

HEARING HEARD IN PUBLIC

ALGHOFARI, Muhammad Fawaz

Registration No: 261353

PROFESSIONAL CONDUCT COMMITTEE

APRIL 2018

Outcome: Erased with Immediate Suspension

Muhammad Fawaz ALGHOFARI, a dentist, Registered under Section 15(1)(c) of the Dentist Act 1984 2015, BDS Damascus 1992, was summoned to appear before the Professional Conduct Committee on Tuesday 3 April 2018 for an inquiry into the following charge:

Charge

“That being a registered dentist:

1. On or around 5 February 2016 you were summoned to appear before the Criminal Court of Bordeaux to be tried for an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code.
2. On 7 June 2016 you were convicted at the Criminal Court of Bordeaux of an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code.
3. You failed to inform the General Dental Council immediately that you were subject to criminal proceedings as at allegation 1 above.
4. You failed to inform the General Dental Council of your conviction at 2 above.
5. Your actions in relation to 3 and/or 4 above were:
 - i. Misleading;
 - ii. Dishonest.

And that by reason of the facts alleged above, your fitness to practise as a dentist is impaired by reason of your conviction and/or your misconduct.”

On 4 April 2018 the Chairman made the following statement regarding the finding of facts:

“Mr Alghofari,

You are present and represented by Mr Dhillon, Counsel. Mr Jamieson, Counsel, appears on behalf of the General Dental Council (GDC).

This is the Professional Conduct Committee's inquiry into the facts which form the basis of the allegation that your fitness to practise is impaired by reason of your conviction and/or misconduct. The facts of this case are that on 5 February 2016 you were summoned to appear before the Criminal Court of Bordeaux to be tried for the following matter: that in Bordeaux, Gironde, between 31 January 2016 and 4 February 2016 you falsified the Syrian passport belonging to your father-in-law by affixing a counterfeit British visa, contrary to articles of the French Criminal Code (charge 1). On 7 June 2016 you pleaded guilty to the offence of forgery, for which you were convicted at the Criminal Court of Bordeaux (charge 2). You were fined 1000 euros, of which 500 euros were suspended for a period of five years. The GDC alleges that you failed to inform it immediately that you were subject to criminal proceedings (charge 3) and that you failed to inform it of your conviction (charge 4). It further alleges that your actions in relation to charges 3 and/or 4 were misleading (charge 5(i)) and dishonest (charge 5(ii)). On 26 January 2017 the UK Central Authority for the Exchange of Criminal Records notified the GDC that you had been subject to a foreign conviction, the details of which were set out in that notification. Up until this date the GDC was not aware of the fact that you had been subject to criminal proceedings and/or your conviction in France.

At the commencement of the hearing, Mr Dhillon, on your behalf, entered admissions to charges 1, 2, 3, 4 and 5(i). Following advice from the Legal Adviser and having regard to Rule 17(4) of the General Dental Council (Fitness to Practise) Rules 2006 ('the Rules') the Committee found these charges proved by virtue of your admissions. The only matter that has not been admitted is charge 5(ii).

In considering whether charge 5(ii) in relation to charges 3 and/or 4 has been found proved, the Committee has had regard to all the evidence before it. This includes the signed witness statement dated 23 November 2017 from a Casework Manager, a GDC employee, in which he set out the chronology of correspondence between the GDC and you between March 2017 and June 2017 in connection with these proceedings. He exhibited copies of your observations to the GDC dated 9 March 2017, 22 May 2017 and 7 June 2017.

The Committee also received a signed witness statement dated 23 November 2017 from a Registration Casework Manager, a GDC employee. He provided information as to the GDC's requirement to declare criminal proceedings and convictions and his enquiries on your database record to determine whether you had notified the Council that you had been charged with and found guilty of a criminal offence in 2016. The Registration Casework Manager explained that since 2003 the GDC required all dentists, dental hygienists and dental therapists to declare criminal proceedings and convictions at the time of registration. Once registered with the GDC, there is an ongoing requirement for all registrants to disclose to the GDC any cautions or convictions in line with the GDC's guidance on reporting criminal convictions (published on 30 September 2013) and also in accordance with Standard 9.3 of the GDC's Standards for the Dental Team (published on 30 September 2013). That standard states: "You must inform the GDC if you are subject to criminal proceedings or a regulatory finding is made against you, anywhere in the world." The Registration Casework Manager stated that your database record shows that you were sent a Welcome Pack on 16 November 2015 which would have contained the Standards for the Dental Team and CPD booklets. He explained that if a Welcome Pack was returned undelivered, the GDC would send a template email to the Registrant, advising them of the return and asking that they check their mailing address. This would create an activity on the database record. There were no entries on your record. Further, having conducted a search of the database record, the Registration Casework Manager was unable to find any correspondence or telephone

attendance notes relating to you declaring any conviction or notifying the GDC that you were subject to criminal proceedings. He confirmed that you first registered with the GDC on 13 November 2015 as a dentist and that you have been continuously registered with the GDC since that date.

These witnesses were not called to give evidence since the content of their witness statements were not disputed by you. The Committee found their evidence helpful.

In addition, the Committee has seen copies of documents provided by Bordeaux Criminal Court, including translations into English of summary reports of police investigations following your arrest at Bordeaux airport on 4 February 2016. You and your father-in-law were placed in custody until 5 February 2016, during which time the French police carried out further investigations. The summary report records that while in custody, you admitted having prepared a false British visa using your computer and having affixed the visa you had prepared onto the passport of your father-in-law, who was a Syrian refugee. This was to facilitate his illegal entry from France into the UK. The summary report also recorded that you justified your actions on account of wishing to help your father-in-law return to Britain so as to be able to visit his daughter and grandchildren.

The Committee also had regard to your signed witness statement dated 6 March 2018 in which you set out the circumstances surrounding the offence of forgery and your reflections on the matter thereafter. You set out how at Bordeaux airport, immigration control checked your father-in-law's visa and realised it was a fake, resulting in your arrest on 4 February 2016. You also explained how at the police station you were provided with a translator and that on the following day you were released, and you were told that you had to come back to France to attend court for a "routine matter". You explained that you did not appreciate at the time that you needed to inform the GDC about this. You attended the Criminal Court of Bordeaux on 7 June 2016 for making false claims and you entered a guilty plea. You explained that you asked the judge whether accepting the fine of 500 euros would result in a criminal record, to which she replied that the decision would stay in court for the use of judges only, and would not be registered in the French criminal bureau to be seen by any other organisation. You also explained that due to the assurances of the French judge, you thought that paying the fine was the end of the matter. You said that you did not disclose this conviction to the GDC as you presumed that the rules regarding disclosure in the French system were the same across Europe.

In your oral evidence you again reiterated your position that when you were arrested by the French police in February 2016 you did not appreciate at the time that you needed to inform the GDC of this. Further, following your attendance at court on 7 June 2016, you sought clarification as to whether your accepting the fine would result in a criminal record and you were advised by the French judge that the decision would stay in court and it would not be registered in the French criminal bureau. In your written responses dated 7 June 2017 you state that you had double-checked the situation with the interpreter as to what the French judge had told you and that the interpreter had told you that the court action was suspended from your criminal records, which meant that if you wanted to apply to the French Dental Association, the court action need not be disclosed. You also stated that you made a mistake in not checking the GDC's regulations and reporting the matter to the GDC. You made reference to the context of the Syrian war and the mental pressure on you and your family at the time. You maintained in your oral evidence and in your written responses to the GDC that you had no intention to hide your conviction from the GDC. The Committee found your oral evidence to be consistent with the written responses you provided to the GDC.

The Committee has taken account of all the oral and documentary evidence presented in this hearing. It has considered the submissions made by both parties. The Committee has accepted the advice of the Legal Adviser, during the course of which it was reminded that the burden of proving the facts alleged is on the GDC and the standard of proof is the civil standard which is on the balance of probabilities. You are not required to prove anything.

In relation to the allegation that your conduct was dishonest, the Committee was referred to the recent Supreme Court judgment in the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords* [2017] UKSC 67 where the legal test for dishonesty was revisited. 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 advised to consider three questions when deliberating on the matter of dishonesty:

1. What did the Registrant do?
2. Why did the Registrant do what he did?
3. Having regard to the Committee's findings at 1 and 2, would ordinary decent people judge the conduct to be dishonest applying the standards of ordinary decent people?

The Committee's findings are as follows:

1.	On or around 5 February 2016 you were summoned to appear before the Criminal Court of Bordeaux to be tried for an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code. Admitted and found proved
2.	On 7 June 2016 you were convicted at the Criminal Court of Bordeaux of an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code. Admitted and found proved
3.	You failed to inform the General Dental Council immediately that you were subject to criminal proceedings as at allegation 1 above. Admitted and found proved

4.	<p>You failed to inform the General Dental Council of your conviction at 2 above.</p> <p>Admitted and found proved</p>
5.	<p>Your actions in relation to 3 and/or 4 above were:</p>
5(i).	<p>Misleading</p> <p>Admitted and found proved in relation to 3 and 4.</p>
5(ii).	<p>Dishonest.</p> <p>Found not proved in relation to 3</p> <p>Found proved in relation to 4</p> <p>The Committee has followed the Legal Adviser's advice and has considered the three questions advised by him in considering whether your conduct was dishonest. In relation to 3, you failed to inform the GDC that you were subject to criminal proceedings in that on or around 5 February 2016 you had been summoned to appear before the Criminal Court of Bordeaux to be tried for an offence of forgery.</p> <p>The GDC's case in relation to 3 and 4 is that you would have been aware of your obligation to notify the GDC of this matter, given that you had received a copy of the GDC's Standards for the Dental Team, which set out clearly the requirement to inform the GDC immediately if you are subject to criminal proceedings anywhere in the world. It contends that you chose not to inform the GDC of these matters as you were aware that disclosing this information might have implications for your registration as a dentist. The GDC refers to a number of relevant factual features, including the extended time during which you failed to notify the GDC of your conviction, the nature of the criminality involved in your conviction, which relates to dishonest conduct that was sophisticated and involved some planning, as well as the fact that you would have been aware of the possible implications for you professionally in not disclosing the conviction to your regulator.</p> <p>In your witness statement you explained that after you were released by the Police on 5 February 2016 you were told that you had to come back to France to attend court for a routine matter. You explained that you did not appreciate at the time that you needed to inform the GDC of this. In your evidence you confirmed this position and explained that at the time when you were released by the Police you did not know what the outcome would be and that it did not occur to you that you needed to check with the GDC to see if you had to tell them about being summoned to appear before a criminal court in France. You also told the Committee that at that time (February 2016) you were not working as a dentist and that having only recently been registered with the GDC in November 2015, you were not aware of your professional obligations. You agreed that you had received a copy of the GDC's Standards for the Dental Team but that you had only briefly looked through the beginning of the document and that you had not read it in detail. The Committee found your explanation as to why you did not immediately notify the GDC in February 2016 that you were the subject of criminal proceedings to be credible. It accepts your evidence that you made a mistake in not checking the GDC's regulations and informing them immediately of</p>

this matter. The Committee therefore rejects the GDC's contention that you knew that you should inform the GDC immediately of this matter and deliberately chose not to do so. It considers that your conduct, as explained by you, would not be viewed as being dishonest by reference to the standards of ordinary decent people. Accordingly, it is not satisfied that the test for dishonesty, as set out in *Ivey v Genting Casinos 2017* is made out.

In respect of 4, you failed to inform the GDC of your conviction on 7 June 2016 for the offence of forgery. In your witness statement you explained that you asked the judge whether accepting the fine of 500 euros would result in a criminal record, to which she replied that the decision would stay in the court for the use of judges only, and would not be required in the French criminal bureau to be seen by any other organisation. You further stated that you asked whether this would cause you future difficulties as the UK had a DBS system for criminal convictions to be shared, but that the judge told you that the French system was different and that it would not appear on your criminal record. You say that you trusted what the judge told you and you agreed to pay the fine. In your oral evidence you told the Committee that you believed that you did not need to disclose your conviction to the GDC. You explained that in Syria, you only needed to disclose to the health regulatory authorities if you had received a custodial sentence. You also explained, both in your written statement to the GDC dated 22 May 2017 and in your oral evidence, that in France there are three different levels of access to the records of a conviction. The Committee heard, and it was accepted by both parties, that one level was accessible by the French judiciary only. There were two other levels – on one of these, your conviction would automatically not appear and on the other, it was open to you to apply for the conviction not to be recorded. You made such an application, which was acceded to, as confirmed in the Bordeaux Criminal Court records. The records refer to you as informing the Court that you may face problems if the sentence is included in the Criminal Records. In your oral evidence you told the Committee that you were concerned that the conviction may have implications for you professionally. In the Committee's view, it was clear from the questions that you were asking of the French judiciary that you were aware that the conviction might have implications for you professionally. Further, you understood that your successful application would mean that no one outside the French judicial system would be aware of your conviction. The Committee concluded that by applying for the conviction not to be recorded you believed that it would not be disclosed outside of the French judicial system and would not be found out by the GDC. In the Committee's view, you were aware that a conviction in a criminal court of another country would have implications for your professional status and that you had a duty to disclose it to the GDC. Further, by June 2016 you had been registered with the GDC for a period of some seven months and would have been more familiar with your professional responsibility compared to at an earlier stage of criminal proceedings against you in February 2016. Accordingly, the Committee did not accept your evidence that you did not know that you needed to inform the GDC that you had received a conviction. It considered that, believing that if you did not inform the GDC, the GDC would not become aware of it, you deliberately chose not to disclose the conviction to the GDC in order to keep that information from your regulator. The Committee considers that your conduct in failing to inform the GDC of your conviction would be viewed as

dishonest by reference to the standards of ordinary decent people. Accordingly, it is satisfied that the test for dishonesty, as set out in *Ivey v Genting Casinos 2017* is made out.

We move to Stage Two.”

On 5 April 2018 the Chairman announced the determination as follows:

“Mr Alghofari,

The Committee has had regard to the submissions made by Mr Jamieson, on behalf of the General Dental Council (GDC), and those made by Mr Dhillon, on your behalf, in accordance with Rule 20 of the Fitness to Practise Rules 2006. It has also had regard to your oral evidence and the additional documentary evidence submitted on your behalf which included evidence of Continuing Professional Development courses (CPD) which you have undertaken. It accepted the advice of the Legal Adviser.

Misconduct

The facts found proved are that on or around 5 February 2016 you were summoned to appear before the Criminal Court of Bordeaux to be tried for an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code.

You failed to inform the General Dental Council immediately that you were subject to criminal proceedings. Your actions in this regard were misleading.

On 7 June 2016 you were convicted at the Criminal Court of Bordeaux of an offence of forgery in an administrative document establishing a right, an identity or a quality or granting an authorisation, for acts committed in Bordeaux Gironde, between 31 January 2016 and 4 February 2016, contrary to art. 441-2(1), art. 441-1(1) of the French Criminal Code.

You failed to inform the GDC of your conviction. Your actions in this regard were misleading and the Committee found that it was also dishonest.

The Committee bore in mind that its decisions on misconduct and impairment are matters for its own independent judgement. There is no burden or standard of proof at this stage of the proceedings. Throughout its considerations the Committee has kept in mind the relevant case law regarding the meaning of ‘misconduct’ within the context of regulatory proceedings. It has also had regard to the GDC’s “Standards for the Dental Team” (September 2013). The Committee first considered whether the facts found proved amount to misconduct. Mr Dhillon on your behalf conceded misconduct.

The Committee was advised to carefully consider the wording of the charge which left it open for it to consider whether each head of charge amounted to misconduct. In relation to charge 1, this was the fact of what occurred and did not allege a failing. The Committee therefore commenced consideration of misconduct from charge 2.

The Committee was informed of the guidelines for dealing with convictions of a similar nature in the United Kingdom (UK). It heard that had this been dealt with in the UK courts such a conviction could result in up to 14 years imprisonment. The offence involved extensive planning and execution, compounded by deception when you were apprehended by the French police and deliberate attempts to conceal the conviction. The Committee is of

the view that a conviction for a serious act of forgery is a serious falling short of the standard of conduct expected of a registered dental professional.

You failed to inform the GDC immediately of the criminal proceedings which was misleading to your regulator. You have a duty to disclose any criminal proceedings against you and failing to fulfil your obligations to your regulator is a serious falling short of the standards of conduct expected of registered dental professionals and a breach of the standards that govern the profession.

The Committee found that failing to disclose your conviction to the GDC was also a very serious falling short and a breach of the standards of the profession. It was of the view that your conviction may have remained hidden had the UK Central Authority for the Exchange of Criminal Records not informed the GDC. You have an obligation as a registered dental professional to inform the GDC of any conviction and you deliberately did not.

The Committee considers that your actions breached a number of the standards of the profession as set in the *Standards for the Dental Team (September 2013)*:

Principle 9:

Patients expect:

- That all members of the dental team will maintain appropriate personal and professional behaviour.
- That they can trust and have confidence in you as a dental professional.
- That they can trust and have confidence in 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.

Standard 9.3

Inform the GDC if you are subject to criminal proceedings or a regulatory finding is made against you anywhere in the world.

Standard 9.4

Co-operate with any relevant formal or informal inquiry and give full and truthful information.

The Committee heard evidence of the personal circumstances you were facing at the time when you were facing criminal proceedings against you. However, it is of the view that honesty and integrity are fundamental requirements of the dental profession which must be maintained regardless of the circumstances. Your dishonest conduct was serious and an abuse of your position of trust as a registered dentist. The Committee found that taken individually and cumulatively the facts found proved at charges 2, 3, 4, 5(i) and 5(ii) are serious and amount to misconduct.

Conviction

The Committee found that your conviction as proved at charge 2 was serious and amounted to a conviction which raises the issue of impairment.

Current impairment

The Committee next considered whether your fitness to practise is currently impaired by reason of your misconduct and/or your conviction.

The Committee adopted the approach formulated by Dame Janet Smith in her Fifth Report from the Shipman case; that is, the PCC should ask itself:

'Do our findings of fact in respect of the doctor'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. has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or
- 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.'

The Committee noted that this case does not involve patients and there were no findings involving the provision of clinical care. It considers that your actions in planning and executing the forgery of a false British visa using your computer, affixing the visa you had prepared onto the passport of your father-in-law who was a Syrian refugee in order to facilitate his illegal entry from France into the UK and subsequently attempting to cover up your actions when you were arrested at Bordeaux airport were serious breaches of fundamental tenets of the profession and brought the profession into disrepute. Furthermore, you acted dishonestly by failing to inform your regulator, the GDC, of your criminal conviction.

In considering the likelihood of repetition, the Committee considered the level of your insight into your behaviour and any remediation you have undertaken. The Committee acknowledged that matters relating to dishonest conduct are attitudinal in nature and remediation is often difficult to demonstrate. You engaged immediately with the GDC once your conviction came to light. You admitted all but one of the facts alleged and you admitted that your fitness to practise is impaired by reason of your conviction and your misconduct. The Committee noted that there is no evidence of repetition of matters of the kind found proved.

The Committee noted your written reflections in which you explained the steps you have taken to familiarise yourself with the GDC's regulations, including attending a fitness to practise course. You acknowledged that the fitness to practise course had highlighted weak areas in your knowledge and you now understood that "the reputation of dentists is highly important in order to uphold the credibility of the dentistry sector." In your written reflection you apologised if your actions resulted in any damage to the public's trust and confidence in dentists. The Committee sought to balance these comments against your oral and documentary evidence in the hearing. In your evidence, you sought to avoid responsibility for your own actions, citing instead the Syrian war, the French and British legal systems and other people involved in the incident in question, rather than accepting that you had done wrong regardless of the situation. You were aware of the seriousness of your actions at the time given that the evidence showed that you had requested for the conviction not to be

placed on the public record. The Committee did not in any way seek to downplay the serious nature of the events occurring in Syria. However, it was of the view that in your evidence you sought to justify your actions based on those events.

The Committee considered that you had shown limited insight into the seriousness of your behaviour and undertaken limited relevant remediation. As such it was not satisfied that you would not repeat similar conduct in the future. It therefore determined that your fitness to practise is impaired by reason of your conviction and misconduct.

The Committee then considered whether a finding of impairment was required in the public interest to maintain public confidence in the profession and declare and uphold proper standards. The facts found proved involved a serious offence of forgery of a British visa to aid another's illegal entry from France to the UK, which resulted in a conviction in France. Furthermore, the conviction was dishonestly concealed from the dental regulator. The Committee concluded that a reasonable and informed member of the public, fully aware of these serious findings, would lose confidence in the profession and the dental regulator if a finding of impairment were not made in the circumstances of this case. The Committee therefore determined that, in relation to its duty to safeguard the public interest, your fitness to practise is currently impaired by reason of your misconduct and your conviction.

Sanction

The Committee next considered what sanction, if any, to impose on your registration. It recognises that the purpose of a sanction is not to be punitive, although it may have that effect. The Committee took into account the GDC's "Guidance for the Practice Committees, including Indicative Sanctions Guidance" (October 2016). It applied the principle of proportionality, balancing the public interest with your own interests.

The Committee considered the mitigating and aggravating factors in this case. It took account of your previous good character; the circumstances leading up to the events which resulted in your conviction; the evidence of your good conduct after your conviction had been disclosed to the GDC. The Committee noted that there was no actual harm or risk of harm to patients; no financial gain and you apologised in your written reflection. Conversely the Committee noted that your insight is limited and insufficient; the weight of your written apology was reduced by your oral evidence where you sought to pass blame and go behind your conviction by accusing the French authorities of bias and of misleading you. A further aggravating feature is that your conduct was significant and premeditated and breached the trust the public place in dental professionals.

The Committee considered that to conclude this case with no further action would be inappropriate and would not satisfy the public interest given the nature of your conviction and the dishonest conduct found.

The Committee considered the available sanctions in ascending order starting with the least restrictive. It determined that a reprimand would not be appropriate because your behaviour was deliberate, not an isolated incident but one that was carefully planned and executed over a period of time. It did not meet the criteria set out in the October 2016 guidance for the imposition of a reprimand.

The Committee then considered whether a conditions of practice order may be imposed on your registration. It was of the view that attitudinal failings could not be addressed by way of conditions. Conditions would also not address the Committee's concerns about your insight nor would it be sufficient to mark the seriousness of your departure from acceptable

standards of behaviour. It therefore concluded that conditions would be inappropriate to maintain public confidence in the profession.

The Committee concluded that withdrawal of your registration is necessary for a period of time. In considering the duration of such withdrawal the Committee considered whether suspension would be appropriate in this case. The Committee was of the view that your conviction for an offence of forging a British visa to aid another's illegal entry into the UK is very serious. The punishment for such an offence if convicted in the UK will often be a period of imprisonment. The Committee considers that this demonstrates the gravity of the offence for which you were convicted albeit that your conviction was in France. In addition, although your written statement showed some insight on your part, your oral evidence did not support the written reflection before the Committee. It concluded that you had placed personal concerns over what was expected of you as a registered dental professional. Further the Committee concluded that the nature of your conviction was such that any outcome short of erasure would not satisfy the public interest in declaring and upholding proper standards of conduct and in maintaining the reputation of the profession and the GDC as its regulator. The Committee bore in mind your personal circumstances. However, it was not satisfied that these reduced the seriousness of your failings. The crime you committed is fundamentally incompatible with continuous registration. Your attempted cover up and failure to notify the GDC only reinforces that fundamental incompatibility.

Accordingly, the Committee directs that your registration in the Dentists' Register be erased pursuant to section 27B (6)(a) of the Dentists Act 1984.

The Committee now invites submissions from both parties as to whether your registration should be suspended immediately.

Decision on immediate order of suspension

The Committee took account of the submissions made by Mr Jamieson on behalf of the GDC that an immediate order should be imposed on your registration. Mr Dhillon invited the Committee to consider allowing you to work in the 28-day period before the Erasure direction takes effect to allow you to work and earn some money which would be of benefit to you and your family. Secondly Mr Dhillon informed the Committee that you have two implant patients at the end of their treatment and the 28-day period would allow you to complete their treatment.

The Committee accepted the advice of the Legal Adviser.

The Committee noted that if you were to appeal the direction of erasure would not take effect until the resolution of that appeal, a period that could be considerably longer than the 28 days referred to by Mr Dhillon.

The Committee was of the view that having found that you acted dishonestly, breached fundamental tenets of the profession, brought the profession into disrepute and that the crime you committed is fundamentally incompatible with continuous registration, not to impose an immediate order would be inconsistent with these findings. It concluded that its findings reached the threshold for the imposition of an immediate order on public interest grounds. It therefore determined that an immediate order of suspension is otherwise in the public interest, pursuant to Section 30(1) of the Dentists Act 1984, as amended.

The effect of the foregoing direction and this order is that your registration will be suspended with immediate effect and unless you exercise your right to appeal, the substantive direction of erasure will take effect 28 days from when notice is deemed served on you. Should you exercise your right to appeal, this order for immediate suspension will remain in place pending the resolution of any appeal proceedings.

That concludes the case.”