

**HEARING HEARD IN PUBLIC**

**SADEGHPOUR, Sahar Tara**

**Registration No: 248033**

**PROFESSIONAL CONDUCT COMMITTEE**

**October 2021**

**Outcome: Erased with Immediate Suspension**

SADEGHPOUR, Sahar Tara, a dentist, BDS Lond 2007, was summoned to appear before the Professional Conduct Committee on 20 October 2021 for an inquiry into the following charge:

**Charge**

“That, being a registered dentist:

1. On or around 1 May 2015 you submitted an application to register as a Dentist on the General Dental Council’s Dentists Register. As a result of this application, you procured entry onto the Dentists Register on 16 June 2015.
2. In procuring entry onto the Dentist Register as at (1) above you submitted:
  - a) A Bachelor of Dental Surgery certificate purportedly awarded to Tahereh Sahar Sadeghpour by the ‘University of London – King’s College London’;
  - b) A letter purportedly from King’s College London confirming Tahereh S Sadeghpour qualified as a dentist with a Bachelor of Dental Surgery degree on 1 July 2007.
3. You produced the certificate at 2.(a) above in circumstances where:
  - a) You had not completed all of the assessments and/or clinical elements required to obtain a Bachelor of Dental Surgery from ‘King’s College London’;
  - b) The certificate is false, in that:
    - i. ‘The University of London - King’s College London’ did not issue you with a Bachelor of Dental Surgery on 1 July 2007;
4. You produced the letter at (2.b) above in circumstances where:
  - a) The purported author of the letter never wrote it on your behalf;
  - b) The letter is false, in that:
    - i. It contains a reference number belonging to another individual;
    - ii. It contains enrolment dates that do not correspond with the dates of your enrolment on a Bachelor of Dental Surgery course at ‘King’s College London’.

And that, in relation to the facts alleged the entry in the Dentists Register relating to Sahar Tara Sadeghpour has been fraudulently procured.”

Ms Sadeghpour was not present and was not represented. On 20 October 2021, the Chairman announced a statement on proof of service and a statement regarding the preliminary application. On the same date, the Chairman announced the findings of fact to the Counsel for the GDC:

**“Decision on Service of Notice of Hearing (20 October 2021):**

Ms Sadeghpour was neither present nor represented at today’s hearing. In her absence, the Committee first considered whether notice of this hearing had been served in accordance with rules 13 and 65 of the *General Dental Council (Fitness to Practise) Rules Order of Council 2006* (the Rules).

The Committee received a copy of the Notification of Hearing, dated 21 September 2021, which was sent to Ms Sadeghpour’s registered address by way of special delivery. The Committee also had sight of the extract from the Royal Mail Track and Trace website showing the item as delivered on 22 September 2021 and signed for in the name ‘SAHAR’. The Committee was satisfied that the letter contained proper notification of today’s hearing, including its location, as well as notification that the Committee has the power to proceed with the hearing in the absence of Ms Sadeghpour. Notice was also sent to Ms Sadeghpour via email on the same date.

The Committee was satisfied, having regard to the submissions made by Mr Stevens on behalf of the General Dental Council (GDC), and the advice of the Legal Adviser, that the notice of hearing was served on Ms Sadeghpour in accordance with the rules.

**Proceeding in the absence of Ms Sadeghpour:**

The Committee then considered proceeding in the absence of Ms Sadeghpour. The Committee had regard to the submissions made by Mr Stevens and the advice of the Legal Adviser.

The Committee was mindful that the discretion to proceed in the absence of Ms Sadeghpour must be exercised with the utmost care and caution. The Committee noted it must consider all the circumstances of Ms Sadeghpour’s absence, and the nature of the case against her, when reaching any decision regarding proceeding in her absence.

The Committee had sight of correspondence between Ms Sadeghpour and the GDC, particularly an email from Ms Sadeghpour dated 29 September 2021. This included written submissions for the Committee to consider throughout the hearing as well as confirmation that she was aware of the hearing and had decided not to be in attendance or be represented.

In deciding whether to proceed in the absence of Ms Sadeghpour, the Committee considered the nature of Ms Sadeghpour’s absence from this hearing and concluded that in all the circumstances she had voluntarily absented herself. In the absence of any request from Ms Sadeghpour for an adjournment of this hearing, and having regard to the correspondence from her, the Committee concluded that no useful purpose would be gained by adjourning today. The Committee has determined to proceed in Ms Sadeghpour’s absence.

**Hearing in Private:**

Mr Stevens informed the Committee that Ms Sadeghpour, by way of an email dated 8 October 2021, has requested for the hearing to be held in private. He submitted that the starting point for the Committee is for all hearings to be held in public as it is in the interests of justice to do so. However, a hearing may be heard in private where it concerns matters

that are inextricably linked to the health or private and family life of the Registrant or any other person concerned, under Rule 53(2)(a) of the Rules.

Mr Stevens submitted that there is nothing in Ms Sadeghpour's request which would justify having the hearing held wholly in private as it is not simply that justice needs to be done but that justice needs to be seen to be done and hearings should be as transparent as possible. However, he submitted that were discrete aspects of the evidence that relate to Ms Sadeghpour's health referred to, only then should the hearing go into private, and a suitably redacted determination produced if required.

The Committee accepted the advice of the Legal Adviser in relation to rule 53 and the factors that the Committee must consider when deciding whether to hold this hearing in private.

The Committee considered the application from Ms Sadeghpour and the submissions of Mr Stevens and determined that it was appropriate to hear this case in public, save for where matters relate to Ms Sadeghpour's health are referred to. In such circumstances a private and an appropriately worded public determination may be produced by the Committee if required.

#### **DECISION AND REASONS ON APPLICATION UNDER RULE 57:**

The Committee heard an application from Mr Stevens regarding the admission of written statements into evidence with the witnesses not being required to attend in person. This application was made under rule 57 of the Rules.

Mr Stevens informed the Committee that the GDC relies on the statements to exhibit documentation and administrative matters, including those contained within the GDC registration records. He submitted that there are no supplementary questions to be put to them and in the absence of Ms Sadeghpour the witnesses would not be cross examined. However, the witnesses would be made available should the Committee have any questions for them. If the Committee did not have any questions for the witnesses, then it would be fair to allow their statements to stand as their evidence.

The Committee heard and accepted the advice of the Legal Adviser on the issues it should take into consideration in respect of this issue.

The Committee gave the application serious consideration. The Committee was aware that Ms Sadeghpour would have been served with the statements at the same time as the rest of the documentation relied upon for this hearing and has not made any comment in her written submissions about the contents of them or put forward any matters which they could be questioned about. The Committee concluded that, in the absence of any questions to be put to the witnesses, it would be fair to allow the statements to stand as the evidence of the witnesses without the need for them to give evidence in person. Accordingly, the application is allowed.

#### **FINDINGS OF FACT – [20 OCTOBER 2021]**

In reaching its decisions on the facts, the Committee considered all the evidence presented in this case. The Committee had regard to the submissions made by Mr Stevens on behalf of the GDC.

The Committee accepted the advice of the Legal Adviser. In accordance with that advice, it has considered each charge separately.

The Committee was conscious that the burden of proof rests on the GDC, and that the standard of proof is the civil standard, namely the balance of probabilities. This means that the facts of a charge will only be proved if the Committee finds that it is more likely than not that the facts occurred as alleged. The Committee reminded itself that Ms Sadeghpour was not required to prove or disprove anything.

The allegations giving rise to this hearing relate to Ms Sadeghpour's application for entry onto the Dentists Register. On 22 October 2020, the GDC received information from an anonymous informant who raised concerns about Ms Sadeghpour's fitness to practise, including concerns about the validity of her registration. Following receipt of this information the GDC's Registration Team looked into Ms Sadeghpour's application for registration with the GDC and identified the discrepancies which have resulted in the allegations before this Committee.

The evidence put before the Committee consisted of a number of documents, including statements from witnesses who exhibits, among other documentation, the certificates that form the basis of these allegations.

The Committee made the following findings:

1.	<p><i>On or around 1 May 2015 you submitted an application to register as a Dentist on the General Dental Council's Dentists Register. As a result of this application, you procured entry onto the Dentists Register on 16 June 2015</i></p> <p><b>Found Proved</b></p> <p>The Committee had sight of Ms Sadeghpour's application for entry onto the Dentists Register, confirmed by Witness 1 to be the registration form held by the GDC. Ms Sadeghpour, in her written submissions, also confirms that she submitted the application in May 2015. Accordingly, this charge is found proved.</p>
2.	<p><i>In procuring entry onto the Dentist Register as at (1) above you submitted:</i></p>
2.(a)	<p><i>A Bachelor of Dental Surgery certificate purportedly awarded to Tahereh Sahar Sadeghpour by the 'University of London – King's College London';</i></p> <p><b>Found Proved</b></p> <p>The Committee had sight of the certificate, which includes a handwritten certification attesting to the authenticity of the certificate which appears to the Committee to have been signed by Ms Sandeghpour. This certificate is dated 1 July 2007. The Committee also noted the evidence of Witness 1 who confirms that this certificate was submitted as part of Ms Sadeghpour's application for registration. Accordingly, this charge is found proved.</p>
2.(b)	<p><i>A letter purportedly from King's College London confirming Tahereh S Sadeghpour qualified as a dentist with a Bachelor of Dental Surgery degree on 1 July 2007.</i></p> <p><b>Found Proved</b></p> <p>The Committee had sight of the letter confirming Ms Sadeghpour was registered with King's College London and had qualified as a dentist with a Bachelor of</p>

	Dental Surgery degree. This letter appears to be signed by Person 3. The Committee also noted the evidence of Witness 1 who confirms that this letter was submitted as part of Ms Sadeghpour’s application for registration. Accordingly, this charge is found proved.
3.	<i>You produced the certificate at 2.(a) above in circumstances where:</i>
3.(a)	<p><i>You had not completed all of the assessments and/or clinical elements required to obtain a Bachelor of Dental Surgery from ‘King’s College London’;</i></p> <p><b>Found Proved</b></p> <p>Witness 2, in her written statement, said</p> <p><i>After I was contacted by the GDC, I accessed the King’s’ student records system ‘SITS’ and searched for the Registrant’s student record using her name and the date of birth provided to me by the GDC ... the Registrant enrolled onto the four-year BDS programme in September 2006, with a start date of 20 September 2006 and an expected end date of 31 July 2012. As per the notes section of her student record, the Registrant interrupted her studies on 18 November 2006 during her first year of study, and she was permitted to re-join the course in September 2007.</i></p> <p><i>This meant she was technically in the first year of the programme for two years... the Registrant left the programme at the end of the academic year 2007/2008, with a formal end date of 31 July 2008... she was deemed to be an ‘academic fail’. The Registrant failed the exam at the end of her first year of study, and also failed the resit. Students are only given two attempts to pass the exam, so the Registrant would not have been permitted to continue the course following failure of the resit and would have been deemed to be an ‘academic fail’ as a result.</i></p> <p>In her written submissions Ms Sadeghpour confirms that she failed the exam and does not dispute the contents of Witness 2’s statement.</p> <p>The Committee accepted the evidence of Witness 2 that Ms Sadeghpour had not completed all of the requirements to obtain a Bachelor of Dental Surgery from King’s College London. Accordingly. this charge is found proved.</p>
3.(b)	<i>The certificate is false, in that:</i>
3.(b)(i)	<p><i>‘The University of London - King’s College London’ did not issue you with a Bachelor of Dental Surgery on 1 July 2007;</i></p> <p><b>Found Proved</b></p> <p>In her written statement Witness 2 said:</p> <p><i>I do not believe that the certificate is genuine on the basis that it would be an impossibility for the Registrant to have been awarded a BDS in July 2007... she enrolled onto the BDS programme in September 2006, and therefore could not have completed the course by 1 July 2007..</i></p> <p><i>I have checked with the Faculty team at King’s and the Registrant’s name did not appear on the Faculty pass list for 2007 or any subsequent year up to and including 2020. ... As per the explanation above, the Registrant could not have been awarded a BDS degree by King’s unless she appeared on a pass list</i></p>

	<p><i>produced by the Faculty.</i></p> <p>The Committee accepted the evidence of Witness 2. Accordingly. this charge is found proved.</p>
4.	<p><i>You produced the letter at (2.b)) above in circumstances where:</i></p>
4.(a)	<p><i>The purported author of the letter never wrote it on your behalf;</i></p> <p><b>Found Proved</b></p> <p>In her written statement Witness 2 said:</p> <p><i>I have reviewed the copy of the letter... and I do not believe that it is genuine. When I was provided with the document by the GDC, I searched the name and date of birth that appear in the body of the letter in SITS and noticed that the dates that the Registrant was enrolled on the BDS programme did not match those on the letter. As per paragraphs 7 and 8 above, the Registrant was enrolled between 20 September 2006 and 31 July 2008, whereas the letter states she was enrolled between 18 September 2002 and 27 June 2007. There is no record of the Registrant being enrolled in a BDS programme at King's in 2002.</i></p> <p><i>Following this, I checked the student number that appears on the letter. This is the seven digits at the end of the reference at the top of the letter - 0202214. When I cross-referenced this number with SITS, it transpired that this student number is attributed to another student. Each student is assigned a unique student number when they commence a programme of study at King's, which will remain the same for the whole of their course and any other courses they enrol onto at King's. The student number is therefore a unique identifier and cannot belong to two students.</i></p> <p><i>[Person 3], the purported author of the letter ... is still employed by King's so I asked her to check her records. She confirmed to me that the letter she produced using the reference number ... relates to a student other than the Registrant and that the content of that letter is different to that of the letter. In addition, she confirmed that she has never produced such a letter for the Registrant.</i></p> <p>The Committee accepted the evidence of Witness 2. Accordingly. this charge is found proved.</p>
4.(b)	<p><i>The letter is false, in that:</i></p>
4.(b)(i)	<p><i>It contains a reference number belonging to another individual;</i></p> <p><b>Found Proved</b></p> <p>For the same reasons outlined in charge 4(a), that Witness 2 confirms that the reference number belongs to another student, this charge is found proved.</p>
4.(b)(ii)	<p><i>It contains enrolment dates that do not correspond with the dates of your enrolment on a Bachelor of Dental Surgery course at 'King's College London'.</i></p> <p><b>Found Proved</b></p> <p>For the same reasons outlined in charge 4(a), that Witness 2 confirms that the dates do not correspond, this charge is found proved.</p>

We move to Stage Two.”

On 20 October 2021, the Chairman announced the determination as follows:

“Having announced its decision on the facts the Committee heard submissions from Mr Stevens whether the facts found proved amount to Ms Sadeghpour having procured entry to the Dentists Register fraudulently. The Committee accepted the advice of the Legal Adviser.

Mr Stevens submitted that in light of the findings made by the Committee, it was crystal clear that Ms Sadeghpour had obtained registration with the GDC through fraudulent means. He submitted that the Committee found proved that as part of her application process Ms Sadeghpour provided a qualification certificate and accompanying letter that were not genuine. He submitted that the only explanation for the submission of the false documents as part of Ms Sadeghpour’s application must have been to deceive the GDC registrations team into believing that the person named on the certificate was qualified and suitable for registration onto the Dentists Register. Mr Stevens submitted that in this case that very thing did occur and Ms Sadeghour was granted entry onto the register. He submitted that in light of the matters found proved, the Committee should conclude that this was a case of fraudulent procurement of registration.

Mr Stevens submitted that if the Committee reached the conclusion that the registration was fraudulently procured, it should then consider whether Ms Sadeghpour’s name should be erased from the Dentists Register. He submitted that a decision to erase was not automatic following the findings made but was a matter for the Committee’s independent judgement. Mr Stevens submitted that it would only be in exceptional circumstances where a decision of erasure would not be made given the facts found proved. Further, a decision not to erase would be improper and incompatible with the Committee’s overarching objective as set out in the Dentist’s Act 1984, as amended, which is to protect, promote and maintain the health, safety and well-being of the public; promote and maintain public confidence in the professions...; and promote and maintain proper professional standards and conduct. It would also undermine the integrity of the register by allowing unqualified persons to remain registered which would raise significant public protection concerns.

Mr Stevens submitted that in the circumstances of this case, the only sensible course for the Committee to take would be to direct that Ms Sadeghpour’s name be erased from the register.

The Committee heard and accepted the advice of the Legal Adviser.

The Committee first considered whether in light of the facts found proved, Ms Sadeghpour’s entry in the register was fraudulently procured. Ms Sadeghpour has been found to have provided falsified documentation as part of her application for registrant, and in fact the letter provided by her contained a student ID that belonged to somebody else. The Committee was in no doubt that, based on the reasoning provided as part of its findings of fact, Ms Sadeghpour’s entry onto the register was fraudulently procured.

The Committee then considered what action to take in this case in light of its conclusion that Ms Sadeghpour’s entry onto the Dentists Register was fraudulently procured. It noted that there was no evidence from Ms Sadeghpour to suggest that there were exceptional circumstances that could explain her submission of a certificate, and accompanying letter, that was not genuine. In addition, the Committee also noted that there were public safety

and public interest concerns arising from an individual procuring entry onto the register fraudulently.

The Committee considered that Ms Sadeghpour's actions in submitting false documentation in order to gain entry onto the register were extremely serious. The result of her actions was that she was entered onto the GDC register and afforded the opportunity to practice as a dentist in this country. The Committee was aware that it is of utmost importance that the integrity of the register is maintained and that the public can have confidence that those whose names appear therein are suitably qualified and skilled to carry out the work of a dentist. The Committee concluded that the only appropriate action to take was to direct that Ms Sadeghpour's registration be erased from the Dentists Register.

**Determination on immediate order**

Having made its decision to direct that Ms Sadeghpour's name be erased from the register, the Committee had to consider whether an immediate order was necessary for the protection of the public, otherwise in the public interest or in Ms Sadeghpour's own interests.

Mr Stevens submitted that an immediate suspension order should be imposed to cover the appeal period of 28 days. He submitted in light of the decision that the facts found proved amount to a fraudulent procurement an immediate order should be made as it is necessary for the protection of the public and otherwise in the public interest.

The Committee accepted the advice of the Legal Adviser.

The Committee was of the view that, having concluded that Ms Sadeghpour's entry in the register was fraudulently procured not to impose an immediate order of suspension would be inconsistent with its substantive decision and undermine the integrity of the register by allowing an unqualified person to remain registered with the ability to work as a dentist. The Committee determined that an immediate order is necessary for the protection of the public and is otherwise in the public interest.

If, at the end of the appeal period of 28 days, Ms Sadeghpour has not lodged an appeal, this immediate order will lapse and will be replaced by the substantive direction of erasure. If Ms Sadeghpour does lodge an appeal, this immediate order will continue in effect until that appeal is determined.

Unless Ms Sadeghpour exercises her right of appeal, her name will be erased from the register 28 days from the date when notice of this determination is deemed to have been served upon her.

That concludes this case."