

HEARING PART HEARD IN PRIVATE

Professional Conduct Committee Initial Hearing

23 February 2026 – 6 March 2026

Name: BEHANAN, Ajith George

Registration number: 152908

Case number: CAS-201167-Y3G2R6

General Dental Council: Daniel Mansell, Counsel
Instructed by Rosie Geddes, IHLPS

Registrant: Present
Represented by Matthew McDonagh, Counsel
Instructed by Katherine Whittingham, Kennedys Law

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension

Duration: one month

Committee members: Anthony Mole (Chair, Lay Member)
Janvi Amin (Dentist Member)
Samantha Vowles (Dental Care Professional Member)

Legal adviser: Andrew Granville Stafford

Committee Secretary: Jenny Hazell

At this hearing the Committee made a determination that includes some private information. That information has been omitted from this public version of the determination, and this public document has been marked to show where private material has been removed.

The Charge against Mr Behanan was as follows:
That, being registered as a Dentist:

1. On or around 11 December 2020, you:
 - a. Said that Colleague A had to undress, including by removing her underwear, so you could give her a massage;
 - b. Touched Colleague A's buttocks, and/or legs and/or back;
 - c. Touched Colleague A's breasts, and/or pubic area and/or thighs;
 - d. Continued to touch Colleague A despite Colleague B asking you to stop;
 - e. Were aware that Colleague A may be vulnerable [Private].
2. Your actions at 1a to 1d above were done:
 - a. Without Colleague A's consent;
 - b. Without a reasonable belief that Colleague A was consenting.
3. Your conduct at 1 and/or 2 above, was:
 - a. Inappropriate;
 - b. Unprofessional;
 - c. An abuse of the position of trust and/or authority you held as a senior colleague of Colleague A;
 - d. Sexually motivated.

And, by reason of the matters set out above, your fitness to practise as a Dentist is impaired by reason of your misconduct."

Decision handed down on 27 February 2026

1. Mr Behanan, you are present at this Professional Conduct Committee (PCC) hearing of your case and are represented by Mr McDonagh, Counsel. Mr Mansell, Counsel, appears on behalf of the General Dental Council (GDC).

Preliminary application for part of the hearing to be heard in private

2. Mr McDonagh made an application that part of the GDC's application on special measures be heard in private in accordance with Rule 53 of the 'General Dental Council (Fitness to Practise) Rules Order of Council 2006' ('the Rules') since some of the matters relate to Colleague A and her partner's private life. Further, although Colleague A is anonymized in these proceedings, it might be possible to identify her partner by virtue of association. Mr Mansell did not oppose this application.

3. The Committee accepted the advice of the Legal Adviser.

4. The Committee was satisfied that those matters relating to Colleague A's family life should be heard in private so as to protect her private life. Accordingly, it acceded to Mr McDonagh's application under Rule 53(2)(a).

Preliminary application for special measures for Colleague A

5. Mr Mansell made an application under Rule 56 for special measures to be put in place for Colleague A while she gives evidence, namely the use of a video link, or in the alternative, for her to give her oral evidence from behind a screen. Mr Mansell also invited the Committee to allow Colleague A's partner to be present when Colleague A gives evidence, so as to provide her with support, regardless of whether she gives her evidence in person or remotely. He provided a written skeleton argument dated 13 February 2026 in support of the application.

6. Mr Mansell referred the Committee to Rule 56(1)(e), which states that a Committee may treat the following as a vulnerable witness "*any witness, where the subject matter of the hearing is of a sexual nature and the witness was the alleged victim.*" The GDC's position, which is accepted by the Defence, is that Colleague A is a vulnerable witness by virtue of Rule 56(1)(e) given that she is the alleged victim where the subject matter of the hearing is of a sexual nature.

7. Mr Mansell made reference to an email dated 9 April 2024 from Colleague A to the GDC in which she describes, amongst other things, the impact upon her of the thought of seeing you again. Mr Mansell referred to an email dated 27 January 2026 from Colleague A to the GDC in which she sets out her personal circumstances and financial concerns.

8. It was Mr Mansell's submission that the quality of the evidence given by Colleague A is likely to be diminished by reason of the distress caused to her by giving evidence in person. His position on behalf of the GDC is that the use of a video link would be a reasonable and proportionate response and that there would be no prejudice to you in adopting the above course. The Committee is a professional one which is experienced in assessing the credibility of witnesses over video link.

9. Mr Mansell submitted that whichever course is taken, Colleague A should be allowed to have her partner present with her while she gives evidence so as to provide support.

10. Mr McDonagh opposed the GDC's application to the extent that Colleague A be allowed to give her evidence remotely. He raised no objection to Colleague A giving her evidence in person with screens and for Colleague A's partner to be present to give support. Mr McDonagh referred to the points raised in his skeleton argument dated 24 February 2026. This included the background to the GDC having previously agreed to stage 1 of the hearing to take place in person which Mr Donagh said was to secure the attendance of Colleague A and Colleague B. Mr McDonagh submitted that this position was confirmed at a Case Management Hearing on 21 August 2025. This was on the basis of the nature of the allegations in this case, and the Defence position regarding the motivations behind Colleague A and Colleague B in making those allegations.

11. Mr McDonagh submitted that the email from Colleague A dated 9 April 2024 does not ask for special measures and there is no suggestion that there is any concern about her attending the hearing. Further, there has been no indication of concerns arising from Colleague A attending the hearing in person until her email dated 27 January 2026 and no evidence to support the circumstances described in that email, which is the only basis for the application.

12. In short, Mr McDonagh submitted that the allegations against you are grave and career threatening. The Defence position is that given the circumstances surrounding your Crown Court trial being aborted due to concerns around the actions of witnesses in this case, it would be "dangerous" to allow the hearing to proceed if the special measures, as requested by the GDC, are granted. Mr McDonagh submitted that the proportionate response is for Colleague A to give her evidence from behind screens to protect the integrity of the process. Furthermore, Mr McDonagh made the point that there may be limitations in assessing a witness's credibility when their evidence is given remotely.

13. The Committee has considered the submissions made by both parties. It has accepted the advice of the Legal Adviser. During the course of that advice, the Legal Adviser referred the Committee to the relevant paragraphs for Special Measures for vulnerable witnesses and considering an application for special measures as set out in the GDC's "Guidance: Fitness to Practise: Guidance for the practice committees (January 2026)" (the Guidance). Reference was also made to the Equal Treatment Bench Book (ETBB).

14. The Committee is satisfied that Colleague A is a vulnerable witness within the meaning of Rule 56(e).

15. The Committee has had regard to the serious nature of the allegations against you, which you deny, and the Defence case regarding the circumstances in which the allegations were made. It considers, as per paragraph 96 of the GDC's guidance, that you have a right to a fair hearing and that you must be able to participate effectively in the proceedings. The Committee considered it would be fairer for all witnesses to give evidence in the same format for consistency. This includes taking proportionate and appropriate steps to protect the integrity of the hearing. While recognising that Colleague A is vulnerable, the Committee considers that special measures limited to the screens, with Colleague A's partner being present, is fair and proportionate to ensure that all parties are protected throughout these proceedings. The Committee considers that the quality of the evidence given by Colleague A is not likely to be diminished by adopting these measures and any other measures it deems necessary, such as the provision of regular breaks, to enable Colleague A to give her evidence.

16. The Committee has also borne in mind the evidence it has received regarding the circumstances in which your trial collapsed in July 2023 regarding concerns about the conduct of Colleague B after she gave evidence, albeit this application relates to Colleague A. The Committee has taken into account that there is no evidence to support the circumstances set out in Colleague A's email dated 27 January 2026 or how her evidence will be affected if certain special measures are not put in place.

17. Accordingly, the Committee refuses the GDC's application that Colleague A give her evidence via video link. Colleague A will be required to attend the hearing in person and give her evidence from behind screens and she may do so with her partner or another supporter present if she wishes.

Preliminary applications - amendment of the charge – 24 February 2026

1. Mr Mansell on behalf of the GDC made an application under Rule 18 to amend charges 1(b) and 1(c) as set out in the notification of hearing. The proposed amendments to those two charges were to insert the wording and/or between the parts of the body particularised in those charges so that they would read as follows:

- 1b Touched Colleague A's buttocks, and/or legs and/or back;
- 1c Touched Colleague A's breasts, and/or pubic area and/or thighs;

2. Mr McDonagh raised no objection to the proposed amendment.

3. The Committee accepted the advice of the Legal Adviser as to the provisions of Rule 18. It was satisfied that the amendment under Rule 18 clarified the GDC's case without altering the substance of what is alleged in those two charges. It was satisfied that the amendment could be made "without injustice". It therefore acceded to Mr Mansell's unopposed application.

Admissions – 24 February 2026

4. You made a partial admission to charge 1b (as amended) as amended as follows:
- 1b – you accepted that you touched Colleague A's legs and her back but you denied touching her buttocks
 - You denied charge 1c save that Mr McDonagh told the Committee that you accepted that during the passage you touched Colleague A's lower thighs. Subsequently, however, this charge was withdrawn (see below).
 - You admitted that your conduct was inappropriate (charge 3a) and unprofessional (charge 3b) insofar as it relates to your partial admission regarding charge 1b.
5. You admitted charge 1e in full as follows: "You were aware that Colleague A may be vulnerable [Private]."

Summary of the GDC's case

6. Mr Mansell outlined the background to the GDC's case against you. At the material times you were the Practice Principal and owner at the Practice. This case concerns you giving a massage to your dental nurse, Colleague A, on the afternoon of 11 December 2020, on a dental chair in one of the practice surgery rooms. Colleague B, who was the practice manager at the material times, acted as a chaperone throughout the whole massage. On the date in question no patients were being seen at the Practice due to Covid-19 restrictions. The only people present at the practice on that date were Colleague A, Colleague B and yourself.
7. Colleague A had previously complained to you about her sciatica. You had explained to her that you knew a Pastor in Birmingham who was experienced in massage therapy and could help. You advised her to travel there. The GDC submits that Colleague A was not keen on that idea.
8. On Colleague B's account, you were insistent about giving Colleague A a massage and that you asked Colleague A and Colleague B to come upstairs to the surgery. The GDC's case is that you said to Colleague A that she had to undress, including by removing her underwear, so you could give her a massage (charge 1a).
9. The GDC alleges that you touched various parts of Colleague A's body, including her buttocks, legs, back whilst she was laid on her front (charge 1b) and breasts, public area and thighs whilst she laid on her back (charge 1c). It further alleges that you continued to touch Colleague A's body despite Colleague B asking you to stop (charge 1d). It is said that the massage took place in circumstances where you were aware that Colleague A may be vulnerable [Private] (charge 1e).
10. The GDC puts its case that you continued to carry out the massage without Colleague A's consent and without a reasonable belief that Colleague A was consenting (charges 2a and 2b). Your conduct as set out at charges 1 and/or 2 is said to be inappropriate (charge 3a), unprofessional (charge 3b), an abuse of the position of trust and/or authority you held as a senior colleague of Colleague A (charge 3c) and sexually motivated (charge 3d).
11. Colleague A submitted a complaint to the GDC on 31 December 2020. The GDC contacted Colleague B about the complaint and she provided an initial account via email dated 9 February 2021. Colleague A and Colleague B provided statements to the police in January 2021.
12. You were also interviewed by the Police about the incident. You accepted that you gave a massage to Colleague A on 11 December 2020 but maintain that it was done with her full consent,

to assist with her pain relief. You refuted the suggestion that you carried it out for the purposes of sexual gratification.

13. You were charged with sexual assault and you stood trial in July 2023 at Taunton Crown Court. The trial collapsed in July 2023 after concerns were raised about the conduct of Colleague B after she had given evidence at the proceedings. The prosecution eventually offered no evidence against you and on 22 September 2023 you were acquitted of all charges of sexual assault at Taunton Crown Court.

Summary of your case

14. You maintain that you did not act in the way alleged against you. Your position is that Colleague A was suffering back pain. You gave her a massage on 11 December 2020, with her consent, in the belief that the massage was helping her. You asked Colleague B to act as a chaperone during the massage and also to assist you. At the beginning of the massage Colleague B sent photographs on a WhatsApp group of colleagues at the Practice. The last message sent from Colleague B was at 15:23, which stated: "*not weird at all [crying laughing emoji]. X*".

15. A few days after the massage had taken place a heated argument between you and Colleague B took place in connection with the Practice bank card having been cancelled due to alleged fraudulent activity. Your case is that during the course of the heated argument Colleague B mentioned for the first time that Colleague A was not happy with the massage and that you should not have done it.

16. Colleague B subsequently repaid you a sum of money as she had used the card for her own personal purchases. The Committee notes that Colleague B has not been subject to any police inquiries in relation to this matter. Matters relating to the alleged misuse of the Practice bank card does not form any part of the Committee's decisions on the facts.

17. You advanced that Colleague A attended a party at the Practice on 23 December 2020 and the video showed her in good health and spirits.

Evidence

18. The GDC initially relied on the evidence of Colleague A and Colleague B in support of its case. At the outset of the hearing the Committee heard submissions from both parties as to the special measures that should be adopted when Colleague A was giving evidence. The Committee decided, for the reasons set out in a separate determination, that Colleague A should be required to attend the hearing in person and give her evidence from behind the screens and with her partner, or another supporter present, if she wished.

19. Colleague A did not attend the hearing in person to give evidence and the GDC did not seek to apply for her witness statement to be admitted as hearsay evidence. In these circumstances, the Committee was advised that it should disregard Colleague A's witness statement.

20. The factual evidence provided by the GDC to the Committee comprised the following witness statements with associated exhibits:

- Colleague B – her witness statement to the police, signed and produced on 11/1/2021; her signed statement to the GDC dated 6 August 2025 as well as copies of her exhibits.
- GDC Paralegal – his witness statements dated 6 August 2025, 7 August 2025 and 18 February 2026 as well as exhibits. This also included a copy of your signed statement to the police dated 19 February 2021.

21. Colleague B also gave evidence in person at the hearing.

22. The evidence presented on your behalf comprised your signed witness statement dated 27 January 2026 with associated exhibits. The Committee also had regard to a video file of an extract of the Practice party which took place on 23 December 2020 as well as a voice message you left on Colleague A's mobile telephone on 9 December 2020, advising her to have a massage on her back for her sciatica. You also gave evidence before the Committee.

23. In addition, the Committee received a witness statement dated 27 February 2026 from Person 1 (a dental nurse) and a witness statement dated 27 February 2026 from Person 2 (a compliance officer), who are professional colleagues with whom you currently work. They also gave oral evidence attesting to your good conduct and character, including towards female colleagues.

GDC's application to withdraw the charges at the close of its case 27 February 2026

24. At the close of the GDC's case Mr Mansell, on behalf of the GDC, made an application under Rule 18 to amend the charges set out in the notification of hearing as follows:

- Withdraw charge 1c
- Withdraw charge 2 in its entirety.
- Consequent on the withdrawal of charge 2, amend the stem of charge 3 by deleting "and/or 2" so that it reads: "Your conduct at 1 above was... "

25. In respect of charge 1c, Mr Mansell submitted that given that the GDC can no longer rely on the evidence of Colleague A (who has chosen not to give evidence at these proceedings), the only other witness in support of its case is that of Colleague B. Colleague B's evidence was to the effect that once Colleague A turned over on to her back, she turned away and did not see what happened to Colleague A. The GDC's position is therefore there is no evidence to support this charge.

26. Regarding charge 2, Mr Mansell submitted that there is no evidence to consider from Colleague A in support of this charge. Further, Colleague B cannot give direct evidence as to whether Colleague A consented to the massage – she can only provide evidence regarding Colleague A's demeanour. Colleague B's evidence was to the effect that she repeatedly asked Colleague A if she was ok, Colleague A replied "yep". However, Colleague A appeared "frozen". The GDC's position is that Colleague B's evidence, when taken at its highest, is insufficient to prove a lack of consent. Mr Mansell submitted that it therefore follows that there is insufficient evidence to support 2(b) where a lack of consent is no longer being alleged.

27. Turning to the amendment to the stem of 3, this was in light of the consequent proposed withdrawal of charge 2.

28. Mr Mansell submitted that in short the withdrawal of charges 1(c) and 2 reflects the evidence and can be made without injustice in circumstances where there is insufficient evidence to support them.

29. Mr McDonagh, on your behalf, raised no objection to the GDC's application and submitted that this was appropriate in the circumstances of this case where the complainant in this case (Colleague A) had chosen not to give evidence. Further, Colleague B's evidence went as far as repeatedly asking Colleague A if she was ok and receiving an affirmative response.

30. The Committee accepted the advice of the Legal Adviser as to the provisions of Rule 18. It has borne in mind that it is not bound by the agreed position of both Counsel regarding the proposed withdrawal of the two charges and the consequent amendment to the stem of charge 3. Having

regard to the evidence it has received, the Committee agrees with Mr Mansell's submission that there is insufficient evidence to support charges 1c and 2 and is satisfied that the withdrawal of these 2 charges can be made without injustice. Indeed, the Committee considered it would be unjust to you to answer allegations which are not supported by evidence brought by the GDC. The Committee is further satisfied that there would no risk of under-charging if the application is allowed. The Committee further agrees to the amendment to the stem of 3 in light of the withdrawal of charge 2. It therefore acceded to Mr Mansell's unopposed application.

Findings of Fact – 4 March 2026

31. The Committee considered all the evidence presented to it, both documentary and oral. The Committee has disregarded Colleague A's witness statement. It took account of the closing submissions on the alleged facts made by both parties. The Committee accepted the advice of the Legal Adviser.

32. You told the Committee in your evidence that in 2010 the GDC issued you with advice and in 2016 the GDC issued you with a warning, both in relation to unrelated matters. Mr McDonagh submitted that as these matters were dealt with by way of advice and a warning, there have been no adverse disciplinary findings against you.

33. The Committee considered the factual allegations separately, 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. In respect of the allegation that your conduct was sexually motivated, the Committee has been reminded of the definition as set out in the case of *Basson v General Medical Council* [2018] EWHC 505 Admin where it was said: "sexual motive means that the conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship."

34. The Committee made the following findings:

1	<i>On or around 11 December 2020, you:</i>
1a	<p><i>Said that Colleague A had to undress, including by removing her underwear, so you could give her a massage;</i> Found not proved</p> <p>The GDC relies on the evidence of Colleague B in support of this charge. Colleague B's account to the police in January 2021 was that you told Colleague to "take her clothes off, which both of us questioned as to whether she had to be completely naked. He [you] was insistent that it was necessary. [Colleague A] agreed and got changed into a grey dressing gown from [your] private room."</p> <p>In Colleague B's witness statement to the GDC she set out that you told Colleague A in front of Colleague B that you wanted to give her a massage and that you told Colleague A "to take her clothes off and we both questioned why." Colleague B went on to explain "I asked him [you] why you thought it was necessary as a normal sciatica massage does not require someone to be naked, which I knew as I have had sciatica in the past and it is just to do with the back near the buttock area." On Colleague B's account, you repeated to both her and Colleague A that it was necessary for Colleague A "to get completely naked for the massage to take place." Colleague B described how Colleague A went to change her clothes and put on a dressing gown.</p> <p>In her oral evidence Colleague B's recollection was that she "believed" that you gave instructions for Colleague A to remove her clothing and that she "believed" you would have instructed her to remove her clothing. Colleague B's oral evidence was that there</p>



	<p>“could have been a towel on her front. I cannot remember.” The Committee was not satisfied that Colleague B’s recollection of the conversation and surrounding circumstances was clear or consistent.</p> <p>In your prepared statement provided to the police in your interview you set out that Colleague B went with Colleague A so that Colleague A could get undressed. Colleague A had your permission to use your personal bathrobe and she was wearing this when they came back into the room for the massage. This is corroborated by the WhatsApp photographs taken by Colleague B at the start of the massage.</p> <p>In your Defence Statement prepared for the Crown Court you set out that Colleague A had removed her clothing and underwear so that the massage oil did not drip on it. You stated that this was Colleague A’s decision.</p> <p>In your statement to the GDC you set out that Colleague A went to your restroom to get undressed for the massage. You explained that Colleague A kept her underwear on but she covered herself up in your bathrobe. You set out that having lifted the bathrobe so it remained on her shoulders, the bottom of Colleague A’s back was exposed but she covered her buttocks with a large towel. You deny saying to Colleague A that she had to undress and that she had to remove her underwear so that you could give her a massage. You explained in your statement that as the massage progressed, Colleague A raised concerns about her underwear becoming soiled with hot oil and being ruined. In your oral evidence you explained that you thought you could see Colleague A’s underwear under the edge of the towel.</p> <p>The Committee considered that Colleague B’s oral evidence on you instructing Colleague A to undress, including removing her underwear, was vague as to when the instruction was made and the level of undress, with frequent reference to the words “I believe” in her oral evidence. In the Committee’s judgement, Colleague B’s evidence cannot be relied on in support of this charge.</p> <p>By contrast, the Committee found your explanation of events set out in your statement to the police, before the Crown Court, and in your statement to the GDC to be consistent on this point. Further, the Whatsapp photographs containing humorous comments which Colleague B sent to others at the Practice at the beginning of the massage are inconsistent with you having given an instruction for Colleague A to remove all her clothing, if, by Colleague B’s account, this had been questioned by her prior to the massage starting.</p> <p>Accordingly, the Committee preferred your account, namely that you did not instruct Colleague A that she had to undress, including by removing her underwear. It therefore finds this charge not proved</p>
<p>1b</p>	<p><i>Touched Colleague A’s buttocks, and/or legs and/or back;</i> Admitted and found proved in relation to the legs and/or back Found not proved in relation to the buttocks</p> <p>In support of this charge the GDC relies on the evidence of Colleague B. The first time Colleague B mentions the buttocks being touched is in her statement to the GDC in which she states: “The Registrant massaged [Colleague A’s] buttocks for a good 10 to 15 minutes.” The Committee notes that this is different with Colleague B’s earlier statement to the police in which she only outlined that the massage whilst Colleague A’ was on her front lasted for approximately 15 minutes.</p>



	<p>Your position, as set out in your various statements and in your evidence before this Committee, is that Colleague A developed sciatica, causing her great pain at work, and that you wished to help her. You yourself had received deep oil massages which had given you effective relief for your various pains. You had recommended to Colleague A that she receive a massage from your massage specialist, a Pastor, at his clinic in Birmingham. However, the lockdown restrictions then in place did not make this possible. You explained that you, after discussing with the Pastor, considered that you were experienced enough to administer a massage which might provide some relief to Colleague A. Your understanding was that Colleague A consented to you administering the massage. You ensured that the massage would take place with a chaperone, Colleague B.</p> <p>Your evidence is that the massage was predominantly to Colleague A's back and that her buttocks, breasts and pubic bone were not touched, although the oil may have dripped on to these parts of her body. You were clear in your oral evidence that you had not seen the naked buttocks at any point. The massage ended with a head massage. You maintain that no concerns were raised at all at any stage. Colleague B accepted that both colleagues thanked you after the massage.</p> <p>It was your evidence that the purpose of the massage was to treat Colleague A's sciatica. Colleague B accepted in her oral evidence that this was the proposed purpose of the massage. This is supported by the voicemail you left on Colleague A's mobile phone on 9 December 2020 in which you suggested taking Colleague A to see the Pastor for the oil massage therapy on her back over a period of sessions. Further, there is reference to a text message on 9 December 2020 from Colleague A to you in which she agrees to having the treatment done but not at the weekend initially suggested by you. In addition, the Committee has seen the text messages between you and Colleague B after the massage where there is no reference to any concerns relating to the massage.</p> <p>The Committee noted that Colleague B has only referenced massage to the buttocks in her GDC statement. It further noted that at the start of the massage Colleague B was taking photographs and sending messages on a WhatsApp group chat. In her oral evidence Colleague B was unclear as to whether there was a towel covering Colleague A's buttocks. Further, Colleague B explained that later in the massage whilst chaperoning she had turned her head away and had stopped observing the massage due to embarrassment. The Committee determined that it could not rely on Colleague B as having a clear, uninterrupted view nor could it rely on her observations regarding your massage to Colleague A.</p> <p>In the Committee's judgement, you gave a clear and rational explanation as to the purpose of the massage and the method you adopted. The Committee preferred your evidence.</p> <p>The Committee was not satisfied, on the balance of probabilities, that you massaged Colleague A's buttocks.</p>
1d	<p><i>Continued to touch Colleague A despite Colleague B asking you to stop;</i> Found not proved</p> <p>In Colleague B's statement to the Police she stated: "After approximately 15 minutes [you] told [Colleague A] to roll onto her back so that [you] could massage her front. At this time I felt I needed to stop what was happening as it wasn't appropriate. I told [you]</p>



this and [you] responded quite aggressively that [Colleague A] had to do it so [you] could finish the treatment.”

Colleague B’s statement to the police is consistent with her statement to the GDC. Her evidence is that you asked Colleague A to roll onto her back so that you could massage her front. Her evidence was that on turning onto her front, Colleague A’s front was fully exposed. Colleague B described how she intervened at this point because alarm bells “went off in my head”. She explained that she stood up from her chair and said to you that Patient A going on to her back was not appropriate as her whole frontal body would be exposed. She described how you responded “quite aggressively” to say that the massage had to continue for the treatment to be completed. Colleague B’s evidence was that you continued and her opinion was that even if she had intervened, you would have been quite forceful. On her account, Colleague B described the situation as “awful so I turned away because I was very uncomfortable.”

In Colleague B’s oral evidence she confirmed that she told you to stop. She described the tone of your voice as being “curt and firm”. However, she also accepted that both colleagues thanked you after the massage. She also accepted that she texted you shortly after the massage at 15.41 regarding work and again that evening, with no mention of any concerns regarding the massage.

You maintain that you were trying to help Colleague A because she was in pain. You also explained that Colleague B acted as a chaperone and also assisted you with the procedure by making hot packs for the lower back area. You also set out that at no point before, during or after the massage did you believe that Colleague A had not consented to the massage. You were clear in your oral evidence that had Colleague A or Colleague B asked you to stop you would have done so immediately.

The Committee considers that it is highly unlikely that Colleague B, even on her understanding of her role as chaperone (namely only to protect Colleague A and not to protect you) would have looked away had she believed anything untoward was happening towards Colleague A. Further, Colleague B’s suggestion that she was not able to intervene due to your manner towards her, seems inherently unlikely given her acceptance that it was not unusual for the two of you to have a row and in her statement to the GDC she said that the two of you had a heated row a few days later. The Committee has had the benefit of seeing Colleague B giving her evidence in person. It seems unlikely, based on the forceful manner in which Colleague B gave her evidence, that she would not have been able to intervene if the procedure had been irregular and she was concerned. This was especially so given Colleague B’s evidence that the three of you were good friends, both in and outside work. The Committee rejected Colleague B’s evidence on this matter.

The Committee considers that your evidence as to what took place at the massage is consistent with the reasons why you carried out the massage on Colleague A. Further, your evidence is supported by the return to normality immediately after the massage took place, as evidenced by the text messages from Colleague B to you. Accordingly, the Committee finds this charge not proved.

1e	<i>Were aware that Colleague A may be vulnerable [Private].</i> Admitted and found proved
3	<i>Your conduct at 1 above was:</i>
3a	<i>Inappropriate</i> Found proved in relation to charge 1b only



	<p>The only conduct found proved at charge 1 was in relation to charge 1b, namely that you touched Colleague A’s back and legs, which you admitted.</p> <p>Though charge 1e was also proved, also on your admission, in the Committee's view, that relates to a state of knowledge, rather than any actual conduct on your part.</p> <p>You admitted that touching Colleague A’s back and legs during the massage was inappropriate. The Committee therefore finds 3a proved by reason of your admission, and only in relation to touching Colleague A’s back and legs</p>
3b	<p><i>Unprofessional</i> Found proved in relation to charge 1b only</p> <p>This was in light of your admission. You accepted that your conduct was unprofessional insofar as it relates to touching Colleague A’s legs and back.</p> <p>Though charge 1e was also proved, also on your admission, in the Committee's view, that relates to a state of knowledge, rather than any actual conduct on your part.</p>
3c	<p><i>An abuse of the position of trust and/or authority you held as a senior colleague of Colleague A;</i> Found not proved</p> <p>The Committee has borne in mind that you provided a therapeutic massage to Colleague A in circumstances where you were trying to help her, where this treatment was anticipated by Colleague A and was in response to her continuing problems with her back which affected her work. Further, it was your understanding that Colleague A was struggling to obtain treatment for this problem. This is apparent by the exchange of messages between you and Colleague A prior to the date of the massage. Colleague B acted as the chaperone throughout the procedure. The Whatsapp photographs taken by Colleague B at the start of the massage do not show any impropriety and show that you were fully clothed, including you wearing a disposable apron, for carrying out the massage and Colleague A was wearing a bath robe. This was in circumstances where you had all been friends for many years and where professional boundaries may have become blurred, creating an apparent flat line of hierarchy.</p> <p>Additionally, the evidence supports that this was an agreed massage for the purposes of relieving Colleague A’s pain and as such you were not asserting your authority on Colleague A and Colleague B, who had assisted with the preparation of the massage bed.</p> <p>The Committee had regard to the dictionary definition of ‘abuse’ and was satisfied that, in the circumstances described above, your conduct could not properly be described or characterised as an abuse, either of a position of trust, or of a position of authority.</p> <p>Accordingly, the Committee finds this charge not proved.</p>
3d	<p><i>Sexually motivated</i> Found not proved</p> <p>The Committee has considered the context in which the massage took place, namely that you were trying to help Colleague A relieve the pain to her pack. You accepted in</p>

your evidence that you did not think of the consequences. However, you were clear in your oral evidence that Colleague A was a friend and a member of your team for a number of years and you could never consider her in a sexual way and you genuinely wished to help her with her pain.

You also told the Committee that you would have stopped or would not have carried out the procedure if Colleague A or Colleague B had said anything. The Committee has also borne in mind that Colleague B acted as a chaperone throughout the procedure. Whilst the Committee did consider your behaviour to be inappropriate and unprofessional it was clear to the Committee this was an agreed massage with the chaperone present. In these particular circumstances, the Committee found there was no evidence to infer that the massage was conducted for sexual gratification or in pursuit of a future sexual relationship with Colleague A. Further, it seems inherently unlikely that you would act in a sexually motivated way in the presence of a chaperone.

The Committee has also had regard to the evidence of the two professional colleagues who currently work with you, who attest as to your character. They confirm that they were comfortable in your presence and have not witnessed anything that raises concerns about your behaviour towards females.

Taking all these factors into account, the Committee is not satisfied that your conduct was done either in pursuit of sexual gratification or in pursuit of a future sexual relationship. Accordingly, the Committee finds this charge not proved.

35. The hearing moves to Stage Two

Stage 2 determination 6 March 2026

36. 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. Should the Committee find there is current impairment, it can then move on to consider what sanction, if any, to impose.

37. In accordance with Rule 20 of the Fitness to Practise Rules 2006, the Committee heard submissions from Mr Mansell on behalf of the GDC and from Mr McDonagh on your behalf in relation to your previous fitness to practise history, misconduct, impairment and sanction.

Evidence

38. The Committee was provided with a Defence bundle of some 2500 pages which included the following documents:

- A copy of your witness statement dated 4 March 2026
- A copy of your Practice's Professional Conduct Policy, Professional Boundaries Policy and Safeguarding Policy
- Good character references
- Copies of your Continuing Professional Development (CPD) certificates covering the last few years
- Documents that were submitted to the Interim Orders Committee (IOC) between November 2024 and December 2025, some of which containing copies of Chaperone reports observing your clinical practice, in accordance with the IOC conditions on your registration.

Submissions

39. Mr Mansell indicated that he did not propose to revisit your fitness to practise history since the Committee was apprised of the details at stage 1 of these proceedings. This concerned the GDC issuing you with advice and a warning, both in relation to unrelated matters.

40. On the matter of misconduct, Mr Mansell submitted that the findings against you amount to misconduct. This was in circumstances where you gave a hot oil massage to a junior female colleague (Colleague A) in a room in your dental practice. The massage involved you touching Colleague A's legs and her back, and where you were aware that Colleague A may be vulnerable [Private]. The GDC submits that your conduct was unacceptable, was morally culpable and amounted to a crossing of professional boundaries. Mr Mansell cited a number of the GDC's "Standards for the Dental Team" (September 2013) which you have breached.

41. Regarding current impairment, Mr Mansell submitted that a lack of professional boundaries may be difficult to remediate. He referred to the CPD provided on your behalf and submitted that several of them contained no reflective statement at the bottom of the certificates. He invited the Committee to consider whether you have shown sufficient insight into your conduct and recognise that you should have acted differently. Mr Mansell submitted that the tenor of your evidence appeared to focus more on the surrounding circumstances of the events in question (namely Covid 19 restrictions) rather than whether it was appropriate for you to have carried out the massage in the first place. The GDC's position is that there is a risk of repetition of the conduct and therefore you present a risk of harm to patients.

42. Mr Mansell submitted that a finding of current impairment is also necessary in relation to public interest. It was Mr Mansell's submission that to find you not impaired by reason of your misconduct would undermine public confidence in the profession.

43. Mr Mansell submitted that the appropriate sanction in this case is a suspension order for 6 months, with a review to take place before its expiry. The GDC's position is that any lesser sanction would not be sufficient given that the underlying conduct is so serious, with a lack of insight and a risk of repetition.

44. Mr McDonagh, on your behalf, conceded that the matters found proved amount to misconduct. However, he made the point that your motivation behind carrying out the massage on Colleague A was to help her and where the circumstances presented (Covid 19) were unique. This was a one-off situation, where the ramifications for what could have happened to you, both in terms of losing your liberty and losing your career as a dentist, have become apparent to you. The risk of repetition was therefore highly unlikely. In short, this was an isolated incident where the professional boundaries were blurred and where your behaviour trespassed into unprofessional and inappropriate behaviour.

45. In respect of current impairment, Mr McDonagh set out the extensive steps you have taken to address the concerns in this case. He advised the Committee that your registration was suspended by virtue of an Interim Order of Suspension from August 2022 until October 2024 and from October 2024 your registration has been subject to an Interim Order of Conditions. He referred to the documents contained in the Defence bundle which demonstrate your compliance with the interim conditions, including the reports from your chaperone who has observed your clinical practice. They confirm that they have no concerns regarding your conduct towards female colleagues and patients and are satisfied that you have demonstrated consistent respect for patient privacy. Your chaperones also makes reference to the fact that despite the emotional burden placed on you by the GDC's conditions, you have continued to demonstrate resilience, professionalism and commitment to your patients.

46. Mr McDonagh also highlighted the extensive CPD you have undertaken. Whilst noting Mr Mansell's observation that one or two of the CPD certificates do not contain your reflections, there is evidence elsewhere in the documents as to what you have learnt from the events in questions and how you have embedded it into your daily practice. He further submitted that while you accepted that Colleague A may be vulnerable, the Committee has heard no direct evidence regarding this. Further, Mr McDonagh highlighted that the Committee did not find that you had abused your position of trust and/or authority as a senior colleague of Colleague A (charge 3c) for the reasons cited in its determination on the facts.

47. Mr McDonagh submitted that the public interest has been met due to the extensive remediation you have demonstrated in addition to the previous interim suspension order that was imposed on your registration. A fully informed member of the public may therefore be satisfied that the public interest has been met. However, he highlighted that this was for the professional consideration of the Committee. Mr McDonagh further submitted that if the Committee was to determine that your fitness to practise is impaired, it should be solely on the grounds of public interest.

48. In terms of sanction, Mr McDonagh submitted that if the Committee found current impairment, then a suspension order for a period of one month, without a review, would be appropriate. He made the point that your registration has already been suspended for some 26 months and therefore a shorter period would be sufficient in all the circumstances in this case.

49. The Committee considered the submissions made by both parties. It has accepted the advice of the Legal Adviser. The Committee had regard to the case of Adil v General Medical Council [2023] EWCA Civ 1261 as set out in paragraph 275 of the GDC's Fitness to Practise: Guidance for the practice committees (the Guidance).

Misconduct

50. The Committee first considered whether the facts found proved amount to misconduct. The Committee has found proved that on 11 December 2020 you gave a hot oil massage to your dental nurse, Colleague A, on a dental chair in one of the practice surgery rooms. The massage involved you touching Colleague A's legs and back. The Committee has taken into account your explanation that Colleague A was suffering back pain and that you were trying to help her. It has also taken into account that Colleague B, who was the practice manager at the material times, acted as a chaperone throughout the whole massage. Nevertheless, the Committee considers that it was inappropriate and unprofessional in any circumstances for you to have carried out a massage on another colleague, particularly when you knew she may be vulnerable. You accepted that your conduct was inappropriate and unprofessional and you apologised for it.

51. The Committee considers that an aggravating feature in this case is that you were aware that Colleague A may be vulnerable [Private].

52. The Committee is satisfied that you have breached the following principles from the Standards, in particular:

Standard 6.1.2 You must treat colleagues fairly and with respect, in all situations and all forms of interaction and communication...

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 9.1.1 You must treat all team members, other colleagues and members of the public fairly, with dignity....

53. The Committee considers that your acts fell far short of the standards reasonably expected of a general dental practitioner and can properly be described as deplorable by dental professionals. It therefore finds that the facts found proved amount to misconduct.

Current Impairment

54. The Committee first considered whether your conduct was likely to be repeated. In so doing, it has had regard to the steps you have taken to address the concerns in this case as well as your insight into the matters that brought you before the GDC. The Committee had regard to your witness statement dated 4 March 2026. In that statement you apologised to Colleague A, to the GDC, as well as the profession and the Committee for your conduct. You say that you recognise that your conduct fell short of what was required of you and that you exercised poor professional judgement during what you describe as an “exceptionally challenging period.” You further stated that you have reflected over the last 5 years since the incident took place.

55. You went on to explain that you have undertaken various CPD courses to remind you of your obligations, which include Professional boundaries, consent, sexual harassment and GDC standards. You also undertook a Professional Boundaries in Practice course on 13 January 2026. You set out your reflections on what you learnt from this course. You explained the changes you have made to your behaviour, which has included maintaining professional boundaries through clear communication, a formal professional boundaries policy and appropriate interactions with others. You highlighted the courses you had completed on sexual harassment (most recently in January 2025 and August 2025). You explained that you have identified improvements in your own Practice’s policies and procedures, which you have introduced. In your witness statement you also referred to various CPD certificates you have completed over the past 4-5 years.

56. In your statement you set out that since the interim conditions were placed on your registration you have been working under supervision of chaperones. You have maintained a log of all your interactions. The log and the reports from the chaperones were sent to the GDC for review, as per your IOC conditions.

57. In summary you say you have implemented clear policies on conduct, boundaries, safeguarding and whistleblowing. You assured the Committee that you have worked on yourself and your practice by adopting higher standards of professional boundaries and that you will not repeat the behaviour.

58. The Committee has considered carefully the reports from your chaperones, which cover the period from November 2024 onwards, when your registration was subject to an interim order of conditions. The chaperones set out that they objectively observed your interactions with patients and colleagues and confirmed that you maintained appropriate boundaries as well as displaying professionalism and respect in your interactions with female colleagues and female patients.

59. In the Committee’s judgement, the evidence before it demonstrates that you have addressed the concerns that were identified in this case, that you have complied fully with the interim orders on your registration without any reported concerns, since the events in question, some five years ago. The Committee has had regard to the supportive testimonials from dental colleagues, as well as the oral evidence of two dental colleagues, who attest as to your professional behaviour towards female colleagues.

60. Further, it was clear from your evidence throughout the course of these proceedings that you reflected on your conduct and you have implemented positive changes to your practice and maintaining professional boundaries with colleagues.

61. The Committee is satisfied that you have demonstrated significant insight and genuine remorse and you have remediated your misconduct. It is of the view that, having considered all the information before it, there is a low risk of repetition. Therefore, a finding of impairment is not necessary on the ground of public protection.

62. The Committee then went on to consider whether public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances of this case. In so doing, it has had regard to paragraph 248 of the GDC's Guidance which sets out where impairment on the grounds of public interest may be considered. The Committee is aware that this was a single isolated incident, which took place over five years ago, and in circumstances where you were trying to help Colleague A. It has had regard to the extensive remediation you have undertaken as well as your expressions of remorse.

63. The Committee noted it has no evidence regarding Colleague A's vulnerabilities. Nevertheless, the Committee considers that you giving Colleague A a massage in circumstances where you knew she may be vulnerable is serious. The Committee considers that the public interest is engaged in this case and that a finding of current impairment is required in the interests of maintaining public confidence and promoting proper professional standards. Therefore, the Committee concluded that a finding of impaired fitness to practise on the grounds of misconduct is required solely on the ground of public interest.

Decision and reasons on sanction

64. The Committee considered what action, if any, to take in relation to your registration. It has borne in mind that its finding on current impairment is based solely on the grounds of public interest, there being no patient concerns in this case. The Committee also took into account the GDC's guidance for Practice Committees" (January 2026) (the Guidance). The Committee reminded itself that any sanction imposed must be proportionate and appropriate and, although not intended to be punitive, may have that effect.

65. The Committee considered the following mitigating factors to be present in this case:

- good conduct since the incident in question;
- remorse shown and apology given;
- full insight and remediation;
- appears to be a single incident and
- admissions to the charges

66. The Committee considered the following aggravating feature to be present in this case:

- The case concerns an individual who may be vulnerable

67. The Committee had regard to its previous findings on misconduct and impairment in coming to its decision and considered each sanction in ascending order of severity. It first considered whether to take no further action or to consider the imposition of a reprimand. Having found impairment on the grounds of public interest, neither outcome would adequately address the seriousness of its findings.

68. The Committee next considered whether conditional registration would be sufficient and appropriate. The Committee has borne in mind that there are no clinical concerns in this case and that its decision on current impairment was in relation to the wider public interest. Given the seriousness of the Committee's findings, it did not consider that conditions were either workable or relevant in order to adequately address the public interest in this case.

69. The Committee then went on to consider whether an order of suspension would be the appropriate sanction. It has borne in mind the factors set out at paragraph 277 of the GDC's guidance and is satisfied that the following factor applies:

- A lesser sanction would be insufficient to meet the public interest

70. Accordingly, the Committee is satisfied that an order of suspension is the appropriate and proportionate response to meet the public interest.

71. In considering the period of suspension, the Committee has had regard to paragraph 275 of the Guidance which states: "*When considering the proportionality of the order to be imposed, the PC should have regard to any interim order and its effect on the registrant. In particular, if proceedings are delayed and a person is subject to suspension in the interim, that period of suspension may affect the proportionality of the length of the subsequent period of suspension. Whether it has that effect is for the PC to determine.*" There was reference to the case of *Adil v General Medical Council* [2023] EWCA Civ 1261 in respect of this point.

72. The Committee considers that a moderate suspension order would be appropriate in this case to mark the seriousness of the misconduct. However, the Committee has borne in mind that your registration was previously suspended for a period of 26 months by virtue of an interim order of suspension. In addition, the Committee is satisfied that you have remediated fully the concerns in this case and you have demonstrated insight. Taking all these factors into account, the Committee is satisfied that a short period of suspension, namely one month, is sufficient to meet the public interest. It is satisfied that a review of the suspension order is not necessary to meet the public interest in light of the brevity of the order and the fact that the Committee has no concerns regarding your remediation or insight.

73. The Committee did go on to consider erasure but, taking into account all of the information before it, and the mitigation provided, determined that it would be disproportionate. The Committee acknowledged your admissions at the outset of the hearing, that you have fully accepted your wrongdoing and have shown insight and considerable remorse. In this regard, the Committee acknowledged that it would be unduly punitive to direct erasure at this time.

74. The interim order of conditions on your registration is hereby revoked.

75. The Committee now invites submissions as to whether the suspension should take immediate effect to cover the 28-day appeal period.

Immediate order

76. Mr Mansell confirmed that there was no application by the GDC for an immediate suspension order. The Committee was satisfied that it was not necessary to impose an immediate suspension order on any of the statutory grounds.

77. That concludes the hearing of this case.