

ON PAPERS**Professional Conduct Committee
Review Hearing****06 February 2025**

Name: MURPHY, Christine
Registration number: 142440
Case number: CAS-206450-S0D8V1

General Dental Council: Amy Jones, IHLPS

Registrant: Unrepresented

Outcome: Suspension extended (with a review)

Duration: 12 months

Committee members: Diane Meikle (Chair, Lay member)
Arjun Shinh (Dentist member)
Caroline Ross (DCP member)

Legal adviser: Michael Bell

Committee Secretary: Paul Carson

1. This is a resumed hearing pursuant to section 36Q of the Dentists Act 1984. On 22 August 2024, the Professional Conduct Committee (the 'initial PCC') found Ms Murphy's fitness to practise as a dental nurse to be impaired by reason of misconduct and directed that her registration be suspended for a period of six months with a review.
2. The initial PCC summarised the background to the case as follows:

'This case arises from a self-referral to the GDC via an email dated on 2 August 2021. You informed the GDC of a conviction received on 5 February 2021, you were convicted at South-East London Magistrates' Court of a driving offence. During the course of its investigation into your self-referral, the GDC obtained a copy of your PNC record dated 28 August 2021 and also a copy of the Certified Memorandum of Conviction dated 18 April 2021. The GDC could find no evidence of you having informed it of this conviction until 2 August 2021.'

3. The initial PCC did not find Ms Murphy's fitness to practise to be impaired by reason of her conviction given, among other factors, the passage time since of the conviction, the lack of any evidence of re-offending and Ms Murphy's remorse and self-referral to the GDC. The initial PCC did however find Ms Murphy's fitness to practise to be impaired by reason of misconduct for having failed to immediately inform the General Dental Council (GDC) that she was subject to the criminal proceedings, both at the point of being charged and when convicted. The initial PCC found that this failure to have immediately informed the GDC was dishonest, stating:

'...The Committee was satisfied that you knew, including after having made a DBS check, that you were under an obligation to immediately inform the GDC of being charged and convicted. The Committee inferred on the balance of probabilities that the likely reason for your non-disclosure of your conviction was because you thought your GDC registration would be at risk, in light of the nature of your re-offending and previous matters before various Health Committees...'

4. In finding Ms Murphy's fitness to practise to be impaired by reason of misconduct, the initial PCC stated:

'The Committee was of the view that dishonesty is very difficult to remedy, although not impossible. In considering what steps you have taken to address your dishonesty, the Committee took into account the evidence it received including your oral evidence given at this hearing. The Committee notes that you have made a continued commitment to your profession. You state that you are up to date with your CPD and expressed a desire to return to dental nursing. However, the Committee has received little evidence of insight and remediation into your past behaviour. You stated that you would not repeat this type of conduct again but the Committee were informed of similar conduct being repeated, which went before a Health Committee in 2016.'

Taking all the evidence into account, the Committee was satisfied that given your lack of insight into your past conduct, a risk of repetition remains. Therefore, a finding of impairment in respect of public protection is appropriate and proportionate in the circumstances of this case.

The Committee next considered whether a finding of impairment is required in the public interest. It took into account its duty to maintain the public's confidence in the profession and to uphold proper standards. The public has a right to trust the accuracy of the GDC register. Taking these factors into account, the Committee determined that public confidence in the profession would be undermined if a finding of impairment were not made, given the serious nature of your dishonesty.'

5. In directing that Ms Murphy's registration be suspended for a period of six months with a review, the initial PCC stated:

'The Committee is not satisfied that your conduct is fundamentally incompatible with your remaining a registered dental professional. You provided positive testimonials from your recent colleagues and employer relating to your competence and conduct as a dental nurse. There is a public interest in rehabilitation and the return to work of a dental nurse whose clinical competence has not been questioned. Suspension is the proportionate sanction in the Committee's judgement. A period of suspension would mark your misconduct and conviction and would allow you the opportunity to reflect further on your behaviour and its impact on public confidence in the profession.'

Accordingly, the Committee directs that your registration be suspended for a period of six months. The period of suspension shall be reviewed prior to its expiry. The reviewing Committee may be assisted by your evidence of any further insight and remorse you have developed in respect of your offending and your misconduct. The reviewing Committee may also be assisted by:

- *Evidence of targeted CPD;*
- *Evidence of insight and the need to follow GDC principles and standards;*
- *Evidence of your understanding of the need to maintain the integrity of the GDC register.'*

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6. It is the role of the Committee today to undertake the review directed by the initial PCC. Neither party was present at the hearing, which was conducted remotely using Microsoft Teams.
7. In its written submissions, the GDC requested that the hearing proceed in the absence of the parties and that the case be reviewed on the papers. Its position is that Ms Murphy's fitness to practise continues to be impaired by reason of misconduct and that the suspension of her registration should be extended by a further period of 12 months with a review. In its written submissions it stated:

'...there is no evidence to show any material change in position since the last hearing. There is no evidence of any further insight and remorse from the Registrant in respect of her offending and misconduct. The Registrant has not provided any evidence of targeted CPD; insight or the need to follow GDC principles and standards. Finally, there is no evidence of the Registrant's understanding of the need to maintain the integrity of the Council register...'

8. By email to the GDC on 15 January 2025, Ms Murphy stated:

'I am unable to attend the hearing in February as I will be on holiday at that time. I was unable to tell you sooner as this has only recently been booked. Therefore, I am happy for the hearing to go ahead in my absence.'

9. The Committee accepted the advice of the Legal Adviser on the requirements of service and proceeding in absence.
10. The Committee was satisfied that the notification of hearing dated 3 December 2025 had been served on Ms Murphy in accordance with Rules 28 and 65 of the Rules.

11. The next consideration for the Committee was whether to proceed with the hearing notwithstanding Ms Murphy's absence. This is a discretion which must be exercised with great care and caution. The Committee was satisfied that the GDC had made all reasonable efforts to send notice of this hearing to her. She is aware of the hearing and its purpose, as evidenced in her email correspondence to the GDC. Whilst she states that she is currently on holiday, the material before the Committee indicates that the holiday was booked after she had received notification of the date of this remote hearing. She has not in any event applied for the hearing to be relisted on an alternative date and instead consents to the hearing today proceeding in her absence.
12. Having regard to all the circumstances, including Ms Murphy's consent for the hearing to proceed in her absence, her general lack of engagement in these proceedings and the pending need to review the period of suspension prior to its expiry, the Committee determined that it would be fair and in the public interest to proceed with the hearing notwithstanding her absence (and that of the GDC) and to review the case on the papers.
13. The Committee accepted the advice of the Legal Adviser on the review of the suspension.
14. The Committee had regard to all the information contained in the hearing bundle and to the submissions which were made by the GDC. There was no record before the Committee of any submissions or other engagement from Ms Murphy beyond her email confirming that she consents to the hearing proceeding in her absence.
15. The first consideration for the Committee was whether Ms Murphy's fitness to practise continues to be impaired by reason of the misconduct found by the initial PCC. She has not provided any of the information indicated by the initial PCC as being of potential relevance to this review hearing, such as evidence of targeted CPD and insight. She has not otherwise provided any reflection or remedial evidence whatsoever. In those circumstances, the Committee determined that her fitness to practise continues to be impaired by reason of misconduct. The Committee today is in no different a position to the initial PCC save that Ms Murphy now appears less engaged in the proceedings than she was at the initial hearing. In order for the Committee to be in a position to find that her fitness to practise is no longer being impaired, it would be necessary for Ms Murphy to fully engage in this regulatory process and to provide evidence of reflection, learning and remediation. This is not a case where her fitness to practise would cease to be impaired through the passage of time. She must actively engage and discharge her persuasive burden to demonstrate to the reviewing Committee that her fitness to practise is no longer impaired.
16. Having found that Ms Murphy's fitness to practise continues to be impaired by reason of misconduct, the next consideration for the Committee was what further action, if any, to take in respect of her registration. In absence of any evidence of remediation, there remains a real risk of repetition. The Committee therefore determined that the continued restriction of her registration is necessary for public protection and to maintain wider public confidence in the profession. Conditions of practice would not be sufficient or appropriate to address the nature of Ms Murphy's misconduct. The Committee was therefore satisfied that the continued suspension of her registration remains necessary and proportionate.
17. Accordingly, the Committee directs that the suspension be extended by a further period of 12 months with a review.
18. That concludes this determination.