

Hearing held in public**Summary**

Name:	HALL, Simon Roger [Registration number: 56525]
Type of case:	Interim Orders Committee (review)
Outcome:	Suspension continued
Duration:	For the remainder of the term of the order
Date:	10 March 2017

The role of the Interim Orders Committee (IOC) is to undertake a risk assessment based on the information before it. Its role is to assess the nature and substance of any risk to the public in all the circumstances of the case and to consider whether it is necessary for the protection of the public, is otherwise in the public interest, or is in the registrant's own interests to impose an interim order on their registration. It is not the role of the IOC to make findings of fact in relation to any charge. That is the role of a differently constituted committee at a later stage in the process.

Decision on service of notice of hearing and proceeding with the hearing on the papers

On the basis that this matter was listed for a review on the papers, neither party was present at today's hearing. The Committee first considered whether notice of this hearing had been served on Mr Hall in accordance with Rules 35 and 65 of the *General Dental Council (Fitness to Practise) Rules Order of Council 2006* (the rules).

The Committee had sight of a bundle of documents which contained a copy of the notification of today's review hearing, dated 13 February 2017, that was sent to Mr Hall's registered address by Special Delivery. Notice was also sent by email to Mr Hall and his representatives, RadcliffesLeBrasseur (RLB), on the same date.

The Committee also had sight of a Royal Mail Track and Trace receipt which was signed for in the printed name 'SIMON HALL' on 15 February 2017.

The Committee accepted the advice of the Legal Adviser.

The Committee was satisfied that the notice of this IOC review hearing was served on Mr Hall in accordance with the rules.

The Committee was satisfied that it was appropriate to review the interim order on the basis of the papers before it and in the absence of both parties. This is in the light of the letter, dated 27 February 2017, from RLB stating 'Dr Hall is aware of the Interim Order Review Hearing which is scheduled to take place on 10 March 2017. As has previously been stated on his behalf, Dr Hall has no intention to return to dentistry...' The letter further stated 'Dr Hall therefore does not contest the current Interim Order and does not intend to attend the hearing'.

Further the Committee noted the request from the GDC in their written submission for this hearing to be held on the basis of the papers alone.

Having weighed the interests of Mr Hall with those of the GDC and the public interest in an expeditious disposal of this hearing the Committee determined to proceed in the absence of

both parties and on the basis of the papers alone. It considered that this would be appropriate in the circumstances of this case.

Today's review

This is the second review of an 18-month interim suspension order imposed on Mr Hall's registration on 12 April 2016. At the initial IOC, it was determined that an order was necessary for the protection of the public, was otherwise in the public interest and was in Mr Hall's own interest.

On 23 September 2016, a review hearing took place and that Committee determined that the interim suspension order should be continued for the remainder of the term of the order.

The Committee comprehensively reviewed the order. In so doing, it took account of the information contained in the documentation before it.

The Committee accepted the advice of the Legal Adviser.

The Committee had sight of a report prepared by the GDC's expert who made significant criticisms of Mr Hall's conduct in respect of clinical matters. It also had sight of his second report, dated 2 September 2016, which stated that Mr Hall's health was such that 'he is not able currently to deliver any dental care safely...'.

The Committee first considered whether an interim order remains necessary for the protection of the public, remains otherwise in the public interest and remains in Mr Hall's own interests.

The Committee took account of all the information before it and determined that there has been no material change of circumstance to undermine the ongoing requirement for an interim order since the order was last reviewed. Accordingly, the Committee was satisfied that the order remains necessary for the protection of the public, is otherwise in the public interest, and is in Mr Hall's own interests, that his registration remains subject to an interim order for the same reasons as expressed by the previous IOC review Committee.

The Committee next considered whether conditions of practice could replace the current interim suspension order as the appropriate and proportionate interim order in this case. The Committee concluded that, because of the seriousness of the allegations and the nature of the allegations, conditions of practice would not provide the necessary level of public protection, would not address the public interest concerns engaged in this case and would not be in Mr Hall's own interests given the nature of the concerns.

The Committee concluded that the appropriate and proportionate order in this case remains that of interim suspension for the remainder of the term of the order.

Unless there has been a material change of circumstances, the Committee will review the interim order on the papers at an administrative meeting within the next six months. The Committee will be invited by the GDC to confirm the order and Mr Hall will be asked whether there are any written submissions to be put before the Committee on his behalf. Mr Hall will then be notified of the outcome in writing following the decision of the Committee.

Alternatively, Mr Hall is entitled to have the interim order reviewed at a hearing. This means that he will be able to attend and make representations, send a representative on his behalf or submit written representations about whether the order continues to be necessary. Mr Hall must inform the GDC if he would like the interim order to be reviewed at a hearing.

Even if Mr Hall does not request a hearing, where there has been a material change of circumstances that might mean that the order should be revoked, varied or replaced, the Committee will review the order at a hearing to which Mr Hall and his representative will be invited to attend.

That concludes this determination.