

PRIVATE HEARING
Health Committee
Review Hearing
9 January 2026

Name: JOHNSON-SMITH, Philip

Registration number: 283887

Case number: CAS-197399- -R5K5N7

General Dental Council: Ms Peta-Louise Bagott, Counsel
Instructed by Naila Hadid, IHLPS

Registrant: Present
Represented by Mr Ben Rich, Counsel.
Instructed by Liz Nicholson, the MDU

Fitness to practise: Impaired by reason of adverse health

Outcome: Conditions revoked and suspension imposed (with a review)
(no immediate order of suspension)

Duration: 8 months

Committee members: Clive Powell (Chair, Lay Member)
Janhvi Amin (Dentist Member)
Lisa Shaw (Dental Care Professional Member)

Legal adviser: Suzanne Palmer

Committee Secretary: Jenny Hazell

At this hearing the Committee made a determination that includes some private information. That information has been omitted from this public version of the determination, and this public document has been marked to show where private material has been removed.

1. This is an early resumed hearing before the Health Committee (HC), pursuant to section 27C of the Dentists Act 1984 (as amended) ('the Act'). The hearing is being conducted remotely by Microsoft Teams video-link. You are present at the hearing and are represented by Mr Rich, Counsel. Ms Bagott, Counsel, appears on behalf of the General Dental Council (GDC)

2. The purpose of the hearing has been for the Committee to conduct a review of the substantive order of conditions currently in place on your registration.

Preliminary application to hold the hearing in private under Rule 53

3. At the outset Ms Bagott made a joint application for the whole hearing to be heard in private pursuant to Rule 53(2)(a) of the GDC (Fitness to Practise) Rules Order of Council 2006 ('the Rules') since the matters under consideration relate to your health.

4. Given that this case relates to your health, the Committee is satisfied that it is appropriate for the hearing to be heard in private. Accordingly, it acceded to the joint application under Rule 53.

Background to the review

5. Your case was first considered by the HC in September 2025. You did not attend the hearing and you were not represented. The HC determined that you have an adverse health condition, namely [PRIVATE].

6. [PRIVATE].

7. [PRIVATE]

8. The HC concluded that your fitness to practise was impaired by reason of your adverse health. [PRIVATE].

9. In considering what sanction, if any, to impose on your registration, the HC bore in mind that the experts' opinion that certain areas of dentistry potentially remain open to you. The HC was satisfied that it was possible to formulate a stringent set of conditions, which would include a condition restricting you from practising in operative dentistry. The HC considered that notwithstanding your adverse health conditions, you may be safe to perform certain clinical roles. It therefore directed that your registration be subject to an order of conditions for a period of 12 months, with a review hearing to take place before its expiry.

Today's review

10. Ms Bagott provided an update since the HC hearing in September 2025. She referred to the exchange of emails between the MDU (your representatives) and the GDC's Case Review Team (CRT) regarding your compliance with the conditions. In September 2025 the MDU advised the GDC that you were not working in any role requiring GDC registration and you were not on any NHS Performer's List. In subsequent emails the CRT drew attention to the MDU that even though you were not working in a role that required GDC registration you were still required to provide the

nomination of a Development Adviser and to submit an updated PDP to the GDC by 15 November 2025.

11. Ms Bagott advised that the reason for this early review was because there was a concern that you may have technically breached conditions 1 and 5 relating to you working with the Postgraduate Dental dean to formulate a Personal Development Plan (PDP) and to forward a copy of this to the GDC within 2 months of the conditions becoming effective. However, Ms Bagott conceded that there was some ambiguity regarding the wording of these conditions and the deadline as to when you were required to provide the PDP. Further, given the information from the MDU to the GDC which indicates that you had already met with a prospective Development Adviser, who had advised you to speak with your local postgraduate dean to assist with advice as to the likelihood of you being able to work again in the field of dentistry with the conditions imposed, the GDC was not asserting that you have positively breached the conditions.

12. Ms Bagott submitted that your fitness to practise remains impaired by reason of your adverse health. This is for the same reasons cited at the initial hearing in September 2025. She provided the Committee with a proposed set of amended conditions which clarified the timeframe regarding the provision of the PDP. It also included the removal of the reference of the 'Postgraduate Dental Dean/Director' and replacing it to that of the 'Development Adviser', in line with the updated terminology and as requested by the GDC's CRT.

13. Mr Rich conceded that your fitness to practise remains impaired. He set out some of the practical and financial difficulties you have faced in trying to comply with the conditions imposed on your registration. Mr Rich advised that you had recently met with a Development Adviser who provided you with an hour's free advice. You had also spoken to a Postgraduate Dean and his advice was to the effect that it would be difficult for you to obtain work as a dentist in the identified areas given that you have not worked as a dentist for some 4 years following the suspension of your registration by the Interim Orders Committee (IOC) and there were likely to be other candidates who were more recently qualified/had completed their studies in the last 2 years. Further, it seemed likely that you would have to pay for any further advice from the Development Adviser, which would have financial implications for you. Mr Rich advised that you are currently working on a part time basis in a business which is not related to dentistry.

14. Mr Rich, having taken instructions from you on the practicability of the GDC's proposed varied conditions, submitted that the most appropriate course of action would be to suspend your registration for the remainder of the term of the existing order. This was with a view to you producing a PDP that might lead to a set of workable conditions at some point in the future, and without you being under the pressure of conditions. The point was made on your behalf that suspending your registration was not to be seen as having a punitive effect on you but was in circumstances where you have insight into the matters that brought you before the HC and where it could be said that an order of suspension was in your own interests.

Decision on current impairment

15. In comprehensively reviewing this case, this Committee has considered all of documentary evidence presented to it contained in the two hearing bundles before it. It also had regard to the submissions made by Ms Bagott and by Mr Rich on your behalf. The Committee accepted the advice of the Legal Adviser.

16. The Committee considered whether your fitness to practise remains impaired by reason of adverse health, bearing in mind that neither party is seeking to persuade the Committee otherwise. In doing so, it exercised its own independent judgement and had regard to the over-arching objectives of the GDC: the protection of the health, safety and well-being of the public; the

maintenance of public confidence in the dental profession and in the regulatory process, and the declaring and upholding of proper standards of conduct and behaviour

17. [PRIVATE].

18. Accordingly, the Committee determined that your fitness to practise remains impaired by reason of your adverse health. It also concluded that public confidence in the dental profession would be undermined if a finding of impairment were not made. In its view, a fully informed member of the public, aware of all the facts, would be concerned if you were permitted to practise unrestricted. Accordingly, the Committee was satisfied that a finding of impairment is also required in the wider public interest.

Sanction

19. The Committee next considered what direction, if any, to make. It had regard to the GDC's Guidance for the Practice Committees (6 January 2026). The Committee has borne in mind the principle of proportionality, balancing the public interest against your own interests.

20. The Committee first considered whether it would be appropriate to allow the current order to lapse at its expiry (October 2026) or to terminate it with immediate effect. Given its finding of current impairment, the Committee determined that this would not be an appropriate course of action.

21. The Committee next considered whether to vary and extend the period of conditional registration, as advanced by the GDC. The Committee has borne in mind the difficulties you have experienced since September 2025 in trying to comply with the HC conditions. It recognised that you have not been working as a dentist for the past four years by virtue of the suspension of your registration by the IOC. The Committee considers that the risks to the public could continue to be suitably managed through conditions, albeit varied. However, in light of the information before it, the Committee considers that conditions are currently not workable and indeed put an onus on you which is not in your own interests. Accordingly, the Committee determined that the conditions proposed by the GDC are no longer workable in this case. It therefore directs that your registration be suspended. In making this direction, the Committee wishes to emphasise that it is not doing so for the purposes of protection of the public or in light of the findings against you. Indeed, It is encouraged by your attendance at this hearing. The Committee directs that your registration be suspended for a period of 8 months. It is satisfied that this period of time will allow you to concentrate on working on a PDP with such assistance as you are advised, and without necessarily incurring the costs of appointing a Development Adviser. This time would allow you an opportunity to plan your steps towards a return to dentistry, should that be feasible, and to provide a future reviewing Committee of your plans.

22. The Committee directs that a review of the suspension order should take place at a resumed hearing to be held shortly before the end of the 8 month period. You will be informed of the date and time of that resumed hearing. The reviewing Committee might be assisted by the following: your attendance at the resumed hearing; a copy of your proposed PDP, identifying the areas of dentistry you seek to pursue; information as to how you intend to resume practice in those areas and evidence to show that they are compatible with your health conditions.

23. The Committee is aware that it is open to parties to make submissions on the question of an immediate order of suspension. [Neither party made submissions on this matter] The Committee's view is that the current order of conditions in place is sufficient to protect the public and is otherwise in the public interest.

24. Unless you exercise your right of appeal, your registration will be suspended for a period of 8 months, 28 days from the date that notice of this direction is deemed to have been served upon you. In the event that you do exercise your right of appeal, the conditions of practice order currently in place on your registration will remain in force until the resolution of the appeal.

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