

HEARING HELD IN PUBLIC

Professional Conduct Committee Initial Hearing

10 and 11 December 2025

Name: GIBSON, Matthew Desmond Thomas
Registration number: 283824
Case number: CAS-204013

General Dental Council: Callum Munday, counsel
Instructed by Sarah Barker, IHLPS

Registrant: Not present
Not represented

Fitness to practise: Impaired by reason of conviction
Outcome: Erased with Immediate Suspension
Duration: N/A
Immediate order: Immediate suspension order

Committee members: Gill Mullen (Lay) (Chair)
Emma Haywood (Dental Care Professional)
Caitriona Gerber Walsh (Dentist)

Legal Adviser: Jayne Wheat

Committee Secretary: Gareth Llewellyn

Determination on preliminary matters – 10 December 2025

1. This is a hearing before the Professional Conduct Committee (PCC). The hearing is being held remotely using Microsoft Teams in line with the Dental Professionals Hearings Service's current practice.
2. Mr Gibson is not present and is not represented in his absence. Callum Munday of counsel, instructed by Sarah Barker of the General Dental Council's (GDC's) In-House Legal Presentation Service (IHLPS), appears for the GDC.

The charge

3. The charge that Mr Gibson faces at this hearing reads as follows:

'That being a registered dentist:

1. *On 22 April 2024, you were convicted at Edinburgh Sheriff Court of attempting to communicate indecently with a child contrary to section 24(1) of the Sexual Offences (Scotland) Act 2009.*

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

Service of notice of hearing

4. On behalf of the GDC Mr Munday submitted that service of notice of this hearing has been properly effected in accordance with Rules 13 and 65 of the General Dental Council (Fitness to Practise) Rules 2006 ('the Rules'). On 27 October 2025 a notice of hearing was sent to the address that Mr Gibson has registered with the GDC, setting out the date and time of this hearing, as well as the fact that the hearing would be conducted remotely. The notice was sent using the Royal Mail's Special Delivery service. The Royal Mail's Track and Trace service records that the notice was received on the afternoon of the following day, namely 28 October 2025. Copies of the notice were also sent to Mr Gibson by first class post and email, as well as to his legal representatives, namely the Medical and Dental Defence Union of Scotland (MDDUS).
5. The Committee accepted the advice of the Legal Adviser. The Committee determined that service of the notice of this hearing has been properly effected in accordance with the Rules.

Proceeding in absence

6. The Committee then went on to consider whether to exercise its discretion to proceed in the absence of Mr Gibson in accordance with Rule 54 of the Rules.
7. The Committee accepted the advice provided by the Legal Adviser. The Committee was mindful that its discretion to conduct a hearing in the absence of a registrant should be exercised with the utmost care and caution. The Committee had regard to emails from Mr Gibson's legal representatives, namely the MDDUS, of 31 July 2025 and 4 November 2025 in which they state that Mr Gibson will not be in attendance at the hearing, and will not be represented in his absence. After careful consideration the Committee determined that it would be fair and appropriate to proceed in Mr Gibson's absence. The Committee considered that Mr Gibson has voluntarily absented himself from this hearing, and that an adjournment, which has not been requested, would be unlikely to secure his attendance. The Committee was also mindful of the public interest in an expeditious consideration of the case, and of the potential inconvenience that would be caused to the GDC were it not to proceed.

Findings of fact – 10 December 2025

Background to the case and summary of allegations

8. The allegations giving rise to this hearing arise out of Mr Gibson’s conviction for a criminal offence.
9. As set out at the head of charge above, on 22 April 2024, having pleaded guilty, Mr Gibson was convicted at Edinburgh Sheriff Court of an offence of attempting to communicate indecently with a child. Mr Gibson reappeared before the court on 22 May 2024 and was sentenced to a community payback order, with a supervision period of 12 months, and an unpaid work requirement of 120 hours. The offence of which Mr Gibson was convicted was set out on the extract conviction from Edinburgh Sheriff Court in the following terms:

‘On 09 January 2023 and 01 March 2023, both dates inclusive at [redacted], MATTHEW DESMOND THOMAS GIBSON did intentionally and for the purposes of obtaining sexual gratification or of humiliating, distressing or alarming a person whom he believed to be a child who had not yet attained the age of 13 years, namely a child who he believed to be called Ruby then aged 12 years, but was in fact an adult who was a constable of the Police Service of Scotland, then in the execution of their duty and who was pretending to be said child and did send written sexual communication to her, in that he did repeatedly by means of messages sent via a social media platform send messages of a sexual nature to her and he did thereby attempt to communicate indecently with a child; CONTRARY to section 24(1) of the Sexual Offences (Scotland) Act 2009.’

Evidence

10. The Committee has been provided with documentary material in relation to the head of charge that Mr Gibson faces, including the extract conviction certificate referred to above, and a police case summary (MG5) and police witness statements (MG11s) in relation to the offence of which he was convicted.
11. The Committee heard no oral evidence.

Committee’s findings of fact

12. The Committee has taken into account all the evidence presented to it. It has considered the submissions made by Mr Munday on behalf of the GDC. The Committee has had regard to the GDC’s *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016, updated December 2020).
13. The Committee has accepted the advice of the Legal Adviser concerning its powers and the principles to which it should have regard. The Committee is mindful that the burden of proof lies with the GDC, and has considered the heads of charge against the civil standard of proof, that is to say, the balance of probabilities.
14. I will now announce the Committee’s findings in relation to the head of charge:

1.	<p><i>On 22 April 2024, you were convicted at Edinburgh Sheriff Court of attempting to communicate indecently with a child contrary to section 24(1) of the Sexual Offences (Scotland) Act 2009.</i></p> <p>Proved</p>
	<p>The Committee finds the facts alleged at head of charge 1 proved.</p>

The Committee had regard to Rule 57 (5) of the Rules and determined that the certified copy of the extract conviction placed before it provides conclusive proof of both the fact of conviction, and also proves the facts of the offence giving rise to that conviction. The Committee notes that the facts upon which the conviction was based have been found proven beyond reasonable doubt, which is an evidential standard that is higher than that employed by this Committee. The Committee accepted that it cannot go behind the facts on which that conviction was made.

Accordingly, the Committee finds the facts alleged at head of charge 1 proved.

15. We move to stage two.

Determination on impairment and sanction – 11 December 2025

16. Following the handing down of the Committee's findings of fact on 10 December 2025, the hearing proceeded to stage two; that is to say, impairment and sanction.

Proceedings at stage two

17. The Committee has considered all the evidence presented to it. It has taken into account the submissions made by Mr Munday on behalf of the GDC. In its deliberations the Committee has had regard to the GDC's *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016, updated December 2020). The Committee has accepted the advice of the Legal Adviser concerning its powers and the principles to which it should have regard.

Evidence at stage two

18. The Committee received no further evidence at the second stage of the hearing.

Summary of submissions

19. Mr Munday invited the Committee to determine that Mr Gibson's fitness to practise is currently impaired by reason of his conviction. Mr Munday submitted that the appropriate sanction is one of erasure from the register.

Fitness to practise history

20. Mr Munday addressed the Committee in accordance with Rule 20 (1) (a) of the General Dental Council (Fitness to Practise) Rules 2006 ('the Rules'). Mr Munday stated that Mr Gibson has no fitness to practise history with the GDC.

Impairment

21. The Committee first considered whether Mr Gibson's fitness to practise is currently impaired by reason of his conviction. In doing so, the Committee again exercised its own independent judgement. Throughout its deliberations, the Committee has borne in mind that its overarching objective is to protect the public, which includes the protection of patients and the wider public, the maintenance of public confidence in the profession and in the regulatory process, and the declaring and upholding of proper standards of conduct and behaviour.

22. The Committee has determined that Mr Gibson's fitness to practise is currently impaired. The Committee considers that the offence of which Mr Gibson was convicted, namely attempting

to communicate indecently with a child, is of the utmost seriousness. Mr Gibson's offending behaviour is highly damaging to his fitness to practise. The Committee also notes that Mr Gibson has not engaged in any meaningful way with this hearing, and in particular has not provided any information whatsoever to suggest that he had developed any insight into, or remediation of, his offending behaviour, save for his guilty plea and compliance with the terms of his criminal sentence. In the Committee's judgement a repeat of Mr Gibson's underlying conduct cannot be said to be highly unlikely. The Committee considers that Mr Gibson presents a real and significant risk to the public, and that his fitness to practise is currently impaired by reason of his conviction.

23. The Committee also considers that a finding of impairment is further required to maintain public confidence in the profession and to declare and uphold proper professional standards of conduct and behaviour. In the Committee's judgement the public's trust and confidence in the profession, and in the regulatory process, would be significantly undermined if a finding of impairment was not made, given the very serious nature of Mr Gibson's conviction.
24. Accordingly, the Committee finds that Mr Gibson's fitness to practise is currently impaired by reason of his conviction with regard to public protection and public interest considerations.

Sanction

25. The Committee then determined what sanction, if any, is appropriate in light of the findings of facts and impairment that it has made. The Committee recognises that the purpose of a sanction is not to be punitive, although it may have such an effect, but is instead imposed to protect patients and safeguard the wider public interests mentioned above.
26. In reaching its decision the Committee has again taken into account the GDC's *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016, updated December 2020). The Committee has applied the principle of proportionality, balancing the public interest with Mr Gibson's own interests. The Committee has once more exercised its own independent judgement.
27. The Committee has paid careful regard to the mitigating and aggravating factors present in this case.
28. In respect of the mitigating factors that are present, the Committee notes that Mr Gibson is no longer subject to the sentence that was imposed following his conviction, and that he is understood to have complied with its terms. The Committee has heard that Mr Gibson has no fitness to practise history. The Committee also took account of Mr Gibson's plea of guilty when appearing before the court, as well as his self-referral of this matter to the GDC.
29. In terms of aggravating factors, the Committee considers that Mr Gibson's offending behaviour entails a real risk of significant harm to the public, relating as it does to a conviction of a sexual nature involving an individual whom Mr Gibson understood to be a child. The Committee considers that Mr Gibson's behaviour was predatory and premeditated. Mr Gibson's offending behaviour amounts to a breach of trust, and indeed an abuse of a position of trust, in relation to a person whom Mr Gibson took to be a vulnerable individual. Mr Gibson has also presented no information to suggest that he has developed any significant insight into his offending behaviour, or has remedied his conduct, beyond his guilty plea and compliance with his criminal sentence.
30. The Committee has considered the range of sanctions available to it, starting with the least restrictive. In the light of its findings, the Committee considers that taking no action or issuing a reprimand would be wholly insufficient in the particular circumstances of this case. In the Committee's judgement public trust and confidence in the profession and in the regulatory process would be significantly undermined if no action were taken, or if the case were

disposed of by way of a reprimand. The serious nature of the conviction, and its damaging implications for public safety, trust and confidence, means that more serious action must be taken.

31. The Committee has also determined that a period of conditional registration would not be sufficient to meet the public protection and wider public interest issues that are so engaged in this particularly serious case. The Committee determined that conditions could not be formulated to protect the public, and in any case would be wholly insufficient to meet the public interest considerations that it has identified.
32. The Committee next considered whether a period of suspended registration would be appropriate. The Committee has determined that suspension is similarly not sufficient to address the serious nature of Mr Gibson's conviction. In the Committee's judgement a period of suspended registration would not be sufficient to protect the public, and would undermine public trust and confidence in the profession and in the regulatory process.
33. The Committee has therefore determined that the only appropriate and proportionate sanction in this particularly serious case is that of erasure. Mr Gibson's conviction for an offence of attempting to communicate indecently with a child is a serious departure from professional standards and is fundamentally incompatible with continued registration as a dentist. The particularly serious nature of this offence suggests a real and ongoing risk of serious harm to the public, especially in the light of Mr Gibson's lack of insight and remediation. Mr Gibson abused his position of trust towards someone whom he believed to be a child. The offence of which Mr Gibson was convicted is highly damaging to public trust and confidence in the profession, and the standing and reputation of the profession. In the circumstances, the Committee has found that the only appropriate, adequate and proportionate sanction is that of erasure.

Existing interim order

34. In accordance with Rule 21 (3) of the Rules and Section 27B (9) of the Dentists Act 1984 (as amended) the interim order of suspension in place on Mr Gibson's registration is hereby revoked.

Immediate order

35. The Committee now invites submissions as to whether Mr Gibson's registration should be made subject to an immediate order, pending its substantive direction of erasure taking effect.

Determination on immediate order – 11 December 2025

36. The Committee has again had regard to the GDC's *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016, updated December 2020).
37. Mr Munday on behalf of the GDC submitted that an immediate order of suspension is necessary to protect the public and is otherwise in the public interest.
38. The Committee accepted the advice of the Legal Adviser concerning its powers and the principles to which it should have regard.
39. In all the circumstances, the Committee considers that an immediate order of suspension is necessary to protect the public and is otherwise in the public interest. The Committee has determined that, given the risks to the public and the public interest that it has identified, it would not be appropriate to permit Mr Gibson to practise before the substantive direction of

erasure takes effect. The Committee considers that an immediate order for suspension is consistent with the findings that it has set out in its foregoing determination.

40. The effect of the foregoing determination and this immediate order is that Mr Gibson's registration will be suspended from the date on which notice of this decision is deemed to have been served upon him. Unless Mr Gibson exercises his right of appeal, the substantive direction of erasure will be recorded in the register 28 days from the date of deemed service. Should Mr Gibson decide to exercise his right of appeal, this immediate order of suspension will remain in place until the resolution of any appeal.

41. That concludes this case.