

**Dr James Madden, 68 Tullow Street, Carlow (Registration Number 56/79)**

The Registrant having been convicted of six offences under section 32(4) of the Irish Medicines Board Act 1995, as amended by section 16 of the Irish Medicines Board (Miscellaneous Provisions) Act 2006, the Medicinal Products (Control of Placing on the Market) Regulations 2007 (S.I. No. 540 of 2007), as amended by the Medicinal Products (Control of Placing on the Market) (Amendment) Regulations 2013 (S.I. No. 162 of 2013), and the Medicinal Products (Control of Wholesale Distribution) Regulations 2007 (S.I. No. 538 of 2007), as amended by the Medicinal Products (Control of Wholesale Distribution) (Amendment) Regulations 2013 (S.I. No. 164 of 2013).

And the said offences being offences triable on indictment, the matter came before the Council for consideration under section 42 of the Dentists Act 1985.

And having heard submissions on behalf of the Registrant and the Registrar at meetings of the Council on the 27<sup>th</sup> February 2019 and the 3<sup>rd</sup> December 2019, and having considered the statement of the Registrant on the latter date and the written submissions on behalf of the Registrant.

And having given due consideration to—

- (a) the need to make clear to both the Registrant and the other members of the profession, that the convictions were of a very serious nature,
- (b) the need to protect the integrity of the profession,
- (c) the need to protect the public,
- (d) the obligation to afford the Registrant as much leniency as possible in the circumstances,
- (e) the principle of proportionality, and
- (f) all of the mitigating factors, both professional and personal, put forward at the hearing.

The Council found that, given all of the above, the only proportionate response was that the name of the Registrant should be erased from the register pursuant to section 42(1) of the Dentists Act 1985.

The decision erase Dr Madden's name from the register of Dentists was confirmed by the President of the High Court, Mr Justice Kelly, on 13 January 2020 and with effect from that date.