

PUBLIC HEARING

Professional Conduct Committee Initial Hearing

8 – 9 June 2026

Name: FINNIGAN, Hannah

Registration number: 297138

Case number: CAS-212735-Q8N4B7

General Dental Council: Molly Dyas, Counsel
Instructed by Dan Watson, IHLPS

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct and conviction

Outcome: Suspended with immediate suspension (with a review)

Duration: 12 months

Immediate order: Immediate suspension order

Committee members: Debbie Jones (Chair, DCP Member)
Caitriona Gerber Walsh (Dentist Member)
Jane Jones (Lay Member)

Legal Adviser: Alexander Coleman

Committee Secretary: Sarah Crewe

Miss Finnigan,

The hearing was held to consider the following charge against you:

That being registered as a dental care professional:

- 1) *On 3 August 2021 you signed the application form for registration with the General Dental Council and ticked "no" in response to the question "have you been convicted of a criminal offence and/or cautioned (other than a protected conviction or caution) and/or are you currently the subject of any police investigations which might lead to a conviction or caution in the UK or any other country".*
 - 2) *Your conduct in relation to 1) was:*
 - (a) *Misleading; and/or*
 - (b) *Dishonest.*
 - 3) *On 23 August 2024, you were convicted at Liverpool Magistrates' Court of the offence of, on 03 April 2024, driving a motor vehicle with a proportion of a specified controlled drug, delta-9 tetrahydrocannabinol, in your blood, namely greater than 9.8ug/L, exceeding the specified limit, contrary to sections 5A(1)(a) and 5A(2) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.*
 - 4) *You failed to immediately inform the General Dental Council that you were charged with and/or convicted of the offence at 3) above.*
 - 5) *From 3 June 2024 to 28 October 2024 you failed to hold adequate indemnity insurance.*
- AND, your fitness to practice is impaired by reason of your misconduct and/or conviction.*
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1. This is a hearing before the Professional Conduct Committee (PCC). The hearing is being held remotely using Microsoft Teams.
2. You are present and unrepresented. Miss Molly Dyas, appears for the GDC.

Case background

3. On 3 April 2024 you were driving your vehicle when approached by police officers after they sighted you driving over the speed limit.
4. One of the police officers asked you if you use any drugs, to which you stated that you occasionally use cannabis. You were detained and a search undertaken.
5. During the search you were asked if you had used cannabis that day, to which you admitted to having 'a joint about an hour ago'.

6. A roadside drug test was carried out and this indicated the presence of cannabis. You were then cautioned and arrested.
7. You were taken into custody and consented to give a blood sample for a drug test.
8. On 23 August 2024, you were convicted at Liverpool Magistrates' Court of the offence of, on 03 April 2024, driving a motor vehicle with a proportion of a specified controlled drug, delta-9 tetrahydrocannabinol, in your blood, namely greater than 9.8ug/L, exceeding the specified limit, contrary to sections 5A(1)(a) and 5A(2) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.
9. On 22 November 2024 you self referred to the GDC, declaring 'I received a drug driving ban (cannabis) – 12 month ban, with no criminal conviction'.
10. As part of the routine checks following the self referral the GDC requested further information. You sent a copy of a screenshot of the penalty information from the Government website which indicated that you were charged for driving with drug levels above the specified amount, a picture of the Notice of Criminal Charge and the statement from the police officer that arrested you.
11. You were notified that the GDC would investigate the matters and were asked to provide details of your working arrangements, details of your indemnity, a medical reference and consent for a health assessment.
12. On 3 December 2024 a PNC request was submitted. This showed that in August 2024 you were convicted of the above offence.
13. Given the case involved a criminal conviction, and following standard practice, a request was made for a copy of your registration form from the registrations team.
14. The registration form showed that you had failed to declare that you had been convicted of a criminal offence, or an earlier police caution in 2019.
15. The indemnity information that you provided suggested that you had worked as a dental nurse between 3 June 2024 and 28 October 2024 without indemnity insurance.

Admissions

16. You made admissions to charges 1, 2(a), 3, 4 and 5. You denied charge 2(b). The Committee, having assured itself that you had full and proper understanding of what you were making admissions to, and having accepted the advice of the Legal Adviser, determined and announced that the facts alleged at those heads and sub-heads of charge were proved on the basis of your admissions in accordance with Rule 17 (4) of the Rules.

Evidence

17. The evidence received by the Committee included oral evidence from you, and witness statements from the GDC witnesses and associated exhibits provided.
18. The documentary evidence before the Committee included, but was not limited to, the following:

- Certified Memorandum of Conviction
- Self referral information and associated correspondence
- Statement of Witness 1 and associated exhibits
- Statement of GDC Case Officer and associated exhibits
- Your Reflective Statement

The Committee’s findings of fact

19. The Committee accepted the advice of the Legal Adviser. It considered fully the outstanding charge, bearing in mind that the burden of proof rests with the GDC, and that the standard of proof is the civil standard, that is, whether the alleged matters are proved on the balance of probabilities.

20. The Committee factual findings are as follows:

1.	<p><i>On 3 August 2021 you signed the application form for registration with the General Dental Council and ticked “no” in response to the question “have you been convicted of a criminal offence and/or cautioned (other than a protected conviction or caution) and/or are you currently the subject of any police investigations which might lead to a conviction or caution in the UK or any other country”.</i></p> <p>Admitted and Found Proved.</p>
2.	Your conduct in relation to 1) was:
2.(a)	<p><i>Misleading; and/or</i></p> <p>Admitted and Found Proved.</p>
2.(b)	<p><i>Dishonest</i></p> <p>Found Proved.</p> <p>In approaching this head of charge, the Committee applied the test set out in <u>Ivey v Genting Casinos (UK) Ltd. t/a Crockfords [2017] UKSC 67</u>. The test is that the Committee must decide the actual state of the registrant’s state of mind at the time, and, having taken account of her state of mind, whether the registrant’s conduct was dishonest by reference to the standards of an ordinary decent person. The registrant’s own standards of honesty are not relevant.</p> <p>The Committee first of all reminded itself of your admission in relation to charge 1.</p> <p>You told the Committee that when you ticked the box saying that you didn’t have any convictions or cautions this was not malicious or dishonest, it was simply an error on your part due to your misunderstanding of the process and being new to the profession.</p> <p>In response to questions you accepted that you had received a police caution for possession of cannabis with intent to supply. You accepted that you had read the statement before you ticked the box and signed the form. You explained that you misunderstood the question and assumed that it didn’t count because the caution</p>

happened before you applied to join the register.

You explained that you were confused because the form states that you will inform the GDC of any future cautions or convictions. You, however, accepted that you subsequently failed to immediately inform the GDC about your 2024 conviction.

You denied that you were trying to hide your caution, you made a mistake. The caution happened when you were a trainee dental nurse and you didn't fully understand the process. You said that you asked for help but nobody was willing to help you. You explained that you understood the seriousness of the caution, but you didn't realise the seriousness and importance for the GDC to know.

You told the Committee that you informed your employer at the time of the caution. You explained that during your training you were taught about GDC registration, GDC standards such as confidentiality, but you do not recall the training covering filling out GDC forms or covering anything about professionalism and good character.

You explained, in response to Committee questions, that you would have asked for help with the general process of the form, rather than anything specific about this question.

You were taken to correspondence that you sent to the GDC in which you stated that you were unaware that there would still be traces of the drug in your system from the day before. It was pointed out that you had told the police that you had 'smoked a joint' an hour before. You were asked why you told the GDC that the use of cannabis had been the day before and not an hour before. You stated that you were unable to explain that.

The Committee considered all the evidence before it. It accepted that you were new to the profession. However, it considered that the question is a straightforward one that is not easily misunderstood, and that it was asked in three different places on the form where the declaration could have been made.

You told the Committee that you believed it was about future cautions or convictions, but you also then failed to inform the GDC about your drug driving conviction. The Committee also noted that you provided false information in your correspondence with the GDC regarding your conviction. The Committee considered that your evidence today has demonstrated a pattern of withholding information from the GDC.

The Committee concluded that your state of mind at the time of ticking the 'no' box in regard to cautions and convictions on the registration form was that you knew you had the caution and you must have known that ticking the box 'no' was the wrong thing to do. It concluded that it was more likely than not that this was a deliberate act to intentionally withhold information about your caution when applying for registration.

The Committee next considered whether the reasonably informed member of the public would consider your actions to be dishonest. It concluded that the integrity of the register is paramount and the public have the right to trust that those on the register are there honestly. It also considered that honesty and integrity are a fundamental tenet of the profession and the public would consider your actions to be dishonest.

	Accordingly, the Committee concluded that charge 2(b) is found proved.
3.	<p><i>On 23 August 2024, you were convicted at Liverpool Magistrates' Court of the offence of, on 03 April 2024, driving a motor vehicle with a proportion of a specified controlled drug, delta-9 tetrahydrocannabinol, in your blood, namely greater than 9.8ug/L, exceeding the specified limit, contrary to sections 5A(1)(a) and 5A(2) of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1988.</i></p> <p>Admitted and Found Proved.</p>
4.	<p><i>You failed to immediately inform the General Dental Council that you were charged with and/or convicted of the offence at 3) above.</i></p> <p>Admitted and Found Proved.</p>
5.	<p><i>From 3 June 2024 to 28 October 2024 you failed to hold adequate indemnity insurance.</i></p> <p>Admitted and Found Proved.</p>

Decision and reasons on fitness to practise

21. Having announced its decision on the facts, the Committee then moved on to consider whether the facts found proved amount to misconduct and, if so, whether your practice is currently impaired by reason of misconduct and/or conviction. Should the Committee find there is current impairment, it can then move on to consider what sanction, if any, to impose.
22. In accordance with Rule 20 of the Fitness to Practise Rules 2006, the Committee heard submissions from Miss Dyas on behalf of the GDC and from you in relation to the matters of misconduct, impairment and sanction.

Submissions

23. Miss Dyas addressed the Committee on the matters of misconduct, impairment, and sanction. She informed referred the Committee to specific paragraphs in the guidance for the Committee to consider as part of its deliberations.
24. On the matter of misconduct, Miss Dyas reminded the Committee that there is no burden or standard of proof when looking at misconduct, but rather it is for the judgment of the Committee.
25. Miss Dyas invited the Committee to find that your actions had breached the Standards, particularly standards 1.3, 1.7, 1.8 and 9.1. Furthermore, you accepted that you were aware of your duty to inform the GDC of being charged and ultimately convicted. Not doing so denied the GDC the opportunity to make a decision about any fitness to practise concerns expeditiously and determine whether you were of good character for registration. Further, it was submitted that a failure to have indemnity insurance for a lengthy period is serious. It deprives patients the opportunity to seek renumeration if harm is caused. For those reasons, Miss Dyas invited the Committee to conclude that the facts found proved do amount to misconduct.
26. On the matter of impairment, Miss Dyas invited the Committee to consider all of the matters, both misconduct, if found, and your conviction.

27. Miss Dyas submitted that the question of risk to the public is not the only consideration for the Committee and there are public interest factors to be considered as well. She informed the Committee that the primary position of the GDC is that your fitness to practise is currently impaired on public interest grounds.
28. In relation to public interest, Miss Dyas submitted that a finding of current impairment is required in the public interest, in order to declare and uphold proper professional standards and to maintain public confidence in the profession, by sending a clear message that standards of conduct will be taken seriously by the GDC as a regulatory body. Furthermore, Miss Dyas submitted that the dishonesty found by the Committee demonstrates an attitudinal issue. The public has a fundamental right to trust that the dental professionals on the register have been appropriately vetted and determined to be of good character by the registrar.
29. On the matter of sanction, Miss Dyas referred the Committee to the relevant guidance and outlined the aggravating and mitigating factors that the GDC say are present in your case. She submitted that your developing insight may be taken into consideration and while the Committee cannot hold your denial of the dishonesty charge against you it can consider whether you have full and careful insight into the findings that the Committee has made in regard to dishonesty.
30. Miss Dyas took the Committee through the available sanctions in order. She submitted that the appropriate and proportionate sanction in your case would be a 12 month suspension, with a review. Miss Dyas submitted that this is proportionate because although dishonesty has been found, you have engaged in this process and shown some insight. A 12 month suspension will give you the time to demonstrate to a review Committee full and proper insight and remediation, and also send a message to the public and the profession of the importance of honesty and integrity, and informing the GDC of any adverse findings.
31. You read a statement to the Committee. You explained the impact that a suspension would have on you, both personally and professionally. You told the Committee that you are currently doing a course that would be impacted by a significant period of suspension and this would have a detrimental impact on your future career. You told the Committee that you are dedicated to the profession and that it is important to you.
32. You outlined for the Committee that you have learned from this experience and that you understand that patient safety is paramount and that you would not repeat this conduct.
33. The Committee heard and accepted the advice of the Legal Adviser.

Misconduct

34. The Committee acknowledged that misconduct was defined, in the case of *Roylance (No. 2) v General Medical Council [2000] AC 311* as, "...a word of general effect, involving some act or omission, which falls short of what would be proper in the circumstances with the standard of propriety often being found by reference to the rules and standards ordinarily required to be followed by a [registrant] in the particular circumstances."
35. In considering whether any or all of the facts found proved amount to misconduct, the Committee considered the following principles from the Standards, in particular:

Standard 1.3

You must be honest and act with integrity

1.3.1

You must justify the trust that patients, the public and your colleagues place in you by always acting honestly and fairly in your dealings with them. This applies to any business or education activities in which you are involved as well as to your professional dealings.

1.3.2

You must make sure you do not bring the profession into disrepute.

Standard 1.7

You must put patients' interests before your own or those of any colleague, business or organisation

1.7.1

You must always put your patients' interests before any financial, personal or other gain.

Standard 1.8

You must have appropriate arrangements in place for patients to seek compensation if they have suffered harm

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

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

36. The Committee took into account that a breach, or breaches, of the relevant Standards does not automatically result in a finding of misconduct.
37. The Committee considered that failing to inform the GDC when you were charged and subsequently when you were convicted is a serious failure. The role of the regulator in maintaining the integrity of the register is vital to ensuring that the public is both protected and that public confidence is maintained in the profession. Failing to inform of a criminal conviction undermines the GDC's ability to carry out this effectively. Further, dishonestly failing to inform the GDC at the time of registration that you had a police caution, and failing to hold indemnity insurance are both serious matters.
38. Therefore, the Committee determined that your conduct was a sufficiently serious departure from the Standards as a dental professional to amount to misconduct.

Impairment

39. In its consideration of impairment, the Committee bore in mind the advice of the Legal Adviser who reminded the Committee that it must find current impairment of fitness to practise. It took into account that it is not sufficient to find that your fitness to practise was impaired at the time that the matters found proved took place, but that it must be found that your fitness to practise is impaired as of today.
40. The Committee first considered whether your conduct was likely to be repeated in the future and whether your misconduct is remediable; whether it had been remedied; and whether there is a risk of repetition. The Committee also had regard to the wider public interest, which includes the need to uphold and declare proper standards of conduct and behaviour to maintain public confidence in the profession and this regulatory process.
41. In this regard the Committee had regard to the following sections of the guidance:

A failure to inform the GDC of a conviction, caution, criminal proceedings or regulatory finding at the point of application for registration is considered particularly serious. This is because failure to declare information about criminal proceedings or regulatory findings deprives the

Registrar of the ability to conduct a proper assessment of whether an applicant for registration is of good character.

Such a failure seriously undermines a central facet of the registration process (i.e. to ensure that only fit and proper persons are registered as dental professionals), and risks the reliability and integrity of the register.

As a result, a failure to disclose a conviction, caution, criminal proceedings or regulatory findings may not only impact on the protection of the public, but it may also undermine the public's confidence in the professions and its regulation. Such a failure may also give rise to other allegations of misconduct such as dishonesty or a lack of integrity on part of the registrant, which would further raise the seriousness of the misconduct.

A finding that a registrant dishonestly failed to inform the GDC of criminal or regulatory findings is very serious, in that it has the potential to put the public at risk and fundamentally undermine public confidence in the professions. Such a finding is likely to call into question that registrant's suitability to remain on the register.

A dental professional who practises without having appropriate indemnity arrangements in place breaches a mandatory and fundamental requirement of professional regulation. Such conduct puts patients at risk of financial harm and is likely to be considered unacceptable by the public and fellow professionals.

42. The Committee considered that the misconduct in this case is capable of remediation, and it therefore considered what actions you have taken since the concerns came to light. It had regard to your submissions and the documentation that you have provided for the Committee to consider. You have demonstrated limited insight to this Committee as to the seriousness of failing to inform the GDC of your caution at the time of registration and your subsequent conviction. In particular, the Committee was concerned that you provided false information to the GDC when you later disclosed your conviction by stating that you received a driving ban but no criminal conviction. Furthermore, you told the police that you had smoked cannabis an hour before but stated to the GDC that you were unaware that you would still have traces of cannabis in your system from the previous day. You told the panel that you were honest with the police but were unable to explain why you told the GDC something different.
43. The Committee noted that you have acknowledged your duties to disclose any criminal matters to the GDC and provide accurate information, and you have offered an apology and an expression of remorse. However, it concluded that your insight is limited and has not been shown to be embedded into your behaviour.
44. The Committee considered that failing to hold indemnity insurance is a serious matter and puts patients at risk were they to make a claim for any harm caused. You told the Committee that you have put in place safeguards to ensure that you do not forget about your indemnity insurance again. However, the Committee had no real evidence of any significant insight into the importance of indemnity insurance and it did not accept that you thought you were still covered by your previous employer.
45. You did not provide any evidence or clear explanation of what, if any, steps you have taken to remediate your conduct and you have not provided any documentation of targeted cpd. The Committee concluded that you have demonstrated a lack of understanding of the fundamental requirements of your regulator and the impact that this behaviour could have on public safety. Based on this the Committee could not be satisfied that the risk of repetition is sufficiently low if you were to find yourself in a similar situation where there is a requirement to report to your regulator.

46. When looking at the behaviour behind the conviction the Committee noted that this was serious and had the potential to put the public at risk of harm. It had no evidence from you that you understood the seriousness of your behaviour or any reassurances that you would not repeat this behaviour.
47. The Committee concluded based on all the information before it that a finding of impairment is necessary on the ground of public protection.
48. In its consideration of the wider public interest, the Committee referred to the case of *CHRE v NMC and Grant* and whether public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances.
49. The Committee considered that the conviction in this case is sufficiently serious to be capable of eroding the trust that the public places in Dental Care Professionals and the GDC as a regulator.
50. In relation to your dishonesty the Committee concluded that this was not at the lower end of dishonesty.
51. The Committee concluded that, given the fundamental importance of the role of the regulator in ensuring that those on the register are appropriately registered and indemnified, an informed member of the public would be surprised to learn that a finding of impairment was not made in this case. It further considered that an informed member of the public would be shocked and troubled were no impairment to be found given the serious nature of the criminal conviction.
52. Therefore, the Committee concluded that a finding of impairment is required on the ground of public interest for both the conviction and the misconduct.

Decision and reasons on sanction

53. In reaching its decision regarding sanction, the Committee carefully considered what action, if any, should be taken in relation to your registration. It had regard to the General Dental Council's (GDC) document Guidance for the Practice Committees, including Indicative Sanctions Guidance 2016 (December 2026). The Committee reminded itself that any sanction imposed must be proportionate and appropriate. While sanctions are not intended to be punitive, they may have that effect.
54. Having reviewed the guidance, the Committee identified the following mitigating factors in this case:
- Some developing insight;
 - Some reflection; and
 - No evidence of repetition of the behaviour since these matters came to light.
55. In accordance with the guidance, the Committee also noted the following aggravating factors:
- Significant delay in informing the GDC of your charge and subsequent conviction;
 - Personal gain (entry to the Register);
 - Not an isolated incident;
 - Lack of proper insight;
 - Attempts to cover up the behaviour; and
 - A disregard for the GDC and the systems for regulating dental professionals.

56. The Committee noted the testimonial provided by your employer, however this was of limited value as it did not mention the specific matters that this Committee had to consider.
57. The Committee took into account its earlier findings on misconduct and impairment and considered each available sanction in ascending order of severity.
58. The Committee first considered taking no further action or whether to issue a reprimand. It concluded however, that the matters in this case are too serious for no action or a reprimand. It has identified an ongoing risk to the public and the wider public interest. Further, neither of these sanctions would impose any restrictions on your registration. In the circumstances, the Committee determined that a reprimand would not be sufficient, appropriate or proportionate.
59. The Committee next considered whether to impose a conditions of practice order. It decided that conditions would not be workable or address the concerns in this case, which are not related to your clinical practice. Further, given the findings, conditions of practice would not be appropriate or proportionate.
60. The Committee went on to consider whether to suspend your registration for a specified period. In doing so, it had regard to the Guidance which highlights the factors to consider when determining if a suspension order is appropriate.
61. The Committee had regard to the GDC's submissions and carefully considered whether a period of suspension would be sufficient in all the circumstances and concluded that this would be the proportionate sanction in this case and give you the time to properly reflect and demonstrate your insight and remediation.
62. Whilst the Committee considered whether erasure would be appropriate in this case, it considered given your reflection and the beginnings of insight, erasure would not be proportionate. The Committee was of the view that while it has identified attitudinal issues these are not considered to be deep seated attitudinal issues to the degree that erasure would be appropriate. The Committee was satisfied that a suspension would be both proportionate to its findings and sufficient to protect the public and maintain the public interest by marking the that this type of behaviour will be taken seriously and send a message to the profession that withholding information from your regulator is wholly inappropriate.
63. Having taken all the matters in this case into account, including your personal circumstances, it was the conclusion of the Committee that a suspension, for a period of 12 months, with a review would be sufficient to protect the public and the wider public interest and give you the time to properly reflect on these findings and to demonstrate to the reviewing Committee appropriate insight and remediation in relation to your failure to inform the GDC about your charge and subsequent conviction, your lack of indemnity and the impact this has on the profession.
64. The Committee considered that this order is necessary to mark the importance of maintaining public confidence in the profession, and to send to the public and the profession a clear message about the standards of conduct required of a registered dental professional at all times.
65. The Committee was aware that the effect of this order is that you will be prevented from working as a registered dental care professional using a GDC registration. This could result in financial

hardship. However, in applying the principle of proportionality, the Committee determined that your interests in this regard are outweighed by the need for protection of the wider public interest.

66. A reviewing Committee may be assisted by:

- Your continued engagement
- Written reflection on the importance of complying with your duties to your regulator, why your conduct was inappropriate and the impact that failing to do so could have on the profession and the public.
- Targeted CPD in relation to the relevant standards highlighted in this case and your reflection on any learning, and any evidence of the learning being embedded.
- Testimonials that speak to your character in relation to the specific matters determined by this Committee.

Immediate Order:

Having directed that your name be suspended from the register for a period of twelve months, the Committee had to consider, in accordance with rule 22(2), whether to impose an immediate order to cover the appeal period, or until any appeal against the outcome is heard.

The Committee considered the submissions made by Miss Dyas that an immediate suspension order should be made on the grounds that this would be entirely compatible with the Committee's findings. She referred the Committee to the guidance in relation to immediate orders.

You had nothing to add at this stage.

The Committee accepted the advice of the Legal Adviser.

The Committee was satisfied that an immediate order of suspension was necessary for the protection of the public and otherwise in the public interest. The Committee concluded that, to direct otherwise would be incompatible with its findings and the reasons outlined for the substantive order of suspension.

If, at the end of the appeal period of 28 days, you have not lodged an appeal, this immediate order will lapse and will be replaced by the substantive direction of suspension for a period of twelve months. If you do lodge an appeal, this immediate order will continue in effect until that appeal is determined.

That concludes this determination.