

**PUBLIC HEARING****Registrations Appeal Hearing****25 April 2025****Name:** SHIKHI, Samiri**Case number:** CAS-206265-C6L1Y7

---

**General Dental Council:** Ms Rebecca Vanstone, counsel.  
Instructed by IHLPS**Registrant:** Not Present and unrepresented

---

**Outcome:** Appeal dismissed

---

**Committee members:** David Wood (Chair and lay member)  
Katarzyna Richards (DCP member)  
Johanna Bryant (Dentist member)**Legal adviser:** Tanveer Rakhim**Committee Secretary:** Jamie Barge

1. This Registration Appeals Committee (RAC) was convened to consider Mrs Shikhi's appeal against the decision of the Registrar of the General Dental Council (GDC) that she is not currently eligible for registration as a Dental Therapist. The meeting was held in accordance with the terms of the General Dental Council (Registration Appeals) Rules Order of Council 2006 ('the Registration Appeal Rules'), pursuant to Schedule 4A of the Dentists Act 1984 (as amended) ('the Act').
2. The meeting was conducted remotely on Microsoft Teams. Ms Rebecca Vanstone, Counsel is present on behalf of the GDC. Mrs Shikhi or any representation is not present.
3. The Committee first considered under Rule 19 the issues of service and whether to proceed with the hearing on the papers in the absence of Mrs Shikhi and any representatives for either party. The Committee accepted the advice of the Legal Adviser on both of these matters as to the provisions of the Rules and the approach it should take to its decision.

#### **Decision on Service and conducting the appeal in the absence of Mrs Shikhi**

4. Notification of this appeal was sent to Mrs Shikhi by Recorded Delivery and secure email on 30 January 2025 in accordance with Rule 5 of the Registration Appeal Rules. The Committee noted that the Notice was sent to a known address in Austria, as well to a London address where her sister ( her nominated representative) resides.
5. The Committee noted Mrs Shikhi's letter of appeal, where she gives permission for the GDC to contact her sister and provides a contact address. In addition, the Committee noted an email dated 14 April 2023, she provides a contact telephone number of her sister for the GDC to use.
6. On the basis of all the information provided, the Committee was satisfied that the notice of hearing had been served on Mrs Shikhi in accordance with the Rules and the Act.
7. Ms Vanstone identified further emails between Mrs Shikhi and the GDC where she gives permission for the GDC to send all documentation to her sister. Also, there is an email from her sister to the GDC, where she asks for the hearing to be re-scheduled for 25 April 2025. She submitted that there is no request from the Appellant to postpone her appeal hearing. Ms Vanstone submitted that there is no useful purpose to postpone this hearing, and the communication from the Appellant and her sister can satisfy this Committee that it is appropriate and fair and also in her interests to consider her application today.
8. The Committee noted that the GDC has emailed Mrs Shikhi yesterday and today on numerous occasions, however no response has been received. Also, the GDC made attempts to call both Mrs Shikhi and her sister, however no response has been received. The Committee also noted that the Notice was downloaded by Mrs Shikhi's sister. It noted that no request for a postponement has been made today by either the Appellant or her sister, who had requested this specific date.
9. In the circumstances, the Committee was satisfied that it was appropriate and fair to consider today's appeal in the absence of the Appellant.

#### **Background**

10. Prior to 08 March 2023, an applicant who held an overseas diploma in dentistry was eligible to apply to join the dental care professionals register. However, applicants can no longer rely on this qualification but must now hold a relevant DCP qualification in order to join the dental care professionals register.

11. Although the Council will continue to process applications received before that date in line with the legislation in place at the time the application was received. Mrs Shikhi's application was received on 7 April 2022. Therefore, for the purposes of the appeal, the Council has referred to the relevant parts of the Dentists Act 1984 that were in place at the time of her application to the Council.

### **Legal Framework**

12. The following paragraphs set out the legal provisions that apply to this appeal.

#### **The Dentists Act 1984 (as amended) ("the Act")**

Section 36C of the Act sets out the requirements for qualification for registration in the dental care professionals register. Sections 36C(1)-(2) and (4)-(6) states the following:

*Subject to the provisions of this Act, a person shall be entitled to be registered under a particular title in the dental care professionals register if he satisfies the registrar—*

*of matter A or C, and;  
of matter D.*

*Matter A is that the person holds a qualification or qualifications approved by the Council under section 36D(2) in relation to the profession, or class of members of a profession, to which the title applies.*

*Matter C is that the person—*

*(a) holds a qualification or qualifications granted by an institution or institutions outside the United Kingdom relevant to the profession complementary to dentistry, or class of members of such a profession, to which the title applies (in this section referred to as "relevant qualifications"); and*

*(b) has satisfied the Council that he has the requisite knowledge and skill to practise as a member of the profession or class to which the title applies.*

*(4A) Subsection (4)(b) does not apply to a person whose application for registration is made in reliance on a relevant qualification that—  
was granted in a relevant European State, and*

*demonstrates, in the opinion of the Council, a comparable level of knowledge and skill to that demonstrated by a qualification approved (or qualifications together approved) in respect of the same profession or class under section 36D(2).*

*(5) For the purpose of establishing whether a person has the requisite knowledge and skill for the purposes of subsection (4)(b), the Council—*

*(a) shall take into account all that person's relevant qualifications, and all relevant knowledge or experience, wherever acquired, and*

*(b) may determine that a person must perform to the satisfaction of the Council in any test or assessment specified in the determination.*

*(6) Matter D is—*

*(a) the person's identity;*

- (b) that he has the necessary knowledge of English;
- (c) that he is of good character; and
- (d) that he is in good health, both physically and mentally.

13. On 7 April 2022, the Council received Mrs Shikhi's application for registration as a dental therapist. Her application is made under section 36C of the Act. Mrs Shikhi is seeking to rely on a Doctor of Dental Surgery degree obtained in the United Arab Emirates in June 2010. She seeks to demonstrate that she is suitable for registration as a dental therapist by satisfying the Registrar of Matter C and D.
14. In respect of Matter C, that is Mrs Shikhi holds a qualification or qualifications granted by an institution or institutions outside the United Kingdom relevant to the dental therapist title and they have satisfied the Council that they have the requisite knowledge and skill to practise as a dental therapist.
15. With regards to Matter D, that they have satisfied the Registrar of their identity, their knowledge of English, is of good character and is of good health, both physically and mentally.
16. The Committee also had regard to The General Dental Council (Registration Appeals) Rules Order of Council 2006 ("the Rules").

### **Background**

17. Mrs Shikhi's application was first considered by the Panel on 09 February 2023. Taking into account all her qualifications and knowledge and experience, the Panel considered that she did not demonstrate the requisite knowledge and skill to be eligible for registration as a dental therapist with the Council. Therefore, the Panel recommended that Mrs Shikhi be refused registration.
18. The Registrar relied on the Panel's recommendation and made the decision to refuse Mrs Shikhi's application for registration as a dental therapist in the dental care professionals register. The Council wrote to Mrs Shikhi on 22 February 2023 to notify her that her application for registration with the Council as a dental therapist had been refused.
19. On 05 October 2023 the Council received an email from Mrs Shikhi confirming that she wished for her registration application to be re-assessed. Between 05 October 2023 and 20 October 2023, the Council received documents from Mrs Shikhi in support of her application.
20. On 30 October 2023 the Council received an email from Mrs Shikhi's sister requesting an update on her application. On 07 November 2023 the Council replied to her sister to confirm that following Mrs Shikhi's confirmation in October 2023 that she wished for her application to be re-assessed, Mrs Shikhi's application had been put forward to the next available Panel assessment in December 2023.
21. On 10 December 2023 Mrs Shikhi's sister provided the Council with a supporting document which she wished to be provided to the Panel for the re-assessment of Mrs Shikhi's application. On 11 December 2023 the Council replied to Mrs Shikhi's sister to confirm that the further document would be added to the documents submitted to the Panel for the reassessment of the application.
22. Mrs Shikhi's matter was submitted to a second Panel and was considered by the Panel on 18 January 2024. Taking into account her qualification, professional experience and additional training, the Panel again considered that Mrs Shikhi did not demonstrate the requisite knowledge and skill to be eligible for registration as a dental therapist with the

Council. Therefore, the Panel recommended that she be refused registration and provided a summary of reasons for this recommendation.

23. The Committee will note that the Panel considered that despite the additional evidence submitted by Mrs Shikhi, her knowledge and skills remained deficient in a range of areas across her primary dental qualification and professional experience and additional training. The Council wrote to Mrs Shikhi on 30 January 2024 to notify her that her application for registration with the Council as a dental therapist had been refused.

### **Appeal**

24. On 23 February 2024, the Council received a Notice of Appeal ("NOA") from Mrs Shikhi along with documents she wished to rely on for the purposes of the appeal.
25. Within the NOA, Mrs Shikhi sets out the reasons why she was appealing the Council's decision:

*"Reading through the refusal letter, it appears that the main reasons that my application has been refused are mainly related to not having evidence on attending required CODs [sic] and also lack of providing professional clinical reference evidencing competency within last 5 years as a dentist.*

*Therefore to make sure that my application does meet the required criteria and to provide requested information by assessors I have attached to my notice of appeal evidence of attending all required CPDs and also professional work reference completed by my colleague confirming my competency as a dentist in the last 5 years"*

26. It should be noted that although the matter before this Committee concerns Mrs Shikhi's knowledge and skill, in order to grant registration, the Registrar must also be satisfied of the Appellant's identity, that they have the necessary knowledge of English, that they are of good character and that they are in good health. Although Mrs Shikhi's qualification has been assessed, the Council's Registration department may have yet to fully complete the other registration requirements.

### **Oral evidence and submissions**

27. Ms Vanstone, on behalf of the GDC, took the Committee through the background to this case. She submitted that the GDC has accepted the recommendations of the previous Registration Assessment Panels and that Mrs Shikhi's appeal should be dismissed on this basis. Ms Vanstone submitted that the new documentation provided by the Appellant in her appeal has not been assessed by the panel. Therefore, it is up to this Committee to determine whether this new documentation satisfies that Mrs Shikhi has the requisite knowledge and skills. Ms Vanstone submitted that the burden is on Mrs Shikhi to satisfy the Registrar that she has produced evidence demonstrating that she has the requisite knowledge and skills to practise as a dental therapist. The professional reference provided is inconsistent with regard to dates and locations. It states that he has employed her on a full-time basis for last 14 years, yet it then goes on to state that Ms Shikhi has been running her own clinic for the past five years. Continuing Professional Development (CPD) certificates provided by Ms Shikhi are limited, there is no evidence of any practical hands-on courses undertaken, and the courses do not target all the outstanding learning outcomes. Ms Vanstone submitted that the Council remains of the view that there are a number of deficiencies in Mrs Shikhi's learning outcomes.
28. Ms Vanstone submitted that even if the new documentation does satisfy it that Ms Shikhi has covered all of the learning outcomes, matter D also needs to be satisfied, and to date this was not previously ruled upon by the Registrar. Therefore, she submitted that matter D would need to be remitted back to the Registrar.

## **The Decision**

29. The decision of the Registrar not to register a person's name in the Dental Care Professionals' register is an appealable decision, pursuant to Section 36C and Schedule 4A of the Act.
30. Pursuant to paragraph 4(8) of Schedule 4A of the Act, upon hearing the appeal, the Committee may:
- (a) dismiss the appeal;
  - (b) allow the appeal and quash the decision appealed against;
  - (c) substitute for the decision appealed against any other decision which could have been made by the Registrar; or
  - (d) Remit the case to the Registrar to dispose of in accordance with the directions of the Committee.
31. The Committee has carefully considered Ms Shikhi's appeal. It has taken account of all the documentary evidence and of the submissions made by Ms Vanstone, on behalf of the GDC. It accepted the advice of the Professional Adviser and the Legal Adviser.
32. The Professional Adviser advised the Committee to consider all the documents Ms Shikhi has submitted in order to make a decision on her appeal application. She advised that to date there are a number of learning outcomes that have not been addressed.
33. The Committee considered whether Ms Shikhi has the requisite knowledge required to be registered as a dental therapist in the UK. In doing so, the Committee considered the learning outcome deficiencies identified by previous Registration Assessment Panels against Ms Shikhi's recent dental experience, together with the additional evidence.
34. The Committee is satisfied that despite the additional documentation provided by the Appellant, there are a number of learning outcomes outstanding. It notes that Ms Shikhi's CPD certificates lack specific detail, such as verified hours, and aims and objectives. They also do not address all areas of concern, such as record keeping, consent and equality and diversity. Also, there is a lack of evidence in respect of hands-on skills courses and learning outcomes.
35. In addition, Ms Shikhi provided a professional reference, but this is not detailed and is inconsistent with regards to dates and locations of her working arrangements abroad in Iran and Austria. There are also inconsistencies as to whether Ms Shikhi was either working independently or with a dental colleague in the periods between 2010 and 2024.
36. Having taken into consideration all the evidence and submissions presented to it, the Committee is not persuaded that Ms Shikhi has demonstrated that she has the requisite knowledge and skills, to be suitable for registration as a dental therapist. The Committee was not satisfied that it received robust evidence at this appeal to demonstrate that the Appellant has now met the outstanding learning outcomes identified by the assessment panel.
37. Therefore, having had regard to all of the evidence and submissions presented to it, the Committee has decided to dismiss Ms Shikhi's appeal.

## **Right of appeal**

38. Ms Shikhi may appeal against this decision to the relevant court in accordance with paragraph 6 of Schedule 4A to the Act.
39. That concludes this determination.