

PUBLIC HEARING**Professional Conduct Committee
Review Hearing****27 February 2025**

Name: GULANNANAVAR, Jyothi Swamy
Registration number: 269890
Case number: CAS-205311-T4P9D5

General Dental Council: Miss Olivia Rawlings, Counsel.
Instructed by Holly Watt, IHLPS

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct and conviction
Outcome: Suspension extended (with a review)
Duration: Six months

Committee Members: Zareen Elleby (Dental Care Professional) (Chair)
Arif Sadikot (Dentist)
Lynne Vernon (Lay)

Legal Adviser: Tanveer Rakhim

Committee Secretary: Andrew Keeling

Mrs Gulannanavar,

1. This was a review hearing before the Professional Conduct Committee (PCC) in accordance with Section 27C of the Dentists Act 1984 (as amended) ('the Act'). The purpose of this hearing was for this PCC to review your case and determine what action to take in relation to your registration.

2. You were present at the hearing, but you were not represented. Miss Olivia Rawlings, Counsel, appeared on behalf of the General Dental Council (GDC). The hearing was held remotely on Microsoft Teams.

Background

3. Your case was first considered by a PCC at a hearing in May 2024. You attended the hearing, but you were not represented. That Committee heard, and went on to find proved, that on 26 February 2021 you were convicted by virtue of your guilty plea at the Crown Court at Harrow for the offence of '*Commit Act / Series of Acts with Intent to pervert the course of public justice*' on 25 April 2020, contrary to Common Law. The Committee also found that you failed to immediately inform the GDC that on 26 February 2021 you were convicted for that offence.
4. That Committee went on to determine that your failure to immediately inform the GDC of your conviction amounted to misconduct.
5. In respect of whether your misconduct amounted to impairment, that Committee determined that your insight into your misconduct was limited and at an early stage. That Committee considered that public safety is contingent on the GDC having an accurate understanding of any issues which might affect a registrant's fitness to practise and therefore the public were at unwarranted risk of harm as a result of the shortcomings in your insight and remediation. That Committee determined, therefore that you posed a risk to patients, and that your fitness to practise was impaired by reason of your misconduct. That Committee further determined that a finding of impairment was also required in the public interest. It determined that 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 seriousness of your misconduct.
6. In respect of whether your fitness to practise was currently impaired by reason of your conviction, that Committee determined that you had not demonstrated sufficient evidence of insight or that you had remediated your behaviour. As such, that Committee was not able to conclude that repetition of your behaviour was highly unlikely. That Committee concluded that although your conduct took place outside of work, you had not demonstrated that you would necessarily act in a professional manner with honesty and integrity, if, for instance, you were faced with a patient complaint. Therefore, that Committee determined that the public was at risk of harm as a result of your unremediated conduct. That Committee further determined that a declaration of impairment was required to declare and uphold proper professional standards of conduct and behaviour given the seriousness of your conviction, relating as it does to an offence involving a dishonest act. That Committee, therefore, determined that your fitness to practise was also currently impaired by reason of your conviction.

7. That Committee determined that the most appropriate and proportionate sanction was to suspend your registration for a period of six months, with a review hearing to take place prior to the expiry of your suspension. That Committee considered that the future reviewing Committee might be assisted by your continued engagement in these proceedings, an in-depth reflective piece dealing with, amongst other topics, the impact of your misconduct and offending behaviour on the profession and the public, your understanding of the importance and role of honesty and integrity for dental professionals, details of any coping strategies that you use or will use, and character references arising from paid and unpaid work and any other activities from individuals whom you have fully appraised of the Committee's findings.
8. On 15 November 2024, a PCC reviewed your case at a hearing, at which you attended but were not represented.
9. When considering impairment in respect of your misconduct, that PCC concluded that you had not shown sufficient insight into your misconduct or shown that you had understood the impact your misconduct has had on the public and the dental profession. That Committee considered that you have not fully reflected upon the previous findings and therefore the risk of repetition, although reduced, still remains. The Committee considered that you continued to pose a risk to the public, and therefore concluded that your fitness to practise remained impaired by reason of your misconduct in respect of public protection. That Committee also determined that a finding of impairment was required in the wider public interest. It considered that if a finding of impairment were not made, public trust and confidence in the profession, and in the regulatory process, would be significantly undermined. It further considered that a finding of impairment was also required to declare and uphold proper professional standards of conduct and behaviour.
10. In respect of your conviction, that Committee determined that you had not demonstrated sufficient insight into the impact your previous offending behaviour had had on the profession and the public. Therefore, that Committee considered that the public was at unwarranted risk of harm as a result of your previous conduct. That Committee also determined that a finding of impairment was required in the wider public interest.
11. That Committee determined that a further three months' suspension was required, with a review hearing to take place prior to the expiry of your suspension. It considered that a future reviewing Committee may be assisted by the following:
 - Engagement with an experienced mentor (who has knowledge of these regulatory proceedings) who may assist you in the preparation of your remediation for the next reviewing Committee.
 - Written evidence of you having engaged and reflected upon your previous misconduct and the previous Committee's findings in detail and in full.

- An in-depth reflective piece dealing with, amongst other topics, the impact of your misconduct and offending behaviour on the profession and the public,
- Your understanding of the importance and role of honesty and integrity for dental professionals, details of any coping strategies that you use or will use.
- Character references arising from paid and unpaid work and any other activities from individuals whom you have fully appraised of the Committee's findings.

Today's Review

12. It was the role of the Committee today to undertake a comprehensive review of this case. In so doing, the Committee had careful regard to all the documentary evidence before it and took account of the submissions made by Miss Rawlings. You informed the Committee that you did not wish to give oral evidence or submissions at this hearing, but that you wished to rely on the documents you have provided. However, you agreed to answer questions from the Committee, and the Committee took your answers into account. The Committee further heard and accepted the advice of the Legal Adviser. The Committee had regard to the GDC's Guidance for the Practice Committees, including Indicative Sanctions Guidance (October 2016, updated December 2020) (*"the Guidance"*).
13. Miss Rawlings took the Committee through the background to the case. She submitted that since the previous review hearing, you have provided evidence of Continuing Professional Development (CPD) courses you have undertaken between November and December 2024, which included your reflections on these courses. However, she submitted that these reflections were limited and did not address what you had learnt from the courses or how you would embed that learning into your clinical practice. She also submitted that you had provided a written reflective piece for the Committee to consider. However, she submitted that this focussed on duty of candour in the workplace and, therefore, did not appear to be relevant to the issues in this case.
14. Miss Rawlings submitted that you had failed to reflect on your misconduct (i.e. your failure to inform the GDC immediately about your conviction), and you had failed to provide the documents recommended by the Committee at the previous review hearing, such as evidence of your engagement with a mentor and character references. Therefore, she submitted that you had failed to demonstrate that you had adequate insight into your misconduct and conviction, or shown what steps you would take to avoid a repetition of your behaviour. Furthermore, she submitted that you had failed to demonstrate an understanding of the gravity of your misconduct and conviction, and the impact it would have on the dental profession and public alike.
15. Miss Rawlings submitted, therefore, that your fitness to practise remained impaired on public protection and public interest grounds. She submitted that an informed member of the public would be concerned if a finding of impairment were not made. She invited

the Committee to extend the period of suspension for a further six months with a review hearing before the expiry of the order.

16. In response to questions from the Committee, you stated that you still wished to practise dentistry. You stated that you had not found a mentor to assist you with these proceedings. However, you had spoken to a dental colleague about the case although you had not spoken to him for about a year and a half. You stated that you also undertook voluntary work at the temple you attended and could provide character references from other volunteers. You mentioned that you also practised meditation as a coping mechanism.
17. In response to a question from the Committee about how the public and other dental professionals would feel about a dentist who had been convicted of an offence such as yours, you replied “*no comment*”.

Decision on Current Impairment

18. In making its decision, the Committee first sought to determine whether your fitness to practise was currently impaired by reason of your conviction and misconduct. It exercised its independent judgement and was not bound by the decision of the previous committee. It balanced your interests with those of the public and bore in mind that its primary duty is to protect the public, including maintaining public confidence in the profession and declaring and upholding proper standards and behaviour.
19. The Committee had regard to the documentary evidence you had provided for this hearing, which included evidence of various CPD courses undertaken and your reflections on those courses, and your written reflective statement titled ‘*Deep reflective writing on duty of candour, openness, transparency, honesty and integrity*’. The Committee noted this statement was undated but was sent as an attachment to an email to the GDC, dated 26 December 2024. The Committee also bore in mind that there was a persuasive burden on you to demonstrate that your fitness to practise is no longer currently impaired.

Impairment by Reason of Misconduct

20. The Committee first considered whether your fitness to practise remained impaired by reason of your misconduct, which was your failure to immediately inform the GDC of your conviction. The Committee noted that the CPD courses you had undertaken since the previous review hearing were not relevant to the issue of your misconduct as they were primarily to do with your clinical practice. The Committee noted that the only CPD course that may have been relevant was the ‘*duty of candour*’ course. However, the Committee considered that your written reflections on this course were lacking in any detail about what you had learnt with reference to your misconduct.
21. The Committee also considered your written reflective piece and noted that this mainly involved duty of candour in the workplace. The Committee was provided with no

evidence that you acknowledged your misconduct, understood why it had occurred and had taken steps to ensure that it would not be repeated. The Committee concluded that you had not shown sufficient insight into your misconduct or provided sufficient evidence of remediation, and therefore there was a likelihood it would be repeated.

22. The Committee determined, therefore, that your fitness to practise remained impaired by reason of your misconduct on the grounds of public protection. The Committee considered that failing to disclose any fitness to practise matters to the GDC, such as a conviction, would have an impact on the GDC's ability to investigate a registrant's fitness to practise and to keep the public safe from harm.
23. The Committee also determined that your fitness to practise is impaired on wider public interest grounds. The Committee determined that owing to your lack of remediation and insight into your misconduct, a finding of impairment is still required to maintain and uphold appropriate standards of conduct among dental professionals. Furthermore, it determined that a finding is still required to maintain public confidence in the dental profession, as an informed member of the public would be concerned if a finding of impairment were not made in light of your lack of insight and remediation.

Impairment by Reason of Conviction

24. The Committee next went on to consider impairment in respect of your conviction. It noted that although your suspended sentence has expired, you were still subject to a restraining order. Furthermore, the Committee has not seen any evidence that you fully understood the impact your conviction would have on the public and the dental profession. When this question was put to you at the hearing today, you answered by saying "*no comment*". Furthermore, the Committee noted that the CPD courses you had undertaken and your written reflective piece were not related to the matter of your conviction.
25. Therefore, in the absence of full remediation and insight into your dishonest behaviour which led to your conviction, the Committee concluded that it could not be certain that you would not engage in dishonest behaviour in a clinical setting. Consequently, it concluded that this could impact on patient safety. The Committee determined, therefore, that your fitness to practise is still impaired by reason of your conviction on public protection grounds.
26. The Committee also determined that your fitness to practise is impaired on wider public interest grounds by reason of your conviction. The Committee determined that owing to your lack of remediation and insight into your conviction and your dishonest behaviour which led to it, a finding of impairment is still required to maintain and uphold appropriate standards of conduct among dental professionals. Furthermore, it determined that a finding was still required to maintain public confidence in the dental profession as an informed member of the public would be concerned if a finding of impairment were not made in light of your lack of remediation and insight.

Decision on Sanction

27. The Committee next considered what sanction to impose on your registration. The Committee has found that your fitness to practise remained impaired by reason of your misconduct and conviction. In these circumstances, the Committee concluded that terminating the current suspension order would not be appropriate or sufficient for the protection of the public or the public interest.
28. The Committee next considered whether to replace the current suspension order with one of conditions. In so doing, it noted that conditions would not suitably address the matters in this case, which are behavioural in nature. In these circumstances, the Committee determined that conditions were not appropriate, workable or sufficient for this case.
29. Accordingly, the Committee was satisfied that it was necessary to maintain the current suspension order in order to protect the public and maintain public confidence in the dental profession. The Committee determined that a further period of suspension was appropriate and proportionate. In the circumstances the Committee decided that your registration should be suspended for a further period of six months with a review before the expiry. The Committee considered that this length of time was appropriate to allow you to gather the evidence to show full insight and remediation into your misconduct and conviction.
30. The Committee also wished to largely repeat the recommendations made at the previous review hearing as to the evidence that a future Committee may be assisted in receiving, although in no way intending to bind a future Committee's decision. That information is as follows:
- Engagement with a professional organisation or any individual who can assist you in the preparation and presentation of your remediation for the next reviewing Committee.
 - A written and in-depth reflective piece that comments on the GDC Standards relevant in this case (*Standard 9.1 - You must 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* and *Standard 9.3 - You must inform the GDC if you are subject to criminal proceedings or a regulatory finding is made against you anywhere in the world*) and that reflects upon your previous misconduct and the previous Committee's findings in detail and in full.
 - Evidence of CPD courses undertaken, with full reflections, targeted to the matters in this case, GDC Standards 9.1 and 9.3, and the importance and role of honesty and integrity for dental professionals.
 - Character references arising from paid or voluntary work from individuals whom you have made fully aware of the Committee's findings and the reasons for its decisions to suspend your registration.

Right of Appeal

31. You will have 28 days from the date on which notice of this decision is deemed to have been served on you to appeal against this decision. Should you decide to appeal, the existing direction of suspension will remain in force until the resolution of any such appeal. Should you decide not to appeal, the current suspension will take effect on the date on which it would otherwise expire.

32. That concludes this hearing today.