

PUBLIC HEARING

Professional Conduct Committee Review Hearing

2 February 2026

Name: AKBARI BAGHAL, Siamak

Registration number: 287391

Case number: CAS-198592-C5T7C3

General Dental Council: Andrew Molloy, Counsel
Instructed by Amy Jones, IHLPS

Registrant: Not present and not represented at the hearing
Legal Representative: Kalani Bogahalande, MDDUS

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension extended (with a review)

Duration: 12 Months

Committee members: Jill Crawford (Chair, Lay Member)
James Ashworth-Holland (Dentist Member)
Soheila Asabi (DCP Member)

Legal Adviser: Barrie Searle

Committee Secretary: Lola Bird

1. This is a resumed hearing before the Professional Conduct Committee (PCC), pursuant to section 27C of the *Dentists Act 1984 (as amended)* ('the Act').
2. The hearing is being held remotely by Microsoft Teams video-link.
3. The purpose of this hearing has been for the Committee to review a substantive order of suspension currently in place on Mr Akbari Baghal's registration.
4. Mr Akbari Baghal is not present at these proceedings, and he is not represented in his absence. The Case Presenter for the General Dental Council (GDC) is Mr Andrew Molloy, Counsel.

Application to proceed with the hearing in the absence of the registrant

5. At the outset, Mr Molloy made an application under Rule 54 of the GDC (Fitness to Practise) Rules 2006 ('the Rules'), to proceed with the hearing notwithstanding Mr Akbari Baghal's absence.
6. Mr Molloy drew the Committee's attention to the relevant documents in respect of service and submitted that Mr Akbari Baghal had been duly notified of this hearing in accordance with the Rules.
7. In submitting that the hearing should proceed in Mr Akbari Baghal's absence, Mr Molloy referred the Committee to an email dated 19 January 2026 from Mr Akbari Baghal's legal representative, in which it was confirmed that Mr Akbari Baghal would not be present or represented today. In the circumstances, Mr Molloy submitted that it was fair and proportionate to proceed with the hearing in Mr Akbari Baghal's absence.
8. The Committee took account of Mr Molloy's submissions, and the supporting documentation he drew to its attention. The Committee accepted the advice of the Legal Adviser in relation to the issues of service and proceeding with a hearing in the absence of a registrant.

Decision on service

9. The Committee considered whether notice of the hearing had been served on Mr Akbari Baghal in accordance with Rules 28 and 65 of the Rules and section 50A of the Act.
10. The Committee had before it a copy of the Notice of Hearing, dated 5 January 2026 ('the notice'), which was sent to Mr Akbari Baghal's registered address by Special Delivery and First Class post. The Committee noted from the Royal Mail 'Track and Trace' receipt provided, that as at 8 January 2026, delivery of that copy of the notice was still pending. However, the Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent. The Committee was satisfied from the proof of postage information that the Council had met its requirement to send notice to Mr Akbari Baghal.

11. The Committee further took into account that on 5 January 2026 copies of the notice were sent to Mr Akbari Baghal and to his legal representative by way of attachments within secure emails. On 7 January 2026, Mr Akbari Baghal's legal representative confirmed receipt.

12. The Committee was satisfied that the notice sent to Mr Akbari Baghal and to his legal representative complied with the 28-day notice period required by the Rules. It was further satisfied that the notice contained all the required particulars, including the date and time of the hearing, and that it was intended that the hearing would take place remotely by Microsoft Teams video-link. Mr Akbari Baghal was also advised that the Committee had the power to proceed with the hearing in his absence.

13. On the basis of all the information provided, the Committee was satisfied that notice of the hearing had been served on Mr Akbari Baghal in accordance with the Rules and the Act.

Decision on proceeding with the hearing in the absence of the registrant

14. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Akbari Baghal. It approached this issue with care and caution. The Committee took into account 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.

15. The Committee bore in mind that fairness to Mr Akbari Baghal is an important consideration. It was also mindful of the need to be fair to the GDC, and of the public interest in the expeditious review of the order currently in place on Mr Akbari Baghal's registration.

16. The Committee was satisfied that all reasonable efforts had been made by the GDC to notify Mr Akbari Baghal of the hearing and that he is aware of these proceedings today. It had regard to the email dated 19 January 2026, in which Mr Akbari Baghal's legal representative stated that "Mr Baghal will not be attending the review hearing and will not have a representative attend in his absence. He wishes to express that his non-attendance is not intended to show any disrespect to the Committee or the GDC".

17. It was the view of the Committee, having considered the email sent on behalf of Mr Akbari Baghal, that there would be no benefit to adjourning today's hearing. It took into account that Mr Akbari Baghal's legal representative did not request an adjournment, and no information had been provided to suggest that deferring the hearing would secure Mr Akbari Baghal's attendance on a future date. The Committee noted that he did not attend the initial PCC hearing in January 2023, although he was legally represented on that occasion, and he did not attend the subsequent resumed hearings held in 2024 and 2025. The Committee was satisfied that Mr Akbari Baghal's absence from today's resumed hearing is voluntary.

18. The Committee took into account that it had a duty to review the suspension order currently in place on Mr Akbari Baghal's registration, which is shortly due to expire. The Committee considered that without good reason for an adjournment, today's hearing should go ahead as scheduled. It was

satisfied that it was fair and in the public interest to proceed with the hearing in the absence of Mr Akbari Baghal.

Case background

19. Mr Akbari Baghal's case was first considered by a PCC at a hearing held in January 2023. He did not attend that hearing but was legally represented in his absence. That initial PCC considered and found proved, on the basis of Mr Akbari Baghal's admissions, allegations relating to his treatment of a number of patients.

20. In determining that the facts found proved against Mr Akbari Baghal amounted to misconduct, the initial PCC stated the following in its determination:

“The Committee noted that Mr Akbari Baghal failed to provide an adequate standard of care to 19 patients between February and May 2021 in relation to basic fundamental components of dentistry, including, but not limited to, obtaining consent, record keeping, radiographic practice, clinical examination, and diagnosis and management of caries and periodontal disease. The Committee was satisfied that these failures had the potential to result in patient harm.”

21. The initial PCC went on to determine that Mr Akbari Baghal's fitness to practise was impaired by reason of his misconduct, stating the following in its determination:

“The Committee concluded that the individual failings identified are capable of remediation. It took into account that at the time of the failings, Mr Akbari Baghal had been working under a mentor who had not raised any concerns with his practice but that Mr Akbari Baghal has since accepted that he failed to provide adequate care to patients.

In the absence of written reflection or attendance by Mr Akbari Baghal, the Committee was not able to ascertain what, if any, remediation has been undertaken to date. It noted that the CPD [Continuing Professional Development] provided by Mr Akbari Baghal, with the exception of a record keeping module in October 2021, was completed prior to the time frame in question and is not focused on the misconduct identified. Further, Mr Akbari Baghal only worked for a short period in 2021 before moving abroad, so would have had little time to implement changes to his practice. In addition, the Committee noted that he is no longer practising as a dentist and as a result his clinical skills may be diminishing.

The Committee accepted that Mr Akbari Baghal's admissions and acceptance of the Expert report are indicative of insight. There is no information demonstrating that he has fully understood the seriousness of his misconduct, or the impact on the public interest. In the light of this, the Committee was satisfied that Mr Akbari Baghal's insight remains incomplete and there remains a risk of repetition. Therefore, a finding of impairment is necessary on the grounds of public protection.

The Committee bore in mind the overarching objective to maintain public confidence in the

profession and upholding standards. It concluded that public confidence would be undermined if a finding of impairment were not made in this case and therefore also finds Mr Akbari Baghal's practice impaired on the grounds of public interest".

22. The initial PCC determined to impose a conditions of practice order on Mr Akbari Baghal's registration, including a requirement for the supervision of his clinical practice. The conditions were imposed for a period of 12 months, and it was directed that a review should take place shortly before the expiry of the 12-month period. The initial PCC also recommended that the reviewing Committee may be assisted to receive the following:

- *"A reflective statement demonstrating Mr Akbari Baghal's insight into, and understanding of, the impact of his failings on the public and the progress he has made;*
- *Evidence of up-to-date CPD."*

First resumed hearing – January 2024

23. The PCC reviewed Mr Akbari Baghal's case at a resumed hearing held in January 2024. Mr Akbari Baghal did not attend and he was not represented at that hearing. There was no evidence before that Committee that Mr Akbari Baghal had remediated or had shown any insight into the clinical failings found proved at the initial PCC hearing. The Committee in January 2024 therefore determined that Mr Akbari Baghal's fitness to practise remained impaired on the grounds of public protection and in the wider public interest.

24. With regard to sanction, the Committee in January 2024 was satisfied that conditional registration remained sufficient to address the types of failings that have been identified. It stated the following in its determination:

"In reaching its decision, the Committee took into account Mr Akbari Baghal's continued albeit limited engagement with the fitness to practise process through his legal representatives, and his demonstrated willingness to comply with conditional registration in signing his conditions compliance table on 29 January 2023. The Committee decided that a further period of 12 months with a review would help to focus Mr Akbari Baghal on his efforts at remediation should he wish to return to dentistry. It balanced his interests with the wider public interest, and considered that it should impose a period of time that would help to focus Mr Akbari Baghal as well as minimising the risk of this matter drifting further. Therefore, a period of 12 months would afford Mr Akbari Baghal sufficient time and opportunity to allow him to complete his remediation and demonstrate his compliance with the conditions if he decides to return to the UK and practice dentistry again."

25. The Committee in January 2024 determined to extend the conditions imposed at the substantive hearing for a further period of 12 months, albeit with a change in the level of supervision to 'closely supervised'. That Committee considered that this was necessary as Mr Akbari Baghal had not practised dentistry for at least a year, which it considered would have increased the risk to patient safety. It further determined that a review hearing should take place before the expiry of the order.

Second resumed hearing – January 2025

26. A second resumed hearing was held in January 2025. Mr Akbari Baghal did not attend that hearing and he was not legally represented in his absence.

27. The Committee in January 2025 determined that Mr Akbari Baghal's fitness to practise remained impaired by reason of his misconduct. It stated in its determination that:

“The Committee noted that there has been no change in the circumstances of Mr Akbari Baghal's case since the conclusion of the substantive hearing in January 2023. It noted that Mr Akbari Baghal has not practised dentistry since the substantive hearing and has no intention of doing so. He has not provided any evidence of remediation, Continuing Professional Development or demonstrated that he has any insight into his misconduct. In these circumstances, the Committee determined that there was a high risk of repetition of the clinical failings found proved and this would pose a risk to patient safety. The Committee considered that this risk was compounded by the fact that Mr Akbari Baghal has not practised dentistry since the conclusion of the substantive hearing in January 2023.

In relation to the public interest, the Committee concluded that, in the absence of any evidence of remediation and insight from Mr Akbari Baghal, public confidence in the profession would be undermined if a finding of impairment was not made”.

28. The Committee in January 2025 determined to replace the conditions of practice order that was in place on Mr Akbari's registration with a suspension order for a period of 12 months. That Committee stated that: *“In deciding on this period, the Committee took into account the widespread nature of the misconduct and the lack of any steps taken by Mr Akbari Baghal to demonstrate insight, remedy his practice or demonstrate that he has kept his practice up to date in any way. Mr Akbari Baghal has not practised for over two years and as a result his clinical skills would have diminished further”.* The Committee in January 2025 directed that a further review be conducted shortly before the expiry of the 12-month period.

Today's review

29. This is the third review of the substantive order first imposed on Mr Akbari Baghal's registration in January 2023 as a conditions of practice order before subsequently being replaced with an order of suspension.

30. In comprehensively reviewing the current order of suspension today, the Committee considered all the evidence before it. It took account of the submissions made by Mr Molloy on behalf of the GDC and the contents of the email provided on Mr Akbari Baghal's behalf by his legal representative dated 19 January 2026.

31. Mr Molloy drew the Committee's attention to the relevant paragraphs on resumed hearings, as set out within the GDC's *'Fitness to Practise: Guidance for the practice committees (Effective from 6 January 2026)* ('the Guidance'). He asked the Committee to take into account that there is a persuasive burden on Mr Akbari Baghal at this stage to demonstrate that his fitness to practise is no longer impaired.

32. It was Mr Molloy's submission that Mr Akbari Baghal's fitness to practise continues to be impaired, as since the initial sanction of conditions and subsequent change to an order of suspension, Mr Akbari Baghal has not been in clinical practice. Mr Molloy stated that it has now been several years since Mr Akbari Baghal has been in practice which, Mr Molloy submitted, raises a concern about further deskilling.

33. In addition, Mr Molloy stated that there has been no evidence from Mr Akbari Baghal of remediation or insight. Mr Molloy submitted that this, coupled with the information that Mr Akbari Baghal has not practised dentistry for a number of years, increases the risk, were he permitted to return to unrestricted practice. Mr Molloy invited the Committee to conclude that Mr Akbari Baghal's fitness to practise remains impaired for the same reasons given by the previous PCCs.

34. Mr Molloy submitted that if the Committee did find current impairment, it should extend the current order of suspension by a period of 12 months. He submitted that this would be appropriate and proportionate, given the lack of any progression since the last review.

The Committee's decisions

35. In reaching its decisions, the Committee accepted the advice of the Legal Adviser in relation to the approach it should take in conducting its review, the applicable legal principles and the relevant aspects of the Guidance.

Decision on current impairment

36. The Committee first considered whether Mr Akbari Baghal's fitness to practise remains impaired by reason of his misconduct. In doing so, it exercised its independent judgement. It had regard to the overarching objective of the GDC, 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.

37. The Committee took into account that Mr Akbari Baghal's misconduct related to failings in his treatment of a large number of patients. It considered that the highlighted clinical concerns, albeit serious, are capable of being remedied, as was the assessment of the initial PCC. This Committee noted, however, that there has been no material change in the circumstances of this case since that first hearing in January 2023.

38. Mr Akbari Baghal has not engaged with the fitness to practise process in any meaningful way. Consequently, there continues to be no evidence of any remediation or insight. The Committee considered that the only difference today is that Mr Akbari Baghal has been out of clinical practice for a longer period of time and therefore is likely to be more de-skilled.

39. The Committee determined that in that in the absence of any evidence from Mr Akbari Baghal in relation to his insight into his misconduct or any steps he has taken to address the concerns

regarding his clinical practice, the previously identified risk to the public remains. Accordingly, the Committee determined that a finding of current impairment is necessary for the protection of the public.

40. The Committee also determined that such a finding is required in the wider public interest, given the absence of any evidence of remediation and insight from Mr Akbari Baghal. It considered that public confidence in the dental profession would be undermined if a finding of impairment were not made in the circumstances.

41. The Committee therefore determined that Mr Akbari Baghal's fitness to practise is currently impaired by reason of his misconduct.

Decision on sanction

42. The Committee next considered what action to take in respect of Mr Akbari Baghal's registration. It had regard to section 27C(1) of the Act, which sets out the options available to it at this review. The Committee also took into account the Guidance. It noted that the purpose of any sanction is not to be punitive, although it may have that effect, but to protect the public and the wider public interest. The Committee applied the principle of proportionality, balancing the public interest with Mr Akbari Baghal's interests.

43. The Committee considered that it would not be appropriate to terminate the suspension order currently in place on Mr Baghal's registration or to allow it to lapse. It has identified ongoing risks in light of the lack of any evidence of remediation or insight, and it considered that neither course of action would sufficiently protect the public or the wider public interest.

44. The Committee went on to consider whether it could replace the current order of suspension with a conditions of practice order. However, it concluded that it could not formulate any workable conditions in the circumstances of this case. Mr Akbari Baghal has not meaningfully engaged with these proceedings in any way, and the Committee has received no indication that he would comply with any conditions imposed. Accordingly, the Committee decided that a conditions of practice order would not be appropriate or proportionate.

45. In all the circumstances, the Committee determined that the only appropriate and proportionate sanction to protect the public and the wider public interest is to extend the current suspension order. The Committee directs that the current order be extended by a period of 12 months. In deciding on the maximum period, the Committee took into account the need to uphold the public interest but also had regard to Mr Akbari Baghal's lack of engagement with the fitness to practise process to date.

46. The Committee directs that a review of the order of suspension should take place at a resumed hearing to be held shortly before the end of the 12-month period. Mr Akbari Baghal will be informed of the date and time of that resumed hearing.

47. The Committee noted Mr Akbari Baghal indicated in July 2025 and on 5 January 2026 that he wished to apply for Voluntary Removal (VR), on the latter occasion also stating that he does not intend to come back to the UK or practise dentistry. The Committee noted he has previously indicated some difficulty with opening the VR forms. He has not thus far applied for VR. The Committee did not consider Mr Akbari Baghal's stated intention of applying for VR relevant to its role today, given that he remains on the Dentists Register at the current time, other than as context for the absence of any evidence of remediation or insight.

48. The Committee considered that should Mr Akbari Baghal want to re-engage with this process, the next reviewing Committee would be assisted by receiving the following from him:

- A reflective statement demonstrating his insight into, and understanding of, the impact of his failings on the public and the progress he has made;
- Evidence of up-to-date CPD.

49. The Committee considered that the above recommendations, which were first made by the initial PCC, remain relevant in the circumstances of this case.

50. Unless Mr Akbari Baghal exercises his right of appeal, the current order of suspension on his registration will be extended by a period of 12 months, 28 days from the date that notice of this direction is deemed to have been served upon him. In the event that he does exercise his right of appeal, the order of suspension currently in place on his registration will remain in force until the resolution of the appeal.

51. That concludes this determination.