

PRIVATE HEARING

Professional Conduct Committee Initial Hearing

**30 October – 8 November 2023
8 – 18 January 2024**

Name: BAZ, Umut
Registration number: 104490
Case number: CAS- 202504

General Dental Council: Michael Collis, Counsel
Instructed by Capsticks

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct

Outcome: Erased

Immediate order: Immediate suspension order

Committee members: Adrian Smith (Chair, lay member)
Sobiah Sattar (Dentist member)
Sue Levett (Dental Care Professional member)

Legal adviser: Barrie Searle

Committee Secretary: Sara Page

Preliminary matters**Decision and reasons on Rule 53 application on behalf of Umut Baz**

1. At the outset of the hearing, you made an application pursuant to Rule 53 for the hearing to be conducted in private due to highly sensitive and personal information that will be presented during the course of the hearing. [PRIVATE]. You provided a detailed background to your personal circumstances and explained that you objected to publication of your personal details [PRIVATE].
2. You referred to the Data Protection Act, GDPR and the Human Rights Act 1998 (Article 8) and cited that you have the right to protection under those laws and that, due to your personal circumstances, you are entitled to higher levels of protection.
3. You informed the Committee that you accepted that hearings before a practice committee shall be conducted in public, but in referring to Rule 53, you applied for the hearing to be held in private in order to protect your private and family life.
4. In reference to earlier discussions had between you, Mr Collis and Mr Searle in his position as the Legal Adviser, you stated that you are aware that the GDC intended to apply for the hearing to be held in private when referring to Person A's health. You stated that this argument to protect Person A's privacy is "two-faced" and did not make sense if your privacy is not also to be protected.
5. Mr Collis, on behalf of the GDC, opposed the application for the hearing to be conducted entirely in private but accepted that there are aspects of the case where evidence will be given referring to specific details of your life where it may be appropriate to move into private session. The GDC has recognised that [PRIVATE] it may be difficult in the circumstances to walk the tightrope of trying to conduct much of the hearing in public and moving into private when appropriate to do so. However, he submitted that would be the appropriate course to take.
6. In relation to the hearing being held entirely in private, Mr Collis informed the Committee that the Dental Professionals Hearings Service (DPHS) website displays a copy of the charges. [PRIVATE]. He submitted that as far as these proceedings are concerned, that information, albeit the bare minimum [PRIVATE], is already in the public domain. [PRIVATE]. As a result, Mr Collis submitted that it is the GDC's position that specific information [PRIVATE] is already in the public domain and that decision has been in the public domain for some time.
7. Mr Collis submitted there is a very real and significant public interest in as much of this case being conducted in open session as possible. He referred to charges 7 – 10, which relate to your behaviour towards your professional regulator, and charges 1 – 3, which relate to your behaviour towards a solicitor who was acting on the other side of another case [PRIVATE]. Mr Collis stated that the nature of your conduct in relation to those charges and to the manner in which you are alleged to have behaved, ought to be addressed in open session to allow the public to listen to the evidence regarding the way in which you are said to have behaved towards your own professional regulator and towards a registered solicitor.
8. Mr Collis referred to your submissions in which you referred to the fact that it would be the GDC's intention to move into private session when touching upon the health of Person A. He stated that the Committee may have already seen that one of the charges (charge 5) relates to what are said to be discriminatory remarks made by you in emails relating to Person A's health. He confirmed that it was always the GDC's intention to invite the Committee to move into private session should any details be required in relation to Person A's health concerns; likewise, should any evidence have to be given that goes beyond your personal details [PRIVATE], the GDC acknowledges that it might be appropriate to go into private session for those matters.

9. In reference to charge 8, Mr Collis submitted that some evidence might be given in relation to **[PRIVATE]** your July 2022 Interim Order Committee (IOC) hearing and your conduct in that hearing, but that the Committee would be more than capable of moving into private session when the circumstances and evidence dictate, whilst remaining in public where appropriate to attempt to adhere to the important principle of open justice.
10. For those reasons, Mr Collis invited the Committee to reject the application to conduct the hearing wholly in private, instead to move into private session when circumstances dictate.
11. In response to Mr Collis' submission, you argued that Mr Collis' submissions did not make any sense. You stated, "*When considering [Person] A, the law applies... for [me] they don't apply.*" You stated that this was totally unacceptable, and the hearing should be held in private as it cannot separate one part of the case from another part, that it is all integrated as one. You stated that that argument that your personal information is already in the public domain is "*childish*" and that if the GDC made the mistake once, it can be given an opportunity to rectify that mistake. You told the Committee that you "*would never be able to absorb what [Mr Collis] is saying*". You asked how the matters can be separated, stating that you think it is going to be very challenging for everyone **[PRIVATE]**. You submitted that these matters are concretely integrated into this case and if there is any way the matters can be separated, you would be OK with it, but that you remained concerned that it will be very challenging for the Committee to separate such matters.
12. The Committee heard and accepted the advice of the Legal Adviser, who stated that all or part of a hearing *may* be held in private and the Committee has a discretion where the protection of the private and family life of the respondent so requires it, or to the extent that a Committee is of the opinion that in the special circumstances of the case it is strictly necessary to do so as publicity would prejudice the interest of justice. He stated that there is a tension of the right of the public to understand what this case is about and on the other hand, the protection of the private and family life of the registrant and invited the Committee to weigh the interests of the public with your interest in this regard.
13. In coming to its decision, the Committee relied upon Rule 53 and accepted that in order to protect your privacy, it would need to go into private session when referring to matters relating to your private and family life. It was satisfied that your personal interests outweighed the public interest in this regard. **[PRIVATE]**. Due to the nature of the concerns being intrinsically linked to your personal circumstances, the Committee was aware that ensuring that private matters are not divulged in public session is going to be extremely difficult.
14. Whilst the Committee acknowledged Mr Collis' submission that references to your personal circumstances are already in the public domain and that a number of determinations have been made publicly available in which they refer to your personal circumstances, it did not automatically follow that those matters should be divulged for the purposes of this hearing during open session.
15. The Committee was also of the opinion that if the hearing was to be held in open session, the publicity would prejudice the interests of justice.
16. Therefore, the Committee determined to conduct the hearing wholly in private session and acceded to your application.

Decision and reasons on Rule 18 application on behalf of the GDC

17. Mr Collis, on behalf of the GDC, informed the Committee that Schedule 2, which is referenced in Charge 4, contains a typographical error. He stated that the second quote contained within Schedule 2, in respect of Email 1, appears in the bundle as "*...it is your acting sickeningly unreasonable*". He referred the Committee to a copy of the email contained within the bundle and confirmed that the quote should be amended from "*your*" to "*you*".

18. Mr Collis submitted that Rule 18 permits the amendment providing there is no injustice. He stated that as the original email is contained within the bundle that was served on you some time ago, there would be no reasonable injustice to allow the amendment.
19. You did not raise any objection to the application.
20. The Committee heard and accepted the advice of the Legal Adviser.
21. Having heard the submissions of both parties, the Committee acknowledged the quote from the original email and was content to allow the amendment to accurately reflect the evidence.
22. Accordingly, the Committee acceded to Mr Collis' application to amend Schedule 2.

Update on proceedings following the conclusion of Day 2

23. At the conclusion of Day 2, you informed the Committee that you were too unwell to continue the hearing following the cross-examination of Person A, and you left the hearing.
24. During the course of this hearing, you stated that you experienced some verbal abuse and was subjected to name calling from Person A. **[PRIVATE]**
25. In that email, dated 31 October 2023 at 18:17 UTC (Universal Time Coordinated), you stated "*I cannot resume until Thursday morning 9am UK local time*" **[PRIVATE]**. You said that you wanted to make all parties aware of the circumstances. You told the Committee that you understand that Mr Collis was trying to make an adjournment application despite the word "*adjourn*" is not mentioned in any of your correspondence. You said that Mr Collis had "hinted" in his email at proceeding with the hearing in your absence, thereby depriving you of the opportunity to defend yourself.
26. In response to Mr Collis' email stating that an application to adjourn on medical grounds requires supporting medical evidence, you stated that your ability to obtain a medical report at approximately 04:00 (your local time) was "*limited*." You said that out of respect for the process, you were attending the hearing via mobile phone **[PRIVATE]** having remembered that Person A had attended by telephone yesterday (following difficulties with the visual technology).
27. **[PRIVATE]**. You told the Committee that you had downloaded the Teams app to a tablet and were participating via tablet. You stated that you did not seek an adjournment but that your primary intent was to convey the events of yesterday afternoon and evening.
28. You stated that you believe in transparency and wished to keep the Committee updated. You said that you never mentioned an adjournment and it is clearly not the case as you are able to carry on today and remain dedicated to participating, "*even in the face of such personal difficulties*".
29. In response to your statement, Mr Collis referred the Committee to the email chain that passed back and forth yesterday, and perhaps the Committee was able to understand that the email sent by you at 18:17 UTC amounted to a request for an adjournment. He referred to your email, which stated, "*...I cannot resume until Thursday morning...*" As a result of that comment, the GDC sent to you a copy of the relevant case law, *GMC v Hayat* [2018] EWCA Civ 2796, explaining that an adjournment on medical grounds must be supported by medical evidence. However, in light of your statement this morning, Mr Collis stated that this has now fallen away, and you are now content for the hearing to proceed.
30. The Committee heard and accepted the advice of the Legal Adviser. The Legal Adviser invited the Committee to consider your current circumstances; he stated that you are not on camera and are said to be participating via a tablet, that you clearly have a desire to participate, but questioned whether you were able to participate fully. The Legal Adviser reminded the Committee that yesterday you had access to your computer with all your questions for the witnesses and the charges in front

of you so that you were able to fully participate in the hearing and that, [PRIVATE], the Committee has to be sure that you have all the necessary information before you.

31. In response, you stated that [PRIVATE] (Mr 1) who was woken up to attend your home, to print out all the questions you prepared for Person A, and to take them to you [PRIVATE]. After you received the first email from Mr Collis in which he stated the hearing was scheduled to recommence at 11:00 UTC to continue to hear Person A's evidence and the other witnesses, you had asked Mr 1 to print out all the questions and the bundles, just to show the Committee and Legal Adviser some respect. As a result, you informed the Committee that as you have all the papers printed, you may be a bit slow as you are turning the pages in printed form.
32. You told the Committee that you asked [PRIVATE] staff at your location to provide you with a private room for the duration of the time you are expected to be participating in the hearing and confirmed that you could not be overheard.
33. In light of the information it heard, the Committee was satisfied that it could continue with the hearing and reopened Day 3 with the continuation of Person A's evidence.

Decision and reasons on Rule 57 application on behalf of the GDC

34. On Day 3, Mr Collis made an application regarding the admissibility of the [PRIVATE] report you provided on Day 1 of the hearing. He submitted that the report ("the 2023 report") you provided, dated 23 October 2023, [PRIVATE], was not on letter-headed paper and the name and signature of the author who created the 2023 report were redacted. Mr Collis submitted that without that information, the GDC would not be able to confirm the veracity of the evidence you provided, and it is therefore inadmissible.
35. Following a suggestion from the Legal Adviser that it may be possible to provide an unredacted copy of the document, you told the Committee that you were not prepared to provide an unredacted copy of the 2023 report, showing the name and signature of the author, [PRIVATE].
36. You stated that you did not want to provide an unredacted copy of the 2023 report [PRIVATE].
37. The Committee decided that it would be best for all parties to revisit their submissions and the decision so that parties could consider their position.
38. Upon revisiting the application, the GDC confirmed its position that, in its redacted form, the 2023 report could not have its veracity or authenticity checked.
39. In response, you told the Committee that you are "*sick of the constant two-faced approach*" of the GDC. You stated that the GDC had asked you to provide an unredacted copy of the 2023 report in order to make contact with the author and confirm the veracity of the document. You stated that there is another report included in the bundle which could have been verified by the GDC, but it had not done so. Regarding the other [PRIVATE] report ("the 2021 report") [PRIVATE], dated 12 January 2021, you stated that you did not mind the GDC contacting the author of that report [PRIVATE]. However, you did object to the author of the 2023 report being contacted as the GDC "*does not have good intentions*".
40. In response, Mr Collis confirmed that the GDC's submission was that the 2023 report in its current redacted form is inadmissible because there are serious concerns regarding its authenticity and, without the relevant information, the GDC simply cannot make any investigations. Mr Collis stated that if you were to rely upon the account of the author of the 2023 report, that person would need to be called to have questions asked of them regarding the content of the 2023 report.
41. Referring to the 2021 report, Mr Collis stated that you had provided that document in support of your Voluntary Removal (VR) application and a copy of that application, dated 15 April 2021, was provided

in the bundle. Mr Collis told the Committee that it was his understanding that your VR application was rejected on the grounds that you were subject to fitness to practise proceedings. Therefore, the content of the 2021 report, and its authenticity, may not have made a difference to the VR application, in the same way that the 2023 report has a direct impact on these proceedings. Mr Collis submitted that if you intend to rely upon the 2023 report to counter the evidence of Witness F, there are a number of reasons why the GDC would question the veracity of the report. He confirmed that the GDC is not insisting on an unredacted version of the 2023 report being provided, but that, in its current form, it should not be admissible in evidence.

42. The Legal Adviser stated, in its present form, [PRIVATE], the 2023 report has very little probative value [PRIVATE]. He confirmed that although the GDC are not seeking an unredacted copy, the Committee would want to see an unredacted copy if it were to be relied upon [PRIVATE]. Once this can be established, the 2023 report may be admissible and may be relevant to the allegations. He stated that if it later transpires that the 2023 report is a forged document, there may be further investigations in respect of this matters and may be brought back before another PCC.
43. The Legal Adviser confirmed that the Committee would be assisted by the 2023 report if it is deemed to be authentic. If the position is that you insist that the Committee can only have the 2023 report in its redacted form, the advice is, albeit it is before the Committee and has been seen, it is admissible, but the Committee would be advised that **no** weight should be attached to it.
44. You again stated that your understanding is that the GDC's position has now changed. You stated that Mr Collis said that the GDC does not request an unredacted copy, [PRIVATE].
45. Mr Collis confirmed that the GDC would make appropriate enquiries if an unredacted copy of the 2023 report were to be provided, having identified a number of concerns regarding its veracity. [PRIVATE].
46. The Committee considered the document as it has been provided and considered both the submissions it heard from Mr Collis and from you. It was satisfied that the redacted copy of the 2023 report is admissible but without the date, signature, name of the author, [PRIVATE], there is no way of checking that the document is authentic.
47. In the absence of any way of verifying the authenticity of the 2023 report, the Committee concluded that it would attach no weight to the document.

The hearing resumed on Monday 8 January 2024

Update on Day 9 of the hearing

48. During the course of the hearing, you provided the Committee with an additional bundle of documents providing information pertaining to concerns you have since the conclusion of your interim order hearing on 7 December 2023. As a result of the additional documentation, you were recalled to give evidence under affirmation.
49. You referred the Committee to an email chain between you and Mr Collis discussing the possibility of calling the GDC's Chair of Council as a witness. In the email, dated 19 December 2023, Mr Collis wrote, *"We are unaware of any involvement on the part of [the GDC's Chair of Council] with your case..."*
50. You stated this was a direct contradiction with an email from Mr Collis to you, dated 4 January 2024, in which Mr Collis wrote, *"I am proposing to place the attached bundle (which includes the 19 December 2023 e-mail) before the Panel. This bundle contains what we understand to be the extent of the correspondence concerning [the GDC's Chair of Council]."*

51. You told the Committee that this was evidence of the obvious lies of Mr Collis and the “*mentally unstable*” Capsticks staff.
52. In addition, you referred the Committee to an article from ‘The Law Society Gazette’, dated 11 April 2022, which detailed the case of a Capsticks junior solicitor who had been previously struck off for losing confidential documentation on a train. You said that the junior solicitor was “*mentally sick*”, and you had concerns about allowing a “*mentally sick*” person to be allowed to work at Capsticks. You referred the Committee to further documents within the bundle which you asserted demonstrated the “*thieves*” that work for Capsticks as well as Capsticks’ lack of reasonable skill as an organisation.
53. You accused the Solicitors Regulation Authority (SRA), Capsticks and the GDC of colluding to create a case against you.
54. You also accused the GDC of having disclosed your personal address [PRIVATE]. Beyond a reference to this in your documentation, no evidence was produced to support your claim.
55. Further, you accused the GDC of intentionally disclosing information [PRIVATE]. In this regard, you referred the Committee to a letter to you from the GDC, dated 22 December 2023, titled ‘Re: Response to Letter Before Claim’. The letter referred to a complaint you had raised with the GDC regarding information contained within the determinations from the Interim Order Committee (IOC) reviews held on 7 December 2023. [PRIVATE].
56. In response to your claims regarding the IOC determinations, Mr Collis reminded the Committee that you had asserted in your claims that your location had been disclosed. However, having had regard to the original and unredacted determinations, Mr Collis indicated that reference was made to you excusing yourself from the review to catch a flight, without any reference to where you were flying from or to. You questioned the authenticity of the copies of the determinations by Capsticks. When asked by Mr Collis if you had retained a copy of the documents which you stated contained explicit information about your location, you did not answer and argued with the Case Presenter and the PCC Chair. Your conduct then escalated, prompting the PCC Chair to pause proceedings temporarily with a warning about your conduct and the potential to have you removed from the hearing should your disruptive behaviour continue.

Decision and reasons on application to proceed in the absence of Umut Baz

57. During the course of your evidence, you told the Committee that you had a work commitment and would be absenting yourself from these proceedings from 11:00 UTC onwards. You stated that you were willing to conclude Mr Collis’ cross-examination and told the Committee at approximately 11:30 UTC that you were not willing to stay any longer and asked the Committee to continue in your absence. You asked the Committee to inform you of a time when you are able to return to give your closing submissions and did not wish to be present to hear the closing submissions of the GDC. At approximately 11:30 UTC, you left the hearing.
58. In Umut Baz’s absence, Mr Collis made an application for the hearing to proceed for a short time in order to hear the GDC’s opposition to an application regarding an adjournment of these proceedings on the basis of the unavailability of your witnesses before 18 January 2024. Mr Collis submitted that, if the Committee was minded to refuse the application to proceed in Umut Baz’s absence, the case may be adjourned until tomorrow morning to give Umut Baz one final opportunity to be present for the GDC’s closing submissions.
59. Mr Collis submitted that the Committee is dealing with a relatively straightforward consideration, having heard a positive request from you to deal with its decision in Umut Baz’s absence. He reminded the Committee that she had stated that she “*don’t care*” about the Committee’s decision in this regard. He submitted that the GDC is inviting the Committee to proceed in Umut Baz’s

absence to a limited extent, namely to hear the application to adjourn and hand down that decision in her absence.

60. The Committee heard and accepted the advice of the Legal Adviser.
61. Having carefully considered the information before it, and having heard the submissions made by both parties, the Committee was content to proceed in your absence. It was satisfied that you had voluntarily absented yourself from the proceedings today and that you were content to only return with a view to making your own closing submissions at the conclusion of Stage 1 of these proceedings.
62. Therefore, the Committee determined that it was fair and appropriate in the circumstances for consideration to be given to the application to adjourn and hear the GDC's submissions in your absence.

Decision and reason on application to adjourn on behalf of Umut Baz

63. Prior to leaving the hearing at approximately 11:30 UTC on 9 January 2024, you invited the Committee to adjourn the hearing until 18 January 2024 due to the unavailability of your witnesses before that date. On the second day of the resumed hearing on 9 January 2024 (Day 10), the Committee was provided with a number of emails from the four witnesses you informed the Committee you were intending to call to give evidence on your behalf. These included Witness G, Person H, Person I, and Person J. Those emails stated that none of the witnesses would be available, or willing to return, to give evidence on the dates expected or at any other time during the next six days of the hearing.
64. Mr Collis informed the Committee that the GDC opposed the application. He reminded the Committee that you had confirmed only yesterday which witnesses were scheduled to appear on which day of this week. He then referred to the late notice that the witnesses would not be available to give evidence, despite having been informed of the resuming dates for this hearing some two months prior and not providing any specific detail or evidence as to the reasons they are now unable to attend.
65. Mr Collis submitted that if the Committee was minded to grant the application to adjourn the hearing until 18 January 2024 at the earliest, there would be no prospect of the case concluding in the allotted time. This would necessitate the case being adjourned again to a date later in the year and prompting the GDC to request an extension of the interim order on your registration to the High Court, incurring additional costs. Therefore, he stated that the obvious inconvenience and disruption that the adjournment would create is the primary basis for the GDC's opposition to the application. In addition, he invited the Committee to consider the lack of detail regarding the reasons why the individuals who were scheduled to give evidence this week were now unavailable. He urged the Committee to bear in mind that this case is being conducted remotely which does not necessitate attendance at Wimpole Street.
66. Mr Collis also invited the Committee to consider the relevance of the witnesses in relation to the allegations.
67. In light of his submissions, Mr Collis invited the Committee to reject the application to adjourn.
68. The Committee heard and accepted the advice of the Legal Adviser.
69. Having considered all the information before it, the Committee was satisfied that the witnesses had been informed in November 2023 that they were expected to attend this week to give their evidence remotely. The Committee acknowledged that the hearing was adjourned part-heard in November 2023 and dates for the resuming hearing were quickly sought and agreed by all parties. Had the Committee or the GDC been made aware at that time that the witnesses would not have been

available to give evidence, it may have impacted upon the dates that were subsequently secured. The Committee bore in mind that at the conclusions of Day 9, you had confirmed that you had intended for your remaining witnesses to attend each day from 9 to 11 January 2024.

70. The Committee noted that, following the conclusion of Day 9's proceedings, all four of your witnesses had contacted the GDC to confirm that they were either unwilling or unable to attend and give evidence on your behalf. The Committee was satisfied that little or no supporting evidence or information had been provided by the witnesses and there were minimal assurances that they would attend at any later date.
71. The Committee took into consideration the obvious cost implications in adjourning this hearing until 18 January 2024 but also took account of the public interest in concluding this case in the allocated time frame. The Committee was aware that adjourning the hearing until 18 January 2024 would leave only one day, including the time for Person H to give their evidence, to complete all of Stage 1 and potentially Stage 2, which would not be possible. It also bore in mind that, if it were minded to adjourn, there are no guarantees regarding the reliability of the witnesses attending or for further delays as a result of their availability, particularly given the lack of evidence for their reasons in not attending this week as arranged.
72. The allegations faced by you are very serious and date back to August 2020. In this regard, the Committee considered the public interest in the expeditious disposal of this case and that any adjournment would inevitably result in further dates being required to conclude the case later in 2024. The Committee bore in mind the inconvenience to the GDC, including the necessity for an application to the High Court to extend your interim order, the additional cost implications, and the public interest in the conclusion of this case.
73. The Committee was not convinced that the adjournment as requested would result in the attendance of the witnesses and therefore it would be fair and appropriate in the circumstances to reject the application to adjourn.

Update on Day 11 of the hearing

74. At the outset of the hearing on Day 11, Mr Collis informed the Committee that an email had been received at approximately 15:30 UTC on 9 January 2024 from Person I, stating that he had attempted to join the hearing on 9 January 2024 at approximately 10:35 UTC. The email stated, "...gdc intentionally denied my attendance 4 times after my 4 separate attempts... I contacted the hearing support officer who told me [the GDC's Chair of Council] and Michael collis instructed them to deny Umut's witnesses and they do not want me to be heard in the hearing at all." [sic]
75. You confirmed that Person I had attempted to attend the hearing via the meeting link. However, you stated that Person I had been denied by GDC staff with the encouragement of the PCC Chair and the Legal Adviser as a result of your perception of a personal relationship between the PCC Chair and the GDC's Chair of Council.
76. You told the Committee you were [PRIVATE] waiting to [PRIVATE] fulfil a work commitment and would not be participating in the hearing going forward. You stated that you would not be available until 1 March 2024 and that you "don't really care" about participating in any event. You then left the link.
77. Having carefully considered the emails and the attachments, the Committee was satisfied that in Umut Baz's absence, the information contained within them could not be tested. The Committee had been informed that Umut Baz's witnesses were not available to attend to give evidence this week, as per their emails (Exhibit 33).
78. In any event, the Committee bore in mind that this hearing is being held in private session and therefore should not have members of the public in attendance and was satisfied that it had followed

appropriate processes by not allowing any potential witness to be admitted before the Committee was ready to hear their evidence.

79. Whilst the Committee was content for Umut Baz to have the emails admitted into evidence, it concluded that it would not contribute to its decisions regarding any further applications to adjourn or to proceed in the absence of Umut Baz.

Decision and reasons on further application to adjourn on behalf of Umut Baz

80. As a result of Umut Baz's assertions that she was now unavailable to participate in the hearing until 1 March 2024, Mr Collis opposed Umut Baz's application to adjourn. He submitted that, as per the GDC's submissions on the previous day regarding an application to adjourn on the grounds of the unavailability of Umut Baz's witnesses, the GDC opposed any application to adjourn these proceedings. He cited the inconvenience caused to the GDC should these proceedings be adjourned and invited the Committee to consider the public interest in the expeditious disposal of this case.
81. The Committee heard and accepted the advice of the Legal Adviser.
82. The Committee noted Umut Baz's assertion that she would be unavailable to participate in the hearing was first raised this morning and that before that time, she had made it clear to the Committee that she had arranged for witnesses to attend on the mornings of Monday – Thursday of this week.
83. At the resumption of the hearing on 8 January 2024, Umut Baz informed the Committee that she would only be available for the morning sessions of the hearing and not in the afternoons.
84. On 9 January 2024, Umut Baz informed the Committee that she was only available until 11:00 UTC as she was due to attend a work meeting and left the hearing at approximately 11:30 UTC.
85. On 10 January 2024, Umut Baz informed the Committee that she was now not available to participate in the hearing at all until 1 March 2024 as a result of her work commitments [PRIVATE]. Umut Baz told the Committee that her work commitment had been arranged following a meeting held yesterday morning (for which she left the hearing at approximately 11:30 UTC).
86. However, the Committee took into account that beyond angling her camera to demonstrate her location, [PRIVATE], there was no evidence to support Umut Baz's assertion that she was having to [PRIVATE] work. She had not provided any [PRIVATE] confirmation from her employer [PRIVATE]. Umut Baz has not informed the Committee whether she would be able to make herself available at any time around her work commitments for the remainder of the scheduled hearing.
87. The Committee bore in mind that although Umut Baz has invited the Committee to consider adjourning the hearing until 1 March 2024, she has stated on numerous occasions that she "*does not care*" about the hearing as she is no longer a Dental Care Professional and does not intend to return to such a role and will therefore not be participating in this hearing.
88. The Committee acknowledged Umut Baz's challenging conduct throughout these proceedings and was satisfied that her behaviour was a deliberate attempt to frustrate the process. She has made threats of legal action against a number of participants of the hearing and has been unwilling to cooperate fully with the process, presenting unexpected events throughout the eleven days of this case.
89. In the absence of any evidence regarding her work commitments, [PRIVATE], and in the light of her deliberate attempts to frustrate the process of this case, the Committee was satisfied that there was no guarantee that, if it were minded to adjourn until 1 March 2024, Umut Baz would attend to continue the hearing or participate fully.

90. The Committee balanced the injustice caused to both the GDC and the wider public interest against Umut Baz's clear intention to prioritise her work commitments over these proceedings and her clear assertion that she "*does not care*" about this process in its decision to reject Umut Baz's application to adjourn.

Decision and reasons on application to proceed in the absence of Umut Baz

91. Mr Collis invited the Committee to proceed in the absence of Umut Baz. He reminded the Committee of the GDC's submissions yesterday in this regard.
92. Having considered the situation carefully and having taken account of the considerable public interest in progressing this case to its conclusion, the Committee was satisfied that it should proceed in the absence of Umut Baz.
93. The Committee has already concluded that Umut Baz had voluntarily absented herself from these proceedings and that she does not wish to be present, beyond an assertion on Day 10 that she wished only to attend to provide her own closing submissions.
94. Therefore, in order to address the clear public interest in this case, the Committee accepted Mr Collis' application to proceed in Umut Baz's absence.
95. The Committee wished to make it clear to Umut Baz that at any time she becomes available between now and the conclusion of this hearing, she is welcome to rejoin and continue to participate.

Decision and reasons on the facts

96. The Committee considered all the evidence presented to it and took account of the submissions made by Mr Collis on behalf of the GDC and those made by Umut Baz. The Committee accepted the advice of the Legal Adviser. It considered each head of charge separately, bearing in mind that the burden of proof rests with the GDC and that the standard of proof is the civil standard, that is, whether the alleged facts are proved on the balance of probabilities.

Evidence

97. The Committee had regard to a number of the GDC's documents which included, but was not limited to, the following:
- Witness statements and exhibits of –
 - Person A (Solicitor about whom you made a complaint);
 - Witness B (Case Work Manager for the GDC);
 - Witness C (Senior Hearings Case Management Officer at DPHS);
 - Witness D (Hearings Coordinator at DPHS);
 - Witness E (Hearings Coordinator at DPHS); and
 - Witness F (Chairperson of IOC hearing on 28 July 2022).
 - Transcripts and audio recordings of IOC review hearing, dated 28 July 2022.
98. The Committee also had regard to the documents included for Umut Baz's defence which included, but was not limited to, the following:
- Umut Baz's written submissions;
 - Defence witness statements and exhibits of –
 - Person H (A tenant renting your registered property);
 - Person I (Recipient of emails from the GDC);

- A number of audio recordings of telephone calls between you and GDC staff members;
- Screenshots of social media accounts for a number of the GDC's witnesses;
- Google search results for Witness F and details of associated businesses;
- Legal Futures website printouts;
- Professional Conduct Committee (PCC) Substantive Review hearing determinations for other GDC registrants; and
- An email purporting to be from your previous employer, dated 7 July 2020.

99. The Committee heard oral evidence from the following GDC witnesses:

- Person A;
- Witness B;
- Witness C;
- Witness D;
- Witness E;
- Witness F.

100. The Committee heard oral evidence from the following witness on Umut Baz's behalf:

- Witness G (incomplete).

101. The Committee also heard submissions and oral evidence from Umut Baz under affirmation.

Committee's findings on the facts

102. Umut Baz voluntarily absented herself from these proceedings prior to the GDC providing its closing submissions to the Committee and did not attend thereafter.
103. Mr Collis addressed the Committee and provided his closing submissions on each of the allegations, in which he made reference to a number of assertions made by Umut Baz during the course of the hearing.
104. In his submissions, Mr Collis referred to Umut Baz's repeated assertion that the case against her is a conspiracy orchestrated initially by the former Chief Executive Officer of the GDC. Since the hearing resumed in January 2024, Umut Baz's assertions referred to the conspiracy against her now being headed by the Chairperson of the General Dental Council.
105. Mr Collis stated that further unfounded accusations were made by Umut Baz that the GDC had deliberately released her personal details to a third party following the IOC review hearing held on 7 December 2023. Mr Collis raised concerns regarding the authenticity of some of the documentation provided as evidence to support Umut Baz's assertions and a number of inconsistencies in her accusations that the GDC had disclosed her personal details.
106. Mr Collis then took the Committee through each of the charges and detailed the GDC's case against Umut Baz, referring the Committee to its supporting evidence in each instance.
107. The Committee considered each of the allegations individually and its findings in relation to each head of charge are as follows:

Charge 1

"That, being a registered dental care professional, on or around 5 August 2020, you made a false complaint to the Solicitors Regulation Authority in relation to Person A (who is identified in Schedule 1), in that you:

(a) Falsely claimed that Person A lied to a court when they asserted in an e-mail dated 5 August 2020 that they had not met you previously."

FOUND PROVED in its entirety

108. In coming to its decision, the Committee had regard to the witness statements and oral evidence of Person A and Witness B, as well as the documentary evidence provided. The Committee also had regard to Umut Baz's own evidence in this regard.
109. The Committee noted that on 5 August 2020 Umut Baz sent an email titled 'Formal Grievance' detailing three issues raised against Person A, which form the subject of Charge 1. Umut Baz also completed an online SRA 'Report form', also dated 5 August 2020.
110. In its deliberations, the Committee first considered whether there was evidence that Umut Baz had met with Person A on an occasion in 2011.
111. In the online 'Report form' signed by Umut Baz and dated 5 August 2020, Umut Baz stated:

*"10) on the 05.08.2020 at 12.12 he emailed to Court I quote:

I have had no prior dealings with her until today.

- he lies, he met me personally in 2011 when he represented a dentist against GDC case..."*
112. Umut Baz asserted that she had met Person A in his home during a meeting with a dentist that Person A was alleged to have been representing in a GDC hearing. In her oral evidence, she described the layout of Person A's home, including where she remembered his office being. She stated, *"You had a two floor houses (sic) which you use as - back then in 2011 you were using - when we enter your house, the room on the left you were using as an office..."*
113. Person A told the Committee that he first came to know of Umut Baz in 2020 as she was the Claimant in an employment matter between his client, a registered dentist, and Umut Baz who had been previously employed by his client. He vehemently denied that he had met Umut Baz prior to 2020. Person A also denied ever having represented a dentist in regulatory proceedings at the GDC. He stated, *"... I never met you and I never met [the dentist] who has never been my client and I've never represented anyone in the General Dental Council tribunal. I've only done one tribunal in my life, a professional one, and that was an architects' tribunal."*
114. In his oral evidence, Person A also described the layout of his house which contradicted Umut Baz's account. Person A stated, *"No such meeting took place and my office isn't on the left of my house actually when you come in. It's on the upstairs. The main bedroom is converted to an office, so it's not even on the left. As you come in, you have to go up a flight of stairs."*
115. The Committee noted that following Umut Baz's report to the SRA, an investigation was conducted, the outcome of which was confirmed in a letter sent to Person A dated 20 January 2021. That letter stated:

"We have thoroughly reviewed and investigated the complaint received from Miss Umut Baz. I can confirm that we have decided that we are not going to take any further action against you or the firm regarding this matter on this occasion..."

We concluded that there was no evidence to show that [the 2011] meeting had taken place..."

116. The Committee bore in mind that during its investigation, the SRA had contacted the dentist Umut Baz alleged was represented by Person A and a further witness put forward by Umut Baz but still concluded that there was no evidence the meeting ever took place. This evidence was produced by Witness B who confirmed that as a part of the GDC's investigation, it contacted the SRA and was provided with the outcome of the SRA investigation.
117. In addition to the evidence provided to the Committee, it took into account that Umut Baz alleged that Person A made offensive remarks to her at the alleged meeting but did not raise this issue in the nine years between 2011 and her complaint in 2020.
118. Having considered the evidence of Person A and Umut Baz, the Committee was satisfied that it preferred the evidence of Person A. On this basis, the Committee concluded that on the balance of probabilities, the meeting in 2011 did not take place.
119. As it has determined that the meeting did not take place, the Committee was satisfied that Umut Baz had fabricated having met Person A in 2011 in order to add weight to her complaint in 2020 and this fabrication was designed to make trouble with Person A's regulator.
120. Therefore, the Committee concluded that Umut Baz's claim that Person A had lied about not having met her in 2011 was false.
121. Accordingly, the Committee finds **charge 1(a) proved.**

(b) Falsely claimed that Person A had met you in 2011 and made a joke

[PRIVATE]

122. The Committee has already determined that the meeting in 2011 did not take place. Nevertheless, the Committee considered all the evidence before it in determining whether or not Person A had made a joke **[PRIVATE]**.
123. In her complaint to the SRA dated 5 August 2020, Umut Baz alleged "... *[Person A] met me personally in 2011 when he represented a dentist against GDC case, I was the witness, he made an ugly joke* **[PRIVATE]**."
124. In an email from Umut Baz to the SRA, dated 5 August 2020, she reported that Person A had "...*made a joke about Possible color of my sexual underwear which made me seriously uncomfortable*" [sic].
125. During her cross-examination of Person A, Umut Baz stated, "*I remember back then in 2011 what you said. You mentioned the colour of my underwear... and then you referred to colour of my underwear and then what I have underneath. That's what I remember. Word by word, it could be different, exact wording as I'm repeating...*"
126. In response, Person A stated, "*I can't remember because no such meeting took place and no remark took place. It's absurd. You've made up a meeting and you've asked me questions about a meeting which never [took place].*"
127. The Committee noted the inconsistencies in Umut Baz's account regarding what Person A is alleged to have said. She continually switched between alleging Person A had made a joke about her underwear and that he had made a joke about **[PRIVATE]**.
128. The Committee took into account that the SRA had conducted its own investigation into the matters and concluded that it would take no further action against Person A.
129. In light of the inconsistencies and the lack of evidence, the Committee concluded that Person A did not make a joke **[PRIVATE]** and therefore Umut Baz had made a false claim to the SRA.

130. Accordingly, the Committee found **charge 1(b) proved.**

(c) *Falsely claimed that Person A “seriously abused / harassed and bullied” you [PRIVATE].*

(d) *[PRIVATE].*

132. In Umut Baz’s complaint to the SRA regarding Person A dated 5 August 2020, she stated that Person A refused to call her [PRIVATE] and that this was demonstrative of the abuse, harassment and bullying she was subjected to. [PRIVATE].

133. The Committee noted the SRA’s email to Person A, dated 20 January 2021, in which it confirmed that the emails exchanged between Person A and Umut Baz had been reviewed and there was no evidence [PRIVATE].

134. The Committee carefully reviewed all the emails that were made available to it during the course of these proceedings between Umut Baz and Person A and there is no evidence of any abuse, harassment, or bullying of any kind. [PRIVATE].

135. In this regard, the Committee concluded that Umut Baz had falsely claimed that Person A had abused, harassed, or bullied her, [PRIVATE].

136. Accordingly, the Committee found **charge 1(c) and 1(d) proved.**

Charge 2

“Your conduct at each of paragraphs 1(a) - (d) above was:

(a) Malicious; and/or

(b) Intended to harass and/or cause alarm or distress.”

FOUND PROVED in its entirety.

137. In having found all of charge 1 proved, the Committee then considered whether Umut Baz’s conduct was intentional and whether it was intended to cause harm to Person A.

138. The Committee took into account that when Umut Baz made the complaint in 2020 to the SRA, she had fabricated most, if not all, of the information [PRIVATE].

139. Without having any evidence to support Umut Baz’s claim, the Committee was satisfied that she had made the allegation maliciously with the intention of causing Person A distress.

140. Accordingly, the Committee finds **charges 2(a) and 2(b) proved.**

Charge 3

“Your conduct at each of paragraphs 1(a) - (d) above was:

(a) Misleading, in that the information you provided was inaccurate; and/or

(b) Dishonest, in that you knew that the information you provided was inaccurate and your intention was to mislead in that regard.

FOUND PROVED in its entirety

141. Having already found that there is no evidence of Umut Baz having met Person A in 2011 [PRIVATE] the Committee concluded that Umut Baz knew the information she provided to the SRA was false.
142. The Committee bore in mind the advice of the Legal Adviser who referred it to the ordinary English meaning of 'misleading' to be to *"cause a person to have a wrong impression of someone or something"*.
143. As Umut Baz knew the issues raised in her complaint were false and therefore inaccurate, but had provided the information nonetheless, she would have known that this would have caused the SRA to have the wrong impression of Person A.
144. The Committee therefore determined that Umut Baz's actions in relation to charges 1(a) – (d) were misleading and found **charge 3(a) proved**.
145. The Committee also took into account the advice of the Legal Adviser in relation to charge 3(b). The Legal Adviser informed the Committee that the question of dishonesty was objective and it could draw conclusions from Umut Baz's conduct and/or words before and/or at the time of and/or after the charges. He advised that the Committee should consider all of the circumstances of Umut Baz's actions, including what she herself knew or genuinely believed to be the factual situation.
146. The Committee has already concluded that [PRIVATE] Umut Baz's allegations in this regard were unfounded and unsupported. It therefore determined that the accusations were deliberately fabricated by Umut Baz.
147. Having taken all of the above into account, the Committee concluded that by the standards of ordinary and decent people, Umut Baz had been dishonest as she knew the information she provided to be inaccurate and intentionally misleading.
148. Accordingly, the Committee finds **charge 3(b) proved**.

Charge 4

"Between approximately 5 August 2020 and 2 February 2021, you sent, or caused to be sent, the e-mails set out in Schedule 2 in relation to Person A that contained derogatory and/or abusive remarks."

FOUND PROVED in its entirety

149. The Committee had regard to Schedule 2, which referred to nine emails dated between 5 August 2020 and 2 February 2021 either sent to Person A, the County Court or to both parties. There is no suggestion that the emails were sent by anyone other than Umut Baz. The Committee also noted that in Umut Baz's cross-examination of Person A, she asserted that the email conversations between them did take place and referred the Committee to a number of emails at that time. During her cross-examination of Person A, Umut Baz stated that an email sent from Person A at 06:41 on 18 August 2020 had *"...made me reacted to send an email on the 18th"* [sic].
150. As the Committee was satisfied that emails from an 'Umut Baz' email address had been sent by Umut Baz, it considered each of the emails in turn.
151. The Committee had regard to an email sent from 'Umut Baz' to Person A on 5 August 2020 at 09:42, which contained the words:

"Your manipulative and deceptive emails caused serious upset and stress on me, you have been severely unreasonable and unlawful" and "...it is your acting sickeningly unreasonable".

152. The Committee had regard to an email to the County Court from 'Umut Baz' on 5 August 2020 at 14:02 from 'Umut Baz', which contained the words:

"-he does NOT start his emails as "[PRIVATE] Baz" and "Dear Umut" [PRIVATE].

153. The Committee had regard to an email to Person A from 'Umut Baz' on 18 August 2020 at 06:32 which stated:

*"Your own tone and aggressive behaviours is getting uncontrollable, You are bullying and harassing me" [sic];
"You take serious advantage of me being a litigant in person"; and
"Your uncontrollable behaviors must get under control".*

154. The Committee had regard to an email to Person A from 'Umut Baz' on 18 August 2020 at 06:40 stating:

"Your personal anger against me make me believe you are very dangerous [PRIVATE] person".

155. The Committee had regard to an email to County Court from 'Umut Baz' on 18 January 2021 at 15:55 stating:

*"I refer to the defendant's solicitor various legless and deluded emails...";
"...well this is not [Person A]'s jungle, it is UK, He must make an application a abs has to pay his own application fee first before he opens his sick mouth to any hearing fee";
"What type of solicitor is that: he does not know when the hearing is !!! And should we believe him ? Does he know which planet he lives in !"
"I am not here to entertain this person's weirdo communications"; and
"What a sick nasty way he talks to Court "ordering the Court".*

[sic]

156. The Committee had regard to an email to County Court from 'Umut Baz' on 18 January 2021 at 20:09 stating:

*"it is 8pm, this sick mannered man sits and writes these weirdo emails, he does not have a life..."
"he is angry, he is full of hate, he is sick-mannered, but who cares, he can be whatever, this is UK, not his pathetic jungle"
"[Person A] openly lies to the face of the court"
"this sick-mannered [Person A] tries to litigate over emails rather than preparing and attending the hearing (any normal human being does)"
"either he does not have professional capacity to attend the hearing or he is scared of the hearing".*

[sic]

157. The Committee had regard to an email to County Court and Person A on 19 January 2021 at 09:41 stating:

*"This is who he is, totally unstable character"
"Do NOT trust his so called "changing" below, very next minute he can be the same old sick mannered man like yesterday"
"He is totally out of control, his anger is poisoning himself"
"You are out of control I do NOT have time for your sick weirdo emails".*

[sic]

158. The Committee had regard to an email to County Court and Person A from 'Umut Baz' on 19 January 2020 at 10:19 stating:

"Below is another email of this [Person A] he is out of control, he is aggressive, can you see how sick mannered he is".

159. The Committee had regard to an email to Person A from 'Umut Baz' on 2 February 2021 at 12:40 stating:

"Now Would I accept your weirdo sick email below as your response to my protocol ??"

[sic]

160. The Committee was satisfied that the words included in the emails sent by Umut Baz were derogatory and abusive.

161. Accordingly, the Committee finds **charge 4 proved**.

Charge 5

"On or around 2 February 2021, you sent, or caused to be sent, the e-mails set out in Schedule 3 in relation to Person A that contained discriminatory remarks in relation to Person A's health."

FOUND PROVED

162. The Committee had regard to an email sent to Person A from 'Umut Baz' sent on 2 February 2021 at 18:40, which included the following remarks:

"YOUR NEUROLOGICAL DEJENERATIVE SICKNESS COMPLETELY EFFECTED YOUR BRAIN, your brain functions are not like a normal human";

"YOU HAVE ALZHEIMER, you need proper help, GO GET HELP";

"YOU MUST NOT WORK WITH PUBLIC, YOU HAVE TO HAVE A PROPER CARER LOOKING AFTER YOUR NEEDS";

"YOU ARE NOT IN NORMAL STATE OF MIND";

"any normal human being does not act the way you act...";

"YOU NEED PROPER MENTAL HEALTH HELP";

"YOU SERIOUSLUY HAVE A BRAIN DAMAGE...";

"you clearly have BRAIN DAMAGE...";

"NOW LEAVE ME ALONE, GO GET PROPER MENTAL HEALTH HELP, YOU CANNOT BE WITH PUBLIC, YOU HAVE TO HAVE A CARER";

"I have reported your case to Social Services"; and

"YOU MUST BE SECTIONED UNDER MENTAL HEALTH ACT".

163. The Committee had regard to a further email sent to Person A from 'Umut Baz' on 2 February 2021 at 22:45 which stated,

“you believed an ALZHEIMER man whose brain functions are completely damaged and not even know which planet he lives in ! and you intentionally open case-196225 with the word of an alzheimer man”;

“this alzheimer man needs a proper care by social services”;

“he is confused, he is angry, aggressive, totally out of control”;

“this man claims one thing one minute, and claims the opposite the next minute, he is extremely erratic, he has no idea which planet he lives in and you are following him...”;

“you are directly responsible for extreme stress you caused on me by simply grabbing anything to shoot me including alzheimer man and his halucinative ideas”;

“my complaint is you intentionally made me play toy of an alzheimer man, following alzheimer man’s halucinative ideas just to shoot me...”;

“would you report this alzheimer man to social services, so at least he won’t harm anyone any longer, he needs proper mental help.”

[sic]

164. The Committee was satisfied that both the emails sent by Umut Baz to Person A on 2 February 2021 displayed an unjust prejudice towards Person A on the grounds of a perceived health condition and was in no doubt that this was discriminatory.
165. Accordingly, the Committee finds **Charge 5 proved**.

Charge 6

“From approximately December 2020 onwards, you failed to co-operate with an investigation being conducted by the General Dental Council (“the GDC”) in that you:

- (a) Failed to provide your employment history, despite being requested to do so by the GDC; and/or*
- (b) Failed to provide evidence of your indemnity, despite being requested to do so by the GDC.”*

FOUND PROVED in its entirety

166. In respect of charge 6(a), the Committee considered the evidence of Witness B. In her oral evidence, Witness B told the Committee that Umut Baz had been sent a letter by email from the GDC on 8 December 2020 informing her that some concerns had been raised about her fitness to practise. The letter requested employment details for the period 1 January 2017 and 31 December 2017, including details of Umut Baz’s current employment, and details of their employers at the time of the concerns.
167. Witness B confirmed that no information had been received by Umut Baz by 4 January 2021, as requested in the letter.
168. A ‘chaser letter’ was sent by email on 5 July 2021 explaining that the relevant details had not been provided and asking Umut Baz to provide employment details for the period 1 January 2017 to the present day. The letter requested the information be provided by 19 July 2021.

169. The GDC received an email from Umut Baz at 10:10 on 5 July 2021 indicating that she had *“stopped [sic] working as DCP by July 2020, this is still the case here”* and stated that she had *“nothing else to add”*.
170. The GDC responded to Umut Baz’s email at 10:48 on 5 July 2021, again requesting the information. However, Umut Baz responded at 10:50 indicating that she *“do not have anything else to add”* and *“do NOT ask / chase the same thing which you already had answer for”*.
171. The Committee had regard to the letters, sent by email, to Umut Baz and accepted Witness B’s evidence that, to date, Umut Baz has not provided information regarding her employment details for the full period between 1 January 2017 until 5 July 2021. The Committee noted that the GDC had made it clear in the letter what was required of Umut Baz in supplying her employment details, whether she was employed or not, and what they would be used for. The Committee was satisfied that there was a requirement for Umut Baz to provide the information as requested to the GDC, on two separate occasions, and in not doing so, she had failed to cooperate with the GDC’s investigation.
172. Accordingly, the Committee finds **charge 6(a) proved**.
173. In respect of charge 6(b), the Committee took into account that in the GDC’s letters to Umut Baz on 8 December 2020 and 5 July 2021, proof of indemnity was required. The first letter requested proof for the period 1 January 2017 to 31 December 2017 and the second requested proof for the period 1 January 2017 to the ‘present day’ (5 July 2021).
174. In the documents Umut Baz provided for this Committee, she included a certificate of indemnity for the period 1 July 2018 until 30 June 2019. A screenshot was also provided showing an email sent to the GDC with a photograph of the certificate attached on 26 November 2018.
175. Despite Umut Baz having provided a certificate of indemnity for the period of 1 July 2018 to 30 June 2019, and sending an email on 5 July 2021 confirming that she had not worked as a DCP since July 2020, there is no information provided for the remaining time period as requested by the GDC. Umut Baz has, to date, not provided proof of indemnity for 1 January 2017 until 30 June 2018 or for 1 July 2019 until 5 July 2021.
176. The Committee was satisfied that Umut Baz had not provided the information requested, on two separate occasions, by the GDC to date and in not doing so, she had failed to cooperate with the GDC’s investigation.
177. Accordingly, the Committee finds **charge 6(b) proved**.

Charge 7

“On or around 26 July 2022, you failed to communicate appropriately with GDC staff members in an e-mail, including using the phrases:

- (a) “...you sick morons”;*
- (b) “...shut up your sick mouth...”;*
- (c) “Piss off”.*

FOUND PROVED

178. In coming to its decision, the Committee had regard to the witness statement and exhibits of Witness C. In his statement, Witness C stated that he had emailed Umut Baz on 26 July 2022 to inform her that her IOC review had been scheduled on 28 July 2022. He confirmed that the email reminded Umut Baz not to contact the DPHS as requested under the Unreasonably Persistent Contact and

Unreasonable Behaviour policy previously sent to Umut Baz.

179. Witness C was consistent in his oral evidence regarding the circumstances surrounding the receipt of the email. Whilst there was some confusion in the hearing regarding the versions of the documents that had been provided, original documents were obtained and were clearly signed and dated by Witness C.
180. The email provided to the Committee sent from 'UMUT BAZ' at 17:27 on 26 July 2022, written in red font and capitalized, contained the phrases, "...you sick morons", "...shut up your sick mouth...", and "Piss off".
181. Umut Baz stated that this email was a fabrication, that she had not sent it and that it was part of the conspiracy orchestrated by senior GDC personnel. She stated that she could prove the email was a fabrication by providing a screenshot of the 'Sent' items from one of her email accounts. Umut Baz showed the Committee the screenshot and indicated that there was no email in her 'Sent' items folders to the GDC on 26 July 2022.
182. Mr Collis referred the Committee to the screenshot which showed that Ms Baz's emails had been categorised into separate folders. This, he submitted, was not 'proof' that the email had been sent, simply that it was not shown in the screenshot. In addition, he reminded the Committee that there were a number of other emails that Umut Baz confirmed had been sent by her on occasions around 26 July 2022 that were not showing in the 'Sent' folder in the screenshot she had provided. The Committee was satisfied that it was possible to create folders in email accounts to store emails sent to or from the account owner. In this regard, the Committee dismissed Umut Baz's argument that she could not have sent the email because it was not in her 'Sent' folder at the time she created the screenshot.
183. The Committee noted that the language used in the email, sent in red font, and using capitalisation, was commonly used by Umut Baz in her correspondence throughout her contact with numerous recipients of her emails from 2020 onwards.
184. In considering the email, it was satisfied that it did contain the following phrases:
- (a) "...you sick morons";
 - (b) "...shut up your sick mouth..."; and
 - (c) "Piss off".
185. The Committee also noted that Umut Baz had used similar language in her oral evidence throughout both the IOC review hearing on 28 July 2022 as well as this hearing.
186. Having considered all the information before it, the Committee was satisfied that Umut Baz had sent the email on 26 July 2022 and in doing so, she had failed to communicate appropriately with GDC staff.
187. Accordingly, the Committee finds **Charge 7 proved**.

Charge 8

"On 28 July 2022, you failed to conduct yourself appropriately in an Interim Order Review Hearing, including:

- (a) Interrupting the Chair of the Committee;*

FOUND PROVED

188. In coming to its decision, the Committee considered the written statement and oral evidence of

Witness F, as well as the transcript of the 28 July 2022 hearing and the accompanying audio recording.

189. In her written statement, Witness F recalled “...it was difficult for everyone in attendance to introduce themselves in the usual way at the beginning of the hearing because [Umut Baz] kept constantly interrupting...”
190. In the transcript created from the audio recording, there is an example of the discussion between Witness F and Umut Baz as follows:

THE CHAIR: Thank you ---
 THE REGISTRANT: Okay, I am going to ask you to postpone this hearing for two reasons ---
 THE CHAIR: I ---
 THE REGISTRANT: Listen what I – when I talk just listen.
 THE CHAIR: No ---
 THE REGISTRANT: Listen when I talk.
 THE CHAIR: I am in charge of this hearing and ---
 THE REGISTRANT: No you are not! Listen when I talk!
 THE CHAIR: I am the Chair. No, I have not finished my ---
 THE REGISTRANT: Yeah, you will.
 THE CHAIR: You will have an opportunity ---

191. Having had regard to the transcript and the audio recording of 28 July 2022, it was clear that during Witness F’s introductions, Umut Baz had continually interrupted Witness F thereby not allowing the introductions for the IOC review hearing to take place in the usual fashion.
192. Accordingly, the Committee found **charge 8(a) proved**.

(b) Interrupting other members of the Committee;

193. The Committee listened again to the recording of the IOC hearing and was satisfied that before the IOC member concludes her introduction, Umut Baz speaks over her. The Committee accepted that as an unrepresented registrant, Umut Baz may not have been aware of the proper protocol for IOC proceedings. In addition, it would not be unreasonable to assume that, due to the issues often encountered when using video conferencing software, Umut Baz may have been experiencing technical issues whereby she was unable to hear the IOC member speaking. In the event that Umut Baz was unable to hear the IOC member, it would not be unreasonable of her to notify the assembled parties of her issue.
194. Whilst the Committee acknowledged Witness F’s statement, in which she refers to Umut Baz “constantly interrupting”, it accepted that Witness F did not specifically refer to either of the IOC committee members.
195. The Committee therefore concluded that although Umut Baz had interrupted the IOC member, it did not amount to a failure to conduct herself appropriately given the reason she provided for her interruption.
196. Accordingly, the Committee finds **charge 8(b) not proved**.

(c) Screaming;

197. Having heard the audio recording, the Committee could clearly hear that Umut Baz began screaming once Witness F had concluded the introductions for the IOC review hearing.
198. In the transcript created from the audio recording, the logger has included the statement, “Registrant

screams repeatedly.”

199. During her oral evidence, Witness F’s description of the events on 28 July 2022 was consistent with what was recorded in her written statement and with the audio recording provided to the Committee.

200. Umut Baz accepted during the course of the IOC review hearing on 28 July 2022 that she did scream. [PRIVATE].

201. [PRIVATE].

202. [PRIVATE].

203. Following the resumption of the IOC review hearing, Umut Baz continued to interrupt Witness F requesting to know what had been said in her absence and claiming that she had been deliberately excluded from the hearing, preventing her from presenting her case. Umut Baz did not again mention any medical emergency during the course of the hearing until she left the link.

204. As the Committee has been unable to confirm any justifiable reason for Umut Baz’s screaming, it was satisfied that she had failed to conduct herself appropriately by screaming.

205. Accordingly, the Committee finds **charge 8c) proved**.

(d) [PRIVATE].

206. The Committee had regard to both the audio recording and the transcript, which both record the following statements:

“I know that [IOC member]. I know her. [PRIVATE]. I met her. [PRIVATE].

I am going to ask the hearing to be postponed. I know [IOC member]. [PRIVATE].

207. On the basis that the Committee heard the audio recording, including a denial by the IOC member that she ever met Umut Baz, it was satisfied that Umut Baz had failed to conduct herself appropriately [PRIVATE].

208. Accordingly, the Committee finds **charge 8d) proved**.

(e) *Exposing yourself on camera and pouring a red liquid over your chest and genital area;*

209. The Committee has heard the audio recording of the IOC review hearing on 28 July 2022, but there is no visual recording of the event. In this regard, the Committee had to rely on the information recorded by those who were present.

210. In the transcript, the logger noted, “Reg exposes herself on camera & pours fake blood over genital area.” [sic]

211. Similarly, the Legal Adviser to the IOC stated, *“That was an extraordinary display somebody exposing themselves and [PRIVATE].*

212. In addition, Witness F is recorded as saying, *“...because obviously there is not a video recording of this, that we have just witnessed something quite disturbing when [Umut Baz] exposed herself and poured liquid, or red liquid over the genital area.”* This account was consistent with Witness F’s oral evidence in which she described the events.

213. Umut Baz denied that a “red liquid” was poured and claimed that what had been witnessed was a

genuine medical emergency. She questioned Witness F on this point during her cross-examination by asking, “How did you know [a red liquid] was purposefully and how did you know something was poured?” to which Witness F responded because that is what she had seen. Umut Baz then asked, “So how did you know it was red liquid? Are you a liquid specialist? How did you know it was a liquid, first of all?” Witness F replied, “Because liquid is liquid. It landed on your front. I am not quite sure I can explain any more than that. It was liquid.”

214. Although Umut Baz continued to challenge Witness F on her evidence and accused her of having someone else write her written statement on her behalf, the Committee felt that Witness F was consistent in her evidence and preferred it over the evidence of Umut Baz. Umut Baz has never denied that she exposed herself at the IOC hearing on 28 July 2022, she has only sought to explain that it was as a result of the unsupported assertion regarding a medical emergency. The Committee took into account that a number of independent sources, including the logger and the Legal Adviser to the IOC, had both stated that they had witnessed Umut Baz expose herself and that a red liquid had been poured.
215. As the Committee preferred the evidence of Witness F and the supporting evidence to that of Umut Baz, the Committee was satisfied that Umut Baz had exposed herself on camera and poured a red liquid over her chest and genital area and she had therefore failed to conduct herself appropriately.
216. Accordingly, **charge 8e) proved.**
 - (f) *Stating, “Don’t shake your head like a sick woman”, or words to that effect, to the Chair of the Committee;*
 - (g) *Stating, “Are you a Nazi member? I think you are inhuman”, or words to that effect, to the Chair of the Committee;*
 - (h) *Stating, “You were smiling and pleasuring yourself against my pain and I had a pain attack which was unbearable pain. You all smiled. Are you sick? Are you sick? Hitler, Nazi”, or words to that effect, to the Committee;*
 - (i) *Stating, “This hearing is not your sick father sick jungle. It is a legal county. You have – you are sick, woman, this is not your family’s hearing. This is not your daughter’s hearing, not your mum’s hearing”, or words to that effect, to the Chair of the Committee;*
 - (j) *Stating, “You were smiling when I was paining on the floor, you were laughing. You are sick. You are moron, totally moron”, or words to that effect, to the Chair of the Committee;*
 - (k) *Stating, “Listen, woman, you are sick. You look like Hitler. You look like Hitler simply. You laugh. You pleASURE your sick ego when I was having a serious amount of pain”, or words to that effect, to the Chair of the Committee.”*
217. In its careful consideration of the charges, the Committee noted that in charge 8(i), Umut Baz is alleged to have stated, “It is a legal county.” However, having heard the audio recording and had regard to the transcript, the Committee concluded that Umut Baz had actually said, “It is a legal country.” The Committee accepted that this was likely to be a spelling mistake when compiling the charge and acknowledged that charge 8(i) included the wording “...or words to that effect”.
218. The Committee was satisfied that having had regard to the transcripts and heard the audio recordings of the IOC hearing as well as the evidence of Witness F, that Umut Baz had made the remarks detailed above and that, in doing so, she had failed to conduct herself appropriately.
219. Accordingly, the Committee finds **Charge 8f, 8g), 8h), 8i), 8j) and 8k) proved.**

Charge 9

"On or around 28 July 2022, you failed to communicate appropriately with GDC staff members on telephone calls, in that you:

(a) Screamed;

FOUND PROVED

220. In coming to its decision, the Committee had regard to witness statement and oral evidence of Witness D and Witness E and the telephone notes created following their conversations with Umut Baz.
221. In the telephone note of Witness D, dated 28 July 2022 with an approximate call time of 10:13, Witness D has recorded, *"...[Umut Baz] began screaming... As she was screaming so much it was quite hard to understand what she was saying."* In a subsequent telephone call, timed at approximately 10:30, Witness D recorded, *"Umut Baz called again and was screaming down the phone that she was recording the call and that they had a right to be in the hearing... she was screaming so much and not listening."*
222. In the telephone note of Witness E, also dated 28 July 2022 with an approximate call time of 11:04, Witness E has recorded, *"Umat [sic] started screaming you stupid moron, I am recording put me through the hearing, fucking.."* and as a result, Witness E had terminated the call.
223. Both Witness D and Witness E were clear in their oral evidence that Umut Baz had screamed and shouted at them during the telephone calls and noted the difficult nature of handling the calls.
224. In his oral evidence, Witness D stated, *"I can't recall exactly because it's about 18 months ago. I just recall trying to get information and I just remember the person on the other end of the line was just screaming and ranting and saying, 'It's my right to be in a hearing. It's my right' and that's, kind of, what I recall. So, I was trying to find out what was going on."*
225. This was not disputed by Umut Baz who was asked by Mr Collis if she accepted that she made a telephone call to GDC staff members in which she was screaming, to which she responded, *"...any telephone call, any video call, any Team meeting I was screaming because I had pain. The screaming is a fact. I was in pain. Because of my pain I was screaming for some hours in that day."*
226. However, Umut Baz attacked the veracity of the telephone notes, claiming that they had been deliberately fabricated by the witnesses or that they had false recollections of the events that took place. Whilst there was some discrepancy about when the telephone notes were created and that both witnesses had completed the GDC's telephone note template in a slightly different way, the Committee was content that both witnesses had clearly attempted to accurately describe the telephone calls in light of the difficult circumstances.
227. Although the Committee was not provided with audio recordings of the telephone calls made to Witness D and Witness E, as it had been for other charges, it considered all the evidence before it and was satisfied that Umut Baz had failed to communicate appropriately with GDC staff.
228. Accordingly, the Committee found **charge 9(a) proved**.

(b) Stated, "hang up this call, moron", or words to that effect;

(c) [PRIVATE].

229. The Committee considered the witness statement and telephone notes of Witness D.

230. Having already found that Witness D's evidence was reliable, the Committee was satisfied that his recollection was accurate.
231. Umut Baz claimed that Witness D's evidence had been fabricated. She asked Witness D, *"Did you hear those words, 'Hang up this call moron' or did you, with your own words, you mentioned these words – were you instructed to write these words?"* To which Witness D replied, *"No, that's what I recorded you said to me."*
232. In Witness D's evidence, he recalled Umut Baz repeatedly informing him that she was recording the call and that, as the call ended, she had stated, *"Hang up this call moron."* The Committee noted that Witness E had recorded usage of similar language in her evidence.
233. Witness D's evidence throughout was clear and consistent and the Committee considered him to be a very reliable and robust witness.
234. As a result, the Committee was satisfied on the balance of probabilities that Umut Baz had stated, *"hang up this call moron"*, or words to that affect.
235. Therefore, the Committee concluded that this amounted to a failure to communicate appropriately with GDC staff and found **charge 9(b) proved**.
236. In relation to charge 9(c), [PRIVATE].
237. [PRIVATE].
238. Therefore, the Committee determined that this amounted to a failure to communicate properly with GDC staff and found **charge 9(c) proved**.

(d) Falsely claimed that your name was "Jenny".

239. In Witness E's statement, she recorded that she had a telephone call transferred to her by a colleague in the Customer Advice and Information Team ('the CAIT colleague'). Witness E recalled that she had been informed by the CAIT colleague that the caller had introduced themselves as 'Jenny' and the call was passed through. Witness E confirmed that when she took the call, the person introduced themselves as Umut Baz.
240. Umut Baz told the Committee that on 28 July 2022 she was being supported by a friend called 'Jenny' who had called the GDC, introduced herself, and then handed the phone to Umut Baz. Umut Baz claimed this was a very reasonable thing to do in light of the medical emergency she was experiencing. When asked by Umut Baz whether this was possible, Witness E had accepted this was a possibility.
241. Mr Collis invited the Committee to consider whether 'Jenny' exists or not. He stated that throughout these proceedings and previous proceedings, no one by the name of 'Jenny' has been mentioned by Umut Baz. 'Jenny' has not appeared as a witness and has not been referred to in any of Umut Baz's supporting evidence. Mr Collis invited the Committee to consider whether it was possible that, knowing Umut Baz had been told on 29 July 2022, in Witness C's email, not to contact the GDC under the Unreasonably Persistent Contact and Unacceptable Behaviour policy, she had attempted to contact the GDC using a false name.
242. The Committee accepted that it was likely that Umut Baz had attempted to circumvent the GDC's request to not contact it by using a different name. It took into account that Umut Baz appeared to be aggrieved at not being admitted to the IOC review hearing and that she had made a number of aggressive telephone calls to the GDC, prior to speaking with Witness E.

243. The Committee took into account that Umut Baz has been aware of the evidence in relation to this charge and had raised earlier in the proceedings that Witness E's evidence in this regard was hearsay but has at no point requested that the CAIT colleague be called to give evidence in these proceedings.
244. The Committee considered Witness E to be a reliable witness and has not been provided with any reason why she would have fabricated her evidence. It also considered that Umut Baz's own credibility is low. The Committee bore in mind that, had the caller not given their real name, there would have been some difficulty in them speaking with GDC staff about their hearing and this may have been the reason Umut Baz introduced herself to Witness E with her own name.
245. Although the Committee did consider it possible that Umut Baz had told the CAIT colleague that her name was 'Jenny' in an attempt to circumvent the Unreasonably Persistent Contact and Unacceptable Behaviour policy, particularly in light of her earlier behaviour in the IOC review hearing and the telephone calls to Witness D, the GDC has not provided sufficient evidence to support this charge.
246. In the absence of the attendance of, or a written statement from, the CAIT colleague, the Committee could not be satisfied that the person who introduced themselves as 'Jenny' was indeed Umut Baz.
247. Accordingly, the Committee finds **charge 9(d) not proved.**

(e) Stated, "You stupid moron", or words to that effect."

248. In its consideration of this charge, the Committee referred again to the evidence of Witness E. In the telephone note dated 28 July 2022, Witness E recorded, *"Umat [sic] started screaming you stupid moron, I am recording put me through the hearing, fucking.."* At that point, Witness E stated that she disconnected the call.
249. During her cross-examination of Witness E, Umut Baz asked, *"...being a subject of a charge, a word called "Hang up this call moron". This word – the caller, myself has never said this word and you were told to make up this word, didn't you?"* To which Witness E replied, *"No, I never used that word so it definitely came from you."*
250. Umut Baz again asked Witness E, *"Did you hear me personally saying that "You stupid moron"?"* To which Witness E replied, *"Yes."*
251. Finally, Umut Baz stated, *"You didn't hear that, [Witness E] because you did not hear that. You were asked by your manager to make it up, didn't you?"* To which Witness E replied, *"No."*
252. The Committee noted that similar phraseology has been used throughout these proceedings and throughout the evidence provided to it and that the word 'moron' is a word regularly used by Umut Baz in her correspondence.
253. Therefore, the Committee was satisfied that on the balance of probabilities, Umut Baz had stated *"hang up this call moron"* and in doing so, had failed to communicate appropriately with GDC staff.
254. Accordingly, the Committee finds **Charge 9(e) proved.**

Charge 10

"Your conduct in relation to paragraph 9(d) was:

(a) Misleading, in that the information you provided was inaccurate; and/or

(b) Dishonest, in that you knew the information you provided was inaccurate and your intention was to mislead in that regard.”

NOT PROVED

255. As the Committee has found charge 9(d) not proved, this charge has fallen away.
256. Accordingly, the Committee finds **charge 10 not proved**.

Decision and reasons on fitness to practise

257. Having announced its decision on the facts, the Committee then moved on to consider whether the facts found proved amount to misconduct and, if so, whether Umut Baz's fitness to practise is currently impaired. Should the Committee find there is current impairment, it can then move on to consider what sanction, if any, to impose.
258. In accordance with Rule 20 of the Fitness to Practise Rules 2006, the Committee heard submissions from Mr Collis on behalf of the GDC and considered Umut Baz's written submissions in relation to the matters of misconduct, impairment and sanction.

Evidence

259. At the start of its considerations in relation to Umut Baz's fitness to practise, the Committee was provided with the following documents:
- Email from Person A, dated 15 January 2024 at 17:39 UTC;
 - Email from Person I, dated 16 January 2024 at 11:18 UTC; and
 - Email from Umut Baz, dated 16 January 2024 at 11:56 UTC.

Submissions

260. Mr Collis addressed the Committee on the matters of misconduct, impairment, and sanction.
261. On the matter of misconduct, Mr Collis invited the Committee to consider whether or not the charges in this case represent a serious departure from, or a serious falling short of, the acceptable standards for a registered dental care professional. In making that assessment, he referred the Committee to the GDC document, 'Standards for the Dental Team (updated 2014)' ('the Standards') and to the specific standards the GDC considered to be applicable in Umut Baz's case.
262. Mr Collis summarised the Committee's findings as '*inappropriate behaviour towards other professionals and other regulators*' and '*inappropriate behaviour towards the GDC, its employees and Panel members*'. He submitted that these charges represent a deliberate and persistent failure on Umut Baz's behalf to behave appropriately towards other registered professionals, their regulators, and her own regulator, the GDC. Mr Collis reminded the Committee that Umut Baz's behaviour spans a timeframe of nearly two years between August 2020 and July 2022, and involves wide-ranging charges including making dishonest false complaints against Person A to exposing herself and pouring red liquid over herself in an IOC review hearing.
263. Mr Collis submitted that this clearly crosses the threshold to amount to a serious departure from the acceptable standards of a registered dental care professional and that both individually and collectively amount to misconduct.
264. On the matter of impairment, Mr Collis referred the Committee to the test for impairment first propounded by Dame Janet Smith in the Fifth Shipman Report, and subsequently endorsed by Cox

J in the case of *Council for Healthcare and Regulatory Excellence v Nursing and Midwifery Council and Grant* [2011] EWHC 927 (Admin).

265. Mr Collis submitted that a finding of impairment on the ground of public protection can be made out in this case and submitted that Umut Baz has brought the profession into disrepute and has acted dishonestly. He then invited the Committee to consider whether or not there is a risk of Umut Baz behaving in a similar way in the future. Mr Collis drew the Committee's attention to the following:
- The timeframe covered by the charges;
 - The manner in which Umut Baz continues to communicate (both verbally and in writing) with participants of these proceedings;
 - That charges 1 – 5 could be viewed as a campaign of harassment against Person A and there is evidence to suggest that Umut Baz plans to continue with that campaign in 2024;
 - The attitude of Umut Baz towards these proceedings and the GDC as her regulator;
 - Whether or not Umut Baz has demonstrated any remorse and/or insight into her conduct; and
 - Whether or not Umut Baz has undertaken sufficient training/reflection taken to remediate areas of what might be described as attitudinal issues.
266. In this regard, Mr Collis submitted that there remains a real risk that Umut Baz would behave in a similar way in the future, given the obvious contempt she has displayed for her professional regulator and that similar behaviour would be almost inevitable if Umut Baz were now permitted to practise without restriction. Therefore, he invited the Committee to find Umut Baz's fitness to practise impaired on the ground of public protection.
267. Mr Collis also submitted that Umut Baz's behaviour, directed as it has been towards other professionals, her own professional regulator, its employees, lawyers, and committee members is such that public confidence in the profession would be undermined if a finding of impairment was not made and invited the Committee to also make a finding of current impairment on the ground of public interest.
268. On the matter of sanction, Mr Collis submitted that the charges that have been found proved against Umut Baz represent a serious departure from the relevant professional standards and her behaviour is such that Umut Baz's behaviour is fundamentally incompatible with her remaining on the register. He stated that the GDC therefore invited the Committee to consider erasure as the appropriate sanction.
269. In her written submissions on Stage 2, Umut Baz requested the following points be included in the Committee's determination:
- 1) *How a UK judge found a GDC fitness-to-practice staff member calling registrants derogatory names.*
 - 2) *How a UK judge found GDC management requesting its staff to alter and fabricate documents.*
 - 3) *How [Witness F] was found by a judge to be partial.*
 - 4) *How [Witness F] was found by a judge to put the vulnerable at risk.*
 - 5) *How GDC's so-called **PRIVATE***
 - 5) *How Capstick employs a mentally ill solicitors*
 - 6) *How a Capstick solicitor stole GDC registrants' money for their spouse's birthday.*
 - 7) *The collaboration between SRA and Capstick how SRA pay Capstick and how gdc pay 10 million sterlin to Capstick in 3 years*
 - 8) *How my witnesses were intimidated and denied access to the hearing. How my witnesses was told that [the Chair of Council] and Michael Collis do not want them to attend , and how Michael Collins told witnesses that he and gdc hates*

me [PRIVATE] I guess witnesses even provoked his passport to shut up your toxic mouth as your sick paranoia is out of control , Michael Collis is currently subject full investigation at his regulatory body bar standard board , additionally panel happily concealed How I was involuntarily excluded , how so called Adrian the chair and so called legal advisor Barry Seattle kept threaten to exclude me whilst same duo listened watched [Person A's] harassed abused me ! I think transcript will show how Adrian sickening shout at [Person A's] raised his sick toxic voice up to high level made me scared , so we need full transcript , concealing is a proper skill of this panel learnt from their tutor [the Chair of Council].

- 9) How GDC's own witnesses called legal advisor Searle the day before the hearing started and instructed him on what to do. GDC witnesses run this show
- 10) How Adrian, the so-called chair, is a good friend of [the Chair of Council] from their time at the Metropolitan Police conduct panel and other organisations, displaying extreme bias without informing me of this sick relationship
- 11) How during the first eight days of the hearing, I thanked the panel member almost twice each day.
- 12) How so called panel refused to take my written statement and only request me to attend in person before stage 1 , but once this was complained to them they changed their demeanour and so called requested my written statement before stage 2 proving their toxic 2 faces characters..."

[sic]

270. Umut Baz's written submissions did not make any reference to misconduct, impairment or sanction.
271. The Committee heard and accepted the advice of the Legal Adviser, which included, among others, reference to the following case law: *Doughty v General Dental Council* [1988] A.C. 164, *Roylance v General Medical Council* [2001] AC 311, *R (on the application of Cohen) v General Medical Council* [2008] EWHC 581, *CHRE v NMC and Grant* [2011] EWHC 927 (Admin), and *Kimman v General Medical Council* [2016] EWHC 1808.

Misconduct

272. The Committee acknowledged that misconduct was defined, in the case of *Roylance v GMC*, as, "...a word of general effect, involving some act or omission, which falls short of what would be proper in the circumstances."
273. In considering whether any or all of the facts found proved amount to misconduct, the Committee had regard to the following principles from the Standards, in particular:

You have an individual responsibility to behave professionally and follow these principles at all times.

Standard 1.3: ***You must be honest and act with integrity***

1.3.2 *You must make sure that you do not bring the profession into disrepute.*

Principle 9 ***Make sure your personal behaviour maintains patients' confidence in you and the dental profession***

Standard 9.1: ***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.*

Standard 9.4: *You must co-operate with any relevant formal or informal inquiry and give full and truthful information.*

- 9.4.1 *If you receive a letter from the GDC in connection with concerns about your fitness to practise, you must respond fully within the time specified in the letter. You should also seek advice from your indemnity provider or professional association.*

- 9.4.2 *You must co-operate with:*

- *any other regulatory body*
- *any solicitor, barrister or advocate representing patients or colleagues.*

274. The Committee took into account that a breach, or breaches, of the relevant standards does not automatically result in a finding of misconduct.
275. The Committee has found that Umut Baz acted dishonestly in making malicious false claims regarding Person A to the SRA and, in her communications with Person A, had made a considerable number of offensive and discriminatory remarks to him; Umut Baz had failed to cooperate with the GDC as her regulator, demonstrating complete disregard for the regulatory process; Umut Baz had failed to conduct herself appropriately during regulatory proceedings, including exposing herself on camera; and making unfounded accusations [PRIVATE] towards GDC staff and the IOC member.
276. Taking into account the many charges that were found proved in this case, the Committee concluded that Umut Baz's behaviour fell far below the standards expected of a dental professional. Therefore, the Committee concluded that the facts found proved, both individually and collectively, amount to misconduct.

Impairment

277. In its consideration of impairment, the Committee bore in mind the advice of the Legal Adviser who reminded the Committee that finding impairment means finding current impairment of fitness to practise. It took into account that it is not sufficient to find that Umut Baz's fitness to practise was impaired at the time that the matters found proved took place, but that it must be found that Umut Baz's fitness to practise is impaired as of today.
278. The Committee took into account the case of *CHRE v Grant* [2011], in which Cox J referred at paragraph 76 to Dame Janet Smith's Fifth Shipman Report, as follows:

"Do our findings of fact in respect of the [dental care professional's] misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:

- a) ...
- b) *has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c) *has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d) *Has in the past acted dishonestly and/or is liable to act dishonestly in the future".*

279. Having made its findings on the facts, the Committee was in no doubt that, as a result of Umut Baz's misconduct, she had brought the reputation of the dental profession into disrepute and that she has breached the fundamental tenets of the dental profession, particularly as a result of her dishonest conduct.
280. In its consideration of whether it was likely to be repeated in the future, the Committee was assisted by the 'test' outlined in *Cohen v GMC*, namely whether Umut Baz's misconduct is remediable; whether it had been remedied; and whether there is a risk of repetition. The Committee also had regard to the wider public interest, which includes the need to uphold and declare proper standards of conduct and behaviour to maintain public confidence in the profession and this regulatory process.
281. The Committee took into account that attitudinal misconduct is difficult, though not impossible, to remediate. In this regard, the Committee noted Umut Baz's conduct throughout these proceedings in which she demonstrated a complete lack of respect for the GDC as her regulator. The Committee finds that Umut Baz has conducted a persistent and ongoing campaign of harassment against Person A, further demonstrated in her email to Person A dated 15 January 2024 at 16:15 (Exhibit 39), in which she threatens further legal action against him and levelling accusations of a similar nature to those found proved as false. The Committee has been made aware that Umut Baz has also notified the GDC of her intention to make formal complaints regarding participants of these proceedings.
282. Umut Baz has persisted in her assertion that there is a conspiracy against her [PRIVATE] which includes a number of participants at this hearing, along with senior members of the GDC. The Committee finds that Umut Baz has not demonstrated any insight into her past misconduct and has offered no apology to any of the parties involved.
283. During the course of these proceedings, Umut Baz has sought to explain her behaviours [PRIVATE], but she has been unwilling to provide any [PRIVATE] evidence to this effect. Umut Baz also sought to blame Person A for her conduct towards him by claiming that she was only responding to his correspondence. However, having had regard to all the evidence adduced, the Committee did not agree that this was the case and there are a number of occasions where Umut Baz has initiated contact with Person A.
284. In any event, if Umut Baz had produced [PRIVATE] evidence that supported her assertions regarding some of the reasons for her behaviour, the Committee did not consider that this would have been sufficient to explain why she has behaved as poorly as she had and did not justify her behaviour.
285. The Committee was satisfied that Umut Baz has failed to demonstrate any remediation into her misconduct. It was also satisfied that Umut Baz has failed to demonstrate any insight into her failings.
286. The Committee is of the view that there is a risk of repetition based on Umut Baz's departure from the standards, her malicious and dishonest conduct, and her persistent lack of insight into her failings, including her repeated unfounded accusations of a conspiracy against her.
287. The Committee concluded that a finding of impairment in relation to Umut Baz's misconduct is necessary for the protection of the public. It also considered that such a finding is in the wider public interest, to maintain public confidence in the dental profession and the regulatory process, and to maintain and uphold proper professional standards.
288. Accordingly, the Committee determined that Umut Baz's fitness to practise is currently impaired by reason of her misconduct.

Sanction

289. In coming to its decision on sanction, the Committee considered what action, if any, to take in relation to Umut Baz's registration. It took into account the GDC's document '*Guidance for the Practice Committees, including Indicative Sanctions Guidance 2016 (Revised December 2020)*', 'the ISG'. The Committee reminded itself that any sanction imposed must be proportionate and appropriate and, although not intended to be punitive, may have that effect.
290. Having carefully considered paragraph 5.17 of the ISG, the Committee was unable to find any mitigating factors in this case based on the evidence before it.
291. In its consideration of paragraph 5.18 of the ISG, the Committee considered the following aggravating features to be present in this case:
- *Persistent dishonesty;*
 - *Premeditated misconduct;*
 - *Misconduct sustained or repeated over a period of time;*
 - *Blatant or wilful disregard of the role of the GDC and the systems regulating the profession; and*
 - *Lack of insight.*
292. The Committee had regard to its previous findings on misconduct and impairment in coming to its decision and considered each sanction in ascending order of severity.
293. The Committee first considered whether to take no further action or to issue a reprimand but concluded that neither of these outcomes would be appropriate in view of the seriousness of the misconduct in this case. The Committee did not consider Umut Baz's misconduct to be at the lower end of the spectrum and therefore it would be neither proportionate nor in the public interest to allow Umut Baz to return to practice without some form of restriction in place.
294. The Committee next considered whether placing conditions on Umut Baz's registration would be a sufficient and appropriate outcome. However, it was of the view that there are no practical or workable conditions that could be formulated given the nature of the misconduct identified. Further, it considered that any conditions that could be formulated would be unworkable due to the blatant disregard Umut Baz had demonstrated for the regulatory process and towards the GDC as her regulator. The Committee is also aware that Umut Baz is not currently working as a dental nurse. In addition, it did not consider that conditions would adequately address the considerable public interest in this case.
295. The Committee then went on to consider whether a suspension would be the appropriate sanction. The Committee considered paragraph 6.28 of the ISG which stated that suspension may not be suitable where there is "*evidence of harmful deep-seated ... or professional attitudinal problems (which might make erasure the appropriate order)*". The Committee was also of the view that suspension would not adequately address the public protection issues identified or satisfy the public interest in the matter.
296. The misconduct in this case was a significant and persistent departure from the standards expected of a dental care professional. The Committee considered that there is evidence to suggest that Umut Baz has harmful professional attitudinal problems that are fundamentally incompatible with remaining on the register. The Committee therefore rejected the appropriateness of a period of suspension.
297. In considering erasure at paragraph 6.34, the ISG states removing a Registrant's name from the register may be suitable where most of the following factors are present:
- *Serious departures from the relevant professional standards;*
 - *Where a continuing risk of serious harm to patients or other persons is identified*
 - *Serious dishonesty, particularly where persistent or covered up; and*

- *A persistent lack of insight into the seriousness of actions or their consequences.*

298. The Committee was of the view that the findings in this case demonstrate a particularly grave departure from the relevant standards and Umut Baz continues to present an ongoing risk of repetition of her misconduct, particularly the dishonesty, and her ongoing lack of insight into her conduct. The Committee took into account that there are certain behaviours that are so damaging to a registrant's fitness to practise, and to public confidence in the dental profession, that removal of their professional status is the only appropriate outcome. The Committee was satisfied that this case warrants the most severe sanction in order to protect the public, including the wider public interest. To do otherwise would seriously undermine public confidence in the profession.
299. Balancing all these factors, the Committee directs Umut Baz's name on the register be erased.
300. The Committee now invites submissions as to whether an immediate order should take effect to cover the 28-day appeal period.

Decision on immediate order

301. The erasure does not come into effect until the end of the appeal period or, if an appeal is lodged, until the appeal has been determined. The appeal period expires 28 days after the date on which the notification of the determination is served on Umut Baz.
302. In this regard, Mr Collis made an application for an immediate suspension to be imposed on Umut Baz's registration. He stated that Umut Baz is currently subject to two interim suspension orders imposed by the GDC. 'Order 1' (imposed for allegations not addressed in this case) has been in place since 31 January 2022 and 'Order 2' (imposed for some of the allegations addressed in this case) was imposed on 19 January 2023. Mr Collis stated that as the Committee has made its substantive decision, Order 2 now falls away.
303. Mr Collis stated that Umut Baz will remain subject to Order 1 until it has either been reviewed and revoked by a review committee or by the High Court, or until the Committee's substantive decision to erase Umut Baz from the register takes hold. Notwithstanding the continuation of Order 1, he invited the Committee to impose an immediate order of suspension on the grounds of public protection and in the wider public interest.
304. Umut Baz has not provided any written submissions in her absence regarding an immediate order.
305. The Committee heard and accepted the advice of the Legal Adviser.
306. As the result of the decision made by the Committee, it acknowledged that the substantive order will come into effect after 28 days and the existing interim order (Order 2) is now revoked.
307. Having borne in mind its decision on the substantive order, the Committee was satisfied that there is a necessity for an immediate order in relation to this case as it would otherwise be possible for Umut Baz to return to unrestricted practice until the substantive order takes place. It concluded that an immediate order is necessary to protect the public and in the wider public interest due to the serious attitudinal behaviour demonstrated by Umut Baz and her contempt for the GDC as her regulator and for the regulatory process.
308. Due to the seriousness of the misconduct in this case, the Committee determined that an immediate order of suspension is the only appropriate and proportionate order. To do otherwise would be incompatible with the Committee's earlier findings.

309. The immediate suspension will remain in place until any appeal is disposed of or, if no appeal is lodged, the erasure will replace the immediate order 28 days after Umut Baz is deemed to have been sent the decision of the Committee in writing.
310. That concludes this determination.