

Dr John Tait (Registration number 56/78)

At a meeting on 4 October 2012 the Dental Council considered the conviction of registered dentist Dr John Tait under Section 42 of the Dentists Act, 1985 for an offence triable on indictment.

Section 42(1) of the Dentists Act, 1985 states that “***Where a registered dentist is convicted in the State of an offence triable on indictment or is convicted outside the State of an offence consisting of acts or omissions which would constitute an offence triable in indictment if done or made in the State, the Council may decide that the name of such person should be erased from the register.***”

Having considered the matter at its meeting, including submissions made on behalf of Dr Tait, the Council decided to erase Dr Tait’s name from the register of dentists. The Council set out the following reasons for its decision:

1. *You have been convicted of an indictable offence, being the offence of sexual assault contrary to Section 2 of the Criminal Law (Rape) (Amendment) Act, 1990 (as amended).*
2. *It is in the public interest to do so, having regard to the nature and the circumstances of the offence.*
3. *The primary role of the Dental Council is the protection of the public. It is also required to promote high standards of professional conduct including the ethical behaviour of registered dentists. The Dental Council holds that every person, whether a member of the public, or as here, a member of staff, is entitled to expect to be treated professionally, safely and appropriately. Having regard to the foregoing, the Dental Council has decided pursuant to Section 42 of the Dentist Act, 1985 to erase your name from the register.*

Dr Tait appealed this decision to the High Court and this hearing commenced on 18 December 2012. The appeal was withdrawn by Dr Tait on 19 December 2012 and the decision to erase Dr Tait from the register was subsequently confirmed by the President of the High Court, Mr Justice Kearns, with effect from that date.