

**GENERAL OSTEOPATHIC COUNCIL**  
**PROFESSIONAL CONDUCT COMMITTEE**

**Case No: 946/2500**

**Professional Conduct Committee Hearing**

**DECISION**

|                                      |                                                                          |
|--------------------------------------|--------------------------------------------------------------------------|
| <b>Case of:</b>                      | Torben Hersborg                                                          |
| <b>Committee:</b>                    | Andrew Harvey (Chair)<br>Manjit Darby (Lay)<br>Robert Thomas (Osteopath) |
| <b>Legal Assessor:</b>               | Tim Grey                                                                 |
| <b>Representation for Council:</b>   | Vivienne Tanchel                                                         |
| <b>Representation for Osteopath:</b> | Registrant did not attend and was unrepresented                          |
| <b>Clerk to the Committee:</b>       | Sajinee Padhiar                                                          |
| <b>Date of Hearing:</b>              | 30 January 2026                                                          |

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**Summary of Decision:**

The Allegation, as amended, was found proved in its entirety.

The Committee found that the Particulars proved were material to the Registrant's fitness to practice and that the Registrant should be removed from the Register.

The Committee determined that it was necessary to impose an order of interim suspension in order to protect the public, pending the substantive order coming into effect.

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**Original Allegation**

The allegation is that Mr. Torben Hersborg (the Registrant) has been convicted in the United Kingdom of a criminal offence, contrary to Section 20(1)(c) of the Osteopaths Act 1993, in that:

1. On 23 December 2024 the Registrant pleaded guilty to three counts of voyeurism contrary to Section 67 Sexual Offences Act 2003

### **Amended Allegation**

The allegation is that Mr. Torben Hersborg (the Registrant) has been convicted in the United Kingdom of a criminal offence, contrary to Section 20(1)(c) of the Osteopaths Act 1993, in that:

1. On 23 December 2024 the Registrant was convicted following a guilty plea to the three offences listed at Schedule 1.
2. On 15 May 2025 the Registrant was convicted following a guilty plea to the five offences listed at Schedule 2.
3. On 22 July 2025 the Registrant was sentenced at Snaresbrook Crown Court for the offences listed in Particular 1 and 2 to a term of imprisonment of 3 years and 5 months, a Sexual Harm Prevention Order lasting 10 years, an indefinite notification requirement in accordance with sexual offences act 2003 and a fixed victim surcharge of £120.

### **Schedule 1**

1. Observe a person doing a private act Contrary to section 67(1) and (5) of the Sexual Offences Act 2003. On 21/12/2024 at London in the Borough of Islington, for the purpose of obtaining sexual gratification, observed another person doing a private act, knowing that the person did not consent to being observed for your sexual gratification
2. Observe a person doing a private act Contrary to section 67(1) and (5) of the Sexual Offences Act 2003. On 10/12/2024 at London in the Borough of Islington, for the purpose of obtaining sexual gratification, observed another person doing a private act, knowing that the person did not consent to being observed for your sexual gratification
3. Observe a person doing a private act Contrary to section 67(1) and (5) of the Sexual Offences Act 2003. On 14/12/2024 at London in the Borough of Islington, for the purpose of obtaining sexual gratification, observed

another person doing a private act, knowing that the person did not consent to being observed for your sexual gratification

## Schedule 2

1. Voyeurism - recording a private act - SOA 2003. Contrary to section 67(3) and (5) of the Sexual Offences Act 2003. between 14/03/2012 and 01/10/2024 at CENTRAL LONDON OSTEOPATHIC CLINIC, OLD STREET, HACKNEY, LONDON recorded another person doing a private act with the intention that you a third person, namely Torben Stig HERSBORG, would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to your recording the act with that intention. This charge reflects the first known recording of a patient/client at the Central London Osteopathy Clinic stored on NHS/32 - a Seagate portable hard drive seized during s18 search at home address.
2. Record image under clothing to observe another without consent. Contrary to section 67A(2) and (4) of the Sexual Offences Act 2003. Between 12 Apr 2019 and 17 Aug 2024 at various locations (eg on beaches, footpaths, roads and at bus stops), recorded an image beneath the clothing of another person of the genitals or buttocks, or underwear covering the genitals or buttocks, of that person, in circumstances where the genitals, buttocks or underwear would not otherwise be visible, with the intention that you or a third person would look at the image for the purposes of obtaining sexual gratification, doing so without consent and without reasonably believing that the person consented. This charge reflects the first known recording (since commencement date of this offence) of a person in such a setting stored on NHS/23 - a Seagate portable hard drive seized during s18 search at home address.
3. Record image under clothing to observe another without consent. Contrary to section 67A(2) and (4) of the Sexual Offences Act 2003. Between 12 Apr 2019 and 17 Aug 2024 at on at least 10 occasions other than in charge 31, at various locations (eg on beaches, footpaths, roads and at bus stops) recorded an image beneath the clothing of another person of the genitals or buttocks, or underwear covering the genitals or buttocks, of that person, in circumstances where the genitals, buttocks or underwear would not otherwise be visible, with the intention that you or a third person would look at the image for the purposes of obtaining sexual gratification, doing so without consent and without reasonably believing that the person consented. This charge is a multiple incident charge - reflecting findings on NHS/32 - a Seagate portable hard drive seized during s18 search at home address.

4. Voyeurism - recording a private act - SOA 2003. Contrary to section 67(3) and (5) of the Sexual Offences Act 2003. between 28/11/2016 and 10/11/2024 at various locations recorded another person doing a private act with the intention that you a third person, namely Torben Stig HERSBORG, would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to your recording the act with that intention. Page 2 This charge reflects 42 video recordings found on exhibit ALB/03 - Panasonic camcorder seized from car on arrest.
5. Voyeurism - recording a private act - SOA 2003. Contrary to section 67(3) and (5) of the Sexual Offences Act 2003. Between 28/11/2016 and 10/11/2024 at LONDON in the Borough of Islington, in public (eg on beaches, footpaths, roads and bus stops) recorded another person doing a private act with the intention that you would, for the purpose of obtaining sexual gratification, look at an image of that other person doing the act, knowing that the other person did not consent to your recording the act with that intention

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## **Decision**

### **Preliminary Matters**

#### **Proceeding in Absence**

1. At the outset of proceedings, Ms. Tanchel on behalf of the General Osteopathic Council ("the Council") applied for the matter to proceed in the absence of the Registrant. She took the Committee to various correspondence demonstrating that the Registrant had been provided with the Allegation and papers in the case by letter of 10 November 2025, which had been served upon him via HMP Maidstone officers on 12 November 2025, where he was residing. The Notification of the Hearing had been served upon the Registrant in the same manner on 18 December 2025. By email from prison officers at HMP Maidstone, sent on 13 January 2026, the Registrant informed the Council that "he did not want a hearing."
2. Thereafter in a statement signed and dated 20 January 2026, the Registrant confirmed he did not wish to attend or participate in the hearing. Ms. Tanchel therefore submitted that the service provisions set out in Rules 7, 9 and 65 of the Professional Conduct Committee (Procedure) Rules 2000 ("The Rules")

had been satisfied. She further submitted that all reasonable steps had been taken by the Council to serve the notice of the hearing on the osteopath as required by Rule 20 of the Rules.

3. Ms. Tanchel went on to address the Committee on the fairness of proceeding in absence. She submitted that the Registrant had made no application to adjourn the case and had provided no evidence of any sort suggesting he was prevented from attending a remote hearing. To the contrary, the Council had anticipated the need for a video link with HMP Maidstone and made provisional arrangements for such. Ms. Tanchel further submitted that balancing the public interest against the interests of the Registrant required the hearing go ahead. In light of the background, it was clear the Registrant knew the hearing could go ahead in his absence and had implicitly agreed that it should.
4. The Committee accepted the advice of the Legal Assessor that the decision to proceed in the absence of the Registrant was a decision to be taken with the utmost care and caution. The Panel had regard to the relevant Practice Note, the criteria set out in *R v Jones [2002] UKHL 5* and the guidance in the case of *General Medical Council v Adeogba [2016] EWCA Civ 162*.
5. The Committee noted that the Registrant had been informed, by email and letter on 18 December 2025 that the hearing would be taking place and the nature of the proceedings. The Committee was conscious that Rules 9, 20 and 65 imposed a duty in terms of the timing and the manner in which service had to be effected and required that documents be served by Registered post or Recorded Delivery service at least 28 days prior to the hearing. In each case this had taken place. The Committee concluded that the Registrant had been given sufficient notice had he wished to attend and take an active part in the hearing. There was clear and cogent evidence he was aware of the hearing date from his own statement, and that he had taken an active decision not to participate.
6. The Committee went on to consider whether it was fair in all the circumstances to proceed to hear the case in the absence of the Registrant. The Committee concluded that the Registrant had known of the hearing date and chosen not to attend or make representations. He had therefore voluntarily absented himself from the proceedings.
7. The issues raised in the case go directly to concerns of the utmost gravity involving public safety. There is a public interest in the timely and expeditious

resolution of the concerns that have come to light. The Registrant did not seek an adjournment, and in all the circumstances the Committee concluded that there would be no merit in adjourning the case. It concluded that balancing the interests of the Registrant with the interests of the public in conducting an expeditious hearing, meant it was both fair and reasonable to proceed in absence on this occasion. The Committee drew no adverse inference from the Registrant's absence.

### **Allegation Amendment**

8. Ms. Tanchel, on behalf of the General Osteopathic Council ("The Council"), applied to amend the Allegation to the terms set out above. She submitted that the amendment was both necessary and desirable in order to ensure the Allegation reflected the true position following the Registrant's convictions and that such amendments as were proposed more adequately and properly reflected the nature of the case and the sentence imposed, all of which were relevant matters.
9. The Committee received and accepted the advice of the Legal Assessor. It was advised that its power to make such an amendment was governed by Rule 24 of the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules Order of Council 2000 ("The Rules"). The Committee thereby has a discretion to amend the Allegation at any time if, having heard from both parties and received legal advice, it considered that an amendment could be made without injustice.
10. The Committee was reminded that in the absence of the Registrant it was of crucial importance that it satisfy itself he was aware of the application, or if he was not that no prejudice resulted from that, and that any matters that ought properly to be taken into account on his behalf, in relation to the application should be.
11. The Committee concluded that the amendments as sought by the Council could be made without injustice and were both necessary and desirable to properly reflect the nature of the case.

### **Background**

12. On 24 December 2024, the Council was informed by the Metropolitan Police that Mr Hersborg had been arrested and charged with three offences of voyeurism committed between 10 December 2024 and 21 December 2024. The Registrant had pleaded guilty to the three offences at Highbury Corner

Magistrates Court on 23 December 2024. Following his guilty pleas, the Registrant was remanded in custody and his case sent to the Snaresbrook Crown Court for sentence.

13. On 6 January 2025, the case was considered by a screener and then considered by the Investigating Committee on 14 February 2025. The Investigating Committee considered the allegation and concluded that there was a case for the Registrant to answer and referred the matter to the Professional Conduct Committee.
14. On 15 May 2025 at the Crown Court at Snaresbrook, Mr Hersborg pleaded guilty to a further five offences contrary to the Sexual Offences act 2003 spanning the period between 14 March 2012 and 21 December 2024.
15. On 22 July 2025 Mr Hersborg was sentenced to a period of imprisonment of three years and five months. The Court also imposed a Sexual Harm Prevention Order for ten years and an indefinite notification requirement.

### **Evidence**

16. The Committee was provided with two certificates of conviction, both dated 29 August 2025 and signed and stamped by a Court officer of the Crown Court sitting at Snaresbrook. Those certificates of conviction bore out the precise allegations brought by the Council.

### **Submissions of the Parties and Legal Advice**

17. On behalf of the Council Ms. Tanchel submitted that the certificates of conviction represented incontrovertible evidence that the Registrant had been convicted and sentenced as alleged. The convictions arose out of his behaviour outside student accommodation in Kings Cross, where he was seen on several occasions, at night. On the final occasion the police were notified of a suspicious male. On attendance the Police found the Registrant in his vehicle with, amongst other things, a camcorder he had used to record female students through their windows. He was arrested and his home address searched. There, the Police found a further c.5000 images and videos of females, both members of the public and patients. Those images were taken between 2012 and 2024. The Registrant pleaded guilty to the offences at the Magistrates Court and was sentenced at the Snaresbrook Crown Court on 22 July 2025.

18. The Committee received and accepted the advice of the Legal Assessor. It was advised that it should consider first, whether the certificates of conviction did demonstrate that which was alleged in each Paragraph of the Allegation. Pursuant to Rule 26(1)(b) of the General Osteopathic Council (Professional Conduct Committee) (Procedure) Rules 2000 ("the Rules") it was thereafter open to the Committee to conclude the Allegation was proved to the required standard.
19. In the absence of the Registrant the Committee was taken to the possible defence in such a case, set out at Rule 26(1)(f) of the Rules, which was that the Registrant was not the person convicted. That was a defence open to a Registrant, albeit it was for the Registrant to show it was a case of mistaken identity. The presumption remained that the Registrant was the person convicted, unless there was evidence that suggested the contrary, in which case the Committee should carefully evaluate that evidence and determine whether there was sufficient evidence to suggest he was not the person identified in the certificate of conviction. No such defence had been asserted in this case.

### **The Committee's Findings On The Facts**

20. Pursuant to Rule 26(1)(b) of the Rules, the Committee determined that the convictions and sentence as alleged had been imposed by reference to the two certificates of conviction issued by the Crown Court sitting at Snaresbrook on 26 August 2025.
21. In the absence of any assertion by the Registrant that he was not the person so convicted and sentenced, and in the absence of any evidence suggesting mistaken identity, the Committee determined that the Allegation was proved in its entirety.

### **Materiality and Sanction**

#### **Submissions of the Parties**

22. On behalf of the Council, Ms. Tanchel submitted that the convictions were material to the Registrant's fitness to practice as an Osteopath. She submitted that in this regard the 2019 Osteopathic Practise Standards apply ("OPS") but that the 2012 OPS was of some relevance, given the age and length of time over which his criminal conduct had been undertaken. The conduct outside his practice was material she submitted, given the impact it has on the public confidence in the profession, as well as the risk it necessarily indicated to patients he would be treating in vulnerable



circumstances due to their state of potential undress and the power imbalance between the practitioner and patient. His criminal behaviour as it related directly to patients, was, in her submission, even more obviously material to his professional practice as an Osteopath.

23. She took the Committee through those parts of the Hearings and Sanctions Guidance which she submitted were of most relevance to its deliberations. In so doing she submitted that the inevitable consequence, bearing in mind the need for proportionality, was that a sanction of removal from the register was necessary to protect the public, maintain public confidence in the profession and maintain and uphold standards. She submitted that there was a clear risk to the public in the Registrant remaining in practice by reason of the nature of the offences and the context in which those offences were committed.
24. Ms. Tanchel further submitted that voyeurism and covert recording of female patients whilst in a state of undress without consent over a prolonged period of time strikes at the very heart of both public protection and the reputation of the profession. The Registrant repeatedly breached the trust of patients and represented a real risk of harm both to patients and the general public alike.
25. Ms. Tanchel took the Committee to parts of the sentencing remarks of HHJ Greene which reflected the quantity and nature of the Registrant's offending conduct, both with patients and outside the situation of his practice and into the community at large, which clearly demonstrated a serious and profound course of conduct that she submitted was fundamentally incompatible with continued registration as an Osteopath.

### **Legal Advice**

26. The Committee received and accepted the advice of the Legal Assessor. On the issue of materiality the Committee was advised that pursuant to s.22(3) of the Act, if it considered the criminal offence in question had no material relevance to the Registrant's practice of osteopathy it could take no further action.
27. The Committee was further advised that if it found the convictions to be material then by virtue of s.22(4) of the Act it was required to impose a sanction. The Committee was advised that in considering the sanction there is no burden or standard of proof. The question of sanction is a matter for the Committee's judgment. It was advised that the purpose of sanctions is not to be punitive but to protect patients and the public interest in the wider sense,

namely to maintain public confidence in the profession of osteopathy, and to declare and uphold standards.

28. The Committee was reminded that in deciding upon sanction it should have regard to the Guidance, and apply the principle of proportionality, weighing the interests of the public with those of the practitioner and taking the minimum action necessary to protect the public and the wider public interest.

### **The Committee's Findings on Materiality, Sanction & Referral**

#### **Material Relevance**

29. The Committee considered that the Registrant's convictions were grave ones. It reflected a clear and persistent course of conduct that was sexualised and predatory towards female patients and targeted groups of the general public, and in circumstances where often there was a power imbalance. Many of the offences occurred during treatment and in a professional setting. In the Committee's judgment, the convictions were clearly relevant to the Registrant's professional standing and to his fitness to practice.
30. The Committee therefore determined that the convictions were of material relevance to his fitness to practice as an Osteopath.

#### **Sanction**

31. Having found the convictions were materially relevant to the Registrant's fitness to practice, the Committee turned to consider the necessary and proportionate sanction.
32. The Committee began by considering the aggravating and mitigating factors present in the case. The key aggravating factors were the breach of trust and the length of time over which the Registrant had conducted himself in such a manner, which was organized and premeditated. It was impossible to know for sure how many patients and others had been subject of his conduct, but it was clear it likely ran into the hundreds if not more. On its face, a conviction for covertly filming females, including patients, often in a state of undress was extremely serious and was made all the more grave by the prolific nature of the conduct as reported by the Learned Judge in his sentencing remarks. It represented a gross breach of trust and exploitation of the victims and marked a violation of their dignity and privacy, which in turn represented a very serious risk of harm. The Committee considered that the offences were ones which fundamentally undermined the trust reposed by the public in the

profession. The offending behaviour had passed the custody threshold as was clear from the sentence imposed.

33. In terms of mitigating factors, the Committee noted and took account of the following: the Registrant had no previous disciplinary or criminal history, the remorse and insight the Registrant had shown and that was recorded by the Learned Judge in his sentencing remarks and the assistance he provided to the Police investigation.
34. Having identified the aggravating and mitigating factors, the Committee then went on to consider what the appropriate sanction was, approaching the sanctions in ascending order of seriousness. It did so clear in its view that this case did involve a real element of risk to the public and patients, and that its main focus in this case was therefore in relation to the risk to the public as well as the wider public interest of upholding confidence in the profession and maintaining standards.
35. The Committee first considered whether an admonishment was the appropriate sanction in this case. The Committee concluded that the nature of the convictions and the persistent and premeditated breach of trust it involved meant that an admonishment was wholly insufficient in protecting the public and in marking the seriousness of the Registrant's behaviour, and was therefore not sufficient to maintain public confidence in the profession of osteopathy and uphold professional standards in the profession.
36. Having concluded that an admonishment was not sufficient to reflect the seriousness of the Registrant's conduct, the Committee went on to consider whether to impose conditions on the Registrant's practice. It concluded that conditions were not appropriate, in circumstances where the behaviour underlying the convictions was of sufficient seriousness that conditions alone would not be enough to protect the public, properly mark the nature of the convictions and the underlying conduct. Moreover, the Committee could not conceive of conditions that could be said to be workable, measurable and capable of being monitored.
37. The Committee concluded that protection of the public and the wider public interest would not be met by the imposition of conditions.
38. In considering whether to suspend the Registrant's registration, the Committee carefully considered whether the convictions were entirely incompatible with continued membership of the Osteopathic profession. The Committee concluded it was. This was a sexual offence of persistent breach of trust, which involved an egregious breach of the privacy of many, many

patients over a prolonged period. It was a gross dereliction of the duty owed by any healthcare practitioner to any patient, represented a breach of trust of the most serious kind and had often been commissioned in a situation of a power imbalance.

39. In the circumstances the Committee concluded that a suspension, even for the maximum period was insufficient to protect the public and the wider public interest.
40. The Committee was unable to determine that the Registrant did not present a risk to the public. To the contrary the nature and extent of his offending behaviour suggested the risk he posed if allowed to remain in practice was a real one. The Committee determined that the fundamental and profound materiality of the Registrant's behaviour was so serious as to be fundamentally incompatible with continued registration. The Committee concluded that it was therefore necessary to impose a sanction of removal from the register in order to protect the public, uphold public confidence in the profession and to promote and maintain proper professional standards.
41. In light of the Committee's conclusion that the Registrant poses a continuing risk to the public, it determined that it was necessary to impose an immediate interim order of suspension.

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Under Section 31 of the Osteopaths Act 1993 there is a right of appeal against the Committee's decision.

The Registrant will be notified of the Committee's decision in writing in due course.

All final decisions of the Professional Conduct Committee are considered by the Professional Standards Authority for Health and Social Care (PSA). Section 29 of the NHS Reform and Healthcare Professions Act 2002 (as amended) provides that the PSA may refer a decision of the Professional Conduct Committee to the High Court if it considers that the decision is not sufficient for the protection of the public.

Section 22(13) of the Osteopaths Act 1993 requires this Committee to publish a report that sets out the names of those osteopaths who have had Allegations found against them. The Registrant's name will be included in this report

together with details of the allegations we have found proved and the sanction that that we have applied today.