

**PUBLIC HEARING**  
**Professional Conduct Committee**  
**Review Hearing**

**1 August 2025**

**Name:** Folland, Stuart  
**Registration number:** 65146  
**Case number:** CAS-200881-H7K5X0

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**General Dental Council:** Ms Sarah Barker, IHLPS (Not present).

**Registrant:** Not present and unrepresented

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**Fitness to practise:** Impaired by reason of misconduct

**Outcome:** Suspended indefinitely

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**Committee members:** Martin Isherwood (Chair, Dental Care Professional Member)  
Jeannett Martin (Lay Member)  
Phillip Loughnane (Dentist Member)

**Legal adviser:** Alex Coleman

**Committee Secretary:** Jenny Hazell

1. Neither party is present at this resumed hearing of the Professional Conduct Committee (PCC). The hearing is being conducted remotely using Microsoft Teams in line with the General Dental Council's (GDC) current practice. The GDC invited this Committee to conduct the hearing on the papers in the absence of both parties.

### **Purpose of hearing**

2. The purpose of today's hearing is to review a substantive direction of suspension first imposed on Mr Folland's registration by the PCC on 26 July 2023. The hearing is being held in accordance with section 36Q of the Dentists Act 1984 (as amended) ('the Act').

### **Service**

3. The Committee first considered whether service has been properly effected in accordance with Rules 28 and 65 of the General Dental Council (Fitness to Practise) Rules 2006 ('the Rules'). In so doing, it had regard to the GDC's written submissions dated July 2025 as well as the GDC hearing bundle.

4. The Committee had before it a copy of the Notice of Hearing (the Notice) dated 12 June 2025 which was sent via Royal Mail's Special Delivery to Mr Folland's registered address on 12 June 2025. The Committee is satisfied that the address shown on the Notice is the same address as the screen shot of Mr Folland's registered address with the GDC. The notice set out the date, time and venue of the hearing, as well as confirming the nature of the hearing and the powers available to the Committee. The Royal Mail's Track and Trace service records that delivery was attempted on 16 June 2025 but it was unable to do so because there did not appear to be anyone in. The Notice was also sent to Mr Folland by first class post and by secure email.

5. The Committee bore in mind that the GDC is not required to demonstrate that the Notice has arrived – only that it has been sent to the Registrant's registered address no later than 28 days before the date fixed for the hearing.

6. The Committee accepted the Legal Adviser's advice. Having regard to the GDC's written submissions and the evidence placed before it the Committee was satisfied that service has been properly effected in accordance with the Rules.

### **Proceeding in absence**

7. The Committee then went on to consider whether to exercise its discretion to proceed in the absence of Mr Folland in accordance with Rule 54. It was mindful that the discretion to proceed in the absence of a registrant must be exercised with the utmost care and caution. In their written submissions the GDC invited the Committee to proceed in the absence of Mr Folland.

8. The Committee accepted the advice of the Legal Adviser. The Committee noted that the GDC made further efforts to contact Mr Folland via email on 23 June 2025 to confirm whether he was content for the hearing to proceed on the papers in the absence of the parties. On the same day Mr Folland responded via email stating: "*I won't be attending the*

*hearing as I retired from dentistry many years ago. My ex-colleagues find it extraordinary [sic] that you're still pursuing this. There are better ways to spend their registration fees."* The Committee considered that Mr Folland has voluntarily absented himself from these proceedings and that no injustice would be caused to him by proceeding in his absence. The Committee considered that an adjournment, which has not been requested, would be most unlikely to secure his attendance at a relisted hearing.

9. The Committee is also mindful of the public interest in the expeditious consideration of this case, particularly given that the current order must be reviewed before its expiry on 24 August 2025.

10. Taking all these factors into account, the Committee determined that it would be appropriate and fair to proceed with the hearing in Mr Folland's absence.

### **Initial PCC hearing July 2023**

11. In July 2023 the PCC convened to consider the substantive matter. Mr Folland was not present nor represented at the hearing. The PCC proceeded in his absence. It reached the following findings against Mr Folland:

- A failure to have paid the approximately £80,000 in compensation and legal costs awarded to Patient A in a default judgement following a claim for clinical negligence (charge 1);
- Failures to have provided any substantive responses to the Firm acting for Patient A in respect of that litigation (charges 2(a)-(b));
- failures to have cooperated with the GDC's corresponding investigation into his fitness to practise, including by not providing the GDC with requested proof of his indemnity arrangements (charges 3(a)-(c)).

12. That PCC determined that the facts found proved amounted to misconduct. On the question of impairment the PCC found little in the way of remediation and insight. It bore in mind Mr Folland's lack of engagement into the fitness to practise proceedings. It further considered that the terms of his email correspondence to the GDC was disrespectful and dismissive.

13. The PCC determined that Mr Folland's fitness to practice was impaired by reason of his misconduct on both public protection grounds and the wider public interest grounds. The PCC directed that Mr Folland's registration be suspended for a period for 12 months, with a review hearing to take place prior to the expiry of his suspension. The PCC also made recommendations to Mr Folland about the information that a future reviewing Committee might find helpful when reviewing his suspension.

### **PCC review hearing 12 July 2024**

14. The PCC reviewed the order on 12 July 2024, on the papers and in the absence of both parties.

15. The PCC had regard to Mr Folland's lack of engagement in these proceedings, as well as his confirmation that he had retired as a dentist. The PCC had no evidence of any insight into or remediation of his misconduct. It concluded that the same risks to the public remained. The PCC found that Mr Folland's fitness to practise remained impaired.

16. The PCC directed that Mr Folland's registration be suspended for a further 12 months to allow him sufficient time to develop and demonstrate insight into his misconduct, if he be minded to do so. The PCC repeated the recommendations of the initial PCC.

### **Today's review hearing**

17. The Committee has carried out a comprehensive review of the order. In doing so, it has considered all the information presented to it, including the GDC's written submissions dated July 2025. The Committee has accepted the advice of the Legal Adviser.

18. It noted that the GDC sent Mr Folland voluntary removal (VR) information on 14 August 2023 and 16 May 2024 but no VR application has been made.

19. The Notice of Hearing was sent to Mr Folland on 12 June 2025. A chaser email was sent to Mr Folland on 23 June 2025 asking him to confirm whether he agreed to the review hearing taking place on the papers. Mr Folland responded by email on the same date, stating *"I won't be attending the hearing as I retired from dentistry many years ago. My ex colleagues find it extraordinary [sic] that you're still pursuing this. There are better ways to spend their registration fees."*

20. The Committee further noted that the GDC's Case Review Team wrote to Mr Folland on 26 July 2024 and again on 28 April 2025 with the recommendations from the previous PCC, but no response has been received.

21. The GDC's position is that Mr Folland has not provided any information to address the concerns that were identified by the initial PCC. It therefore submits that Mr Folland's fitness to practise remains impaired by reason of his misconduct. The GDC submits that it is open for this Committee to give a direction for indefinite suspension, since the requirements of this are made out. In particular, the direction for indefinite suspension will be within two months of the expiry date of the current order of suspension and the expiry of the current order is 24 August 2025.

22. Mr Folland was notified within the Notice of Hearing and in subsequent email correspondence that the Committee may give a direction that his registration be suspended indefinitely.

23. Throughout its deliberations the Committee has had regard to the GDC's *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016, updated December 2020).

### **Current Impairment**

24. The Committee has determined that Mr Folland's fitness to practise remains impaired by reason of his misconduct. In reaching its decision, the Committee has borne in mind that

the conduct in this case, although serious, is capable of being remediated. Mr Folland has had ample opportunity in which to engage with his regulator and provide information to address the concerns identified by the initial PCC in July 2023, some two years ago. Mr Folland has not engaged in any meaningful way with these proceedings, and that he stated that he has retired as a dentist. Mr Folland has not provided any of the evidence suggested by the previous Committee, and has not indicated that he has any intention of doing so. The Committee has no evidence of any insight into or remediation of his misconduct, and it concludes that the same risks to the public persist given that the misconduct has not been addressed. This Committee is satisfied that there has been no material change since the initial PCC hearing or indeed the PCC review hearing in July 2024. Accordingly, the Committee has concluded that Mr Folland's fitness to practise remains impaired by reason of his misconduct.

25. The Committee has also determined that a finding of impairment is again needed in the wider public interest in order to declare and uphold proper professional standards of conduct and behaviour and to maintain public trust and confidence in the profession. This is particularly so given Mr Folland's continued failure to co-operate with his regulator.

### **Sanction**

26. The Committee next considered whether it would be appropriate to revoke the suspension, or to replace the suspension with a direction of conditional registration.

27. The Committee considered that revoking the suspension would place the public and the public interest at unwarranted risk of harm. It noted that Mr Folland has indicated that he has retired from the dental profession. The Committee considered that it could not formulate conditions that would be workable and be capable of being complied with given Mr Folland's lack of meaningful engagement and his absence from practice. The Committee also determined that, even if conditions could be identified, such a direction would not be sufficient to declare and uphold proper professional standards of conduct and behaviour and maintain trust and confidence in the profession.

28. The Committee then went on to consider whether to extend the direction of suspension or to make a direction that his registration be suspended indefinitely.

29. It was the view of the Committee, having regard to the circumstances of this case, that a further specified period of suspension would be of no benefit. There has been no material change in the circumstances of this case since the last review, and little or no progress since the suspension order was originally imposed in July 2023. The Committee also had regard to the information that Mr Folland does not intend to return to dentistry. There is no indication that Mr Folland will start engaging in the process. For all these reasons, the Committee decided against the extension of the current order of suspension.

30. Accordingly, the Committee directs the indefinite suspension of Mr Folland's registration in accordance with section 27C(1)(d) of the Act. In making this direction, the Committee was satisfied that the criteria for imposing an indefinite suspension have been met.

31. Unless Mr Folland exercises his right of appeal, his registration will be suspended indefinitely, 28 days from the date that notice of this direction is deemed to have been served upon him. In the event that Mr Folland exercises his right of appeal, the suspension order currently in place on his registration will remain in force until the resolution of the appeal.

32. That concludes this case for today.