

PUBLIC HEARING

Professional Conduct Committee Initial Hearing

23 June 2025

Name: JENKINS, Lucy Emily
Registration number: 295364
Case number: CAS-209176-N2X6G6

General Dental Council: Sian Priory, Counsel.
Instructed by Rosie Geddes, IHLPS

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct and caution

Outcome: Fitness to Practise Impaired. Reprimand Issued

Committee members: Gill Mullen (Lay) (Chair)
Hall Graham (Dentist)
Tanya Viehoff (Dental Care Professional)

Legal Adviser: William Hoskins

Committee Secretary: Andrew Keeling

CHARGE

JENKINS, Lucy Emily, a dental nurse, National Diploma in Dental Nursing NEBDN 2020 is summoned to appear before the Professional Conduct Committee on 23 June 2025 for an inquiry into the following charge:

“That being registered as a dental care professional Lucy Jenkins’s (295364) fitness to practise is impaired in that:

1. *On 19 November 2023 you were cautioned by Thames Valley Police for Battery contrary to Section 39 of the Criminal Justice Act 1988.*

AND that by reason of the facts alleged, your fitness to practise is impaired by reason of caution and / or misconduct.”

Miss Jenkins,

1. This was a Professional Conduct Committee (PCC) inquiry into the facts which formed the basis of the allegation against you that your fitness to practise is impaired by reason of caution and/or misconduct.
2. You were present at the hearing, but not represented. Miss Sian Priory, Counsel, appeared on behalf of the General Dental Council (GDC).
3. The hearing was held remotely on Microsoft Teams.

Admission

4. You informed the Committee that you admitted the charge.

Background

5. Miss Priory took the Committee through the background to the case. She stated that, on 1 December 2023 you informed the GDC by email that, *'I am writing to tell you that I have received a police caution and I think I have to declare it to the gdc'*. You explained to the GDC that you had received a police caution for assaulting your partner following an incident on 19 November 2023. You further explained that you had been out drinking with your partner and had an altercation with him at the train station when returning home. You stated that you had hit your partner with your handbag and this was witnessed by a police officer nearby. The police officer arrested you and you were subsequently issued with a caution for the offence of Assault by Battery, contrary to Section 39 of the Criminal Justice Act 1988.
6. Miss Priory stated that following your self-referral, the GDC commenced an investigation into your police caution. The GDC received a copy of the police caution and a Police National Computer document.

Findings of Fact

7. The Committee noted your admission and considered the background to the case as set out by Miss Priory and in the documents it had received for this hearing.
8. In line with the GDC's *'Guidance on Admissions made at the Preliminary Stage in Fitness to Practise Proceedings'* (issued in October 2022), the Committee announced the charge as found proved.

Stage 2

9. Having announced its decision on the charge, the Committee heard submissions from Miss Priory, on behalf of the GDC, and you in relation to the matters of misconduct, impairment and sanction.
10. The Committee took into account the documents it had received. The Committee also heard and accepted the advice of the Legal Adviser as to its powers and the approach it should take when considering misconduct, impairment and sanction.
11. 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*" (*'GDC's Standards'*) and the Guidance for the Practice Committees, including Indicative Sanctions Guidance, (October 2016, revised December 2020) (*'GDC's Guidance'*). The Committee also had regard to relevant case law.

Submissions

12. Miss Priory submitted that your conduct, which led to your police caution, was a departure from the GDC's Standards, in particular Standard 9.1. She submitted that your conduct was sufficiently serious to warrant a finding of misconduct and invited the Committee to make such a finding.
13. In respect of impairment, Miss Priory submitted that a finding of current impairment should be made on the public interest ground only. She submitted that the incident which led to your caution took place outside the workplace and there was no evidence to suggest that you posed a risk to the public. Miss Priory submitted that a finding of impairment is required to uphold public confidence in the profession and to mark the seriousness of your conduct and caution. She submitted that a fully informed member of the public would be shocked and dismayed if a finding of impairment were not made in circumstances where you had committed an assault and received a police caution.
14. In respect of sanction, Miss Priory submitted that your conduct and caution could be considered to be at the lower end of the spectrum of seriousness when considering the facts of the case. She submitted that the public interest could properly and proportionally be met by way of a reprimand.
15. You submitted that your conduct and caution involved a one-off incident, which you regretted and which had taken place whilst you were under the influence of alcohol. You apologised for your actions and stated that you were ashamed and embarrassed by your actions. You submitted that at work you are professional, kind and work very well with patients. You stated that you enjoy dental nursing and that you did not think

that your fitness to practise is impaired. You referred to the positive testimonials submitted on your behalf from your Practice Manager, a colleague and a patient. You confirmed that you had informed your Practice Manager and the Business Manager at the practice about your police caution, but you had not informed the patient or your colleague.

Misconduct

16. The Committee first considered whether the conduct which led to your caution amounted to misconduct. In doing so it had regard to the GDC's Standards. It determined that you had breached the following standard:

9.1 Ensure that your conduct, both at work and in your personal life, justifies patients' trust in you and the public's trust in the dental profession.

17. The Committee considered that you had assaulted your partner on a night out and this had led to you receiving a police caution. The Committee considered that this was sufficiently serious to warrant a finding of misconduct.

Impairment

18. The Committee then considered whether your fitness to practise is currently impaired by reason of your police caution and/or misconduct.

19. The Committee firstly noted that this was not a clinical case and there was no evidence before it that you posed a risk to patients or the public. For these reasons, the Committee determined that your fitness to practise is not currently impaired on public protection grounds.

20. The Committee then went on to consider whether your fitness to practise is impaired on wider public interest grounds.

21. The Committee noted that you fully regretted and have apologised for your conduct and the police caution you received. The Committee considered your submissions and the documents you have provided at this hearing and these showed that you were clearly remorseful of your actions and that you showed insight into both your conduct and caution. It noted that the incident took place in November 2023 and that you promptly reported this to the GDC. Furthermore, there has not been any repetition since or any evidence of any prior wrongdoing.

22. However, notwithstanding this, the Committee was mindful of its role to protect the public interest. The Committee considered that you had assaulted your partner and this had resulted in a police caution. The Committee considered that owing to the seriousness of your caution and misconduct, a finding of impairment is required in the

wider public interest, to maintain public confidence in the profession and to uphold appropriate standards of conduct among dental professionals.

Sanction

23. The Committee next considered what sanction, if any, to impose on your 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 your interest with the public interest. It also took into account the *GDC's Guidance*.

24. The Committee considered the mitigating and aggravating factors in this case, as outlined in paragraphs 5.17 and 5.18 in the *GDC's Guidance*.

25. The Committee considered that the mitigating factors in this case included:

- Evidence of good conduct following the incident in question;
- Evidence of previous good character;
- Evidence of remorse shown, insight and apology given;
- The fact that the incident was a single, isolated incident;
- Time elapsed since the incident.

26. In respect of the aggravating factors, the Committee determined that there were none in this case.

27. 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 seriousness of your police caution and conduct.

28. The Committee next considered whether it would be appropriate to conclude the case with a reprimand. The Committee had regard to the GDC's Guidance and noted the following:

"A reprimand does not impose requirements on a registrant's practice and should therefore only be used in cases where he or she is fit to continue practising without restrictions. A reprimand might be appropriate if the circumstances do not pose a risk to patients or the public which requires rehabilitation or restriction of practice."

29. Furthermore, the Committee noted from the GDC's Guidance that a reprimand may be suitable where the following factors were present:

- There is no evidence to suggest that the dental professional poses any danger to the public;
- The dental professional has shown insight into her failings;
- The behaviour was an isolated incident;
- The dental professional has genuinely expressed remorse;
- The dental professional has no previous history.

30. The Committee considered that all these factors were present in this case.
31. Having given the matter careful consideration, the Committee has determined that a reprimand is the appropriate sanction to impose in the particular circumstances of this case. The Committee considered that your conduct and caution were at the lower end of the spectrum of seriousness. There has been no evidence of repetition and it appears to the Committee that your conduct was a short-lived one-off incident, which had taken place after you and your partner had drunk too much alcohol following a night out. The Committee considered that you do not pose a risk to patients and that you have also shown remorse for, and insight into, your conduct and police caution.
32. In all the circumstances the Committee considered that the issuing of a reprimand was sufficient to mark the seriousness of your police caution and misconduct. A reprimand meets the public interest considerations to maintain trust and confidence in the profession and to declare and uphold proper professional standards. The Committee was satisfied that a reasonable informed observer, fully aware of the facts of the case, would consider that the sanction of a reprimand represents a suitable and proportionate disposal. Any other sanction would plainly be disproportionate given the nature and severity of the incident which led to your police caution.
33. The Committee has therefore determined that a reprimand should be recorded against your name in the Register. The fact of this reprimand, and a copy of this determination, will appear alongside your name in the Register for a period of 12 months. The reprimand forms part of your fitness to practise history and is disclosable to prospective employers and prospective registrars in other jurisdictions.
34. That concludes this hearing.