

**PRIVATE HEARING****Health Committee  
Initial Hearing****27 – 29 October 2025****Name:** NEGWER, Frank Dieter Bernhard Karl**Registration number:** 81639**Case number:** CAS-205934-F0V7D1

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**General Dental Council:** Callum Munday, Counsel.  
Instructed by Holly Watt, IHLPS**Registrant:** Not Present  
Unrepresented

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**Fitness to practise:** Impaired by reason of health and misconduct**Outcome:** Suspended with immediate suspension (with a review)**Duration:** 6 months**Immediate order:** Immediate suspension order

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**Committee members:** Harpreet Ark (Dentist, Chair)  
David Brown (Lay)  
Emili Shatchan (Dental Care Professional)**Legal adviser:** Nicola Bircher**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 in respect of Frank Dieter Bernard Karl NEGWER, a dentist, is as follows:

**Charge**

*That being registered as a Dentist:*

1. *You have the adverse health condition(s) as set out in Schedule A.*
2. *From 31 January 2024 until at least 11 May 2024, you failed to cooperate with the General Dental Council's investigation into your fitness to practise.*

*AND by reason of the matters alleged above, your fitness to practise is impaired by reason of adverse health and/or misconduct."*

*Schedule A\*:*

**[Private.]**

*\*Schedule A is a private document which cannot be disclosed.*

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1. This is a Health Committee hearing in respect of Mr Negwer. The hearing is being conducted in person.
  2. Mr Negwer is not present at the hearing, either in person or remotely. Mr Negwer is not represented in his absence. The Case Presenter for the General Dental Council (GDC) is Mr Munday, Counsel.

**Decision on application to hold the entire hearing to be held in private – 27 October 2025**

3. Mr Munday made an application under Rule 53(2)(a) of the GDC (Fitness to Practise) Rules Order of Council 2006 ('the Rules') for the entire hearing to be held in private for the protection of Mr Negwer's private life. He submitted that references will be made throughout the hearing to matters of Mr Negwer's health and as such, privacy is required.
4. The Committee accepted the advice of the Legal Adviser. It took into account that justice should be administered in public unless one of the exceptions in Rule 53(2) applies. The Committee bore in mind that the matters under consideration relate primarily to Mr Negwer's health. It was satisfied that Rule 53(2)(a) is engaged and therefore acceded to the GDC's request that the entire hearing be held in private for the protection of Mr Negwer's private life.

**Application to proceed with the hearing in the absence of the registrant – 27 October 2025**

5. Mr Munday made an application pursuant to Rule 54 to proceed with the hearing in the absence of Mr Negwer. He drew the Committee's attention to the GDC's service bundle which

included a copy of the Notice of Hearing dated 17 September 2025 sent to Mr Negwer's registered address, as well as emails and telephone attendance notes dated October 2025 from the GDC to Mr Negwer in respect of today's hearing. This included a telephone attendance note dated 7 October 2025 from the GDC's Instructing Solicitor (the Solicitor) to Mr Negwer in which the Solicitor referred Mr Negwer to some recent correspondence she had sent to him regarding his upcoming hearing taking place from 27 October 2025. The Solicitor asked Mr Negwer if he has been receiving correspondence. The telephone note states: "The Registrant explained that he has moved and he does not have the documents with him." The telephone note goes on to state that the Solicitor asked the Registrant if he has received the emails she has sent to him. It states: "The Registrant explaining that he needs to access the internet." It further states "The Registrant asking if he can update [the Solicitor] with the address and her confirming that it would be really helpful".

6. Mr Munday highlighted that the GDC made several attempts to contact Mr Negwer by telephone and or by email regarding this hearing. He invited the Committee to conclude that the GDC has taken all reasonable steps to ensure that Mr Negwer had been properly served notice of these proceedings. Mr Negwer has not responded to those communications or provided any reasons for his non-attendance.

7. Further, Mr Negwer has not complied with his professional obligations in providing the GDC with an up to date registered address. It was Mr Munday's submissions that the fact that this case relates to Mr Negwer's health does not in itself preclude Mr Negwer from participating in these proceedings, either in person or remotely. Mr Munday also advised the Committee that the GDC was intending to call several witnesses in support of its case, who were available to give evidence. There would be a potential inconvenience to them if the hearing did not proceed. Accordingly, Mr Munday invited the Committee to proceed in the absence of Mr Negwer.

8. The Committee took account of Mr Munday's submissions as well as the supporting documentation provided. It accepted the advice of the Legal Adviser in relation to service and proceeding with a hearing in the absence of a registrant.

#### **Decision on service –27 October 2025**

9. The Committee first considered whether notice of the hearing had been served on Mr Negwer in accordance with Rules 13 and 65. It had sight of the Notice of Hearing (the Notice) dated 17 September 2025, which was sent to Mr Negwer's registered address by Special Delivery and by First-Class post. The Committee noted that the address shown on the Notice of Hearing is the same address as that shown on the screenshot as being Mr Negwer's registered address. The Royal Mail 'Track and Trace' receipt states that delivery was attempted on 19 September 2025 but it was unable to do so as "there didn't seem to be anyone in."

10. The Committee also noted that the GDC emailed a copy of the Notice to Mr Negwer on 17 September 2025.

11. The Committee was satisfied that the Notice sent to Mr Negwer complied with the 28-day notice period specified in the Rules. It was also satisfied that the Notice contained all the required particulars, including the allegations against Mr Negwer, as well as the date, time and location of the hearing. The Notice stated that the hearing would be taking place remotely via Microsoft Teams. The Notice set out that the Committee had the power to proceed in Mr Negwer's absence.

12. On the basis of all the information provided, the Committee was satisfied that Mr Negwer was duly notified of the hearing in accordance with the Rules.

**Decision on whether to proceed with the hearing in the absence of the registrant – 27 October 2025**

13. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Negwer. It took account of the factors to be considered in reaching its decision, as set out in the case of *R v Jones* [2002] UKHL 5, and as affirmed in subsequent regulatory cases, including *General Medical Council v Adeogba* [2016] EWCA Civ 162.

14. In addition, the Committee had regard to paragraph 3.24 of the GDC's "Guidance for the Practice Committees including Indicative Sanctions Guidance" (the Guidance) which sets out the factors to consider in deciding whether to postpone a hearing.

15. The Committee has borne in mind that fairness to Mr Negwer is an important consideration. However, it was also mindful of the need to be fair to the GDC, and of the public interest in the expeditious disposal of this case. It notes that the GDC is intending to call several witnesses in support of its case, who are available to give evidence.

16. The Committee was satisfied that all reasonable efforts had been made by the GDC on multiple occasions leading up to the hearing to notify Mr Negwer of this hearing. He has not responded to the GDC's attempts to contact him or provided any reasons for his non-attendance. Further, Mr Negwer has not contacted the GDC about making alternative arrangements for attending the hearing, such as by telephone link. Further, there is no application for an adjournment on the grounds of ill health or any other reasons before the Committee.

17. In all the circumstances, the Committee is satisfied that Mr Negwer has voluntarily absented himself from this hearing. It considered that adjourning the proceedings would serve no meaningful purpose given that it is unlikely that Mr Negwer would attend at a later date.

18. The Committee has borne in mind the public interest, as well as Mr Negwer's own interests, in the expeditious disposal of the case. It therefore concluded that it was fair and in the public interest to proceed with the hearing in the absence of Mr Negwer.

**Background**

19. In January 2024 the GDC received information from Person 2 (the Clinical Director at the Practice where Mr Negwer worked as a dentist at the material times) and from Person 1 (the Chief Operating Officer at the same dental practice). The information raised concerns about Mr Negwer's health but not in relation to his work as a clinician.

20. Person 1 and Person 2 set out the circumstances which led to them reporting Mr Negwer to the GDC.

21. [PRIVATE]

22. [PRIVATE]

23. From January 2024 until at least May 2024 the GDC sent correspondence to Mr Negwer in connection with concerns about his fitness to practise. No response was received. On 16 August 2024 the GDC's Rule 4 team wrote to Mr Negwer by email to confirm that a decision had been made to refer his case to the Case Examiners (CE). On 27 January 2024 the GDC's CE team sent an email to Mr Negwer to confirm that the matter had been referred to a Health Committee.

## **Evidence**

24. The factual evidence provided to the Committee by the GDC comprised a number of witness statements along with associated exhibits. The Committee received a signed witness statement dated 28 May 2025 from Person 1; a signed witness statement dated 24 May 2025 from Person 2; a signed witness statement dated 6 October 2025 from Person 3 (a GDC Case Officer) and a signed witness statement dated 27 October 2025 from Person 4 (a GDC Paralegal). They each gave oral evidence in which they confirmed the content of their signed witness statements as being accurate. They also answered questions put to them by Mr Munday and the Committee.

25. The Committee also received expert medical evidence. [PRIVATE].

## **Findings of Fact – 28 October 2025**

26. The Committee considered all the evidence presented to it, both documentary and oral. It took account of the closing submissions made by Mr Munday on behalf of the GDC. The Committee accepted the advice of the Legal Adviser.

27. 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. Mr Negwer need prove nothing.

28. The Committee made the following findings:

1	<p><i>You have the adverse health condition(s) as set out in Schedule A</i></p> <p><b>Found proved</b></p> <p>[PRIVATE]</p>
2	<p><i>From 31 January 2024 until at least 11 May 2024, you failed to cooperate with the General Dental Council's investigation into your fitness to practise</i></p> <p><b>Found proved</b></p> <p>The Committee has had regard to the evidence of Person 3 (GDC employee) as set out in her witness statement and confirmed in her oral evidence. Her evidence was that on 31 January 2024 a Notice of Complaint was sent to Mr Negwer. The letter requested that Mr Negwer provide information in respect of his working arrangements, indemnity, medical reference form and health assessment consent form by 14 February 2024. The letter was sent by Royal Mail but unfortunately it was unable to provide the tracking status of the correspondence. No response was received from Mr Negwer regarding this correspondence.</p> <p>Person 3's evidence was that the GDC sent Mr Negwer a chaser letter by Special Delivery to the Registrant's registered address on 12 March 2024. The letter outlined that the GDC had contacted Mr Negwer previously and that a response was required and enclosed a copy of the previous correspondence sent on 31 January 2024. The GDC requested the information by 19 March 2024.</p> <p>Person 3 set out in her statement the steps taken by the GDC to contact Mr Negwer by telephone, by email and by sending correspondence to his registered address between March 2024 until May 2024, but no response was received.</p>

The Committee has borne in mind Standard 9.4.1 of the GDC's Standards for the Dental Team which states: "If you receive a letter from the GDC in connection with concerns about your fitness to practise, you must respond fully within the time specified in the letter. You should also seek advice from your indemnity provider or professional association." The Committee considers that Mr Negwer was required to comply with Standard 9.4.1.

The Committee has accepted the evidence of Person 3. Accordingly, the Committee finds this charge proved.

29. The hearing moves to Stage Two.

### **Stage Two of the hearing – 29 October 2025**

30. The Committee's task at this second stage of the hearing has been to consider whether the fact found proved at charge 2 (Mr Negwer's failure from 31 January 2024 until at least 11 May 2024 to co-operate with the GDC's investigation into his fitness to practise) amounts to misconduct and if so, whether Mr Negwer's fitness to practise is currently impaired by reason of his misconduct. The Committee is also required to consider whether Mr Negwer's fitness to practise is impaired by reason of his adverse health. It is aware that if it found current impairment on either or both grounds, the Committee would need to consider what sanction, if any, to impose on Mr Negwer's registration.

31. In reaching its decision, the Committee considered all the evidence presented to it at the fact-finding stage. It received no further evidence at this second stage. The Committee took account of the submissions made by Mr Munday on behalf of the GDC in relation to misconduct, impairment and sanction.

32. The Committee accepted the advice of the Legal Adviser. It has borne in mind that its decisions were for its independent judgement. There is no burden or standard of proof at this stage of the proceedings.

### **Summary of the submissions made by the GDC**

33. Mr Munday confirmed that Mr Negwer has no fitness to practise history. He submitted that Mr Negwer's failure from 31 January 2024 until at least 11 May 2024 to co-operate with the GDC's investigation into his fitness to practise engages 9.4.1 and 9.4.2 of the GDC's Standards for the Dental Team. The GDC's position is that Mr Negwer's failure in this regard is serious and amounts to misconduct.

34. **[PRIVATE]**

35. It was Mr Munday's submission that having regard to the health matters referred to in private, a finding of impairment by reason of Mr Negwer's adverse health is necessary for the protection of the public.

36. Mr Munday also submitted that Mr Negwer's fitness to practise is impaired by reason of his misconduct. However, he made the point that the Committee may consider whether Mr Negwer's adverse health could be the likely cause of the misconduct.

37. In relation to the wider public interest, Mr Munday submitted that the Committee should have regard to the GDC's overarching statutory objective, which is: the protection, promotion and



maintenance of the health, safety, and well-being of the public; the promotion and maintenance of public confidence in the dental profession; and the promotion and maintenance of proper professional standards and conduct for the members of the dental profession. Mr Munday submitted that not making a finding of impairment in this case would seriously undermine the reputation of the dental profession.

38. With regard to sanction, Mr Munday made reference to the GDC's 'Guidance for the Practice Committees including Indicative Sanctions Guidance' (effective from October 2016; last revised in December 2020) ('the PC Guidance'). He conceded that an order of conditions could be formulated which would address some of the concerns in this case. However, Mr Munday submitted that given Mr Negwer's lack of engagement in these proceedings and the absence of any information about his current situation, the GDC could not be confident that he would comply with an order of conditions on his registration.

39. Mr Munday's submission was that the appropriate and proportionate sanction in this case would be a suspension order for a period of 12 months with a review.

40. [PRIVATE]

#### **Decision on misconduct – 29 October 2025**

41. The Committee has first considered whether Mr Negwer's fitness to practise is impaired by reason of his misconduct. Mr Negwer failed to co-operate with the GDC at the outset of its investigation on 31 January 2024 when a Notice of Complaint was sent to him. Thereafter, despite further requests for information from Mr Negwer on 12 March 2024, 11 April 2024 and 10 May 2024 he failed to co-operate with the GDC.

42. The Committee recognises that the GDC has a duty to carry out investigations where concerns have been raised regarding a registrant's fitness to practise. As part of that investigation, the GDC requires the co-operation of the registrant. The Committee considers that Mr Negwer failed to comply with Standard 9.4.1 of the GDC's Standards for the Dental Team which states: "If you receive a letter from the GDC in connection with concerns about your fitness to practise, you must respond fully within the time specified in the letter. You should also seek advice from your indemnity provider or professional association." The Committee is satisfied that Mr Negwer's failure to comply with the GDC's investigation over a period of some three and a half months is serious and amounts to misconduct.

#### **Decision on current impairment – health - 29 October 2025**

43. The Committee considered whether Mr Negwer's fitness to practise is currently impaired by reason of his adverse health. In reaching its decision, it had regard to the overarching objective of the GDC, as well as to the relevant legal principles drawn to its attention.

44. [PRIVATE]

45. [PRIVATE]

46. [PRIVATE]

47. In all the circumstances, the Committee determined that a finding of impairment on the grounds of adverse health is necessary in this case for the protection of the public.

48. The Committee also concluded that public confidence in the dental profession would be undermined if a finding of impairment were not made. In its view, a fully informed member of the public, aware of all the facts, would be concerned if Mr Negwer were permitted to practise unrestricted. Accordingly, the Committee is satisfied that a finding of impairment is also required in the wider public interest.

49. The Committee therefore determined that Mr Negwer's fitness to practise is currently impaired by reason of his adverse health.

#### **Decision on current impairment – misconduct – 29 October 2025**

50. The Committee has had regard to its finding that Mr Negwer failed to co-operate with the GDC's investigation from 31 January 2024 until at least 11 May 2024 is serious. Whilst it notes that its finding relates to these dates, the Committee has borne in mind that Mr Negwer has continued to not engage with the GDC between September and October 2025 in relation to his attendance at this hearing as well as his failure to respond to the GDC's requests for information in relation to his fitness to practise.

51. [PRIVATE].

52. The Committee has concluded that public confidence in the dental profession would be undermined if a finding of impairment on the grounds of misconduct were not made given Mr Negwer's lack of engagement with the GDC. Accordingly, the Committee is satisfied that a finding of impairment is required in the wider public interest.

#### **Decision on sanction – 29 October 2025**

53. Having found that Mr Negwer's fitness to practise is currently impaired by reason of his adverse health and his misconduct, the Committee considered what sanction, if any, to impose on his registration. It has borne in mind that the purpose of any sanction is not to be punitive, although it may have that effect, but to protect the public and to uphold the wider public interest. The Committee had regard to the PC Guidance. It applied the principle of proportionality, balancing the public interest with Mr Negwer's own interests. [PRIVATE].

54. The Committee noted that it was open to it to conclude this case without taking any action in respect of Mr Negwer's registration. However, it considered that such a course would not be sufficient for the protection of the public from the risk that has been identified, nor would it maintain public confidence in the dental profession.

55. The Committee considered whether to issue Mr Negwer with a reprimand. Given the identified health concerns in this case, the Committee has determined that a reprimand would not be appropriate or sufficient to protect the public and the wider public interest.

56. The Committee next considered whether to impose a conditions of practice order on Mr Negwer's registration. It has borne in mind Mr Negwer's lack of engagement with the GDC over a protracted period of time. [PRIVATE]

57. Taking these factors into account, the Committee is not satisfied that Mr Negwer would comply with any conditions that could be imposed or that they would be sufficient for the protection of the public or be in the public interests. In the circumstances, the Committee has determined that conditional registration would not be appropriate or proportionate.



58. Accordingly, the Committee determined to impose a suspension order on Mr Negwer's registration. It is satisfied that this sanction is proportionate in all the circumstances to protect the public and to maintain public confidence in the dental profession.

59. The Committee is aware that the sanction of erasure is open to it, given that this case concerns both misconduct and health matters. However, the Committee considers that this sanction would be inappropriate and disproportionate given that the factors where such a sanction is appropriate are not present in this case. It notes that there are no clinical concerns identified in this case. [PRIVATE].

60. The Committee directs that Mr Negwer's registration be suspended for a period of 6 months. [PRIVATE].

61. The Committee also directs a review of the suspension order. This means that a resumed hearing in respect of Mr Negwer's case will be held shortly before the expiry of the 6 month period. At that hearing, a Health Committee will consider what action should be taken in respect of Mr Negwer's registration at that time. He will be informed of the date and time of the resumed hearing.

62. This Committee considered that the reviewing Committee may be assisted by receiving the following:

- Evidence of Mr Negwer's engagement with the GDC.
- [PRIVATE].
- [PRIVATE]

63. Unless Mr Negwer exercises his right of appeal, his registration will be suspended for a period of 6 months, starting 28 days from the date that notice of this decision is deemed to have been served upon him.

64. The Committee now invites submissions from Mr Munday as to whether an immediate order of suspension should be imposed on Mr Negwer's registration to cover the appeal period, pending the taking effect of the 6 month substantive suspension order.

#### **Decision on an immediate order – 29 October 2025**

65. Having determined to impose a substantive order of suspension in this case, the interim suspension order currently in place on Mr Negwer's registration is hereby revoked.

66. In considering whether to impose an immediate order of suspension on Mr Negwer's registration, the Committee took account of the submission made by Mr Munday that such an order should be imposed on the grounds of public protection, the wider public interest grounds as well as Mr Negwer's own interests, to cover the 28-day appeal period.

67. The Committee accepted the advice of the Legal Adviser, who drew its attention to the relevant statutory test for imposing an immediate order.

68. The Committee took account of its substantive determination and reasons for directing that Mr Negwer's registration be suspended. It was satisfied that the imposition of an immediate order of suspension on Mr Negwer's registration is necessary for the protection of the public, is otherwise in the public interest and is also in his own interests.

69. The Committee has identified an ongoing risk of harm to the public on account of the concerns raised in this case, and it considered that it would be inconsistent not to impose an order suspending Mr Negwer's registration immediately. It took into account that in the absence of an immediate order, Mr Negwer would be able to practice without restriction during the 28-day appeal period, or for longer, in the event of an appeal. An immediate order is therefore necessary for the protection of the public and is required in the wider public interest. Given the matters in relation to Mr Negwer's health, the Committee is also satisfied that an immediate order is necessary in Mr Negwer's own interests.

70. The effect of the foregoing substantive determination and this order is that Mr Negwer's registration will be suspended to cover the appeal period. Unless Mr Negwer exercises his right of appeal, the substantive direction for suspension for a period of 6 months (with a review) will take effect 28 days from the date of deemed service.

71. Should Mr Negwer exercise his right of appeal, this immediate order will remain in place until the resolution of the appeal.

72. That concludes this determination.