

PUBLIC HEARING**Professional Conduct Committee
Initial Hearing****15-17 January 2024****Name:** **ROBB, Rachael Elizabeth****Registration number:** **250107****Case number:** **CAS-203021-S6G2C2**

General Dental Council: Ms Natalie Bird, counsel.
Instructed by IHLPS**Registrant:** Not Present and unrepresented.

Fitness to practise: Impaired by reason of misconduct**Outcome:** Erased with Immediate Suspension**Immediate order:** Immediate suspension order

Committee members: Andrew Skelton(Chair and lay member)
Katie Howlett (Dentist member)
Jodie Mahoney(DCP member)**Legal adviser:** Melissa Coutino**Committee Secretary:** Jamie A Barge

1. This is a Professional Conduct Committee hearing in respect of a case brought against Ms Robb by the General Dental Council (GDC).
2. The hearing is being conducted remotely by Microsoft Teams Video-link.
3. Ms Robb is not present at the hearing, and she is not represented in her absence. The Case Presenter for the GDC is Ms Natalie Bird, Counsel.

PRELIMINARY MATTERS – 15 January 2024

Decision on application to proceed with the hearing in the absence of the registrant.

4. At the outset, Ms Bird made an application pursuant to Rule 54 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules'), to proceed with the hearing notwithstanding Ms Robb's absence.
5. The Committee took account of Ms Bird's submissions in respect of the application, and it considered the supporting documentation provided. The Committee accepted the advice of the Legal Adviser on the issues of service and proceeding in the absence of a registrant.

Decision on service

6. The Committee first considered whether notice of the hearing had been served on Ms Robb in accordance with Rules 13 and 65. It had sight of the Notice of Hearing dated 11 December 2023 ('the notice'), which was sent to Ms Robb's registered address by Special Delivery and First-Class post.
7. The Committee was provided with a Royal Mail 'Track and Trace' receipt showing it was signed and delivered on 13 December 2023 by Special Delivery to Ms Robb's registered address. 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 on the evidence before it that the Council had met this requirement.
8. The Committee further noted that a copy of the notice was sent to Ms Robb as an attachment within a secure email.
9. The Committee was satisfied that the notice of 11 December 2023, which was sent to Ms Robb by post and by email, complied with the 28-day notice period required by the Rules. It was also satisfied that the notice contained all the required particulars, including the date and time of the hearing, confirmation that it would be conducted remotely by video-link on Microsoft Teams, and that the Committee had the power to proceed with the hearing in Ms Robb's absence.
10. On the basis of all the information before it, the Committee was satisfied that notice of the hearing had been served on Ms Robb in accordance with the Rules.

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

11. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Ms Robb. 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* [2003] 1 AC 1HL, and as affirmed in subsequent regulatory cases.
12. The Committee remained mindful that fairness to Ms Robb was an important consideration, however, it also bore in mind the need to be fair to the GDC. The Committee further took into account the public interest in the expeditious disposal of this case.

13. The Committee's attention was drawn to the Registrant's email dated 5 January 2024 where she states, *"Hello I can confirm I will not be in attendance mon 15th to fri 19th.Regards Rachael Robb."*

14. The Committee, having taken into account the evidence before it, was satisfied that all reasonable efforts had been made by the GDC to notify Ms Robb of this hearing. It noted that there had been no request from her for an adjournment, and it received nothing to indicate that deferring this hearing would secure her attendance on a future date. On the contrary, the information before the Committee suggests that it would be highly unlikely that Ms Robb would attend a re-scheduled hearing. The Committee was satisfied that she had voluntarily absented herself from these proceedings.

15. The Committee remained mindful of its duty to act expeditiously in the public interest. It also took into account the potential inconvenience that would be caused to the GDC and to its witnesses, should this hearing be adjourned. The Committee heard from Ms Bird that the GDC's case is ready to be presented, and that there are GDC witnesses due to attend this hearing, including the Council's expert witness, who was in attendance.

16. In all the circumstances, in the absence of any good reason for an adjournment, the Committee determined that it was fair, in the public interest and in the interests of justice to proceed with the hearing in the absence of Ms Robb.

FINDINGS OF FACT – 16 January 2024

Case background

17. In opening the case for the GDC, Ms Bird outlined the background to the matters against Ms Robb. On 20 September 2021 Ms Robb was notified in a letter dated 20 September 2021 by the GDC she had not completed the required 10 verifiable CPD hours for the period spanning 2019-2021. Ms Robb had only completed 3 verifiable CPD hours for 2020 and 3 verifiable CPD hours for 2021. On the following day 21 September 2021, Witness 1 (complainant) was shown this letter by Ms Robb who, during her lunchbreak, asked Witness 1 if she could log in under her number and edit a CPD certificate on the My Academy online learning platform. Witness 1 stated that she was shocked by Ms Robb's suggestion. Witness 1 was sent WhatsApp messages later that evening by Ms Robb claiming that she had purchased an IT editing application.

18. On 10 October 2021, it is alleged that Ms Robb sent various falsified CPD certificates to the GDC. It is alleged that Ms Robb's conduct was misleading, lacked integrity and dishonest. Attached with the CPD certificates, was a covering letter from Ms Robb that contained incorrect and false statements. It is alleged that these comments were misleading, lacking integrity and dishonest.

Evidence

19. The factual evidence provided by the GDC includes copies of the CPD certificates and the covering letter sent to the GDC by Ms Robb as well as the WhatsApp messages sent by her to Witness 1. The Committee also received the following witness statements, along with associated exhibits:

- A witness statement from the complainant (Witness 1) dated 28 June 2023.
- A witness statement from Jagdish Kaur (Witness 2) dated 7 July 2023.
- A witness statement from [REDACTED] (Witness 3) dated 14 July 2023
- Two observations from Ms Robb dated 5 and 8 December 2022.

20. In addition, the Committee heard oral evidence from Witness 1, 2 and 3.

The Committee's findings on the alleged facts

21. The Committee considered all the evidence presented to it, both documentary and oral. It took account of the closing submissions made by Ms Bird on behalf of the GDC and it accepted the advice of the Legal Adviser.

22. The Committee considered separately each of the allegations against Ms Robb, 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.

23. The Committee's findings are as follows:

1	<i>You submitted to the General Dental Council ("the GDC") a CPD Annual statement for the period 1 August 2019 - 31 July 2020 confirming that you had completed three verifiable CPD hours spanning that period, namely:</i>
1(a)	<p><i>Medical Emergencies Management, Basic Life Support, AED, Specialised Equipment and Resuscitation on 5 December 2019.</i></p> <p>Proved.</p> <p>The Committee noted that this head of charge is a statement of fact. It noted the CPD Annual statement for the period of 1 August 2019 – 31 July 2020 which included this certificate submitted by Ms Robb. This was received by the GDC which was confirmed by Witness 2.</p> <p>The Committee is therefore satisfied that this head of charge is found proved.</p>
2	<i>You submitted to the GDC a CPD Annual statement for the period 1 August 2020 - 31 July 2021 confirming that you had completed three verifiable CPD hours spanning that period, namely:</i>
2(a)	<p><i>Keeping updated during COVID 19 Pandemic, Basic Life Support & automated external defibrillation. COVID 19 resuscitation procedures & managing medical emergencies in the dental practice on 23 November 2020.</i></p> <p>Proved.</p> <p>The Committee note that this head of charge is a statement of fact. It noted the CPD Annual statement for the period of 1 August 2020 – 31 July 2021 which included this certificate dated 23 November 2020, submitted by Ms Robb. This was received by the GDC which was confirmed by Witness 2.</p> <p>The Committee is therefore satisfied that this head of charge is found proved.</p>
3	<p><i>On 20 September 2021, you received a letter from the GDC notifying you that you had failed to comply with your requirement to complete at least 10 CPD hours between 1 August 2019 and 31 July 2021.</i></p> <p>Proved.</p> <p>The Committee noted the letter dated 20 September 2021 from the GDC to Ms Robb, which clearly notifies her that she had failed to comply with her CPD requirements to compete at least 10 hours for that period. This was confirmed by</p>

	<p>Witness 2. Ms Robb also confirmed in her observations that she had received this letter.</p> <p>The Committee is therefore satisfied that this head of charge is found proved.</p>
4	<p><i>On 21 September 2021, you sent text messages to Witness 1 through WhatsApp stating:</i></p>
4(a)	<p><i>“Omg I’ve had to pay £9.99 for an app to edit all my certificates (laughing face emoji)”.</i></p> <p>Proved.</p> <p>The Committee had sight of a screenshot of the text messages sent by Ms Robb to Witness 1. Witness 1 in oral evidence confirmed that she received these text messages via WhatsApp on the evening of 21 September 2021. It also had sight of communication between the practice manager and Witness 3 where he was giving additional information relating to Ms Robb’s WhatsApp messages, as part of the internal investigation into Ms Robb’s conduct.</p>
4(b)	<p><i>“What I nightmare I will never do this again! I genuinely did not realise you had to do a minimum of 10 hours over 2 years (laughing face emoji x2)”[sic].</i></p> <p>Proved.</p> <p>For the reason provided in head of charge 4(a).</p>
4(c)	<p><i>“Honestly fee. Like a thug conning the GDC (laughing face emoji x3)”</i></p> <p>Proved.</p> <p>For the reason provided in head of charge 4(a).</p>
5.	<p><i>On 10 October 2021, you submitted the following CPD certificates to the GDC:</i></p>
5.(a)	<p><i>CPR (Basic Life Support) 2019/20 dated 7 August 2019;</i></p> <p>Proved.</p> <p>The Committee had sight of the certificates that were sent to the GDC by Ms Robb. Receipt of these was confirmed by Witness 2. The Committee is satisfied that Ms Robb submitted these CPD certificates to the GDC on 10 October 2021.</p> <p>It therefore finds this head of charge proved.</p>
5.(b)	<p><i>Steelco Washer Disinfector Training dated 7 August 2019;</i></p> <p>Proved.</p> <p><i>For the reasons as provided in head of charge 5(a).</i></p>
5.(c)	<p><i>MS22 Steriliser Training dated 7 August 2019;</i></p>

	<p>Proved.</p> <p><i>For the reasons as provided in head of charge 5(a).</i></p>
5.(d)	<p><i>Lisa Steriliser Training dated 7 August 2019;</i></p> <p>Proved.</p> <p><i>For the reasons as provided in head of charge 5(a).</i></p>
5.(e)	<p><i>CPR (Basic Life Support) 2020/21 dated 29 October 2020</i></p> <p>Proved.</p> <p><i>For the reasons as provided in head of charge 5(a).</i></p>
6	<p><i>Your conduct in relation to Charge 5a), 5b), 5c), 5d) and 5e) was:</i></p>
6.(a)	<p><i>Misleading;</i></p> <p>Proved in respect of Charge 5a), 5b), 5c), 5d) and 5e).</p> <p>In reaching its decision on whether Ms Robb's actions were misleading, the Committee applied the ordinary meaning of the word 'misleading'. It was agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>Witness 2 in oral evidence stated that she was under the impression that these were genuine CPD certificates.</p> <p>The Committee is satisfied that Ms Robb misled her regulatory body when submitting these CPD certificates to the GDC. Ms Robb's statement confirms that she had bought an IT application to allow her to edit her CPD certificates. Witness 1 confirmed that she was asked by Ms Robb to edit these CPD certificates. Ms Robb also acknowledges in her internal investigation meeting that she knew she was low on CPD hours and had made a mistake by submitting false CPD certificates to the GDC to make the hours up.</p> <p>The Committee is satisfied that the GDC were misled in the assumption that the CPD certificates as contained in heads of charge 5(a) – (e) were genuine.</p> <p>It therefore finds this head of charge proved in respect of 5a), b), c), d) and e).</p>
6.(b)	<p><i>Lacked integrity;</i></p> <p>Proved in respect of Charge 5a), 5b), 5c), 5d) and 5e).</p> <p>The Committee took into account the GDC standards and is satisfied that Ms Robb's conduct lacked moral and ethical behaviour. It considers that integrity is a basic quality of a dental professional and Ms Robb's conduct was a blatant disregard to the GDC standards, and in particular 1.3 which require all dental professionals to act with honesty and integrity. The Committee is satisfied that Ms Robb's conduct was a willful attempt to submit incorrect documentation to her regulatory body, and whose actions brought the dental profession into disrepute.</p>

	It therefore finds this head of charge proved.
6.(c)	<p><i>Dishonest, in that you knew that you had falsified the CPD certificates to state that you had completed them on specified dates when you had not in fact done so.</i></p> <p>Proved in respect of Charge 5a), 5b), 5c), 5d) and 5e).</p> <p>The Committee applied the legal test for dishonesty, as set out in the case of <i>Ivey v Genting Casinos (UK) Ltd t/a Crockfords</i> [2017] UKSC 67. In considering Ms Robb's state of mind, the Committee had regard to the information before it, including Ms Robb's written statement.</p> <p>The Committee determined that Ms Robb's conduct was dishonest by the objective standard. It found that an ordinary, honest person would perceive her actions in submitting false CPD certificates to her regulatory body to be dishonest. The Committee also considers that Ms Robb knew at that time that her actions were dishonest as she had acknowledged in her investigatory meeting and in her statement to the GDC that what she did was wrong. She had received a Notice 6 letter from the GDC which clearly informs of her outstanding CPD hours. Her conduct was a willful and deliberate attempt to submit dishonest and fabricated information to her regulatory body. In the Committee's view, members of the public would expect registrants to promptly declare to their regulator correct information which could adversely impact public safety and the reputation of the dental profession.</p> <p>The Committee is therefore satisfied that Ms Robb's conduct in this respect was dishonest and finds this head of charge proved.</p>
7	<i>Within your covering letter to the GDC dated the 10 October 2021, you stated as follows:</i>
7(a)	<p><i>"I have completed 10 hours of CPD over the past 2 years and I have the documentary evidence to verify this".</i></p> <p>Proved.</p> <p>The Committee had sight of the covering letter dated 10 October 2021 which was sent by Ms Robb. Witness 2 confirmed that the GDC had received her covering letter.</p>
7(b)	<p><i>"Please note I thought only done 6 hours of CPD, CPR training 5/12/2019 & CPR training 23/11/2020 however, once I received the notice, I logged on to get my certificates and found I had done a further 3 hours for the period 19/20 and a further 1.5 hours for the period 20/21 meaning I have in fact completed the full 10 hours required. I have attached all evidence for your reference".</i></p> <p>Proved. For same reasons as given in head of charge 7(a).</p>
7(c)	<i>"This was a genuine error on my behalf and going forward I will need to be more vigilant when recording CPD".</i>

	Proved. For same reasons as given in head of charge 7(a).
8.	<i>Your conduct in relation to Charge 7(a) was:</i>
8(a)	<p><i>As amended - Misleading;</i></p> <p>Proved.</p> <p>In reaching its decision on whether Ms Robb's actions were misleading, the Committee applied the ordinary meaning of the word 'misleading'. It agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>The Committee is satisfied that Ms Robb's conduct was misleading. The letter from the GDC outlined her deficit, therefore she must have known that she had not met the minimum requirements. The Committee noted Witness 1's account, which confirms that Ms Robb had returned from lunchtime having received the GDC letter and told Witness 1 that she had not completed the requisite CPD hours. The Committee is satisfied that she knew that she had only completed 6 hours and fabricated her certificates to mislead the GDC into believing that she had completed the required 10 CPD verifiable hours.</p> <p>The Committee is satisfied that Ms Robb's conduct in this respect was misleading and finds this head of charge proved.</p>
8(b)	<p><i>As amended - Lacked integrity;</i></p> <p>Proved.</p> <p>The Committee is satisfied that Ms Robb's conduct lacked integrity. She had received the GDC's Notice 6 letter and knew what the standards and expectations were from the GDC. The Committee is satisfied that Ms Robb, by writing that statement to her regulatory body demonstrated a lack of integrity and whose actions bring the dental profession into disrepute.</p> <p>It therefore finds this head of charge proved.</p>
8(c)	<p><i>As amended - Dishonest, in that you knew that you had not completed 10 hours of Continuous Professional Development from 1 August 2019 to 31 July 2021.</i></p> <p>The Committee applied the legal test for dishonesty, as set out in the case of <i>Ivey v Genting Casinos (UK) Ltd t/a Crockfords</i> [2017] UKSC 67. In considering Ms Robb's state of mind, the Committee had regard to the information before it, including Ms Robb's written statement.</p> <p>The Committee is satisfied that Ms Robb knew at that time that she had not completed the required 10 verifiable CPD hours. The Committee had sight of the Notice 6 letter and also the text messages that Ms Robb sent to a colleague, acknowledging her errors. The Committee is satisfied that her state of mind was that she knew she had to complete the 10 hours and made efforts to fabricate her CPD certificates. She intentionally made a dishonest statement to the GDC.</p>

	The Committee therefore finds this head of charge proved.
9	<i>Your conduct in relation to Charge 7(b) was:</i>
9(a)	<p><i>Misleading;</i></p> <p>Proved.</p> <p>In reaching its decision on whether Ms Robb's actions were misleading, the Committee applied the ordinary meaning of the word 'misleading'. It was agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>The Committee considers that Ms Robb conveyed the impression in her statement to her regulatory body that she had made a mistake. It is satisfied that her comments were meant to mislead her regulatory body in order to keep her GDC registration.</p> <p>It therefore finds this head of charge proved.</p>
9(b)	<p><i>Lacked integrity;</i></p> <p>Proved.</p> <p>The Committee is satisfied that Ms Robb's conduct was unprofessional behaviour and lacked integrity. Her conduct by making this false statement demonstrated a complete disregard for her regulatory body.</p> <p>It therefore finds this head of charge proved.</p>
9(c)	<p><i>Dishonest, in that you knew that you were making a false statement to the GDC and the evidence that you submitted to the GDC was not genuine.</i></p> <p>Proved.</p> <p>The Committee applied the legal test for dishonesty, as set out in the case of <i>Ivey v Genting Casinos (UK) Ltd t/a Crockfords</i> [2017] UKSC 67. In considering Ms Robb's state of mind, the Committee had regard to the information before it, including Ms Robb's written statement.</p> <p>The Committee is satisfied that subjectively Ms Robb knew that she was making a false statement to her regulatory body at that time. It is satisfied that when she wrote that covering letter, she was making a statement that was untrue. It is satisfied that at that time, Ms Robb knew she had fabricated CPD certificates. The Committee noted that Ms Robb has admitted to doing so in her statement to the GDC.</p> <p>It therefore finds this head of charge proved.</p>
10.	<i>Your conduct in relation to Charge 7(c) was:</i>
10(a)	<i>Misleading;</i>

	<p>Proved.</p> <p>In reaching its decision on whether Ms Robb's actions were misleading, the Committee applied the ordinary meaning of the word 'misleading'. It was agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>The Committee is satisfied that her comments in this respect were misleading and had the intention to mislead her regulatory body. She claimed she had made a genuine error in assuming she had completed 10 CPD hours when in fact she knew that she had only completed 6 verifiable CPD hours. The Committee is satisfied that this was a misleading act.</p> <p>It therefore finds this head of charge proved.</p>
10(b)	<p><i>Lacked integrity;</i></p> <p>Proved.</p> <p>The Committee is satisfied that Ms Robb's conduct is not what is expected from a competent registered dental professional. She knowingly gave a false impression to the GDC. It considers that her conduct in making this false statement to her regulatory body also brings the dental profession into disrepute.</p> <p>It therefore finds this head of charge proved.</p>
10 (c)	<p><i>Dishonest, in that you knew that you were making a false statement to the GDC.</i></p> <p>Proved.</p> <p>The Committee applied the legal test for dishonesty, as set out in the case of <i>Ivey v Genting Casinos (UK) Ltd t/a Crockfords</i> [2017] UKSC 67. In considering Ms Robb's state of mind, the Committee had regard to the information before it, including Ms Robb's written statement.</p> <p>The Committee is satisfied that Ms Robb knew subjectively at that time that she had been dishonest when making that statement to her regulatory body. She had previously received a Notice 6 letter notifying her of the incomplete CDP verifiable hours. Ms Robb had also acknowledged to her colleague that she was short of the required verifiable CPD hours. The Committee is satisfied that she knew that this was not a genuine error, as she had made efforts to cover up her dishonest act by making this false statement to her regulatory body.</p> <p>It therefore finds this head of charge proved.</p>

Stage two

25. Having announced its decision on the facts, in accordance with Rule 20 of the Rules, the Committee heard submissions from Ms Bird in relation to the matters of misconduct, impairment and sanction. The Committee accepted the advice of the Legal Adviser.
26. The Committee reminded itself that its decisions on misconduct, impairment and sanction are matters for its own independent judgement. There is no burden or standard of proof at this stage of the proceedings. It had regard to its duty to protect the public, declare and uphold proper standards of conduct and competence and maintain public confidence in the profession. Where applicable, the Committee took into consideration the GDC's Standards for the Dental Team (September 2013) ('the Standards') and the Guidance for the Practice Committees, including Indicative Sanctions Guidance, (October 2016, revised December 2020) ('the Guidance'). The Committee also had regard to relevant case law.
27. Ms Bird first addressed the Committee on the matter of misconduct. She referred to relevant case law and submitted that the conduct found proved amounts to a serious case of misconduct. Ms Bird referred the Committee to the GDC's Standards, submitting that Ms Robb had breached a number of standards including 1.3, which states 'you must be honest and act with integrity'. She submitted that Ms Robb's failure to comply with the GDC standards has risked bringing the dental profession into disrepute. Ms Robb was dishonest with regard to five falsified CPD certificates she submitted to the GDC.
28. Ms Bird submitted that heads of charge 1-3 may not themselves individually constitute a finding of misconduct. However, they may provide context for the rest of the head of charge, 4-10, which taken together, cumulatively are serious enough to amount to a course of conduct constitute a finding of misconduct.
29. In relation to the matter of impairment, Ms Bird submitted that Ms Robb's misconduct cannot easily be remedied, and, in any event, Ms Robb has not provided any written statement to provide her account of these matters for this Committee. Nor has she provided any evidence of adequate insight or remediation. She further submitted that Ms Robb has not demonstrated she understands precisely why and to what extent her actions have fallen far below the standards expected of a reasonably competent dental professional. Ms Bird submitted that there remains a risk of repetition. Furthermore, Ms Robb has demonstrated dishonest conduct towards her regulatory body which has breached a fundamental tenet of the profession and had brought its reputation into disrepute.
30. Lastly, Ms Bird addressed the Committee on the matter of sanction. She submitted that owing to the seriousness of the concerns found proved, the lack of evidence of any remediation or insight, Ms Robb's disregard for the importance of candour, and the evidence of deep-seated attitudinal concerns, the only appropriate and proportionate sanction is one of erasure.

Decision and reasons on misconduct

31. The Committee first considered whether the facts found proved against Ms Robb amount to misconduct. It noted that heads of charge 1-3 are background and do not constitute a finding of misconduct. The Committee then went on to consider heads of charge 4-10 and noted that the failings found proved covered a range of dishonest behaviour, including giving false declarations and doctoring documents. The Committee found that Ms Robb breached standards 1.3, 1.3.1, 1.3.2, 7.3, 7.3.1, and 7.3.2 which relate to acting honestly and with integrity and updating and developing your professional knowledge and skills. The Committee further noted that Ms Robb was repeatedly dishonest over a period of time to her regulatory body. It also considered the level of detail employed by Ms Robb in her deceit and how her lies to the GDC were compounded, which suggested deep seated professional attitudinal concerns.

32. The Committee further considered that lying to and misleading one's regulator is dishonesty of a particularly serious nature, as it shows a wilful disregard of the GDC's regulatory systems and their overarching purpose of public protection. The Committee concluded that Ms Robb's actions fell far below the expectations of a registered professional and amounted to serious professional misconduct.

Decision and reasons on impairment

33. The Committee then considered in turn whether Ms Robb's fitness to practise is currently impaired by reason of her misconduct.
34. The Committee was mindful of its role to protect patients from risk of harm and to uphold the public interest, which includes the need to declare and maintain proper standards of conduct and performance.
35. The Committee considered that Ms Robb's misconduct has the potential to damage confidence in the dental profession, as her dishonesty could have allowed her to obtain registration to which she may not have been entitled. Her actions have brought the profession into disrepute and have breached the fundamental tenets of probity and integrity. Finally, Ms Robb's dishonesty was not an isolated incident, and was premeditated.
36. The Committee next considered whether the misconduct found proved is remediable. It noted that dishonesty is said to be difficult to remediate, as it is an attitudinal failing. Nonetheless, the Committee went on to consider whether Ms Robb has in fact remedied her failings.
37. The Committee has seen limited evidence of insight, remorse or remediation from Ms Robb. On the contrary, she has not engaged with these proceedings. The Committee noted the oral evidence of Witness 3, who stated that Ms Robb did not appear to take the matter seriously at all. The Committee considered that there is a high risk that Ms Robb could repeat the misconduct it has found proved. It therefore concluded that a finding of impairment is necessary in the interest of public protection.
38. 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 in the circumstances of this case. Accordingly, it determined that a finding of impairment is in the wider public interest.

Decision and reasons on sanction

39. The Committee next considered what sanction, if any, to impose on Ms Robb's registration. It recognised that the purpose of a sanction is not to be punitive, although it may have that effect. The Committee applied the principle of proportionality, balancing Ms Robb's interests with the public interest. It also took into account the Guidance.
40. The Committee considered the mitigating and aggravating factors in this case as outlined in paragraphs 5.17 and 5.18 of the Guidance.
41. The mitigating factors in this case include:
- Ms Robb has no previous fitness to practise findings.
 - Partial admissions;
 - Apology.
42. The aggravating factors in this case include:
- Dishonesty;
 - Premeditated misconduct;

- Misconduct sustained or repeated over a period of time;
- Blatant or wilful disregard of the role of the GDC and the systems regulating the profession;
- Attempts to cover up wrongdoing; and
- Lack of insight.

43. The Committee decided that it would be inappropriate to conclude this case with no further action. It would not satisfy the public interest, given the serious nature of the misconduct.

44. The Committee then considered the available sanctions in ascending order starting with the least serious.

45. The Committee concluded that misconduct of this nature cannot be adequately addressed by way of a reprimand. It cannot be said to be at the lower end of the spectrum of seriousness. The public interest would not be upheld by the imposition of such a sanction. The Committee therefore determined that a reprimand would be inappropriate and inadequate.

46. The Committee then considered whether a conditions of practice order would be appropriate. It was not satisfied that workable conditions could be formulated that would address the attitudinal concerns inherent to Ms Robb's misconduct. Furthermore, given Ms Robb's lack of engagement with these proceedings, the Committee was not satisfied that any conditions would be complied with. It determined that conditions of practice would neither be sufficient nor appropriate to address the seriousness of Ms Robb's misconduct and uphold the wider public interest.

47. The Committee next considered whether to suspend Ms Robb's registration for a specified period. It questioned whether a suspension would be proportionate in all the circumstances of the misconduct it has found. In reaching its decision, the Committee considered that Ms Robb has provided no evidence of remediation or shown any insight into these serious matters. Furthermore, her protracted dishonesty is indicative of a deep-seated professional attitudinal problem. Ms Robb has decided not to participate in these proceedings and has requested for voluntary removal from the register. The Committee was not satisfied that a sanction of suspension would be sufficient to mark the seriousness of Ms Robb's misconduct or to maintain public confidence in the profession and in the GDC as its regulator.

48. In considering whether the sanction of erasure was appropriate, the Committee had regard to paragraph 7.34 of the Guidance, which includes:

‘Erasure will be appropriate when the behaviour is fundamentally incompatible with being a dental professional: any of the following factors, or a combination of them, may point to such a conclusion:

- serious departure(s) from the relevant professional standards;
- serious dishonesty, particularly where persistent or covered up;
- a persistent lack of insight into the seriousness of actions or their consequences.’

49. The Committee was satisfied that all of the above applied in the circumstances of this case. Ms Robb has shown limited insight into her behaviour, given that she has failed to detail the impact of her conduct on her colleagues and patients, and the fact that the public is entitled to expect that dental professionals have kept their knowledge and clinical skills up to date. Her conduct was a serious departure from the standards expected of dental professionals. Given these reasons, the Committee concluded that Ms Robb's behaviour was so egregious that it was fundamentally incompatible with being a dental professional.

50. In all the circumstances, the Committee has determined to erase Ms Robb's name from the dental care professionals register.
51. The Committee invited submissions as to whether an immediate order should be imposed on Ms Robb's registration, pending the taking effect of its determination for erasure.

Decision and reason on immediate order

52. Ms Bird submitted that in the light of the Committee's findings to impose a sanction of erasure, that an immediate order is necessary to restrict Ms Robb from practising during the appeal period.
53. The Committee is satisfied that an immediate order of suspension is necessary for the protection of the public and is otherwise in the public interest. The Committee concluded that given the nature of its findings and its reasons for the substantive order of erasure in Ms Robb's case, it is necessary to direct that an immediate order of suspension be imposed on both these grounds. The Committee considered that, given its findings, if an immediate order was not made in the circumstances, there would be a risk to public safety and public confidence in the profession would be undermined.
54. The effect of this direction is that Ms Robb's registration will be suspended immediately. Unless Ms Robb exercises her right of appeal, the substantive order of erasure will come into effect 28 days from the date on which notice of this decision is deemed to have been served on her. Should Ms Robb exercise her right of appeal, this immediate order for suspension will remain in place until the resolution of any appeal.
55. That concludes this determination.