

PUBLIC HEARING

Professional Conduct Committee Initial Hearing

5 – 7 May 2026

Name: WITHERS, Charlene Pearl

Registration number: 245794

Case number: CAS-211943-F2B4S5

General Dental Council: James Halliday, Counsel.
Instructed by Jalpa Patel, IHLPS

Registrant: Not Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct and conviction

Outcome: Suspension (with a review)

Duration: 12 months

Immediate order: Immediate suspension order

Committee members: Debbie Jones (Dental Care Professional) (Chair)
Catriona Brown (Dentist)
Audrey McFarlane (Lay)

Legal adviser: Stephen Bate

Committee Secretary: Andrew Keeling

1. This is a Professional Conduct Committee (PCC) hearing in respect of an allegation against Miss Withers that her fitness to practise is impaired by reason of misconduct and/or conviction. The hearing was conducted remotely via Microsoft Teams between 5 and 7 May 2026. Miss Withers was neither present nor represented at the hearing. Mr James Halliday, Counsel, is the Case Presenter for the General Dental Council (GDC).
2. The Committee first considered the issues of service and whether to proceed with the hearing in the absence of Miss Withers. The Committee received written submissions on both of these matters from Mr Halliday and he also addressed the Committee. It heard and accepted the advice of the Legal Adviser as to the provisions of the GDC (Fitness to Practise) Rules Order of Council 2006 ('the Rules') and the approach it should take to its decision.

Preliminary Matters

Decision on Service of the Notice of Hearing (5 May 2026)

3. The Committee received from the GDC an indexed bundle, which contained a copy of the Notice of Hearing ('the notice'), dated 31 March 2026. The documents before the Committee showed that the notice was sent to Miss Withers' registered address by Special Delivery (and it was also sent by first class post and secure email).
4. The Committee was satisfied that the notice sent to Miss Withers contained proper notification of today's hearing. This included the hearing's time, date and that it will be taking place remotely on Microsoft Teams, and the other prescribed information including notification that the Committee had the power to proceed with the hearing in Miss Withers' absence. The notice was also sent within the prescribed time, being no later than 28 days before the hearing date.
5. In the circumstances, the Committee was satisfied that the notice had been properly served on Miss Withers, in accordance with Rules 13 and 65.

Decision on Proceeding in the Registrant's Absence (5 May 2026)

6. The Committee next considered whether to exercise its discretion under Rule 54 of the Rules to proceed with the hearing in the absence of Miss Withers. The Committee approached the issue of proceeding in absence with the utmost care and caution. It took into account the factors to be considered in reaching its decision, as set out in the case of *R v Jones (Anthony)* [2002] UKHL 5 and *GMC v Adeogba & Visvardis* [2016] EWCA Civ 162. It remained mindful of the need to be fair to both Miss Withers and the GDC, taking into account the public interest and Miss Withers' own interests.
7. The Committee noted the email dated 22 April 2026 from Miss Withers to the GDC, in which she stated that, '*I won't be attending the hearing*'. The Committee was also informed that the hearing link had been sent to Miss Withers on 30 April 2026. There is

no application for an adjournment from Miss Withers. In these circumstances, the Committee was satisfied that Miss Withers had voluntarily absented herself from the hearing. The Committee further considered that adjourning the hearing would not serve any useful purpose as there was no indication from Miss Withers that she would attend any future hearing.

8. The Committee determined, therefore, that it was fair and appropriate to proceed with the hearing in the absence of Miss Withers.

Background and Summary of Allegations

9. Mr Halliday opened the case for the GDC and provided a background of the events to the Committee. He informed the Committee that in May 2024, Miss Withers had informed the GDC that she had been charged with a criminal offence, namely '*failing to provide a specimen for analysis*' and was due to attend the Magistrates' Court on 19 June 2024.
10. Mr Halliday submitted that the GDC had subsequently obtained a certificate of conviction in respect of this matter, which showed that on 19 June 2024, following a guilty plea, Miss Withers was convicted of the offence, '*Fail to provide specimen for analysis - vehicle driver*' and was sentenced to a community order.
11. Mr Halliday further submitted that, as part of its investigation the GDC obtained Miss Withers' Police National Computer (PNC) record. He submitted that this document showed that Miss Withers had also received a police caution on 18 September 2010. This led the GDC to check Miss Withers' application to join the register, which was dated 16 July 2013, and it appeared to show that she had failed to declare this caution as part of the self-declaration section on the form. Mr Halliday indicated that the GDC's case was that Miss Withers' alleged failure to declare her caution to the GDC was misleading and dishonest.

Evidence

12. By way of factual evidence from the GDC, the Committee was provided with witness statements and associated exhibits from the following:
 - Majed El-Giathi, a Senior Paralegal in the GDC's In-House Presentation Team, dated 22 April 2026; and
 - Chelsea Norton, a Registrations Manager at the GDC, dated 19 November 2025.
13. Before the Committee heard oral evidence from Mr El Giathi, Mr Halliday applied to have part of his witness statement admitted as hearsay evidence.

14. Mr Halliday also informed the Committee that he intended to make an application to admit Ms Norton's witness statement as hearsay evidence as she would not be attending the hearing.

First Application under Rule 57 to admit hearsay evidence (5 May 2026)

15. Mr Halliday referred the Committee to a section titled '*Circumstances of the offence as taken from the MG5 and statement of arresting officer*', which was included in an email to the GDC, dated 7 October 2025, from Cumbria Constabulary. This email was included in an exhibit to Mr El Giathi's witness statement, dated 22 April 2026.

16. Mr Halliday referred the Committee to the case of *Thorneycroft v Nursing and Midwifery Council* [2014] EWHC 1565. He submitted that the section of the email referred to above was quite rightly referred to as anonymous hearsay evidence and seems to have been taken from the arresting officer's statement. He submitted that the GDC does not know the name of the person who provided this information. However, he submitted that the Committee can be satisfied as to its provenance and reliability. Furthermore, he submitted that there has been no evidence to suggest that this evidence has been challenged.

17. Mr Halliday submitted that, in all the circumstances, it would be entirely fair and reasonable to admit the evidence.

The Committee's Decision

18. The Committee took into account Mr Halliday's submissions and accepted the advice of the Legal Adviser.

19. The Legal Adviser referred the Committee to its powers under Rules 57(1) and 57(2), which are as follows:

(1) A Practice Committee may in the course of the proceedings receive oral, documentary or other evidence that is admissible in civil proceedings in the appropriate court in that part of the United Kingdom in which the hearing takes place.

(2) A Practice Committee may also, at their discretion, treat other evidence as admissible if, after consultation with the legal adviser, they consider that it would be helpful to the Practice Committee, and in the interests of justice, for that evidence to be heard.

20. The Legal Adviser referred the Committee to the case of *Thorneycroft*, to paragraphs 158 to 168 of the GDC's Guidance document, '*Guidance - Fitness to Practise*:'

Guidance for the Practice Committees' (effective from 6 January 2026) (*"the GDC's Guidance"*) as well as particular considerations arising from the documents before the Committee.

21. In making its decision, the Committee first considered the relevance of the hearsay evidence. It took into account that the evidence was provided in respect of Miss Withers' conviction in 2024 (head of charge 1). However, the Committee noted that there was a certificate of conviction within the hearing bundle and therefore the hearsay evidence would not be of assistance to its consideration of head of charge 1, albeit it may be of peripheral relevance to the issues of impairment and sanction should they arise.
22. The Committee also noted that there appeared to be differences between the account contained within the hearsay evidence and in Miss Withers' own account of the events which led to her conviction contained in her email to the GDC of 2 June 2024. The Committee was mindful that these apparent differences could not be tested as neither Miss Withers nor the (unidentified) authors of the hearsay evidence would be attending the hearing. The Committee determined therefore that admitting the hearsay evidence could potentially be prejudicial to Miss Withers.
23. Accordingly, the Committee determined not to grant Mr Halliday's application to admit hearsay evidence principally because it would be unfair to Miss Withers to admit it into evidence.

Oral Evidence

24. The Committee then heard oral evidence from Mr El Giathi.

Second Application under Rule 57 to admit hearsay evidence (5 May 2026)

25. Mr Halliday then made a further application to admit hearsay evidence, which was the witness statement, dated 19 November 2025, of Chelsea Norton. As an exhibit to her witness statement, Ms Norton provided a copy of Miss Withers' application form for registration referred to in head of charge 2.
26. Mr Halliday submitted that Ms Norton was away until 11 May 2026 and she could not attend the hearing to give evidence. He submitted that her evidence was relevant to the charges of misconduct and dishonesty and there has been no issue raised by Miss Withers about the provenance of the application form exhibited as part of her statement.
27. Mr Halliday submitted that it would be fair and reasonable to admit the hearsay evidence and invited the Committee to accept his application.

The Committee's Decision

28. The Committee took into account Mr Halliday's submissions and accepted the advice of the Legal Adviser, who re-iterated his advice above

29. The Committee took into account that Ms Norton's witness statement exhibited a copy of Miss Withers' GDC application form, which would be relevant to its consideration of heads of charge 2 and 3, and sole or decisive evidence in relation to those heads of charge. The Committee noted that this was apparently Miss Withers' own document and there appeared no reason to doubt its authenticity. Therefore, the Committee determined to admit the hearsay evidence.

30. Accordingly, the Committee accepted Mr Halliday's application.

The Committee's Findings of Fact (6 May 2026)

31. The Committee has considered all the documentary evidence presented to it. It took account of the submissions made by Mr Halliday, on behalf of the GDC, and also such matters as may have been in favour of Miss Withers arising from the evidence before it. The Committee had no written representations from Miss Withers and Mr Halliday confirmed that no representations relating to the charges had been made at any earlier stage.

32. The Committee heard and accepted the advice of the Legal Adviser. It has considered each head of charge 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 found proved on the balance of probabilities. In making its findings, the Committee drew no adverse inference from the absence of Miss Withers from this hearing.

33. The Committee's findings in relation to each head of charge are as follows:

1.	<p>On 19 June 2024 you were convicted at South Cumbria Magistrates Court of failing to provide a specimen for analysis (drive or attempting to drive) on 11 May 2024 contrary to s.7(6) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.</p> <p>Found Proved</p> <p>The Committee had sight of the certificate of conviction, dated 16 September 2025, from Barrow-in-Furness Magistrates' Court. This clearly showed that Miss Withers was convicted on 19 June 2024 for the offence of, '<i>Fail to provide specimen for analysis - vehicle driver</i>', which was contrary to Section 7(6) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988.</p>
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	<p>Accordingly, the Committee found this head of charge proved.</p>
<p>2.</p>	<p>On your application form for registration with General Dental Council dated 16 July 2013 you ticked the box “No” in response to the question: “Have you been convicted of a criminal offence and/or cautioned and/or are you currently the subject of any police investigations which might lead to a conviction or a caution in the UK or any other country?”.</p> <p>Found Proved</p> <p>The Committee took into account Ms Norton’s witness statement, which exhibited Miss Withers’ application form to the GDC, dated 16 July 2013.</p> <p>The Committee noted that in ‘<i>Section 6: Self-declaration</i>’ of the application form, Miss Withers had ticked the box “No” in response to the question: “Have you been convicted of a criminal offence and/or cautioned and/or are you currently the subject of any police investigations which might lead to a conviction or a caution in the UK or any other country?”.</p> <p>Accordingly, the Committee found this head of charge proved.</p>
<p>3.</p>	<p>Your conduct in relation to allegation 2 was;</p>
	<p>a) Misleading; and/or</p> <p>Found Proved</p> <p>The Committee took into account the Oxford University Dictionary’s definition of ‘Misleading’, which was ‘<i>giving the wrong idea or impression</i>’.</p> <p>The Committee accepted the PNC evidence from the GDC, which showed that Miss Withers had received a police caution on 18 September 2010 in respect of an offence of common assault under the Criminal Justice Act 1988 Section 39 on 1 August 2010. The Committee noted the information from the GDC’s guidance on the application form stating, ‘<i>Please note that you have to declare any convictions or cautions that are considered ‘spent’ as set out in the Rehabilitation of Offenders Act 1974</i>’. This was sufficient, as a matter of law, to ensure that Miss Withers was required to answer that question.</p> <p>The Committee determined that Miss Withers’ actions in stating ‘No’ in answer to the question, ‘<i>Have you been...cautioned...?</i>’ was misleading because she had received a caution on 18 September 2010.</p>

	<p>Accordingly, the Committee found this head of charge proved.</p>
	<p>b) Dishonest, in that you knew you had received a caution on 18 September 2010 for common assault contrary to s.39 of the Criminal Justice Act 1988.</p> <p>Found Proved</p> <p>When considering this charge, the Committee referred to the test set out in the case of <i>Ivey v Genting Casinos (UK) Ltd. t/a Crockfords</i> [2017] UKSC 67. It first considered the actual state of Miss Withers' knowledge or belief as to the facts at the time. The Committee then considered whether her conduct would be viewed as dishonest by the objective standards of ordinary and decent people.</p> <p>When considering Miss Withers' state of mind at the time, the Committee took into account that she must have been aware that she had received a police caution as she would have been required to accept the caution before it was issued.</p> <p>The Committee then went on to consider whether it was more likely than not that she had deliberately omitted this information from the form in giving the response that she did, as opposed to making an inadvertent error or due to careless behaviour. The Committee considered the self-declaration section of the form and noted that the wording in question 1 clearly stated that any police cautions needed to be declared. The Committee further noted that Miss Withers had ticked another box in the same section of the form declaring that she acknowledged that she would be putting her professional registration at risk if she made a false statement and that this could lead to fitness to practise proceedings against her.</p> <p>Taking all of this into consideration, the Committee determined that it was more likely than not that Miss Withers was aware of the need to disclose her 2010 caution on the GDC application form, had deliberately not done so, and had chosen to give a response to the GDC that she knew to be untrue.</p> <p>The Committee determined that Miss Withers' behaviour in deliberately misrepresenting to the GDC that she had not received a police caution when seeking registration with her professional regulator, would be considered dishonest by the objective standards of ordinary and decent people.</p> <p>Accordingly, the Committee found this head of charge proved.</p>

34. We move to Stage 2.

Stage 2 (6 – 7 May 2026)

35. Having announced its decision on the facts, the Committee heard submissions from Mr Halliday, on behalf of the GDC, in relation to the matters of misconduct, impairment and sanction. The Committee also received advice from the Legal Adviser, which it accepted.
36. The Committee reminded itself that its decisions on misconduct, impairment and sanction are matters for its own independent judgement. There is no burden or standard of proof at this stage of the proceedings. It had regard to its duty to protect the public, declare and uphold proper standards of conduct and competence, and maintain public confidence in the profession. The Committee took into consideration the document, *'Guidance - Fitness to Practise: Guidance for the Practice Committees' (effective from 6 January 2026) ("the GDC's Guidance")*. The Committee also had regard to relevant case law.

Summary of the Committee's Findings

37. At Stage 1, the Committee found proved that Miss Withers was convicted on 19 June 2024 for the offence of, *'Fail to provide specimen for analysis - vehicle driver'*, which was contrary to Section 7(6) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988. The Committee also found proved that when applying for registration with the GDC in July 2013, Miss Withers did not disclose the police caution she had received in September 2010, which she was required to do on the self-declaration section of the form. The Committee found this conduct to be misleading and dishonest.

Submissions

38. In respect of Miss Withers' conviction, Mr Halliday submitted that the certificate of conviction is conclusive proof of this and therefore the statutory ground is made out.
39. Mr Halliday then addressed the Committee on the matter of misconduct, in respect of Miss Withers' misleading and dishonest behaviour. He referred the Committee to the relevant case law. He submitted that Miss Withers' dishonest behaviour, which resulted in her gaining registration with the GDC and a career in the dental profession, is serious enough to amount to misconduct as it fell far short of the conduct expected in the circumstances.
40. In relation to the matter of impairment, Mr Halliday referred the Committee to the relevant section in the GDC's Guidance. He submitted that Miss Withers has displayed little or no insight into her conviction or dishonest behaviour. He referred the Committee to Miss Withers' email to the GDC, dated 2 June 2024, and submitted that this did not

contain an apology, any evidence of remorse or an acknowledgement of her wrongdoing. In respect of her conviction, he submitted that there is no evidence that Miss Withers has undertaken the drink-drive course, which was included as part of her sentence and which could have been evidence of remediation or insight.

41. Mr Halliday submitted that a finding of impairment is required to protect the public. He submitted that, owing to a lack of insight and remediation, there is a risk of repetition of Miss Withers' dishonest behaviour which could impact on patient safety. He also submitted that a finding of impairment is required in the public interest. He submitted that honesty is a fundamental tenet of the dental profession and that a finding of impairment is required to maintain public confidence in the profession and to uphold proper professional standards.
42. Lastly, Mr Halliday addressed the Committee on the matter of sanction. He invited the Committee to impose a suspension order for nine to 12 months. He submitted that this would be a proportionate and appropriate outcome. He submitted that a sanction of erasure would be disproportionate as there is no evidence that Miss Withers has a deep-seated attitudinal problem and there has been no repetition of the dishonesty.

Misconduct

43. The Committee first considered whether Miss Withers' misleading and dishonest behaviour amounted to misconduct. In doing so it had regard to the GDC's Standards that were applicable at the time of the incident in 2013, which were contained in the GDC document titled, '*Standards for Dental Professionals*'. It determined that Miss Withers had breached the following standard:

6.1 Justify the trust that your patients, the public and your colleagues have in you by always acting honestly and fairly.

44. The Committee took into account the nature of Miss Withers' misleading and dishonest behaviour, in that it was undertaken to gain registration with her professional regulator. Her conduct prevented the GDC from assessing whether she was a fit and proper person to be entered onto the register.
45. The Committee was mindful that acting honestly and with integrity was fundamental to being a dental professional. The Committee considered Miss Withers' conduct to be a serious failing that would be considered deplorable by fellow dental professionals.
46. The Committee determined, therefore, that Miss Withers' misleading and dishonest behaviour amounted to misconduct.

Conviction

47. In respect of Miss Withers' conviction, the Committee was satisfied that the statutory ground of a conviction in the UK for a criminal offence was made out.

Impairment

48. The Committee then considered whether Miss Withers' fitness to practise is currently impaired by reason of her conviction and her misconduct.

49. In respect of Miss Withers' misconduct, the Committee paid particular attention to the following paragraphs in Appendix 1 of the GDC's Guidance:

'Failure to disclose criminal proceedings or regulatory findings: at point of registration

78. A failure to inform the GDC of a conviction, caution, criminal proceedings or regulatory finding at the point of application for registration is considered particularly serious. This is because failure to declare information about criminal proceedings or regulatory findings deprives the Registrar of the ability to conduct a proper assessment of whether an applicant for registration is of good character.

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

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

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

50. The Committee took into account that Miss Withers has not taken part in these proceedings, and it has seen no evidence that she possesses any insight into her dishonest behaviour. She has not apologised for her actions, shown remorse or acknowledged that she understands the seriousness of her behaviour and the impact this could have on patients and the dental profession. The Committee has also not seen any evidence of remediation undertaken by Miss Withers, such as any relevant Continuing Professional Development (CPD) courses. The Committee acknowledged that the dishonest behaviour took place 13 years ago and there has been no repetition since. However, owing to the complete absence of any insight into her dishonest behaviour and remediation from Miss Withers, and her lack of engagement with these

proceedings, the Committee was not satisfied that her dishonest behaviour would not be repeated. The Committee took into account that when Miss Withers reported her ongoing criminal proceedings to the GDC in 2024, she did not take this opportunity to reflect on her earlier actions and inform the GDC of her previous police caution from 2010. Instead, this only came to light after the GDC had made further enquiries.

51. In respect of Miss Withers' conviction, the Committee took into account that she reported the criminal proceedings to the GDC and she had pleaded guilty to the offence at court. The Committee considered, therefore, that she had shown some insight into her conviction. However, the Committee also noted that there was no evidence of remediation in respect of her conviction. In particular, the Committee noted that there was no evidence that she had undertaken the drink drive course mentioned in her sentencing.
52. It had regard to the relevant case law in respect of impairment, in particular the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin), which referred to Dame Janet Smith's "test" when determining current impairment:
1. *Has he/she in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm;*
 2. *Has he/she in the past brought and/or is liable in the future to bring the medical profession into disrepute;*
 3. *Has he/she in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession;*
 4. *Has he/she in the past acted dishonestly and/or is liable to act dishonestly in the future.*
53. The Committee considered that all the limbs above were engaged in this case in respect of both the past and the future.
54. In conclusion, the Committee determined that Miss Withers' fitness to practise is currently impaired by reason of her conviction and misconduct on both public protection and public interest grounds. In respect of public protection, the Committee bore in mind that Miss Withers' dishonesty was directly related to her profession and that honesty is a fundamental tenet of the profession. The Committee considered that Miss Withers' dishonesty had deprived the Registrar of the ability to assess whether she was of good character and a fit and proper person to be on the register.
55. In respect of the public interest, the Committee determined that a finding of impairment is required to maintain public confidence in the dental profession, to uphold the reputation of the dental profession, and to declare and uphold appropriate standards of conduct among dental professionals. It concluded that a reasonable and informed member of the public would lose confidence in the profession and the dental regulator if a finding of impairment was not made in the circumstances of this case.

Sanction

56. The Committee next considered what sanction, if any, to impose on Miss Withers' registration. The Committee reminded itself that the submissions of the GDC on sanction are just that, submissions. The decision is entirely one for the Committee, exercising its own judgement. It recognised that the purpose of a sanction is not to be punitive although it may have that effect. The Committee applied the principle of proportionality balancing Miss Withers' interests with the public interest. It also took into account the GDC's Guidance on sanction.
57. The Committee considered the mitigating and aggravating factors in this case, as outlined in the GDC's Guidance.
58. In respect of mitigating features, the Committee considered the time lapsed since the dishonest conduct (13 years) and that there has been no repetition since. It also took into account the insight, albeit limited, shown by Miss Withers in respect of her conviction, as she had reported the matter to the GDC and had pleaded guilty at court.
59. In respect of aggravating features, the Committee considered that the dishonesty occurred in 2013 and at no time since then did Miss Withers seek to inform the GDC of her police caution. The Committee also took into account her lack of insight into her dishonest conduct and her deliberate disregard of the role of the GDC and the systems regulating the professions.
60. The Committee decided that it would be inappropriate to conclude this case with no further action. It would not satisfy the public interest given the serious nature of Miss Withers' conviction and misconduct.
61. The Committee then considered the available sanctions in ascending order starting with the least serious.
62. The Committee concluded that Miss Withers' conviction and misconduct cannot be adequately addressed by way of a reprimand. The public and the public interest would not be sufficiently protected by the imposition of such a sanction given the seriousness of the matters and the total lack of insight shown by Miss Withers into her dishonest conduct. The Committee therefore determined that a reprimand would be inappropriate and inadequate.
63. The Committee then considered whether a conditions of practice order would be appropriate. However, it noted that it would be difficult to formulate conditions to address the issue of Miss Withers' dishonesty. Miss Withers has decided not to engage with these proceedings, and therefore the Committee could not be confident that she would comply with any conditions imposed on her registration. Furthermore, in the

Committee's view, conditions would not adequately address the seriousness of Miss Withers' dishonesty.

64. The Committee then considered whether an order of suspension would be appropriate to mark the nature and severity of Miss Withers' conviction and misconduct. It noted in the GDC's Guidance the factors where suspension may be appropriate and considered the following to be relevant in this case:

b. The registrant has not shown insight into the issues which led to a finding of current impairment being made, and/or poses a significant risk of repeating the behaviour; and

c. A lesser sanction would be insufficient to meet the public interest.

d. There is no evidence of harmful deep-seated personality or professional attitudinal problems (which might make erasure the appropriate order).

65. The Committee considered Miss Withers' misconduct and conviction were sufficiently serious to justify a suspension. Miss Withers had deliberately not informed the GDC of her police caution when applying for registration, despite the requirement to do so being clear on the registration form. This dishonest conduct struck at the heart of the registration process and the reliability and integrity of the register. It also undermined the GDC's role in assessing whether Miss Withers was a fit and proper person to be registered. Furthermore, Miss Withers has shown no insight into her behaviour and provided no remediation evidence.

66. At the same time, the Committee gave careful consideration to the option of erasure and the factors mentioned in the GDC's Guidance which would make erasure the appropriate sanction, including paragraph 80 of Appendix 1. However, although Miss Withers' conduct was serious, the Committee determined that in the circumstances of this case her behaviour was not such that it was incompatible with being a dental professional. The Committee took into account that this dishonest conduct took place 13 years ago and there has been no repetition since. Miss Withers also reported to the GDC the criminal proceedings which led to her conviction and pleaded guilty to the offence at court. The Committee also considered that a period of suspension would allow time for Miss Withers to engage with the GDC and reflect on her misconduct. For these reasons, the Committee determined that the sanction of erasure would be disproportionate in the circumstances of this case.

67. The Committee determined that, in the circumstances of this case, a period of suspension of 12 months would sufficiently mark the seriousness of Miss Withers' conviction and dishonest conduct and was the least restrictive sanction that would protect the public, maintain public confidence in the dental profession and declare and uphold appropriate standards of conduct among dental professionals.

68. The Committee is satisfied that a period of 12 months is sufficient and necessary to mark the nature and extent of Miss Withers' misconduct and conviction, to protect the public, to uphold professional standards and to maintain public confidence in the profession. The Committee determined that the maximum period of suspension was necessary owing to Miss Withers' lack of engagement with these proceedings and the lack of insight and remediation shown.

69. The Committee also directs that the suspension order be reviewed before its expiry. The Committee considered that the reviewing Committee may be assisted by the following from Miss Withers:

- Her engagement with the GDC and attendance at any future review hearing;
- Evidence of attendance of the drink-drive course mentioned in her sentencing;
- A written reflective statement from Miss Withers fully addressing the findings against her at this hearing; and
- Any remediation evidence, such as targeted CPD courses.

70. The Committee now invites submissions from the GDC as to whether an immediate order should be imposed on Miss Withers' registration.

Decision on Immediate Order – 7 May 2026

71. The Committee has considered whether to make an order for the immediate suspension of Miss Withers' registration in accordance with Section 36U of the Dentists Act 1984 (as amended).

72. Mr Halliday, on behalf of the GDC, invited the Committee to impose an immediate order of suspension on Miss Withers' registration. He submitted that given the Committee's findings that Miss Withers' fitness to practise is currently impaired and the maximum period of suspension imposed, an immediate order is appropriate and justified.

73. The Committee has considered the submission made. It has accepted the advice of the Legal Adviser.

74. The Committee was satisfied that, given the nature of its findings and its reasons for the substantive order of suspension in Miss Withers' case, it is necessary to direct that an immediate order be imposed on the grounds of public protection and the public interest. The Committee considered that, given its findings, if an immediate order was not made in the circumstances, there would be a real risk of significant harm to the public and public confidence in the profession would be undermined.

75. The effect of the foregoing determination and this order is that Miss Withers' registration will be suspended immediately from the date on which notice is deemed to have been served upon her. Unless she exercises her right of appeal, the substantive direction for suspension as already announced, will take effect 28 days from the date of deemed service, and continue for a period of 12 months. In the event that Miss Withers exercises her right of appeal, this immediate order will remain in place until resolution of the appeal.

76. That concludes this hearing.