

PRIVATE HEARING

Professional Conduct Committee Initial Hearing

10 to 21 February 2025
(10 February – non-sitting day)

Name: DICK, Anthony Dean

Registration number: 73942

Case number: CAS-202167-N8M6C1

General Dental Council: Tom Stevens, Counsel.
Instructed by Saba Khan, IHLPS

Registrant: Present
Represented by Scott Ivill, Counsel
Instructed by James Clubley, Weightmans LLP

Fitness to practise: Impaired by reason of misconduct

Outcome: Erased

Immediate order: Immediate suspension order

Committee members: Gregory Heath (Chair, Dentist Member)
Donna Lightbody (Dental Care Professional Member)
Louise Wallace (Lay Member)

Legal Adviser: Charles Apthorp

Committee Secretary: Lola Bird (11 to 19 & 21 February 2025)
Jenny Hazell (20 February 2025)

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.

Anthony Dean DICK, a dentist, BChD Stell 1997 is summoned to appear before the Professional Conduct Committee on 10 February 2025 for an inquiry into the following charge:

The charge

“That being a registered dentist:

1. *During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:*
 - a. *on one or more occasion, grabbed Dental Nurse A’s hips;*
 - b. *on one or more occasion, thrust yourself against Dental Nurse A;*
 - c. *on one or more occasion, told Dental Nurse A to get into the naughty cupboard;*
 - d. *on one or more occasion, told Dental Nurse A that you had an erection;*
 - e. *on one or more occasion, mimicked getting an erection, with your arm, in front of Dental Nurse A;*
 - f. *grabbed your penis in front of Dental Nurse A;*
 - g. *made comments about Dental Nurse A’s physical appearance, such as:*
 - i. *telling Dental Nurse A how good her legs were, or words to that effect;*
 - ii. *telling Dental Nurse A that she needed to put some weight on so that her hips would have something to grab onto, or words to that effect;*
 - iii. *on one or more occasions, telling Dental Nurse A that her body was amazing;*
 - h. *you told Dental Nurse A that you could imagine her in all sorts of positions, or words to that effect;*
 - i. *on one or more occasions told Dental Nurse A that you fancied her;*
 - j. *on one or more occasions told Dental Nurse A that she was beautiful;*
 - k. *texted Dental Nurse A at night, in or around June 2018, and told her that:*
 - i. *you loved her, or words to that effect;*
 - ii. *that you had never felt this way about anyone other than your wife before, or words to that effect;*
 - iii. *you wished you could kiss her sweet lips before you went to bed, or words to that effect;*
 - l. *told Dental Nurse A, after sending the messages referred to in Charge 1.k. that you knew she wouldn’t say anything as she would not want you to get in trouble, or words to that effect;*
 - m. *after treating a patient you asked Dental Nurse A: “I wonder if she has a really long vagina because she is so tall”.*
2. *Around February 2020 you told Dental Nurse A that you had missed her arse, or words to that effect.*

3. *Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 1.l. and/or 1.m. and/or 2. was:*
 - a. *inappropriate;*
 - b. *unprofessional;*
4. *Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 2:*
 - a. *Was sexually motivated;*
 - b. *amounted to harassment of Dental nurse A.*
5. *During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:*
 - a. *told Dental Nurse B that your penis was bigger than a ruler, or words to that effect;*
 - b. *measured your penis with a ruler in front of Dental Nurse B;*
 - c. *asked Dental Nurse B:*
 - i. *is your vagina tight and/or like a bucket, or words to that effect;*
 - ii. *do you think you will be able to take it (referring to your penis), or words to that effect;*
 - d. *on one or more occasion in 2022, said that you would ruin Dental Nurse B's vagina, or words to that effect;*
 - e. *told Dental Nurse B, that [PRIVATE];*
 - f. *told Dental Nurse B that you were sexually frustrated [PRIVATE], or words to that effect;*
 - g. *told Dental Nurse B that you were in love with Dental Nurse A;*
 - h. *told Dental Nurse B that you could tell if a patient was good at giving blow jobs;*
 - i. *on one or more occasion mimicked having sex with a patient after they had left your surgery, in front of Dental Nurse B;*
 - j. *grabbed Dental Nurse B's hips, on 17 October 2022;*
 - k. *on one or more occasion in 2022, excluding the conduct covered by charge 5.j., grabbed Dental Nurse B's hips;*
 - l. *mimicked having sex with Dental Nurse B on 17 October 2022;*
 - m. *on one or more occasion in 2022, excluding the conduct covered by charge 5.l., mimicked having sex with Dental Nurse B;*
 - n. *grabbed both of Dental Nurse B's breasts, in 2022;*
 - o. *slapped Dental Nurse B's bottom, on 14 October 2022;*
 - p. *on one or more occasion in 2022, excluding the conduct covered by charge 5.o., slapped Dental Nurse B's bottom;*
 - q. *asked Dental Nurse B whether she was going to suck her boyfriend's dick when he came to pick her up from work;*
 - r. *texted Dental Nurse B, on 14 November 2020, at 04:14 and 04:16 in the morning, stating: 'Fuck this... I have been avoiding chatting with you to be professional, but cannot help myself anymore. I should not have to feel like this'.*

6. *Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.f. and/or 5.g. and/or 5.h. and/or 5.i. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.q. and/or 5.r. was:*
 - a. *inappropriate;*
 - b. *unprofessional;*
7. *Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.r:*
 - a. *was sexually motivated;*
 - b. *amounted to harassment of Dental Nurse B.*

AND that by reason of the matters alleged above your fitness to practise is impaired by reasons of misconduct.”

Mr Dick,

1. This is a Professional Conduct Committee hearing in respect of a case brought against you by the General Dental Council (GDC). The charge relates to your alleged inappropriate conduct towards two former dental nurse colleagues.
2. The hearing was scheduled to commence on 10 February 2025 but began formally on 11 February 2025. The previously scheduled first day, 10 February 2025, was utilised by the Committee for reading the case papers.
3. The fact-finding stage of this hearing (Stage 1) was conducted in person at the Dental Professionals Hearings Service. The hearing is now continuing remotely, including for the handing down of this determination.
4. You are represented at these proceedings by Mr Scott Ivill, Counsel. The Case Presenter for the GDC is Mr Tom Stevens, Counsel.

Decision on preliminary application to hold the hearing in private – 11 February 2025

5. At the outset, Mr Stevens made an application pursuant to Rule 53 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules'), for the entire hearing to be held in private. He acknowledged the presumption that hearings are held in public but submitted that there are circumstances when it is considered appropriate for all or part of a hearing to be conducted in private.
6. Mr Stevens submitted that it was highly likely, during the course of the evidence to be heard in this case, that reference would be made to matters of a very sensitive nature. He submitted that it may be concluded, in the circumstances, that Article 8 of the European Convention on Human Rights (Right to a Private and Family Life) is engaged in relation to the rights of the various parties involved. Accordingly, Mr Stevens applied for a wholly private hearing.
7. Mr Ivill supported the application for an entirely private hearing.

8. Having noted the agreement of both parties, and having accepted the advice of the Legal Adviser, the Committee acceded to the application. In reaching its decision, the Committee took into account that evidence would be given in relation to highly personal matters, including in relation to your private and family life and the private and family lives of others. Whilst the Committee noted that all the witnesses in this case have been anonymised, it was mindful that publicising certain details about their personal lives may undermine that anonymity.

9. Accordingly, the Committee exercised its discretion under Rule 53(2)(a) to hold all of the hearing in private. However, as is usual in such circumstances, both a private and a suitably redacted public version of the Committee's determination has been produced.

Admissions to the charge – 11 February 2025

10. The Committee next heard your admissions to the charge. Mr Ivill told the Committee that you admitted head of charge 5.r., this being the factual allegation that you *“texted Dental Nurse B, on 14 November 2020, at 04:14 and 04:16 in the morning, stating: ‘Fuck this... I have been avoiding chatting with you to be professional, but cannot help myself anymore. I should not have to feel like this’”*.

11. Mr Ivill also told the Committee that you admitted heads of charge 6.a and 6.b, but only in so far as they related to head of charge 5.r, in that you admitted that your conduct in sending the text in question was inappropriate and unprofessional.

12. You denied the remainder of the factual allegations set out in the charge.

13. The Committee accepted the advice of the Legal Adviser. It noted that head of charge 5.r and heads of charge 6.a and 6.b, in so far as they relate to 5.r, were proved by your admission, with the GDC no longer required to prove those particular allegations.

Background and summary of the factual allegations

14. Mr Stevens submitted that this is a case in which the GDC alleges that your fitness to practise is impaired as a result of serious concerns about your conduct. He stated that the concerns relate specifically to your alleged behaviour towards two dental nurses, Dental Nurse A and Dental Nurse B, who previously worked with you at Practice A. The allegations were referred to the GDC by Practice A following its internal investigation.

15. Mr Stevens noted that the alleged matters are said to have occurred over a significant period of time. He highlighted that the factual allegations relating to Dental Nurse A cover the timeframe 2014 to 2018 and more recently, 2020, and that the factual allegations relating to Dental Nurse B span the period 2020 to 2022.

16. Mr Stevens submitted that, in broad overview, what has been described by both of the dental nurses is alleged sexual harassment by you in the workplace. He submitted that the course of conduct complained of, includes that you made a number of inappropriate remarks, often of a sexual

nature, either about the two dental nurses or in their presence. Mr Stevens submitted that this included alleged comments about Dental Nurse A's appearance, and in relation to both Dental Nurse A and Dental Nurse B, the alleged making of obscene gestures. More seriously, Mr Stevens submitted, there are allegations of non-consensual physical touching, including physical touching of a sexual nature.

17. It was the GDC's case that, if matters were found proved against you, it would be open to the Committee to conclude that your conduct towards Dental Nurse A and Dental Nurse B was inappropriate and unprofessional. Mr Stevens submitted that the alleged behaviour is fundamentally at odds with the standards expected of registered dental professionals. In this regard, he drew the Committee's attention to the GDC's '*Standards for the Dental Team*' (effective from September 2013), in particular:

Standard 1.3.2: You must make sure you do not bring the profession into disrepute; and

Standard 9.1.1: You must treat all team members, other colleagues and members of the public fairly, with dignity and in line with the law.

18. Mr Stevens further submitted that, because of the nature of what is alleged, including the frequency of the alleged behaviour, if matters were to be found proved, it would also be open to the Committee to conclude that your conduct was sexually motivated and amounted to harassment of Dental Nurse A and Dental Nurse B.

Decision on application for special measures – 12 February 2025

19. Dental Nurse B attended the hearing to give her evidence in person. Prior to hearing from her, the Committee acceded to an unopposed application made by the GDC for the implementation of two special measures. The first was for Dental Nurse B to give her evidence from behind a screen, so that she would not be able see you. The second special measure was for Dental Nurse B's supporter, a family member who had accompanied her to the hearing venue, to be permitted to sit in the hearing room during the course of Dental Nurse B's oral evidence, notwithstanding that the whole hearing is being held in private.

20. In acceding to both requests, the Committee accepted the advice of the Legal Adviser. Given that Dental Nurse B is a witness in this hearing where the subject matter is of a sexual nature and she is an alleged victim, the Committee was satisfied that she is a vulnerable witness under Rule 56(1)(e) of the Rules. The Committee was therefore satisfied that it could exercise its discretion to adopt any special measures that it deemed appropriate to assist Dental Nurse B with the giving of her evidence.

21. The Committee considered it important that Dental Nurse B was given every opportunity to give her best evidence. It determined that it was fair, appropriate and in the interests of justice to allow Dental Nurse B to give her evidence from behind a screen and for her supporter to be present in the room while she did so.

Summary of the evidence

22. The Committee received both documentary and oral evidence. The documentary evidence provided by the GDC comprised a number of witness statements with associated exhibits, namely:

- the witness statement of Dental Nurse A dated 7 June 2024;
- the witness statement of Dental Nurse B dated 7 June 2024;
- the witness statement of Witness 1, a Dental Nurse at Practice A, dated 23 August 2024;
- the witness statement of Witness 2, a Dental Nurse and Receptionist at Practice A, dated 7 June 2024;
- the witness statement of Witness 3, a Clinical Advisor within the corporate body that owns Practice A, dated 7 June 2024;
- the witness statement of Witness 4, a Support Worker for the corporate body that owns Practice A, dated 7 June 2024;
- the witness statement of Witness 5, Practice Manager at Practice A, dated 23 August 2024; and
- the witness statement of witness 6, HR Partner, dated 23 August 2024.

23. In addition, the Committee heard oral evidence from Dental Nurse A, Dental Nurse B and Witnesses 2, 3 and 4. All of these witnesses gave their evidence remotely, with the exception of Dental Nurse B, who attended the hearing in person.

24. Dental Nurse A and Dental Nurse B gave their accounts in respect of the factual allegations. The Committee heard from Witnesses 2, 3 and 4 about their involvement in the matters during the internal investigation conducted by Practice A. The Committee also heard from Witnesses 2 and 4 about the general culture and environment at Practice A in terms of staff behaviours and the nature of some of the conversations that occurred between colleagues.

25. In respect of your case, the evidence received by the Committee included your witness statement dated 7 February 2025. Also provided were a number of testimonials from dental team colleagues who work with you at your current practice.

26. The Committee also heard oral evidence from you. Your account was that the allegations of inappropriate conduct made by Dental Nurse A and Dental Nurse B are fabricated. You told the Committee that you believe that the allegations were made in retaliation for complaints that you had made to Practice A about the clinical performance and/or behaviour of the two dental nurses. It was also your evidence that the use of sexual innuendo was widespread amongst staff at Practice, and this was not challenged. You maintained that staff members, including Dental Nurse A and Dental Nurse B, would regularly make jokes of a sexual nature and that they would both discuss sexual matters whilst you were present, although you did not participate in the discussions.

27. In respect of the text message that you admitted to sending to Dental Nurse B on 14 November 2020, as outlined at head of charge 5.r., your evidence was that the message was not sexually motivated. Your account is that you sent that text message out of a concern for the standard of Dental Nurse B's performance at work.

FINDINGS OF FACT – 19 February 2025

28. The Committee considered all the evidence presented to it. It took account of the closing submissions made by both parties in relation to the facts alleged. The Committee accepted the advice of the Legal Adviser.

29. The Committee considered each of the allegations separately. It bore 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 allegations are proved on the balance of probabilities. The Committee has had to decide on the evidence before it, whether it is more likely than not that the alleged matters occurred.

30. The Committee’s findings of fact are as follows:

<p>1.a.</p>	<p><i>During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>on one or more occasion, grabbed Dental Nurse A’s hips;</i></p> <p>Found proved.</p> <p>Dental Nurse A exhibited with her witness statement a typed note that she had provided to her managers in October 2022. The typed note formed part of the internal investigation that arose following a complaint that was made against you by Dental Nurse B. It was during that internal investigation that Dental Nurse A also raised allegations of inappropriate behaviour. The Committee also noted that Dental Nurse A stated that she had previously complained to the Practice Manager at the time about your behaviour before she left Practice A in 2018.</p> <p>Dental Nurse A stated in her witness statement regarding the typed note, <i>“This document was produced on 18 October 2022 as written at the top of the document. I wrote the hand-written date on the top of the document. I typed the note before my meeting with managers [Witness 5] and [Witness 4] so they had an idea of my experiences written down....I produced the document on my own accord, so that my experiences were written down in black and white from my own knowledge. I provided it to managers [Witness 5] and [Witness 4] during my meeting on 19 October 2022”.</i></p> <p>The Committee noted that Dental Nurse A had documented about you in the typed note of October 2022 that <i>“On numerous occasions when I was bending down in the surgery to pick things up, he would stand behind me and grab my hips...”</i>. The Committee found this to be consistent with Dental Nurse A’s written evidence in her witness statement prepared for this hearing, in which she recounted that <i>“Once or twice on a daily basis, when working with the Registrant between 2014 and 2018, he would grab my hips when I was in the surgery room when I would have to bend down to pick something up.”</i> Furthermore, the Committee considered that in her oral evidence under cross-examination, Dental Nurse A was clear in her assertion that this happened on numerous occasions.</p> <p>The Committee took into account that you denied this allegation, and all of the other allegations set out in the charge in relation to your conduct towards Dental</p>
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	<p>Nurse A. This was on the basis of your assertion that the alleged matters are fabricated. Whilst you stated that you did not know the reason why Dental Nurse A and Dental Nurse B would make such allegations, you told the Committee that you believed that it was in retaliation for having made complaints about their performance at work.</p> <p>The Committee noted your oral evidence that you first made a complaint about Dental Nurse A within a short period after you began working together in 2014, but you said no action was taken at that time. You also stated that you had complained again about Dental Nurse A towards the end of her initial time at Practice A in or around 2018. In your witness statement, you stated that <i>“The issues with Nurse A’s work often caused frustration between us and the atmosphere in the surgery could be tense especially towards the end of her first period of employment. I carried on working with Nurse A as I was informed...that she would be leaving the Practice so any issue would be temporary”</i>.</p> <p>It was the view of the Committee, based on all the evidence before it, including your own evidence, that Dental Nurse A was not aware that you had made complaints about her. It also took into account that the complaints that you said you made regarding Dental Nurse A were in or around 2014 and 2018, some years before she documented her experiences in the typed note of October 2022. The Committee concluded, having had regard to all the circumstances, that your assertion of fabrication for retaliation is implausible.</p> <p>The Committee found Dental Nurse A’s account in respect of this allegation to be credible. It was satisfied on the balance of probabilities that on one or more occasion you grabbed Dental Nurse A’s hips whilst she was working with you. In reaching its decision, the Committee took into account that Dental Nurse A did not provide specific dates or times in respect of this conduct. However, the Committee noted that you had worked with Dental Nurse A over a number of years, and on her evidence you got on well. The Committee was satisfied that it was more likely than not, that you did behave in this way on a number of occasions over a period of time, in the context of the familiarity of your working relationship.</p>
<p>1.b.</p>	<p><i>During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>on one or more occasion, thrust yourself against Dental Nurse A;</i></p> <p>Found proved.</p> <p>In her witness statement, Dental Nurse A stated that <i>“He’d stand behind me and grab my hips and thrust himself against me. He’d just laugh it off like it was funny”</i>.</p> <p>In accepting Dental Nurse A’s account, the Committee took into account that this matter was not referenced in the typed noted of October 2022 which she provided to her managers at Practice A. However, the Committee did not consider that the absence of detail in the typed note undermined the credibility of Dental Nurse A’s evidence. It was the view of the Committee that it was not unreasonable or unexpected, particularly given the sensitive nature of the matters to be discussed, that Dental Nurse A did not produce an exhaustive list of her concerns at that time. The Committee also took into account the evidence that the meeting she attended with her managers on 19 October 2022 was a fairly brief one.</p>

	<p>The Committee was satisfied on the balance of probabilities that on one or more occasions, over the four-year period concerned, you thrust yourself against Dental Nurse A whilst she was working with you. In finding this head of charge proved, the Committee rejected the notion that this allegation was fabricated for the reasons given at 1.a above.</p>
1.c.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>on one or more occasion, told Dental Nurse A to get into the naughty cupboard;</i></p> <p>Found proved.</p> <p>The Committee noted that Dental Nurse A stated in the typed note of October 2022 and in her witness statement provided to the GDC, that you would regularly ask her to “<i>get in the naughty cupboard</i>”. Dental Nurse A stood by her account in her oral evidence.</p> <p>The Committee heard from a number of other witnesses who gave evidence that staff members at Practice A were aware of the phrase ‘naughty cupboard’ and that it was used to refer to a cupboard situated in your surgery. The Committee considered that this evidence supported Dental Nurse A’s account. It was satisfied that it was more likely than not, that you would commonly use the phrase to her personally in the way that she maintained. In finding this head of charge proved, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
1.d.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>on one or more occasion, told Dental Nurse A that you had an erection;</i></p> <p>Found proved.</p> <p>Dental Nurse A stated in her witness statement provided to the GDC, that “<i>There were also times when, working closely together, his legs would touch mine and he'd say that he had an erection</i>”. The Committee found that Dental Nurse A was consistent on this matter when giving her oral evidence.</p> <p>The Committee accepted Dental Nurse A’s account. It was satisfied on the balance of probabilities that on one or more occasion, whilst working with her, you told Dental Nurse A that you had an erection. In finding this head of charge proved, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
1.e.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>On one or more occasion, mimicked getting an erection, with your arm, in front of Dental Nurse A;</i></p> <p>Found proved.</p> <p>In her note of October 2022 which she provided to her managers at Practice A, Dental Nurse A set out that “<i>We were in the surgery, with a patient lying down in the chair, my leg touched his a few times under the headrest of the chair due to being in close proximity, Anthony rubbed his leg and used his arm to mimic that</i></p>

	<p><i>he was getting an erection</i>". Dental Nurse A also addressed this issue in her witness statement provided for this hearing. She stated that <i>"He did it twice in the same period, between 2014 and 2018..."</i></p> <p>The Committee accepted Dental Nurse A's evidence. It was satisfied on the balance of probabilities that this allegation is proved. In finding this head of charge proved, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
1.f.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>grabbed your penis in front of Dental Nurse A;</i></p> <p>Found proved.</p> <p>The Committee accepted the evidence of Dental Nurse A, as set out in her witness statement, that <i>"While a patient was in the room and laying on the dental chair, he grabbed his penis and he looked at me and nodded downwards so that I would look. I was horrified and looked away."</i></p> <p>The Committee considered this issue to be an extension of the matters found proved at 1.d. and 1.e above. It was satisfied on the balance of probabilities that this allegation is proved. In finding this head of charge proved, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
1.g.i.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>made comments about Dental Nurse A's physical appearance, such as:</i></p> <p><i>telling Dental Nurse A how good her legs were, or words to that effect;</i></p> <p>Found proved.</p>
1.g.ii.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>made comments about Dental Nurse A's physical appearance, such as:</i></p> <p><i>telling Dental Nurse A that she needed to put some weight on so that her hips would have something to grab onto, or words to that effect;</i></p> <p>Found proved.</p>
1.g.iii.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>made comments about Dental Nurse A's physical appearance, such as:</i></p> <p><i>on one or more occasions, telling Dental Nurse A that her body was amazing;</i></p> <p>Found proved.</p>

	<p>The Committee considered heads of charge 1.g.i, 1.g.ii, and 1.g.iii separately. It reached the same finding in respect of each allegation.</p> <p>In her witness statement, Dental Nurse A stated that over the period that she worked with you from 2014 to 2018, you would make comments about her body, such as <i>“how good my legs are, how I need to put some weight on so my hips would have something to grab on to...”</i>. He’d say <i>‘... your body is amazing’</i>.”</p> <p>The Committee accepted Dental Nurse A’s evidence on all of these matters. It was satisfied that it was more likely than not that you did say these things to her on more than one occasion over the four-year period, as part of the same pattern of behaviour highlighted by the Committee’s other findings.</p> <p>In determining that the matters at 1.g.i, 1.g.ii, and 1.g.iii are proved, the Committee rejected the notion that any of these allegations were fabricated for the same reasons given previously.</p>
1.h.	<p><i>During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>you told Dental Nurse A that you could imagine her in all sorts of positions, or words to that effect;</i></p> <p>Found proved.</p> <p>It was Dental Nurse A’s evidence that you [PRIVATE] would say things like <i>‘I imagine you can get in to all sorts of positions’</i>.</p> <p>The Committee accepted Dental Nurse A’s account and was satisfied on the balance of probabilities that this allegation is proved. In finding this head of charge proved, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
1.i.	<p><i>During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>On one or more occasions told Dental Nurse A that you fancied her;</i></p> <p>Found proved.</p>
1.j.	<p><i>During the course of Dental Nurse A’s employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>on one or more occasions told Dental Nurse A that she was beautiful;</i></p> <p>Found proved.</p> <p>The Committee considered heads of charge 1.i and 1.j separately. It reached the same finding in respect of each allegation.</p> <p>Dental Nurse A stated in her witness statement that you told her <i>“numerous times”</i> that you fancied her and her body. She stated that <i>“He would say it all the time. He’d say ‘look at you you’re so beautiful ...’</i></p>

	<p>The Committee accepted Dental Nurse A's evidence. It was satisfied on her account that it was more likely than not that you did tell her a number of times that you fancied her and that she was beautiful, particularly given the other findings that have been made by the Committee. In finding heads of charge 1.i and 1.j proved, the Committee rejected the notion that the allegations were fabricated for the reasons given previously.</p>
1.k.i.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>texted Dental Nurse A at night, in or around June 2018, and told her that:</i></p> <p><i>you loved her, or words to that effect;</i></p> <p>Found proved.</p>
1.k.ii.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>texted Dental Nurse A at night, in or around June 2018, and told her that:</i></p> <p><i>that you had never felt this way about anyone other than your wife before, or words to that effect;</i></p> <p>Found proved.</p>
1.k.iii.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>texted Dental Nurse A at night, in or around June 2018, and told her that:</i></p> <p><i>you wished you could kiss her sweet lips before you went to bed, or words to that effect;</i></p> <p>Found proved.</p> <p>The Committee considered heads of charge 1.k.i, 1.k.ii and 1.k.iii separately. It reached the same finding in respect of each allegation.</p> <p>It was Dental Nurse A's evidence, as set out in her typed note of October 2022, and as reiterated in her witness statement, that you would send her text messages on the weekends in the early hours of the morning. Dental Nurse A stated the text messages began in around 2018, and whilst she did not have copies of the messages, she could remember them.</p> <p>The Committee accepted Dental Nurse A's evidence. It did not consider that the absence of the text messages themselves rendered her account unreliable. The Committee noted that Dental Nurse A was able to describe in her witness statement, and in her earlier typed note, the contents of the messages she received from you. The Committee also took into account that you sent Dental Nurse B text messages on 14 November 2020, also in the early hours of the morning, a fact which you admitted.</p> <p>It was the view of the Committee, having had regard to all the evidence before it, that it was more likely than not, that you did send the text messages detailed at heads of charge 1.k.i, 1.k.ii and 1.k.iii to Dental Nurse A. In finding these heads of</p>

	<p>charge proved, the Committee rejected the notion that the allegations were fabricated for the reasons given previously.</p>
1.l.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>told Dental Nurse A, after sending the messages referred to in Charge 1.k. that you knew she wouldn't say anything as she would not want you to get in trouble, or words to that effect;</i></p> <p>Found proved.</p> <p>In her witness statement provided for this hearing, Dental Nurse A stated that "When he sent me the messages about loving me and kissing me, I sent him a message to say [PRIVATE] 'if you carry on like this you'll ruin our working relationship, I think you should go to bed'. He replied on text that 'we are close, I know you won't tell anybody about this because you wouldn't want to get me in to trouble'. I stopped replying after this as I was quite scared."</p> <p>Dental Nurse A also stated in her earlier typed note of October 2022 that you would speak to her privately in the surgery with the door closed and apologise for things that you had said. In the typed note, Dental Nurse A stated that you said to her "I know I am safe with you, because you won't say anything"</p> <p>The Committee accepted Dental Nurse A's evidence. It was satisfied on the balance of probabilities that this allegation is proved. In finding this head of charge proved, the Committee rejected the notion that the allegation is fabricated for the reasons given previously.</p>
1.m.	<p><i>During the course of Dental Nurse A's employment at Practice A, from 2014 to 2018, you:</i></p> <p><i>after treating a patient you asked Dental Nurse A: "I wonder if she has a really long vagina because she is so tall".</i></p> <p>Found proved.</p> <p>In her witness statement, Dental Nurse A stated that she had informed Witness 6 about this incident. The Committee took into account that Dental Nurse A would not have been unaware, when providing her account to the GDC, whether Witness 6 would be asked to corroborate her evidence on this matter. In the circumstances, the Committee could see no reason why Dental Nurse A would state that she told Witness 6 about the incident if this was not the case. The Committee accepted Dental Nurse A's account in respect of this allegation as credible.</p> <p>The Committee was satisfied on the balance of probabilities that this alleged fact is proved. In reaching its finding, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
2.	<p><i>Around February 2020 you told Dental Nurse A that you had missed her arse, or words to that effect.</i></p> <p>Found proved.</p>

	<p>This allegation relates to when Dental Nurse A returned to Practice A, having left in 2018. In her witness statement, Dental Nurse A stated that “I came to the Practice before rejoining in February 2020 just before COVID started to say hi to everyone. I visited about a week or two before I rejoined [PRIVATE]. He said ‘come in’ and he shut the door and said ‘turn around’. I said ‘why’ and he said ‘I’ve missed that arse... I said ‘you’ve never changed have you’ and I just walked out the surgery and said hello to the other staff. No one else was present when he spoke to me in the surgery room”.</p> <p>The Committee noted that when Dental Nurse A was cross-examined on this matter, including why she returned to Practice A in the circumstances, she maintained her account on this and other events. Dental Nurse A stated in her oral evidence that she had returned to Practice A to be with other staff that she considered her friends.</p> <p>The Committee accepted the evidence of Dental Nurse A. It was satisfied on the balance of probabilities that this allegation is proved. In reaching its finding, the Committee rejected the notion that the allegation was fabricated for the reasons given previously.</p>
<p>3.a.</p>	<p><i>Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 1.l. and/or 1.m. and/or 2. was:</i></p> <p><i>inappropriate;</i></p> <p>Found proved in relation to all the heads of charge in question.</p> <p>The Committee considered each of its findings separately.</p> <p>The Committee was satisfied that your conduct, as found proved at these heads of charge, was inappropriate. For the most part, these were all highly unacceptable behaviours, comments and remarks towards Dental Nurse A, including a comment about a patient, which occurred in the work environment and in the context of a professional relationship.</p>
<p>3.b.</p>	<p><i>Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 1.l. and/or 1.m. and/or 2. was:</i></p> <p><i>unprofessional;</i></p> <p>Found proved in relation to all the heads of charge in question.</p> <p>The Committee considered each of its findings separately.</p> <p>The Committee was satisfied that your conduct, as found proved at these heads of charge, was unprofessional. It was satisfied that your conduct and behaviour towards Dental Nurse A, including your comment made about a patient, breached professional boundaries. In reaching its decisions, the Committee had regard to Standard 1.3.2 of the GDC’s ‘Standards for the Dental Team’, which states: “You must make sure you do not bring the profession into disrepute”. It also had regard to Standard 9.1.1, which states: “You must treat all team members, other</p>

	<i>colleagues and members of the public fairly, with dignity and in line with the law”.</i>
4.a.	<p><i>Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 2:</i></p> <p><i>Was sexually motivated;</i></p> <p>Found proved in relation to 1.a, 1.b, 1.d, 1.e, 1.f, 1.g.i, 1.g.ii, 1.g.ii, 1.i, 1.j, 1.k.i, 1.k.ii and 2.</p> <p>The Committee considered its findings separately.</p> <p>The Committee was satisfied that its findings in respect of these heads of charge were behaviours, comments and remarks that were sexually motivated. Your conduct, as found proved, was sexual in nature and, in the Committee’s view, represented a pattern of behaviour that was for your own sexual gratification and/or in pursuit of a future sexual relationship with Dental Nurse A. The Committee was also satisfied on the evidence that your conduct was perceived by Dental Nurse A as being sexually motivated.</p> <p>Found not proved in relation to 1.c and 1.h</p> <p>The Committee’s finding at 1.c was that on one or more occasion you told Dental Nurse A to get into the naughty cupboard. Whilst the Committee considered that it was inappropriate and unprofessional for you to have said this to Dental Nurse A, a work colleague, it considered that there could be different interpretations as to the meaning of ‘naughty cupboard’. It therefore concluded that the remark was not unequivocally sexual in nature. Accordingly, the Committee found this allegation at 4.a not proved in relation to 1.c.</p> <p>The Committee’s finding at 1.h was that you told Dental Nurse A that you could imagine her in all sorts of positions or words to that effect. In considering whether this comment was sexually motivated, the Committee took into the account the background context [PRIVATE]. In the circumstances, the Committee was not satisfied on the balance of probabilities that what you said was unequivocally sexual in nature. Accordingly, the Committee found this allegation at 4.a not proved in relation to 1.h.</p>
4.b.	<p><i>Your conduct in Charge 1.a. and/or 1.b. and/or 1.c. and/or 1.d. and/or 1.e. and/or 1.f. and/or 1.g.i. and/or 1.g.ii. and/or 1.g.iii. and/or 1.h. and/or 1.i. and/or 1.j. and/or 1.k.i. and/or 1.k.ii. and/or 1.k.iii. and/or 2:</i></p> <p><i>amounted to harassment of Dental nurse A.</i></p> <p>Found proved in relation to 1.a, 1.b, 1.d, 1.e, 1.f, 1.g.i, 1.g.ii, 1.g.ii, 1.i, 1.j, 1.k.i, 1.k.ii and 2.</p> <p>The Committee considered its findings separately.</p> <p>In determining that your conduct, as found proved at these heads of charge, amounted to harassment of Dental Nurse A, the Committee had regard to section 26(1) of the Equality Act 2010, which states that:</p>

	<p>(1) A person (A) harasses another (B) if—</p> <p>(a) A engages in unwanted conduct related to a relevant protected characteristic, and</p> <p>(b) the conduct has the purpose or effect of—</p> <p>(i) violating B's dignity, or</p> <p>(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.</p> <p>(2) A also harasses B if—</p> <p>(a) A engages in unwanted conduct of a sexual nature, and</p> <p>(b) the conduct has the purpose or effect referred to in subsection (1)(b).</p> <p>The Committee was satisfied that your behaviour towards Dental Nurse A, highlighted by the findings in question, was sexual in nature and was based on her gender. Furthermore, taking into account her evidence about her experiences working with you, the Committee was satisfied that your conduct had the effect of creating an intimidating, hostile, degrading, humiliating or offensive work environment for her. The Committee noted the evidence that most of your behaviour took place when others were not present, and that you had attempted to constrain Dental Nurse A from saying anything about your behaviour, as found proved at head charge 1.i, so as not to get you into trouble.</p> <p>Found not proved in relation to 1.c and 1.h</p> <p>In view of the context in which the comments at 1.c and 1.h were made, as outlined at 4.a above, the Committee did not find that your conduct in these regards amounted to harassment as defined in section 26(1) of the Equality Act 2010.</p>
<p>5.a.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>told Dental Nurse B that your penis was bigger than a ruler, or words to that effect;</i></p> <p>Found proved.</p>
<p>5.b.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>measured your penis with a ruler in front of Dental Nurse B;</i></p> <p>Found proved.</p> <p>The Committee considered heads of charge 5.a and 5.b separately. It reached the same finding in relation to each allegation.</p> <p>Dental Nurse B exhibited with her witness statement a handwritten note made by Witness 5. The handwritten note, dated 17 October 2022, was made by Witness 5 during a meeting on that day, in which Dental Nurse raised with her allegations about your behaviour. Dental Nurse B stated in her witness statement that <i>"The meeting with [Witness 5] lasted about an hour, or maybe longer, and it ended with her asking me to sign the note that she'd taken..."</i></p>



The Committee noted that it was written about you in the handwritten note of 17 October 2022 that *“Tells her how big his penis is, he’ll show her in measurements on a ruler”*. This is consistent with Dental Nurse B’s written evidence her witness statement for this hearing, in which she stated *“The Registrant would often get the ruler out and make comments about his penis saying that his penis was bigger than the ruler. I would just laugh at him. He wouldn’t just hold it in the air he’d hold it on his crotch area and show me....”*. Dental Nurse B further stated that, *“One time, when the Registrant was measuring his penis with the ruler, and showing me...”*

In her oral evidence before the Committee, Dental Nurse B described the ruler in the surgery as being in a pen pot under a desk, and she demonstrated what you would do with it when making the comments to her.

The Committee took into account that you denied this allegation, and almost all of the other allegations set out in the charge in relation to your conduct towards Dental Nurse B. This was on the basis that the alleged matters were fabricated. Whilst you stated that you did not know the reason why Dental Nurse B and Dental Nurse A would make such allegations, you told the Committee that you believed that it was in retaliation for having made complaints about their performance at work.

It was your evidence that you made repeated complaints about Dental Nurse B to the previous Practice Manager, including in relation to her arriving late for work, wasting time in between patient appointments [PRIVATE]. You stated that you had started making complaints about Dental Nurse B from around 2019 or 2020, when you first began working with her. You told the Committee that you were informed by Witness 2 that Dental Nurse B had been warned about her behaviour.

However, Dental Nurse B’s evidence was that she was unaware of any formal complaints made against her, or any suggestion that her job at Practice A had been in jeopardy. The Committee found that she was candid in her oral evidence in acknowledging that issues had been raised with her informally about leaving the surgery too frequently. [PRIVATE].

The Committee also noted that Witness 2 had no recollection of having stated that Dental Nurse B had been warned about her performance. The Committee further heard from Witness 4. In answer to questions from the Committee in relation to the process that would have been followed in response to complaints against members of staff, Witness 4 stated that serious concerns would have been logged and then escalated to the next level. There was no evidence before the Committee that any competency concerns regarding Dental Nurse B became a formal disciplinary issue.

It was the conclusion of the Committee, based on all the evidence before it, that your assertion of fabrication based on retaliation is implausible.

The Committee found Dental Nurse B’s written and oral accounts in respect of the allegations at 5.a and 5.b to be consistent and credible. It was satisfied on the balance of probabilities that these matters are proved. The Committee considered that it was more likely than not, particularly given its other findings in this case, that you did behave in this way during the course of Dental Nurse B’s employment at Practice A from 2020 to 2022.

<p>5.c.i.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>asked Dental Nurse B:</i></p> <p><i>is your vagina tight and/or like a bucket, or words to that effect;</i></p> <p>Found proved.</p>
<p>5.c.ii.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>asked Dental Nurse B:</i></p> <p><i>do you think you will be able to take it (referring to your penis), or words to that effect;</i></p> <p>Found proved.</p> <p>The Committee considered heads of charge 5.c.i and 5.c.ii separately. It reached the same finding in relation to each allegation.</p> <p>The Committee noted that there is reference to the comment at 5.c.i in the handwritten note of 17 October 2022. Dental Nurse B also sets out in her witness statement provided to the GDC, that <i>“One time, when the Registrant was measuring his penis with the ruler, and showing me, he asked me how tight my vagina was. We were in the surgery and there were no patients at the time. No one else was present in the room at the time. I cannot remember when it happened but it would have been at some point in 2022... I am 99% sure that he was talking about the size of his penis at the time and measuring it with the ruler when he [asked] me ‘do you think you will be able to take it [his penis]’ and then he asked ‘is your vagina tight or a bucket?’.</i></p> <p>Taking into account all the evidence, the Committee was satisfied on the balance of probabilities that heads of charge 5.c.i and 5.c.ii are proved. In reaching its findings, the Committee rejected the notion that the allegations were fabricated for the same reasons given in respect of 5.a and 5.b above.</p>
<p>5.d.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>on one or more occasion in 2022, said that you would ruin Dental Nurse B's vagina, or words to that effect;</i></p> <p>Found proved.</p> <p>It was Dental Nurse B's evidence, as set out in her witness statement that <i>“There were a couple of occasions, at some point in 2022, when the Registrant said that he would ruin my box. The inappropriate behaviour and comments started after I'd had [my] teeth done from him in April time”.</i> The Committee noted that this matter was also referenced in Witness 5's handwritten note of 17 October 2022, and in the meeting notes taken by Witness 4 in respect of a meeting she attended with Dental Nurse B and Witness 5 on 18 October 2022.</p>

	<p>The Committee was satisfied on the balance of probabilities that head of charge 5.c.iii is proved. In reaching its finding, the Committee rejected the notion that this allegation was fabricated for the reasons given previously.</p>
5.e.	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>told Dental Nurse B, that [PRIVATE];</i></p> <p>Found proved.</p>
5.f.	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>told Dental Nurse B that you were sexually frustrated [PRIVATE], or words to that effect;</i></p> <p>Found proved.</p> <p>The Committee considered heads of charge 5.e and 5.f separately. It reached the same finding in relation to each allegation.</p> <p>Dental Nurse B addresses both matters in her witness statement [PRIVATE].</p> <p>The issues are also noted in Witness 5's handwritten note of 17 October 2022 and were raised in the meeting notes of 18 October 2022.</p> <p>Having had regard to all the evidence, the Committee was satisfied that it was more likely than not that you did say what is alleged at heads of charge 5.e and 5.f to Dental Nurse B. In reaching its findings, the Committee rejected the notion that these allegations were fabricated for the same reasons given previously.</p>
5.g.	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>told Dental Nurse B that you were in love with Dental Nurse A;</i></p> <p>Found proved.</p> <p>The Committee accepted the evidence of Dental Nurse B, as included in her witness statement, that you used to speak to her about Dental Nurse A and say that you were in love with her [Dental Nurse A]. In reaching its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously. The Committee also had regard to its findings made in relation to your conduct towards Dental Nurse A and it was satisfied that Dental Nurse B's account in relation to this allegation is credible.</p>
5.h.	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>told Dental Nurse B that you could tell if a patient was good at giving blow jobs;</i></p> <p>Found proved.</p>

	<p>It was the evidence of Dental Nurse B in relation to this allegation, as outlined in her witness statement, that <i>“When he would do a polish on a patient he'd always make sure he'd touched the palette of the patient's mouth with the polish and he'd say things like it tickled them and say he could tell that she had been giving blow jobs because he could tell from the back of their throat. He said this many times.”</i></p> <p>The Committee accepted Dental Nurse B's account in this regard. In doing so, it took into account that this fitted the pattern of behaviour highlighted by its other findings in this case of using sexual language, including with reference to patients. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
<p>5.i.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>on one or more occasion mimicked having sex with a patient after they had left your surgery, in front of Dental Nurse B;</i></p> <p>Found proved.</p> <p>The Committee accepted the evidence of Dental Nurse B, who also referred to this matter in her witness statement. The Committee was satisfied on the balance of probabilities that this allegation is proved for the same reasons given at 5.h above.</p>
<p>5.j.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>grabbed Dental Nurse B's hips, on 17 October 2022;</i></p> <p>Found proved.</p> <p>Dental Nurse B stated in her witness statement that <i>“I also remember specifically what the Registrant did on 17 October 2022...I was either setting up or cleaning up in the surgery room and then he came up behind me and gripped my [hips] tightly from behind. He had grabbed my hips tightly...”</i>. During her oral evidence, Dental Nurse B demonstrated how you touched her around the hip area.</p> <p>This issue is also referenced in Witness 5's handwritten note of 17 October 2022 and in the notes of the meeting on 18 October 2022 that was attended by Dental Nurse B, Witness 5 and Witness 4, who was the note taker.</p> <p>Also, before the Committee were the typed notes of Witness 4 taken at a meeting that you attended on 18 October 2022, along with Witness 3 and the Operations Manager. It is recorded in those notes that you stated regarding a matter that you recalled yesterday [17 October 2022], <i>“I got up my nurse was cleaning up, I remember grabbing her...”</i>. The Committee took into account your oral evidence, given at this hearing, that you never received a copy of those typed notes from the meeting you attended on 18 October 2022. You told the Committee that you did receive the meeting notes from a subsequent meeting held on 28 October 2022, to which you had made some factual corrections. You said that the first time you saw the meeting notes from the 18 October 2022 meeting was when they were provided to you by the GDC in June 2024 as part of this case. You maintained that the 18 October 2022 typed notes were inaccurate, in that you never said that you</p>

	<p>had grabbed Dental Nurse B. You stated that you would have not used a phrase like that.</p> <p>However, it was the conclusion of the Committee that it was more likely than not that the typed notes of the meeting you attended on 18 October 2022 were accurate. In reaching its conclusion, the Committee took into account your oral evidence that you considered other details in the typed notes to be accurate. The Committee considered, having heard from Witness 4, that it would have been unusual for her to have recorded that one detail wrongly. The Committee also took into account that in response to you having stated that you had grabbed Dental Nurse B, it is indicated in the typed notes that the Operations Manager present at the meeting asked a follow-up question, stating that <i>“in terms of the grab is that what you’ve done before?”</i>. The Committee considered it unlikely that two people present at the meeting would have misheard that same detail.</p> <p>Having considered all the evidence, the Committee was satisfied on the balance of probabilities that you grabbed Dental Nurse B’s hips on 17 October 2022. It noted that this incident was one of the catalysts for her complaint against you. She stated in her oral evidence about this incident that ‘enough was enough’. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
<p>5.k.</p>	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>on one or more occasion in 2022, excluding the conduct covered by charge 5.j., grabbed Dental Nurse B’s hips;</i></p> <p>Found proved.</p> <p>In her witness statement, Dental Nurse B detailed that you would frequently grab her hips. She stated that <i>“I find it hard to confront people so I didn’t say anything and this used to happen every single week without fail. I don’t know why I didn’t say anything to him”</i>. This issue is also referenced in Witness 5’s handwritten note of 17 October 2022 in which it was recorded that the incidents had made Dental Nurse B feel uncomfortable.</p> <p>Taking into account the evidence, the Committee was satisfied on the balance of probabilities that you grabbed Dental Nurse B’s hips on more than one occasion in 2022, excluding the incident on 17 October 2022 found proved at 5.j. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
<p>5.l.</p>	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>mimicked having sex with Dental Nurse B on 17 October 2022;</i></p> <p>Found proved.</p> <p>The Committee accepted Dental Nurse B’s evidence, as set out in her witness statement, that on 17 October 2022 <i>“He had grabbed my hips tightly enough to move my hips and started humping me...It lasted for a few seconds. I asked him</i></p>

	<p><i>to stop by saying ‘get off me’. He let go, was laughing and walked out of the room to go to the toilet. I felt very uncomfortable and felt sick.”. This was also referenced in Witness 5’s handwritten note of 17 October 2022.</i></p> <p>The Committee was satisfied on the evidence that it was more likely than not this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
5.m.	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>on one or more occasion in 2022, excluding the conduct covered by charge 5.l., mimicked having sex with Dental Nurse B;</i></p> <p>Found proved.</p> <p>The Committee accepted Dental Nurse B’s evidence that you mimicked having sex with her on a number of occasions by “<i>humping</i>” her. She indicated in her witness statement that there were several occurrences of this type of behaviour. This issue is also referred to in Witness 5’s handwritten note of 17 October 2022.</p> <p>The Committee was satisfied on the evidence that it was more likely than not this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
5.n.	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>grabbed both of Dental Nurse B’s breasts, in 2022;</i></p> <p>Found proved.</p> <p>Dental Nurse B stated in her witness statement about this incident, “<i>I cannot recall the date but it happened only on one occasion. I don’t recall the date, I think it was in August 2022...The Registrant had gone to the toilet and must have left the door open because I didn’t hear him return to the surgery room. When he came back I was facing the wall filling out a daily tick sheet and I just felt his hands over my shoulders and he grabbed my breasts. He didn’t just touch them, his whole hands were around each breast entirely. He grabbed them but it wasn’t so hard that I felt pain and let go.”.</i></p> <p>This incident is also referenced in Witness 5’s handwritten note of 17 October 2022 and in the notes of the meeting on 18 October 2022 that was attended by Dental Nurse B, Witness 5 and Witness 4.</p> <p>The Committee was satisfied on the balance of probabilities that this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
5.o.	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>slapped Dental Nurse B’s bottom, on 14 October 2022;</i></p>

	<p>Found proved.</p> <p>In her witness statement, Dental Nurse B stated <i>that “I remember that the Registrant slapped my bum very hard on Friday 14 October 2022”</i>. This matter is also referenced in Witness 5’s handwritten note of 17 October 2022, which was the following Monday.</p> <p>Taking into account the evidence, the Committee was satisfied on the balance of probabilities that this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously. The Committee noted that it was this incident on 14 October 2022 and the incident on 17 October 2022, when you grabbed Dental Nurse B’s hips, that were the catalysts for her formal complaint against you to Witness 5.</p>
<p>5.p.</p>	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>on one or more occasion in 2022, excluding the conduct covered by charge 5.o., slapped Dental Nurse B’s bottom;</i></p> <p>Found proved.</p> <p>The Committee accepted Dental Nurse B’s evidence that you slapped her bottom on other occasions in 2022. She stated in her witness statement that <i>“At other times when he was doing that I would leave the room as quickly as possible to get the patient into the room or I’d tell him to behave and to stop that. I never felt comfortable getting instruments out of the drawer as I was constantly looking over my shoulder in case he touched my bum. He’d do it when I went into the drawer because he’d then be directly next to me sat on his stool and I’d be stood up”</i>.</p> <p>The Committee was satisfied on the balance of probabilities that this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
<p>5.q.</p>	<p><i>During the course of Dental Nurse B’s employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>asked Dental Nurse B whether she was going to suck her boyfriend’s dick when he came to pick her up from work;</i></p> <p>Found proved.</p> <p>The Committee noted that this matter was recorded in the handwritten note prepared by Witness 5 on 17 October 2022. Dental Nurse B referred to this incident and the detail in the handwritten note in her witness statement for this hearing. She stated that <i>“The Registrant used to say inappropriate things about my boyfriend and myself in a similar nature...I don’t remember the specific details of the Registrant asking me if I was ‘going to suck [my boyfriend’s] dick’ but the note is everything that was fresh in my mind at the time and he definitely said it.”</i></p>

	<p>Having considered the evidence, the Committee was satisfied on the balance of probabilities that this allegation is proved. In making its finding, the Committee rejected the notion that this allegation was fabricated for the same reasons given previously.</p>
<p>5.r.</p>	<p><i>During the course of Dental Nurse B's employment at Practice A, from 2020 to 2022, you:</i></p> <p><i>texted Dental Nurse B, on 14 November 2020, at 04:14 and 04:16 in the morning, stating: 'Fuck this... I have been avoiding chatting with you to be professional, but cannot help myself anymore. I should not have to feel like this'</i></p> <p>Admitted and found proved.</p> <p>Whilst the Committee accepted your admission in relation to this allegation, it did not accept the basis on which it was made.</p> <p>You stated in your witness statement that, "<i>This message was sent out of frustration relating to Nurse B's poor work performance and punctuality that was not addressed by [the previous Practice Manager]. I was awake at this time [PRIVATE]. There were no sexual intentions or references in the message I sent. I have never sent any message containing anything sexual to the Nurse B</i>".</p> <p>The Committee had regard to the wording of this text message and did not consider that it related to anything work-related. There is no reference in the message to Dental Nurse B's work performance or punctuality. In the Committee's view, the text message implies that you were expressing your feelings for Dental Nurse B in the early hours of that morning. The Committee considered that this was a more likely explanation, having had regard to its findings in this case, which demonstrate your pattern of behaviour towards Dental Nurse B over the course of her employment at Practice A from 2020 to 2022. The Committee considered your explanation given in your witness statement as to why the text message was sent to be wholly implausible. The Committee also took into account that you sent a further text message to Dental Nurse B later that day, apologising "<i>for the text last night</i>" and stating "<i>Someone you know was threatening me and I sent a text to some people to just start talking...daft me. The guy was drunk and now apologised...</i>". This is completely inconsistent with your account given in your witness statement.</p>
<p>6.a.</p>	<p><i>Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.f. and/or 5.g. and/or 5.h. and/or 5.i. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.q. and/or 5.r. was:</i></p> <p><i>inappropriate;</i></p> <p>Admitted and found proved in relation to 5.r.</p> <p>Also found proved in relation to all the remaining heads of charge in question.</p> <p>The Committee considered each of its findings separately.</p>

	<p>The Committee was satisfied that your conduct, as found proved at these heads of charge, was inappropriate. These were all highly unacceptable behaviours, comments and remarks towards Dental Nurse B, including comments about patients, which occurred in the work environment and in the context of a professional relationship.</p>
6.b.	<p><i>Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.f. and/or 5.g. and/or 5.h. and/or 5.i. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.q. and/or 5.r. was:</i></p> <p><i>unprofessional;</i></p> <p>Admitted and found proved in relation to 5.r.</p> <p>Also found proved in relation to all the remaining heads of charge in question.</p> <p>The Committee considered each of its findings separately.</p> <p>The Committee was satisfied that your conduct, as found proved at these heads of charge, was unprofessional. It was satisfied that your conduct and behaviour towards Dental Nurse B, including your comments made about patients, breached professional boundaries. In reaching its decisions, the Committee had regard to Standard 1.3.2 of the GDC's 'Standards for the Dental Team', which states: "You must make sure you do not bring the profession into disrepute". It also had regard to Standard 9.1.1, which states: "You must treat all team members, other colleagues and members of the public fairly, with dignity and in line with the law".</p>
7.a.	<p><i>Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.r:</i></p> <p><i>was sexually motivated;</i></p> <p>Found proved in relation to all the heads of charge in question.</p> <p>The Committee considered each of its findings separately.</p> <p>The Committee was satisfied that its findings in respect of these heads of charge were behaviours, comments and remarks that were sexually motivated. Your conduct, as found proved, was sexual in nature and, in the Committee's view, represented a pattern of behaviour that was for your own sexual gratification and/or in pursuit of a future sexual relationship with Dental Nurse B. The Committee was also satisfied on the evidence that your conduct was perceived by Dental Nurse B as being sexually motivated.</p>
7.b.	<p><i>Your conduct in Charge 5.a. and/or 5.b. and/or 5.c.i. and/or 5.c.ii. and/or 5.d. and/or 5.e. and/or 5.j. and/or 5.k. and/or 5.l. and/or 5.m. and/or 5.n. and/or 5.o. and/or 5.p. and/or 5.r:</i></p> <p><i>amounted to harassment of Dental Nurse B.</i></p>

Found proved in relation to all the heads of charge in question.

In determining that your conduct, as found proved at these heads of charge, amounted to harassment of Dental Nurse B, the Committee had regard to section 26(1) of the Equality Act 2010, which states that:

(1) A person (A) harasses another (B) if—

(a) A engages in unwanted conduct related to a relevant protected characteristic, and

(b) the conduct has the purpose or effect of—

(i) violating B's dignity, or

(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

(2) A also harasses B if—

(a) A engages in unwanted conduct of a sexual nature, and

(b) the conduct has the purpose or effect referred to in subsection (1)(b).

The Committee was satisfied that your behaviour towards Dental Nurse B, which was clearly sexual in nature, was based on her gender. Furthermore, taking into account her evidence about her experiences working with you, the Committee was satisfied that your conduct had the effect of creating an intimidating, hostile, degrading, humiliating or offensive work environment for her. The Committee took into account the evidence that most of your behaviour took place when others were not present, and that Dental Nurse B reported feeling uncomfortable and sick about your conduct, and where possible, made efforts to ensure that she was not alone in the room with you.

31. As part of its consideration of the factual background in this case, the Committee considered the issue of collusion, which was raised with you in questioning during the evidence. The Committee noted that Dental Nurse A and Dental Nurse B were friends and colleagues, however collusion was dismissed for a number of reasons. Firstly, the initial reporting by Dental Nurse B was contemporaneous to being inappropriately touched by you on 14 and 17 October 2022. Secondly, Dental Nurse A had reported several inappropriate behaviours before she left Practice A in 2018, and she noted on her return in 2020 an incident that the Committee has found proved where inappropriate behaviour was again repeated. Thirdly, the Committee found no clear evidence of motive for collusion. Finally, the Committee noted that, although the experiences of Dental Nurse A and Dental Nurse B in relation to your conduct and behaviour were thematically similar, there were differences which were reflected in the written statements and in the oral evidence they gave.

32. We move to Stage Two of the hearing.

Stage Two of the hearing – 20 to 21 February 2025

33. The Committee's task at this stage of the hearing has been to determine whether the facts found proved amount to misconduct and, if so, whether your fitness to practise is currently impaired by reason of that misconduct. The Committee took into account that if it found current impairment, it would need to consider what sanction, if any, to impose on your registration.

34. In reaching its decisions, the Committee considered all the evidence presented to it, both at the fact-finding stage and at this second stage. The evidence received by the Committee at this stage comprised a copy of your undated reflective statement, received on 20 February 2025, and a bundle of Continuing Professional Development (CPD) certificates covering the period December 2022 to December 2024. The Committee also had regard to the testimonials provided by dental colleagues with whom you have worked since the events in question.

35. The Committee took account of the submissions made by Mr Stevens, on behalf of the GDC, and Mr Ivill, on your behalf, in relation to misconduct, current impairment and sanction. It also accepted the advice of the Legal Adviser in respect of these matters.

36. The Committee bore 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 facts found proved

37. This case relates to your conduct and behaviour towards two former dental nurse colleagues, Dental Nurse A and Dental Nurse B, when they worked with you at Practice A.

38. The Committee found proved that, during the course of Dental Nurse A's employment at Practice A from 2014 to 2018, you repeatedly behaved in a highly unacceptable manner towards her. Your conduct towards Dental Nurse A over this four-year period included non-consensual touching of a sexual nature, the making of sexualised gestures, comments and remarks, including comments about Dental Nurse A's physical appearance and, in or around June 2018, sending Dental Nurse A text messages at night expressing your feelings for her. The Committee also found proved that you attempted to constrain Dental Nurse A from saying anything about your behaviour, so as not to get you into trouble. The Committee further found proved that when Dental Nurse A returned to Practice A in February 2020, shortly before commencing a second period of employment there, your behaviour continued with the making of a sexualised comment on that occasion. Additionally, a sexual comment was made by you to Dental Nurse A regarding a patient.

39. The Committee also found proved that you behaved in a similar manner towards Dental Nurse B during the course of her employment at Practice A from 2020 to 2022. Your conduct towards Dental Nurse B over this period also included non-consensual touching of a sexual nature, the making of sexualised gestures, comments and remarks, which included comments about Dental Nurse B's genitalia and her private life. It was also found proved that you sent a text message to Dental Nurse B in the early hours of the morning on 14 November 2020 expressing feelings for her. You admitted the fact of that text message but denied that there was any sexual intention behind it. Additionally, sexual comments and gestures were made by you to Dental Nurse B regarding patients.

40. Your conduct towards Dental Nurse A and Dental Nurse B was clearly inappropriate and unprofessional. It was also the finding of the Committee that your behaviour, as outlined in this case, was sexually motivated and amounted to harassment of both colleagues. The Committee was satisfied on the evidence that your conduct had the effect of creating an intimidating, hostile,

degrading, humiliating or offensive work environment for both Dental Nurse A and Dental Nurse B during their respective periods of employment at Practice A.

Summary of parties' submissions at this stage

41. Mr Stevens submitted that the matters found proved are serious and cross the threshold to amount to misconduct. In support of that contention, he referred to the serious nature of the allegations which amounted to a course of sexual harassment towards your two former dental nurse colleagues, Dental Nurse A and Dental Nurse B, whilst at Practice A, over a sustained period of time. Mr Stevens submitted that both dental nurses were subjected to comments of a sexualised nature, gratuitous sexualized gestures, and non-consensual touching of a sexual nature. In addition, Mr Stevens referred to the Committee's findings that you made inappropriate comments of a sexual nature about patients after they had left the surgery. He referred to a number of the GDC's '*Standards for the Dental Team*' which he considered you had breached.

42. Further, it was Mr Stevens' submission that your fitness to practise is currently impaired by reason of the misconduct. He referred to a campaign of sexual harassment towards the two female colleagues which, he said, was motivated by your own sexual gratification. Mr Stevens submitted that the GDC's position is that sexual misconduct, by its very nature, is not easy to remediate. He made the point that, in any event, there remains a risk in this case, given that your conduct was repeated over a sustained period of time. Mr Stevens submitted that it is the view of the Council that the reflective statement provided by you at this stage of the proceedings is limited and is insufficient to show that you have reflected on the sustained impact of your behaviour towards Dental Nurse A and Dental Nurse B.

43. Mr Stevens submitted that the risk of repetition remains and therefore a finding of impairment is necessary for the protection of the public. In addition, he submitted that, given the serious nature of the behaviour in this case, where it could be said that your conduct amounted to a gross violation of Dental Nurse A and Dental Nurse B's dignities, as well as an abuse of trust from a position of power, a finding of current impairment in the wider public interest was also required.

44. In relation to sanction, Mr Stevens invited the Committee to direct that your name be erased from the Dentists Register. He submitted that this was a case which involved serious sexual misconduct, noting again that it was repeated and sustained over a period of time and involved non-consensual physical conduct towards both dental nurses.

45. Mr Ivill conceded that the facts found proved fall short of the standards expected of a dental professional. In respect of current impairment, Mr Ivill submitted that the conduct in this case is remediable. He drew the Committee's attention to your reflective statement in which you recognise the seriousness of the matters found proved, and their impact on the dental profession and those individuals who were subjected to such behaviour. Mr Ivill also referred to the CPD you have undertaken and your reflections on the learning completed.

46. Mr Ivill submitted that a significant period of time has elapsed since the events in question with no repetition of the proven conduct. He submitted that there is evidence that you have shown insight into the matters, and he contended that the risk of repetition is low.

47. Turning to the matter of sanction, Mr Ivill invited the Committee to conclude this case by directing that your registration be suspended for a period of 12 months, with a review hearing to take place before the expiry of the suspension order. It was Mr Ivill's submission that you have fully engaged in these proceedings, you have no previous fitness to practise history, and you have continued to work since the events in question with no evidence of repetition. Mr Ivill submitted that a direction of erasure would be disproportionate and would deprive the public of an otherwise clinically competent dentist.

Decision on misconduct

48. The Committee considered whether the facts found proved amount to misconduct. It took into account that a finding of misconduct in the regulatory context requires a serious falling short of the professional standards expected of a registered dental professional.

49. The Committee took a serious view of its findings made against you. Your conduct towards Dental Nurse A and Dental Nurse B was inappropriate, unprofessional and took place on a number of occasions over a sustained period of time. Your behaviour was also sexually motivated and amounted to harassment of both female colleagues. It included in relation to both Dental Nurse A and Dental Nurse B, the making of obscene gestures and non-consensual physical touching of a sexual nature, all of which occurred in the workplace. The Committee also found proved that you sent Dental Nurse A and Dental Nurse B a number of inappropriate text messages outside of working hours.

50. Dental Nurse A and Dental Nurse B were at the early stages of their careers as dental nurses and by virtue of this had placed their trust in you as the person with the more senior role in the Dental Team. In the Committee's view, your behaviour towards them amounted to a premeditated course of conduct, motivated by your own sexual gratification.

51. The Committee also had regard to its findings that you made inappropriate comments of a sexual nature to Dental Nurse A and Dental Nurse B about patients after they had left your surgery. The Committee considered that your conduct in this regard was highly inappropriate and unprofessional.

52. Having considered the GDC's '*Standards for the Dental Team*', the Committee concluded that the following professional Standards are engaged in this case:

- 1.2 You must treat every patient with dignity and respect at all times.
- 1.3.2 You must make sure you do not bring the profession into disrepute.
- 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.
 - 9.1.1 You must treat all team members, other colleagues and members of the public fairly, with dignity and in line with the law.

53. It was the view of the Committee that its findings, both in relation to your conduct towards Dental Nurse A and Dental Nurse B, as well as the findings regarding the inappropriate comments

you made about patients, are serious and amount to a significant falling short of acceptable standards.

54. Accordingly, the Committee determined that the facts found proved amount to misconduct.

Decision on current impairment

55. The Committee next considered whether your fitness to practise is currently impaired by reason of your misconduct. It had regard to the over-arching 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.

56. The Committee considered that the serious sexual misconduct in this case, which was repeated over a sustained period of time, amounted to an abuse of your position of trust. The Committee acknowledged that behavioural failings of this nature are difficult to remedy, although not impossible.

57. The Committee considered the evidence of remediation put before it. It noted that your reflective statement did not address your understanding of all the serious issues found proved.

58. In respect of the CPD that you have undertaken, it was the view of the Committee that the majority of the courses you completed were not directly relevant to the conduct that has been found proved. Furthermore, the Committee considered that the evidence of your reflections on what you learnt from those courses, including how you would behave differently in future, is also insufficient.

59. The Committee considered that you have provided limited evidence that you understand the impact that your conduct has had on Dental Nurse A and Dental Nurse B, as well as the wider public interest in terms of the reputation of the Dental Profession. The Committee gained little reassurance, based on the evidence you have provided, that you have changed your attitude or behaviour.

60. The Committee acknowledged the positive testimonials from dental professionals who have worked alongside you. However, it noted that the testimonials cover a period of time when you were aware that you were subject to an investigation by the GDC, and when the authors of the testimonials had not been working with you over a sustained period. The Committee took into account that your sexual misconduct at Practice A took place after you had got to know Dental Nurse A and Dental Nurse B over a period of time and gained their trust.

61. It was the conclusion of the Committee, taking into account all the evidence, that you have shown limited insight into your actions and that your behaviour has not been fully remediated. It therefore determined that there is a risk that you could repeat your misconduct and, as such, a finding of impairment is necessary for the protection of the public. The Committee took into account that members of the public include dental colleagues.

62. The Committee also determined that a finding of impairment is necessary in the wider public interest to uphold the reputation of the dental profession, maintain public confidence in it, and to

uphold proper standards of conduct and behaviour. Sexual misconduct, by its very nature, undermines public confidence in the profession.

63. The misconduct found in this case was particularly serious, given that it was sustained over a long period of time and was directed at two much younger female colleagues in their roles as Dental Nurses. There was an abuse of your position of trust, noting the clear imbalance of power in the situation, and a failure on your part to treat your dental team members, and members of the public fairly and with dignity. Your actions were liable to have brought the reputation of the profession into considerable disrepute. In the Committee's judgement the public's trust and confidence in the profession, and in the regulatory process, would be significantly undermined if a finding of impairment were not made in all the circumstances.

64. The Committee therefore determined that your fitness to practise is currently impaired by reason of your misconduct.

Decision on sanction

65. The Committee next considered what sanction, if any, to impose on your registration. It noted that the purpose of a sanction is not to be punitive, although it may have that effect, but to protect the public and uphold the wider public interest. In reaching its decision, the Committee had regard to the *'Guidance for the Practice Committees including Indicative Sanctions Guidance'* (effective from October 2016; last revised in December 2020) ('the ISG Guidance'). It applied the principle of proportionality, balancing the public interest with your own interests.

66. In deciding on the appropriate sanction, the Committee considered the issue of mitigating and aggravating factors. In mitigation, it took into account the following:

- That you have no previous findings against you, save in relation to these matters.
- That you are of previous good character.

67. In terms of aggravating factors, the Committee identified the following matters:

- That there was a serious breach of trust.
- Your conduct was serious, sustained over a long period of time and was repeated.
- You made serious accusatory comments against Dental Nurses A and B, which were unfounded and which, in the Committee's view, were to cover up your wrongdoing
- Your limited insight and remediation.

68. Taking all the above factors into account the Committee considered the available sanctions. It started with the least restrictive, as it is required to do.

69. In light of the serious nature of the misconduct identified in this case, the Committee considered that taking no action, or issuing you with a reprimand, would not be sufficient. In the Committee's judgement, public trust and confidence in the dental profession and in the regulatory process would be significantly undermined if no action were taken against your registration, or if this case was concluded with a reprimand. The Committee considered that neither of these outcomes

would adequately protect the public or sufficiently, maintain public confidence in the profession or declare and uphold proper professional standards of conduct and behaviour.

70. The Committee went on to consider whether a conditions of practice order would be appropriate and proportionate. It concluded however, that conditional registration would not meet the public protection and public interest considerations engaged in this case. It was the decision of the Committee that conditions could not be formulated to deal with the risks arising from your sexual conduct. It considered that, even if conditions could be formulated, a direction for conditional registration would not be sufficient to maintain public confidence or to declare and uphold proper professional standards of conduct and behaviour because of the serious nature of your misconduct.

71. Accordingly, the Committee went on to consider whether an order of suspension would represent an appropriate and proportionate outcome. In doing so, it had regard to paragraph 6.28 of the ISG Guidance, which states that:

“Suspension is appropriate for more serious cases and may be appropriate when all or some of the following factors are present (this list is not exhaustive):

- *there is evidence of repetition of the behaviour;*
- *the Registrant has not shown insight and/or poses a significant risk of repeating the behaviour;*
- *patients’ interests would be insufficiently protected by a lesser sanction;*
- *public confidence in the profession would be insufficiently protected by a lesser sanction;*
- *there is no evidence of harmful deep-seated personality or professional attitudinal problems (which might make erasure the appropriate order).”*

72. The Committee noted that a number of the factors from paragraph 6.28 of the ISG Guidance do apply in this case. However, it remained concerned, based on the limited evidence of your insight and remediation, about your attitude and understanding of the seriousness of your behaviour. In the Committee’s view, the matters found proved represent a serious departure from professional standards and are highly damaging to your fitness to practise. Your sexual misconduct was particularly serious, in that it was repeated and sustained over a long period of time. It was not behaviour that could be categorised as a momentary lapse of judgement but was a premeditated course of conduct for your own sexual gratification. In addition, you have demonstrated what the Committee considered to be limited insight into your conduct, the consequences that it had for Dental Nurse A and Dental Nurse B, and the impact on the dental profession as a whole. In the Committee’s judgement, you pose an ongoing risk of significant harm to the public.

73. It was the conclusion of the Committee that your conduct, and your continuing lack of insight in the seriousness of what you did, represent deep-seated personal and professional attitudinal problems. Therefore, after careful consideration, the Committee determined that the suspension of your registration, even for the maximum period of 12 months, would not be sufficient to protect the public and the wider public interest.

74. In deciding against the imposition of a suspension order, the Committee had regard to paragraph 6.34 of the ISG Guidance which deals with erasure. It was satisfied that a number of the relevant factors for the sanction of erasure are present in this case, including that there were serious

departures from relevant professional standards and that a continuing risk of serious harm to members of the public has been identified. Critically, the Committee noted the abuse of a position of trust. This is referenced as an important factor in paragraph 74(a) of the ISG Guidance, when considering the seriousness of sexual misconduct. Furthermore, you continue to demonstrate a persistent lack of insight into the seriousness of your actions or their consequences.

75. In all the circumstances, the Committee determined that the only appropriate and proportionate sanction is to erase your name from the Dentists Register.

76. Unless you exercise your right of appeal, your name will be erased from the Dentists Register 28 days from the date that notice of the Committee's direction is deemed to have been served upon you.

77. The Committee now invites submissions from Mr Stevens and Mr Ivill, as to whether an immediate order of suspension should be imposed on your registrations, pending the taking effect of the Committee substantive direction for erasure.

Decision on an immediate order – 21 February 2025

78. Having determined that your fitness to practise is impaired, and having imposed a substantive sanction of erasure, the interim order currently in place on your registration is hereby revoked.

79. In considering whether to impose an immediate order of suspension on your registration, pending the taking effect of its direction for erasure, the Committee took account of Mr Stevens' submission that such an order should be imposed. Mr Stevens deferred to the finding of the Committee that you represent an ongoing risk to the public. He also submitted that, given the serious nature of the wrongdoing found proved, public confidence in the dental profession would be undermined in the absence of an immediate order of suspension.

80. Mr Ivill's position on your behalf was one of neutrality. He made no positive submission in relation to an immediate order.

81. The Committee accepted the advice of the Legal Adviser, who drew its attention to the relevant guidance contained at paragraphs 6.37 and 6.38 of the ISG Guidance which deal with immediate orders.

82. The Committee determined that the imposition of an immediate order of suspension on your registration is necessary for the protection of the public and is otherwise in the public interest.

83. The Committee has identified a risk of repetition in the case and consequently an ongoing risk of serious harm to the public. It took into account that in the absence of an immediate order, you could return to unrestricted clinical practice during the 28-day appeal period, or for potentially longer, in the event of an appeal. An immediate order is therefore necessary to protect the public.

84. The Committee was also satisfied that an immediate order is required in the wider public interest. It has determined that your serious misconduct is incompatible with continued GDC

registration. It therefore considered that immediate action is warranted to maintain public confidence in the dental profession and the regulatory process, and to uphold proper professional standards.

85. The effect of the foregoing substantive determination and this order is that your registration will be suspended to cover the appeal period. Unless you exercise your right of appeal, the substantive direction for erasure will take effect 28 days from the date of deemed service.

86. Should you exercise your right of appeal, this immediate order will remain in place until the resolution of the appeal.

87. That concludes this determination.