make any record of any concerns raised by Witness 4. When asked “ <i>Have you related well to your manager and the Clinicians? Please write and particular successes or difficulties?</i>”, she replied “ <i>I get on well with both my managers and all staff, they help me and feel like I can approach anybody if I need help with anything</i>”.</p> <p>Staff appraisal form dated April 2015, she stated “ <i>I get on well with all my team members and love working with them all</i>”. In the staff appraisal dated July 2017, she states “ <i>I love coming to work and working with my team...</i>”</p> <p>The Committee also noted that all of the above accords with the CQC report.</p> <p>The Committee also took into account the written and oral evidence of the Practice Manager who stated that all staff were supported at the Practice.</p> <p>There was contemporaneous evidence by way of a resignation letter dated April 2021, where Witness 4 raised no concerns about you. In addition, the Committee noted the text message communications between Witness 4 sent to the Practice Manager after you had resigned, where she raises concerns over your behaviour towards her and a later message querying holiday pay.</p> <p>The Committee determined that it was unsubstantiated that you would have told Witness 4 that she should rub you on your legs.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(b).	<p><i>asked Witness 4 “do you feel like hanging yourself”, or words to that effect;</i></p> <p>Not proved.</p> <p>In her written statement Witness 4 stated “<i>From memory, the Registrant on one occasion said to me in passing, as I was coming down the stairs, “Do you feel like hanging yourself?”. I cannot remember however if anyone else was there at the time. I did not report this to anyone as nothing would have been done about it. I think the Registrant said this to me because he knew that he was horrible to me and that I hated working with him. I would go quiet, and my hands would shake and I hated every minute of it. I even wished that a bus would hit me on the way to work so that I would not have to go in and work with him, so he was right in a way what he had said to me</i>”.</p> <p>Witness 4 stated in oral evidence that it had happened after working with you in the morning and that she cried outside the Practice afterwards.</p> <p>You stated in oral evidence that you never did this, and it never happened.</p>

	<p>The Committee noted that this allegedly occurred in a narrow corridor near the reception area. The Committee noted there were inconsistencies in her written account as to who was nearby. She stated in her oral evidence that you were laughing. However, in her written statement she did not make any mention of this. The Committee considers that it is highly improbable that you would have said these words to a dental colleague, especially in front of others.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(c).	<i>During an appointment that took place at some stage during the Covid pandemic:</i>
10.(c)(i)	<p><i>grabbed a light from Witness 4's hand;</i></p> <p>Not proved.</p> <p>In her written statement Witness 4 stated <i>"On a different occasion, I was assisting the Registrant with a patient during Covid. I was nervous to work with him. The Registrant grabbed the light from my hand aggressively and then threw an instrument, like a probe, across the room. I cannot remember if the patient actually saw him do this, but the Registrant did not even care if they did or not. he was very angry and aggressive and hated the fact that Witness 4 was not assisting him and made it very clear by his actions"</i>.</p> <p>You stated in oral evidence that you never grabbed the light from Witness 4's hand. You stated you were working in the second surgery at that time, doing a patient's composite filling, and guided the light to the required area and did not grab it out of her hand.</p> <p>The Committee also took into account the text message Witness 4 had sent to the Practice Manager after she had left the Practice, where it makes mention of this alleged incident. However, the Committee placed little weight on this text, as it contained vague and imprecise details and made no mention of any of the more serious allegations at the Practice. It was sent after her resignation letter which also made no mention of any of the allegations.</p> <p>The Committee took into account that this allegedly occurred during the Covid period. You had stated that you found it hard to hear colleagues through the protective equipment. Witness 4 acknowledged in oral evidence that you were wearing enhanced PPE at that time. The Committee is satisfied that there is no evidence to demonstrate you being aggressive towards Witness 4.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(c).(ii)	<p><i>threw an instrument across the surgery;</i></p> <p>Not proved – For the same reasons as provided in head of charge 10.(c).(i).</p> <p>The Committee noted that Witness 4 gave no credible explanation as to why the patient did not see or hear the probe being thrown and falling on the floor next to them within a small surgery.</p>

	<p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(c).(iii).	<p><i>grabbed Witness 4's wrist and pulled it towards you;</i></p> <p>Not proved – For the same reasons as provided in head of charge 10.(c).(i).</p> <p>In her written statement Witness 4 stated “<i>During the same appointment, the Registrant grabbed my wrist, but it was not very hard because I think I would have walked out if he had hurt me. He grabbed my wrist and pulled it towards him while I was still holding the light. He probably did this because I was not close enough but instead of asking me to come closer, he just grabbed my wrist and pulled it towards him. If there was a difficult patient that day, the Registrant would be horrible to you. That day, the patient was difficult, and this made the Registrant worse. I did not report this incident, but I did speak to Witness 4 about it afterwards</i>”.</p> <p>You denied grabbing Witness 4's wrist and pulling it towards you.</p> <p>The Committee considered that it is highly improbable that you would have grabbed a dental colleague's wrist.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(d).	<p><i>told Person 5 that Witness 4 was an awful nurse and did not have a clue what she was doing, or words to that effect;</i></p> <p>In her written statement Witness 4 stated “<i>The Registrant then went to the reception area and slagged me off to Person 5 and told her that I was an awful nurse and I did not have a clue what I was doing but he knew this as I did not have any training. I had overheard the conversation between himself and Person 5</i>”.</p> <p>For same reasons as stated above, the Committee noted that no record was made in any CQC reports or appraisals of any concerns with regard to inappropriate comments towards staff. In fact, staff appraisals state the complete opposite.</p> <p>The Committee considered that it is highly improbable that you would have said these words to a dental colleague.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(e).	<p><i>made comments, along the lines of:</i></p>
10.(e).(i).	<p><i>football coaches mess with young boys;</i></p> <p>Not proved</p>

	<p>In her written statement Witness 4 stated <i>"On another occasion, when my son was aged 9 at the time and played football, the Registrant said to me that "Football coaches mess with young boys". I replied that this could happen within any type of profession like doctors or dentists, not just football coaches. The Registrant did not react when I said this"</i>.</p> <p>Witness 4 stated in oral evidence that you said these words to her and that it made her cry. She stated that she <i>"didn't have the guts to pull you up on this"</i>.</p> <p>You stated that you only gave dental nurses good news and feedback. There were articles in the news about subjects regarding football coaches. You stated that you only discussed positively about what was on the news at that time.</p> <p>The Committee noted that there is no contemporaneous evidence, no record of it being reported. It accepted the submission made by Ms Tanchel who stated that there is no date provided; that it is incredible that you would stand in a public space making comments of this nature and never be overheard by a patient walking into the Practice or by the Practice Manager.</p> <p>The Committee considers that Witness 4's evidence was lacking in detail.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(e).(ii).	<p><i>Catholic priests mess around with young children;</i></p> <p>Not proved.</p> <p>In her written statement Witness 4 stated <i>"[Redacted] and I are Catholics. The Registrant would make comments about Catholic priests messing around with children, knowing full well that we were Catholic. This would make us feel awkward as we could not respond as then he would say that we were answering back to him, so we would just sit and listen to him. This made us feel uncomfortable too as we were taught at school to respect priests"</i>.</p> <p>Witness 4 stated that you would say these words in the reception area on more than one occasion, particularly when patients did not turn up for their appointment.</p> <p>You deny ever making comments of this nature to Witness 4 and you would never discuss your religious views to colleagues.</p> <p>For the same reasons as above, the Committee considers that Witness 4's evidence was lacking in detail.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(e).(iii).	<p><i>Muslim men sexually assault members of their family;</i></p> <p>Not proved.</p>

	<p>In her written statement Witness 4 stated <i>“The registrant also made racist remarks about Muslim men sexually assaulting members of their family. He made these remarks to myself and Witness 2. He said anything he wanted...”</i></p> <p>Witness 4’s written evidence was that two people were present. However, in oral evidence she stated that there was actually three people present. She acknowledged in cross examination that her written statement did not contain every detail.</p> <p>You denied in oral evidence ever making comments of this nature to Witness 4.</p> <p>The Committee considered that Witness 4’s evidence was not credible. Her evidence was contradictory and lacking in detail. The Committee noted that Witness 4 changed her account about the circumstances of the comments about Muslim men. She conceded when cross examined that she had not heard it directly, but that a colleague had told her about it.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
10.(f).	<p><i>said to Person 5 “look at this”, or words to that effect, whilst your hand was touching your penis.</i></p> <p>Not proved.</p> <p>In her written statement Witness 4 stated <i>“I recall that on one occasion, I was in the corridor by the reception which leads to the surgeries, and I saw and heard the Registrant talking to [Redacted]. The Registrant was wearing his cycling gear which consisted of a tight lycra top and cycling shorts, and he said to Person 5 “Look at this” while he had his hands on his penis. I was very shocked and disgusted by what I had seen and heard and I felt sorry for [Redacted] she was very embarrassed and upset by the situation. Only the two of us had seen this”.</i></p> <p>You deny ever making comments of this nature to Witness 4.</p> <p>The Committee considers that Witness 4’s evidence was not credible as she conceded in cross examination that she had speculated about what she had heard.</p> <p>The Committee concluded that the GDC has failed to discharge its burden in proving the facts as alleged and the only proper finding based on the evidence is that the allegation is unproven.</p>
11.	<p><i>Your conduct in respect to charge 10.a) and/or 10.b) and/or 10.c) i. and/or 10.c) ii. and/or 10.c) iii. and/or 10.d) and/or 10.e) i. and/or 10.e) ii. and/or 10.e) iii. was:</i></p>
11.(a).	<p><i>inappropriate;</i></p> <p>Not proved.</p> <p>Head of charge 11 falls away having found heads of charge 10 not proved.</p>

11.(b).	<i>unprofessional.</i> Not proved. Head of charge 11 falls away having found heads of charge 10 not proved.
12.	<i>Your conduct in respect to charge 10.f) was:</i>
12.(a).	<i>inappropriate;</i> Not proved. Head of charge 12 falls away having found heads of charge 10 not proved.
12.(b).	<i>unprofessional;</i> Head of charge 12 falls away having found heads of charge 10 not proved.
12.(c).	<i>sexually motivated.</i> Head of charge 12 falls away having found heads of charge 10 not proved.

37. The Committee, therefore, has determined that none of the alleged facts have been found proved.

38. Any interim order on your registration is hereby revoked,

39. That concludes the case.