

**PUBLIC HEARING
Professional Conduct Committee
Review Hearing**

3 September 2026

Name: SYMES, Lucy Ann

Registration number: 234518

Case number: CAS-204551-J3C9T3

General Dental Council: Tom Stevens, Counsel
Instructed by Amy Jones, IHLPS

Registrant: Not Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension extended (with a review)

Committee members: Susan Stevens (Chair and Dentist Member)
Jane Jones (Lay Member)
Joanne Brindley (Dental Care Professional Member)

Legal adviser: Trevor Jones

Committee Secretary: Kate Anderson

1. This is a resumed hearing of Ms Symes' case before the Professional Conduct Committee (PCC) pursuant to section 27C of the *Dentists Act 1984 (as amended)* ('the Act').
2. Ms Symes was neither present nor represented at the hearing. Mr Tom Stevens, Counsel, appeared on behalf of the GDC.
3. The hearing was conducted remotely using Microsoft Teams.

Purpose of the hearing

4. The purpose of the hearing has been for the Committee to review a substantive suspension order currently in place on Ms Symes' registration.

Service and proceeding

5. The Committee was informed at the start of this hearing that Ms Symes was not in attendance nor was she represented. The Committee considered the issues of service and proceeding in the absence of Ms Symes. It accepted the advice of the Legal Adviser on these matters.

Decision on service

6. The Committee considered whether the Notice of the resumed Hearing (NOH) had been served on Ms Symes in accordance with Rules 28 and 65 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules'), and section 50A of the Act.
7. The Committee had before it a PCC Review hearing bundle which contained a copy of the Notice of Resumed Hearing, dated 6 August 2026 ('the notice'). The notice was sent to Ms Symes' registered address by Special Delivery and First Class post.
8. The Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent to her registered address. However, the Royal Mail 'Track and Trace' receipt, also provided, confirmed that the copy of the notice sent by Special Delivery was delivered and signed for on 7 August 2026.
9. The Committee further noted that on 6 August 2026, a copy of the notice was sent to Ms Symes by way of an attachment within a secure email, and there is evidence that the attachment was downloaded.
10. The Committee was satisfied that the notice sent to Ms Symes complied with the 28-day notice period specified by the Rules. It noted Mr Stevens' submission that it was sent later than usual, but the Committee was satisfied it was still within the 28-day period required. It was further satisfied that the notice contained all the required particulars, including the date and time of the resumed hearing, and that the hearing would take place remotely on Microsoft Teams. Ms Symes was also advised that the Committee had the power to proceed with the hearing in her absence.

11. On the basis of all the information provided, the Committee was satisfied that notice of the hearing had been served on Ms Symes in accordance with the Rules and the Act.

Decision on whether to proceed with the hearing in the absence of the registrant and on the papers

12. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Ms Symes. It took account of the factors to be considered in reaching its decision, as set out in the case of *R v Jones [2002] UKHL 5*, and as affirmed in subsequent regulatory cases, including the joined cases of *General Medical Council v Adeogba*, *General Medical Council v Visvardis* [2016] EWCA Civ 162, and *Davies v HCPC* [2016] EWHC 1593 (admin).
13. The Committee remained mindful that fairness to Ms Symes was an important consideration, but it also took into account the need to be fair to the GDC. The Committee further considered the public interest in the expeditious review of the current order on Ms Symes' registration.
14. The Committee had regard to an email dated 3 September 2026, from Ms Symes to the GDC, in which she stated that "I will not be attending the hearing today".
15. The Committee considered that adjourning the hearing would serve no meaningful purpose. Ms Symes did not request an adjournment, and the Committee received no information to suggest that deferring today's hearing would secure Ms Symes' attendance on a future date. It was satisfied that her absence is voluntary.
16. The Committee took into account that it had a statutory duty to review the substantive suspension order currently on Ms Symes' registration, which is due to expire on 10 September 2026. The Committee noted that it was in the public interest to proceed in Ms Symes' absence, as if it were to postpone today's hearing, it would not be possible to re-list the matter before the suspension expires, which would cause a public protection risk. The Committee considered that without good reason for an adjournment, today's hearing should go ahead as scheduled. In all the circumstances, the Committee was satisfied that it was fair and in the public interest to proceed with the hearing in Ms Symes' absence.

Summary of the case background

17. The background as outlined by the initial PCC in January and February 2026 was as follows:

The allegations giving rise to this hearing arise out of an incident that is said to have taken place on the night of 29 and 30 August 2023. The alleged events occurred whilst Miss Symes was accompanying a patient who had been admitted to hospital in relation to an ear, nose and throat-related (ENT) issue.

The GDC alleges that Miss Symes interfered with the patient's treatment, in that she removed a cannula that was, or had been, providing intravenous medication to the patient; that Miss Symes provided aspirin to the patient; and that Miss Symes spoke on behalf of the patient. The GDC alleges that such conduct was intimidating and threatening.

The GDC further contends that Miss Symes acted in a hostile and confrontational manner towards members of staff at the hospital in terms of the statements that she made to them, which included instances of swearing. The GDC again contends that such conduct was intimidating and threatening.

It is further alleged that Miss Symes was subsequently escorted from hospital premises by security.

Initial hearing – 27 January to 2 February 2026

18. Ms Symes' case was first considered by the PCC at a hearing held on 27 January to 2 February 2026. She was not present at that hearing nor was she legally represented. The initial PCC considered and found proved allegations relating to interfering with patient care by removing a cannula and providing aspirin. It also found proved that Ms Symes' actions were hostile and confrontational to hospital staff. Ms Symes admitted that she was escorted from the premises of the hospital and therefore this charge was proved by way of admission. The Committee lastly found proved that Ms Symes' actions in being hostile and confrontational to members of staff at the hospital were intimidating and/or threatening.
19. The PCC determined that the facts found proved against Ms Symes amounted to misconduct, and that her fitness to practise was impaired by reason of this misconduct on both public protection and wider public interest grounds.
20. The initial PCC imposed a sanction of suspension on Ms Symes' registration for a period of 6 months, with an immediate order. It also directed that a review of the order should be conducted shortly before the expiry of the 6 month period.

Postponed resumed hearing – 6 August 2026

21. The suspension order imposed on Ms Symes' registration was due to be reviewed by the PCC at a hearing held on 6 August 2026. Ms Symes was present at this hearing, and requested that the hearing be postponed to allow her further time to prepare.
22. The Committee considered the submissions made by both GDC counsel and Ms Symes. It accepted advice from the legal advisor.
23. The Committee granted Ms Symes' application for postponement, noting that it should be re-listed before the expiry of the current suspension on 10 September 2026. It reminded Ms Symes of the decision of the initial PCC in February 2026 that suggested she produce a reflective statement addressing its findings, including insight and remediation into her misconduct.

Today's review

24. This is the first review of the suspension first imposed on Ms Symes' registration in February 2026.

Summary of submissions

25. Mr Stevens referred the Committee to the background of the case, including the decision made by the initial PCC. He submitted that the suspension currently in place on Ms Symes' registration is due to lapse on 10 September 2026.
26. Mr Stevens provided information on the changes that have occurred since the previous Committee considered Ms Symes' case. He informed the Committee that the hearing was listed for 6 August 2026, but that Ms Symes made a postponement application in order for her to have more time to prepare and gather further evidence. The application was granted.
27. Mr Stevens submitted that Ms Symes has provided limited information before the re-listed hearing date today. He submitted that Ms Symes has provided two testimonials to the Committee, but that it should give limited weight to these in its decision. He submitted that the testimonials do not speak directly to the concerns, there was no suggestion that the authors were aware of the specific concerns in this case, nor was it noted within these that the authors were happy for these to be used in a statutory review. He submitted that the testimonials speak to Ms Symes' conduct outside of dentistry. He therefore submitted that it should proceed with caution in putting any weight to the testimonials.
28. Mr Stevens submitted that information of a new concern has been raised. This is referred to in the hearing bundle for today, and Ms Symes is on notice of an ongoing GDC investigation which has a potential connection to this case. At the present time, this is at an investigation stage, and it is brought to the Committee's attention today in such light.
29. Mr Stevens reminded the Committee that it was not bound by the previous Committee's decision. He submitted that the burden was on Ms Symes to prove that she is no longer impaired. He submitted however that the GDC's position is that Ms Symes remains impaired on both public interest and public protection grounds.
30. Mr Stevens submitted that there was no evidence of insight or steps towards remediation. He submitted that Ms Symes has not provided any written reflections nor was she present at the hearing to provide any oral evidence of her insight into the risks of her behaviour on patients or the hospital staff. Mr Stevens submitted that Ms Symes has not recognised the findings made against her at the previous hearing. He submitted that following the postponement, Ms Symes had been given the opportunity to engage but that this has remained limited. He submitted that she had done no more than produce two testimonials which were of limited value as explained previously. Mr Stevens submitted that Ms Symes had been given the opportunity to provide evidence of insight and remediation by two committees, but none has been delivered. She has not addressed the findings to demonstrate that there is no risk of repetition. Mr Stevens submitted that a finding of impairment was necessary to uphold public confidence in the dental profession. He therefore submitted that Ms Symes remains impaired on both public protection and public interest grounds.
31. Mr Stevens submitted that the current sanction of suspension should be extended. He submitted that conditions would be inappropriate as the concerns in this case did not relate

to clinical practice, but behavioural and attitudinal concerns. He submitted that a suspension remains appropriate to address the findings. He submitted that this should be for a period of 6 to 12 months, to allow time for Ms Symes to demonstrate that she has learnt from the previous failings identified by the initial PCC.

Committee's decision

32. In comprehensively reviewing the order today, the Committee considered the submissions made by Mr Stevens and all of the documentary evidence provided. The Committee accepted the advice of the Legal Adviser.

Decision on current impairment

33. The Committee considered whether Ms Symes' fitness to practise remains impaired by reason of her misconduct. In doing so, it exercised its independent judgement. It had regard to the over-arching objective of the GDC, which is: the protection, promotion and maintenance of the health, safety and well-being of the public; the promotion and maintenance of public confidence in the dental profession; and the promotion and maintenance of proper professional standards and conduct for the members of the dental profession.
34. The Committee first considered whether Ms Symes' fitness to practise remains impaired on the public protection ground. It noted that Ms Symes has provided no further evidence of remediation or insight into her conduct that would support making a different finding to that of the initial PCC. It noted that this was despite the suggestion of providing a reflective statement addressing the PCC's findings including insight and remediation into her misconduct. The Committee also noted that the reviewing Committee in August 2026, that was postponed as a result of her request to enable further time to prepare, reminded Ms Symes of this suggestion. The only further documentation that the Committee received from Ms Symes were two testimonials. The Committee had sight of these testimonials, however it noted that these did not speak to Ms Symes' role as a Dental Care Professional, there appeared to be no clear explanation and understanding from the authors as to why they were providing testimonials, and one was received from Ms Symes' own email address. The Committee therefore gave limited weight to this information.
35. The Committee considered that Ms Symes' behaviour continued to be in breach of standards 9.1 and standards 9.1.1 of the *General Dental Council Standards for the Dental Team (September 2013)*. The Committee determined that there was a risk of repetition of Ms Symes' conduct given the lack of remediation, reflections and insight and that this put the public at risk. It therefore found that she remains impaired on the public protection ground.
36. The Committee also determined that a finding of impairment is required in the wider public interest. It considered that public trust and confidence in the dental profession would be undermined if such a finding were not made, given that there are ongoing concerns in this case due to the lack of evidence of Ms Symes' insight and remediation to date. The Committee considered that a finding of impairment would serve to promote proper professional standards and avoid the risk of the profession being brought into disrepute.

37. Accordingly, the Committee determined that Ms Symes' fitness to practise remains impaired by reason of her misconduct on both public protection and public interest grounds.

Decision on sanction

38. The Committee next considered what action to take in respect of Ms Symes' registration. It had regard to section 27C(2) of the Act, which sets out the options available to it at this review. The Committee also took into account the GDC's *"Fitness to Practice: Guidance for the practice committees"* (January 2026). It noted that the purpose of any sanction is not to be punitive, although it may have that effect, but to protect the public and the wider public interest. The Committee applied the principle of proportionality, balancing the public interest with Ms Symes' own interests.
39. The Committee considered that a restriction on Ms Symes' registration remains necessary, given the lack of evidence of remediation and insight into her misconduct. The Committee considered that the concerns of the initial PCC remain in place given this lack of evidence, despite Ms Symes having received reminders and suggestions to provide such information on more than one occasion.
40. The Committee decided that it would be inappropriate to revoke the current suspension order and impose a sanction of conditions of practice, as these would be unworkable and inappropriate given that the matters in this case related to behavioural and attitudinal matters rather than clinical concerns. It also determined that to take no further action or to allow the order to lapse would pose a risk to the public and the wider public interest. It was therefore satisfied that a sanction of suspension remained the appropriate and proportionate sanction to impose on Ms Symes.
41. The Committee determined that the suspension should be extended for a further 9-month period. It concluded that 6 months had not previously provided sufficient time for Ms Symes to provide evidence of insight and remediation. The Committee's view was that a suspension order for 9 months would allow sufficient time for Ms Symes to think things through, carry out reflection, and gain insight into her conduct.
42. A resumed hearing will be held shortly before the end of the 9-month period in which the suspension order will be reviewed. Ms Symes will be informed of the date and time of that resumed hearing.
43. The Committee noted that Ms Symes sent an email to the GDC on 21 May 2026 in which she stated *'I can not "develop and demonstrate insight and remediation of her misconduct" albeit the Committee have "proven" the allegations made against me, as they are in fact false'*. The Committee noted however that it may be of importance for Ms Symes, despite her denial, to reflect on the matters and provide the Committee with a reflective piece which recognises the gravity of the PCC's findings of misconduct, and how she would act differently in the future. The Committee also suggested that a future Committee could be assisted by her engagement with the GDC, her attendance at any review hearing, as well as providing updated testimonials by persons aware of the findings and addressing her progress.

44. Unless Ms Symes exercises her right of appeal, the current suspension order on her registration will be extended by a period of 9 months, beginning with the date that it would otherwise expire.
45. Ms Symes will have 28 days from the date that notice is deemed to have been served upon her to appeal this decision. In the event that she does exercise her right of appeal, the suspension order currently in place on her registration will remain in force until the resolution of the appeal.
46. That concludes this determination.

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