

**HEARING HEARD IN PUBLIC**

**LONGTON, Lisa Jane**

**Registration No: 146077**

**PROFESSIONAL CONDUCT COMMITTEE**

**DECEMBER 2019**

**Outcome: Erased with Immediate Suspension**

Lisa Jane LONGTON, a dental nurse, Qual- National Certificate NEBDN 1990, was summoned to appear before the Professional Conduct Committee on 5 December 2019 for an inquiry into the following charge:

**Charge (as amended on 5 December 2019)**

“That being registered as a dental care professional:

1. Between 4 August 2016 and 27 September 2016, you provided dental services whilst you were not registered with the General Dental Council.
2. Between 28 September 2016 and 8 November 2018 you failed to have adequate indemnity insurance.
3. Between 13 May 2008 and 3 August 2016 you failed to have adequate indemnity insurance.
4. Between 28 September 2016 and 8 November 2018 you provided dental services when failing to hold adequate indemnity insurance.
5. Between 13 May 2008 and 3 August 2016 you provided dental services when failing to hold adequate indemnity insurance.
6. As amended - From 6 June 2017 to 4 November 2019 you failed to co-operate with an investigation conducted by the General Dental Council by not providing:
  - a. Evidence of your indemnity insurance
  - b. Details of your employment
7. On 1 August 2016 you signed an application form for restoration to the GDC Register and ticked the box “Yes” in response to the statement: “I have in place, or will have in place at the point at which I practise in the UK, insurance or indemnity arrangements appropriate to the areas of my practice”.
8. Your conduct in relation to allegation 7 above was:
  - a. Misleading,
  - b. Dishonest
9. On 29 July 2017 you made an indemnity declaration that you have or will have adequate indemnity insurance, as part of your Annual Renewal for the 2017-2018 period.

10. Your conduct in relation to allegation 9 above was:
  - a. Misleading,
  - b. Dishonest.

AND that by reason of the facts alleged, your fitness to practise is impaired by reason of misconduct.”

Ms Longton was not present and was not represented. On 5 December 2019 the Chairman announced the findings of fact to the Counsel for the GDC:

“Mrs Longton was not present and was not represented. On 5 December 2019 the Chairman announced the findings of fact to the Counsel for the GDC:

#### Service

This is the Professional Conduct Committee (PCC) hearing of Mrs Longton’s case. Mrs Longton is neither present nor represented. Ms Denholm appears on behalf of the General Dental Council (GDC). In the absence of Mrs Longton, the Committee first considered whether the Notice of Hearing had been served on her in accordance with Rules 13 and 65 of the GDC (Fitness to Practise) Rules Order of Council 2006 (the Rules). In so doing, it has taken into account the submissions made by Ms Denholm. It has accepted the advice of the Legal Adviser.

The Committee has received a copy of a Notice of Hearing, dated 4 November 2019 addressed to Mrs Longton at her registered address. Due to a change of venue, a letter dated 15 November 2019, addressed to Mrs Longton at her registered address was also sent by post and email. The Committee is satisfied that the Notice of Hearing contained proper notification of the hearing, including its date and location, as well as the charges against Mrs Longton. Although the Notice of Hearing omitted to specify the usual starting time of 10.00am the Committee considered that there was substantial compliance with Section 13. The start time of 10.00am was specified in the letter and email of 15 November 2019. The Notice of Hearing was sent more than 28 days in advance of today’s hearing. The Committee has seen a copy of a Royal Mail Track and Trace receipt which states that the Notice of Hearing was delivered on 5 November 2019. On the basis of the information before it, the Committee is satisfied that the Notice of Hearing has been served on Mrs Longton in compliance with the Rules.

#### Proceeding in the absence of Ms Longton

The Committee then considered whether to exercise its discretion under Rule 54 to proceed in the absence of Mrs Longton. Ms Denholm invited the Committee to do so on the basis that the GDC has complied with the requirements of service and indeed the GDC placed Mrs Longton on notice of today’s hearing in November 2019. Further, she had not sought an adjournment of the hearing and to all intents and purposes has not engaged effectively with the GDC; she emailed the GDC in August 2019 stating that she had no interests in these matters. Ms Denholm said that there were compelling public interest grounds in proceeding with the hearing today against Mrs Longton.

The Committee has considered the submissions made by Ms Denholm and Mrs Longton’s email dated 16 August 2019. It has accepted the advice of the Legal Adviser. It is aware that its discretion to proceed in the absence of Mrs Longton must be exercised with the utmost

care and caution. It also had regard to the need for fairness to both parties, as well as the GDC's overarching objective in the protection of the public and the wider public interest. The Committee noted that Mrs Longton's email of 16 August 2019 stated that she is recovering from medical treatment and has no interest in this matter.

The Committee has concluded that she has had very little engagement with the GDC, has voluntarily absented herself from the hearing and has failed to provide any medical evidence why she could not attend the hearing whether in person or remotely. Mrs Longton has not requested an adjournment to this hearing and there is nothing to suggest that she would attend the hearing at a later date, were the Committee minded to adjourn.

The Committee has received no compelling reasons not to proceed with today's hearing. Having regard to the public interest, as well as Mrs Longton's own interests, the Committee considers that it is necessary for matters to be resolved expeditiously. Accordingly, the Committee has decided that it is appropriate to proceed in the absence of Mrs Longton in accordance with Rule 54.

#### Preliminary issues; amendments to the charge

At the outset of the hearing, Ms Denholm made an application to amend the charge under Rule 18 of the *GDC (Fitness to Practise) Rules 2006* (the Rules). She applied to amend the stem of head of charge 6 so that it now reads "*From 6 June 2017 to 4 November 2019 you failed to co-operate with an investigation conducted by the General Dental Council by not providing...*".

Ms Denholm submitted that the application would not cause any prejudice to the Registrant.

The Committee accepted the advice of the Legal Adviser. It acceded to Ms Denholm's Rule 18 application. In granting the application, the Committee was satisfied that the amendment of the charge could be made without causing any injustice.

#### The GDC's Case

The GDC's case against Mrs Longton concerns allegations that broadly fall into three areas. The first is an alleged failure to have adequate indemnity insurance on various dates, whilst providing dental services. The second is an alleged failure to co-operate with the GDC investigation by not providing evidence of her indemnity insurance and details of her employment. Third, it is alleged that she claimed on more than one occasion to have indemnity insurance where she did not, and that such conduct was both misleading and dishonest.

Ms Denholm drew the Committee's attention to documents contained in the GDC's bundle which refer to investigations by the GDC in relation to the allegations.

#### Evidence considered and findings of fact

In considering whether the charges have been found proved, the Committee has taken into account all the written evidence presented to it. This comprises the GDC's hearing bundle which includes witness statements from;

- GTB, a GDC UK Registrations Manager, signed and dated 29 July 2019;
- JW a GDC Fitness to Practise Manager, signed and dated 26 July 2019,
- Witness 1, a Practice Manager, at Crescent Dental Care dated 25 July 2019.

The Committee heard oral evidence via a telephone link from Witness 1.

The Committee has borne in mind that it has not had the benefit of hearing evidence from Mrs Longton as to the matters against her. The Committee drew no adverse inferences from her non - attendance.

The Committee has accepted the advice of the Legal Adviser. It has borne in mind that the burden of proof is on the GDC and that it must decide the facts according to the civil standard of proof, namely on the balance of probabilities. The Committee was reminded of the test it must apply on the matter of dishonesty, as set out in the Supreme Court judgment in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017] UKSC 67*. This was as follows:

*... When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest.*

The Committee was also reminded that a finding of dishonesty against a professional person is a serious matter and that it should scrutinise with care the cogency of the evidence before it.

I will now announce the Committee's findings in relation to each head of charge:

<p>1.</p>	<p><i>Between 4 August 2016 and 27 September 2016, you provided dental services whilst you were not registered with the General Dental Council.</i></p> <p><b>Proved.</b></p> <p>The Committee had sight of a signed statement from Witness 1, and also an email from the present Crescent Dental Care practice to the GDC dated 25 October 2019 which confirms that Ms Longton worked at the practice during these dates.</p> <p>The Committee also had sight of the GDC register CRM record of Mrs Longton's registration details confirming that she was not registered between these dates.</p> <p>The Committee also read the statement of GTB, a GDC UK Registrations Manager, who confirms that Mrs Longton was not registered with the GDC between these dates.</p> <p>In light of these reasons the Committee found this head of charge proved.</p>
<p>2.</p>	<p><i>Between 28 September 2016 and 8 November 2018 you failed to have adequate indemnity insurance.</i></p>

	<p><b>Proved.</b></p> <p>The Committee noted the written correspondence from Mrs Longton who maintains that her indemnity insurance was covered by her Practice.</p> <p>The Committee noted the written evidence from Witness 1, the Practice Manager who confirmed that Mrs Longton had not provided evidence of indemnity insurance between these dates. Witness 1 also explained that the practice did not provide a corporate policy covering dental staff and that indemnity cover was not provided under the principal dentist's insurance arrangements owing to the large numbers of staff, and that this has never been an option.</p> <p>Witness 1 explained that she maintained a spreadsheet capturing renewal dates of dental nurses' indemnity policies and sent reminders to those whose renewals were due.</p> <p>Witness 1 emphasised that all staff members were responsible for obtaining their own indemnity cover.</p> <p>The Committee found this head of charge proved on the basis of the documentary and oral evidence before it.</p>
<p>3.</p>	<p><i>Between 13 May 2008 and 3 August 2016 you failed to have adequate indemnity insurance.</i></p> <p><b>Proved.</b></p> <p>The Committee noted that the relevant standards in force at all material times required all dental professionals to have appropriate indemnity insurance.</p> <p>The Committee notes that Mrs Longton registered with the GDC on 13 May 2008 and the Committee is satisfied that under the standards in place at that time, there was a requirement for Mrs Longton to have adequate indemnity insurance in place. She has not provided evidence of indemnity insurance and the Committee concluded on the balance of probabilities, that it was more likely than not that she had failed to arrange adequate indemnity insurance during that period.</p> <p>The Committee therefore finds this head of charge proved.</p>
<p>4.</p>	<p><i>Between 28 September 2016 and 8 November 2018 you provided dental services when failing to hold adequate indemnity insurance.</i></p> <p><b>Not Proved.</b></p> <p>The GDC submits that the Committee need to find the whole period proved, however, the Committee has not been provided with evidence to confirm that she provided dental services after she left the practice on 10 February 2017. The Committee have no evidence about what Mrs Longton was doing after this date and therefore are not able properly to determine whether she had provided dental services during the whole of that time period.</p>

	<p>The GDC has not proved that Mrs Longton provided dental services during all periods alleged and therefore the Committee finds this head of charge not proved.</p>
5.	<p><i>Between 13 May 2008 and 3 August 2016 you provided dental services when failing to hold adequate indemnity insurance.</i></p> <p><b>Proved</b></p> <p>The Committee noted Witness 1's evidence that Mrs Longton joined the practice in 2006 and left in 2017 and had provided dental services during this period. The Committee has already found proved that Mrs Longton did not have adequate indemnity insurance during this period. It therefore finds that she provided dental services while failing to hold adequate indemnity insurance.</p> <p>The Committee therefore finds this head of charge proved.</p>
6.	<p><i>From 6 June 2017 and 4 November 2019, you failed to co-operate with an investigation conducted by the General Dental Council by not providing:</i></p>
6. a.	<p><i>Evidence of your indemnity insurance</i></p> <p><b>Not proved</b></p> <p>The Committee accepted the written evidence of JW, who described various attempts made by the GDC to obtain evidence of appropriate indemnity insurance in June 2017, but stated that no evidence was received in response. The Committee also had sight of chase-up telephone calls to Mrs Longton from the GDC. The GDC submits that to this day Mrs Longton has failed to respond to the GDC's request for evidence about her indemnity insurance.</p> <p>However, the Committee are unable to find this head of charge proved as it has been determined that Mrs Longton did not have appropriate indemnity insurance, therefore she would be unable to provide evidence of this to the GDC.</p> <p>The Committee therefore finds this head of charge not proved.</p>
6. b.	<p><i>Details of your employment</i></p> <p><b>Proved.</b></p> <p>The Committee accepted the written evidence of GTB and JM and is satisfied that Mrs Longton failed to provide information regarding her employment to the GDC, despite the GDC's letter of 6 June 2017 requiring her to do so. The Committee considers that even if she was not employed, she should have explained this to the GDC.</p> <p>The Committee therefore finds this head of charge proved.</p>
7.	<p><i>On 1 August 2016 you signed an application form for restoration to the GDC Register and ticked the box "Yes" in response to the statement: "I have in place, or will have in place at the point at which I practise in the</i></p>

	<p><i>UK, insurance or indemnity arrangements appropriate to the areas of my practice”.</i></p> <p><b>Proved.</b></p> <p>The Committee has had sight of the Registrant’s original GDC application form dated 1 August 2016. It noted she had ticked the box marked “yes” when asked if she had indemnity insurance in place.</p> <p>It therefore finds this head of charge proved.</p>
8.	<p><i>Your conduct in relation to allegation 7 above was:</i></p>
8. a.	<p><i>Misleading;</i></p> <p><b>Proved.</b></p> <p>In reaching its decisions on whether Mrs Longton’s actions were misleading, the Committee applied the ordinary meaning of the word ‘misleading’. It agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>The Committee is satisfied that the GDC was misled when they received her application for restoration onto the Register dated 1 August 2016.</p> <p>The Committee has seen Mrs Longton’s application form in which she ticked the box in response to the statement: <i>“I have in place, or will have in place at the point at which I practise in the UK, insurance or indemnity arrangements appropriate to the areas of my practice”.</i></p> <p>The Committee is satisfied that Mrs Longton failed to disclose that she did not have appropriate indemnity insurance in place in her application form to the GDC dated 1 August 2016, to support her application to obtain registration with the GDC.</p> <p>The Committee was satisfied that Mrs Longton’s conduct in causing or allowing these documents to be created to support her application was misleading.</p>
8. b.	<p><i>Dishonest;</i></p> <p><b>Proved.</b></p> <p>Mrs Longton maintains that she had indemnity insurance through her employer.</p> <p>The oral evidence of Witness 1 was that dental nurses have consistently been required as per policy in their practice, to have their own indemnity insurance cover; if certificates are not produced, they are reminded by the practice. Dental nurses at that practice have never been covered by a corporate policy or by the practice principal’s policy.</p> <p>The Committee is satisfied that Mrs Longton knew when she completed the registration form that she had a duty to inform her regulatory body that she did not have appropriate indemnity insurance at that time. The GDC application is very clear in this respect, and gives a simple “no” or</p>

	<p>“yes” box to tick.</p> <p>The Committee is satisfied that on the balance of probabilities, Mrs Longton was aware of her duty to inform the GDC that she did not have indemnity insurance but deliberately failed to do so.</p> <p>The Committee is therefore satisfied that Mrs Longton’s conduct was dishonest in this respect, and is satisfied that her actions would be regarded as dishonest by the standards of ordinary decent people.</p>
9.	<p><i>On 29 July 2017 you made an indemnity declaration that you have or will have adequate indemnity insurance, as part of your Annual Renewal for the 2017-2018 period.</i></p> <p><b>Proved.</b></p> <p>The Committee had sight of a copy of a screen shot of the GDC’s electronic record of Mrs Longton’s Annual Indemnity Declaration dated 29 July 2017 to the GDC declaring that she had adequate indemnity insurance. Although it does not contain a signature from Mrs Longton, the Committee is satisfied on the balance of probabilities that she made this declaration to the GDC.</p> <p>The Committee therefore finds this head of charge proved.</p>
10.	<p><i>Your conduct in relation to allegation 9 above was:</i></p>
10. a.	<p><i>Misleading;</i></p> <p><b>Proved.</b></p> <p>In reaching its decisions on whether Mrs Longton’s actions were misleading, the Committee applied the ordinary meaning of the word ‘misleading’. It agreed that a misleading action was something that gave the wrong idea or impression.</p> <p>The Committee is satisfied that the GDC was misled when they had received the declaration from Mrs Longton and that she declared that she had adequate indemnity insurance when she did not.</p> <p>The Committee was satisfied that Mrs Longton’s conduct in causing or allowing these documents to be created to support her application, was misleading.</p>
10. b.	<p><i>Dishonest;</i></p> <p><b>Proved.</b></p> <p>The Committee is satisfied that the Registrant knew at that time that she had a duty to inform her regulatory body that she did not have appropriate indemnity in place.</p> <p>The GDC declaration form is very clear, and Mrs Longton chose to make a false declaration.</p> <p>The Committee is satisfied that on the balance of probabilities, Mrs Longton was aware at on 29 July 2017 that she did not have</p>

	<p>appropriate indemnity insurance, and had no plans to arrange such insurance.</p> <p>The Committee is therefore satisfied that Mrs Longton’s conduct was dishonest in this respect, and is satisfied that her actions would be regarded as dishonest by the standards of ordinary decent people.</p>
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We move to Stage Two.”

On 6 December 2019 the Chairman announced the determination as follows:

“Having announced its findings on the facts, the Committee has had regard to the submissions made by Ms Denholm, on behalf of the General Dental Council (GDC), in accordance with Rule 20 of the GDC (Fitness to Practise) Rules Order of Council 2006 (the Rules). It has accepted the advice of the Legal Adviser.

Ms Denholm confirmed that Mrs Longton has no previous fitness to practise history. She submitted that the facts found proved against Mrs Longton, which concern findings of dishonesty, are serious. She said that Mrs Longton’s conduct amounted to calculated acts of deception towards her regulator and could properly be described as “deplorable”. She cited several of the GDC’s “*Standards for the Dental Team*” (September 2013) and also from *Standards for Dental Professionals* (2005) which she said Mrs Longton had breached. Ms Denholm invited the Committee to conclude that the findings against Mrs Longton amount to misconduct and that her fitness to practise is impaired by reason of that misconduct. This was, she said, a case where Mrs Longton has breached one of the fundamental tenets of the profession by practising without appropriate indemnity cover, and that not to make a finding of current impairment would undermine public confidence in the regulatory process. She said that the findings against Mrs Longton were compounded by her marked lack of insight into the seriousness of her actions.

During the course of Ms Denholm’s submissions, she drew the Committee’s attention to relevant sections of the GDC’s “*Guidance for the Practice Committees, including Indicative Sanctions Guidance*” (2019) (the Guidance). She submitted that the appropriate sanction in this case is that of erasure, given the serious nature of the dishonesty in this case, which was persistent. This was a case where Mrs Longton’s conduct was potentially so damaging to the reputation of the dental profession and put the public at such risk of harm that the removal of her professional status was necessary and was also in accordance with the Guidance.

**Misconduct**

The Committee has first considered whether the facts found proved amount to misconduct. In so doing, it has had regard to all the evidence before it as well as the GDC’s “*Standards for the Dental Team*” (September 2013).

The Committee exercised its own independent judgement. The Committee reminded itself of the extent and nature of the findings made against Mrs Longton. The Committee’s reasons for its findings have been set out in full in its determination on the facts.

The Committee had sight of the following, *Standards for Dental Professionals* (2005) and the *Standards for the Dental Team* (2013). It was satisfied that Mrs Longton's failings included a breach of the following standards:

*Standards for Dental Professionals (2005)*

- 1.6 Make sure your patients are able to claim any compensation they may be entitled to by making sure you are protected against claims at all times, including past periods of practice.

*Standards for the Dental Team (30 September 2013)*

- 1.3 Be honest and act with integrity.
- 1.3.1 You must justify the trust that patients, the public and your colleagues place in you by always acting honestly and fairly in your dealings with them. This applies to any business or education activities in which you are involved as well as to your professional dealings.
- 1.3.2 You must make sure you do not bring the profession into disrepute.
- 1.8 Have appropriate arrangements in place for patients to seek compensation if they suffer harm.
- 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.
- 9.4 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.
- 9.4.1 If you receive a letter from the GDC in connection with concerns about your fitness to practice, you must respond fully within the time specified in the letter. You should also seek advice from your indemnity provider or professional association

The Committee appreciated that whilst the breaches of the above standards do not automatically result in a finding of misconduct, they are serious, relate to Mrs Longton's integrity and are capable of seriously undermining public confidence in the profession and causing harm to the public.

The Committee found that Mrs Longton failed to hold any indemnity cover whilst providing dental services to patients over a lengthy period of time. The Committee was of the view that her actions presented a potential risk of harm to patients because of the absence of the necessary protections afforded to patients by such arrangements. Further, Mrs Longton on two occasions declared to her regulatory body that she had indemnity insurance when she did not. Mrs Longton also created the potential for serious harm to be done to the public's trust and confidence in the profession through her disregard for the patients in her care and her regulator.

The Committee concluded that Mrs Longton's serious departures from the standards required of a registered dental nurse would be considered deplorable by fellow registrants. The Committee noted that honesty and integrity are fundamental tenets of the dental profession and go to the heart of her practice as a dental nurse.

Taking all these factors into account, the Committee was in no doubt that the facts found proved amount to misconduct.

### **Current impairment**

The Committee next considered whether Mrs Longton's fitness to practise is currently impaired by reason of her misconduct. In reaching its decision on impairment, the Committee exercised its own independent judgement. It bore in mind that its duty was to consider the public interest, which includes the protection of patients, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and behaviour.

The Committee noted that there was no evidence that there had been actual harm to patients in this case. However, in the absence of indemnity cover there was the risk that patients may not be able to claim compensation. The Committee considered that some of Mrs Longton's conduct may have been capable of being remedied. However, the Committee has not seen any evidence of insight, remediation or remorse from Mrs Longton. The only recent engagement from Mrs Longton was an email dated 16 August 2019 stating that she "*has no interest in the matter*".

Dishonesty has been found in this case and the Committee is mindful that, as a matter of principle, attitudinal and behavioural shortcomings connoted by dishonest conduct are often more difficult to remedy than, for instance, clinical concerns. The Committee concluded that it had before it no evidence to demonstrate that Mrs Longton now understands the potential consequences of her actions. In particular, Mrs Longton does not appear to understand the risks that her conduct posed to public confidence and trust in the profession.

The Committee considered that there continued to be some risk of repetition. It concluded that without insight being demonstrated, the potential risk of financial harm to patients remains high. The Committee believed it possible that Mrs Longton would repeat the same behaviour in future.

Whilst the Committee bore in mind that its primary function is to protect patients, it also took into account the wider public interest, which includes maintaining confidence in the dental profession and the GDC as a regulator, and upholding proper standards and behaviour. The Committee concluded that to make a finding of no current impairment would send a message to the public and the profession that Mrs Longton's conduct was acceptable. It concluded that trust and confidence in the profession and in the GDC as the regulator would be seriously undermined if a finding of impairment was not made. The Committee had regard to the serious nature of the issues identified in the circumstances of this case when reaching this decision.

The Committee therefore finds that Mrs Longton's fitness to practise is currently impaired.

### **Sanction**

The Committee next considered what sanction, if any, to impose on Mrs Longton's registration. It recognises that the purpose of a sanction is not to be punitive, although it may have that effect, but to protect patients and the wider public interest. The Committee has taken into account the GDC's Guidance. It has applied the principle of proportionality, balancing the public interest with Mrs Longton's own interests.

The Committee has had regard to the aggravating and mitigating factors in this case. The aggravating factors identified by the Committee include:

- Findings of dishonesty on two different occasions
- Her breach of professional trust
- Her blatant disregard of the regulatory role of the GDC
- Her lack of insight and lack of remorse.

The Committee notes that Mrs Longton has no previous fitness to practise history. Save for this factor, the Committee has concluded that there are no other mitigating factors in this case. The Committee noted that Mrs Longton has told the GDC that she has recently experienced health issues. However, these only emerged after the false indemnity declarations, and no evidence has been provided to the Committee to suggest she relies on these issues as a mitigating factor.

The Committee has considered the range of sanctions available to it, starting with the least restrictive. It has determined that to conclude the case with no further action or with a reprimand would not be sufficient in the light of the gravity of the misconduct found proved and the risk of repetition identified.

The Committee then considered whether a period of conditional registration would be sufficient. In the Committee's judgement, conditions would not be sufficient to mark the seriousness of Mrs Longton's dishonest conduct. Further, the Committee concluded that there are no workable or measurable conditions that could be formulated which would address the underlying issue of dishonesty in this case.

The Committee went on to consider whether to suspend Mrs Longton's registration. In so doing, it had regard to the gravity with which it views her dishonest conduct. There is no evidence before the Committee of any remorse or insight from Mrs Longton as to her dishonest conduct. The findings in this case indicate that there is a pattern of behaviour whereby Mrs Longton has held herself out to have appropriate indemnity insurance when in fact she had not. Furthermore, the Committee considers that Mrs Longton poses a significant risk of repeating the dishonest behaviour. The Committee also observed that Mrs Longton is currently subject to a suspension order but has not used this as an opportunity to reflect on her conduct.

Taking all these factors into account, the Committee has concluded that suspending Mrs Longton's registration would not be appropriate or sufficient for maintaining public confidence in the profession and upholding professional standards. Dishonest conduct is unacceptable and is highly damaging to a registrant's fitness to practise and to public confidence in dental professionals. The Committee is satisfied that Mrs Longton's dishonest conduct is so serious that it is fundamentally incompatible with her remaining on the Register. In this case, the dishonesty related to professional indemnity insurance, without which she was placing her patients at risk of future financial harm.

Accordingly, the Committee has determined that the appropriate and proportionate sanction in this case is that of erasure. The Committee has taken into account the impact of such a direction on Mrs Longton's own interests. However, in the light of the serious nature of the findings in this case, and the lack of insight demonstrated, the Committee considers that the public interest outweighs Mrs Longton's own interests in this matter. It therefore directs that Mrs Longton's name be erased from the Dental Care Professionals' Register.

The Committee now invites submissions as to whether Mrs Longton's registration should be suspended immediately, pending the taking effect of its substantive direction of erasure.

**Decision on immediate order**

The interim order of suspension on Mrs Longton's registration is hereby revoked.

Having directed that Mrs Longton's name be erased from the Dental Care Professionals' Register, the Committee has considered whether to make an order for immediate suspension of her registration. Ms Denholm, on behalf of the General Dental Council (GDC), has submitted that such an order is necessary in the public interest, given the serious nature of the Committee's findings.

The Committee has considered the submissions made. It has accepted the advice of the Legal Adviser, during the course of which he reminded the Committee of the statutory test to be applied in the making of an immediate order.

The Committee has reached serious findings of dishonesty against Ms Longton and considers that she poses a significant risk of repeating her dishonest behaviour. Given these findings, the Committee has concluded it would be inconsistent to allow Mrs Longton the opportunity to continue to practise during the intervening appeal period. The Committee therefore directs that Mrs Longton's registration be suspended forthwith in accordance with Section 36U(1) of the Dentists Act 1984 (as amended). It is satisfied that an immediate order is necessary to protect public confidence in the profession.

The effect of the foregoing direction and this order is that Mrs Longton's registration will be suspended forthwith. Unless Mrs Longton exercises her right of appeal, the substantive direction of erasure will take effect 28 days from when notice is deemed to have been served on her. Should Mrs Longton exercise her right of appeal, this immediate order for suspension will remain in place until the resolution of any appeal proceedings.

That concludes the case for today."