

**SINGAPORE DENTAL COUNCIL
DISCIPLINARY INQUIRY FOR DR AMIT PATEL
ON 4 NOVEMBER 2022 AND 2 MAY 2023**

Disciplinary Committee:

Dr Kaan Sheung Kin (Chairman)
A/Prof Keson Tan
A/Prof Goh Bee Tin
Mr Mansoor Hassanbhai (Lay person)

Legal Assessor

Ms See Tow Soo Ling

Counsel for the SDC:

Mr Edmund Kronenburg
Ms Roseanne Tan
Mr Samuel Lim
(M/s Braddell Brothers LLC)

Counsel for the Respondent:

Mr Charles Lin
Ms Tricia Lim
(M/s Charles Lin LLC)

DECISION OF THE DISCIPLINARY COMMITTEE

(Note: Certain information may be redacted or anonymized to protect the identity of the parties.)

1. The Respondent in this Inquiry is **Dr Amit Patel** (“**Dr Patel**”) who is a fully registered Division 1 dentist registered with the Singapore Dental Council (“**SDC**”) under Dental Registration Act (Cap 76) (“**DRA**”). Dr Patel was practicing at Malo Clinic Nuffield Dental Clinic (Serangoon Gardens) located at 57 Serangoon Garden Way, Serangoon Garden Estate, Singapore 555953 (“**the Clinic**”).
2. Dr SE was a dentist with conditional registration under Section 14A of the DRA for the period between 13 October 2016 and 14 October 2017, and was practising at the Clinic.
3. Dr Patel was the only dentist approved by the SDC on 23 September 2016 to supervise Dr SE.
4. Five charges were brought against Dr Patel by SDC for professional misconduct under Section 40(1)(d) of the DRA. The five charges are as follows: -

FIRST CHARGE

“That you, **Dr Amit Patel**, are charged that on or about 3 December 2016, whilst practicing as a dentist at Malo Clinic Nuffield Dental Clinic (Serangoon Gardens) located at 57 Serangoon Garden Way, Serangoon Garden Estate, Singapore 555953 (“**Clinic**”), failed to supervise one Dr SE being a dentist who was conditionally registered under Section 14A of the Dental Registration Act (Cap. 76) (“**Act**”), to wit: -

PARTICULARS

- (a) On or about 23 September 2016, you were approved by the Singapore Dental Council (“**Council**”) as Dr SE’s supervisor pursuant to Section 14A(4)(a) of the Act;
- (b) On or about 3 December 2016, you allowed Dr SE to practice dentistry independently from you at the Clinic and you failed to supervise her; and
- (c) You breached your duties as Dr SE’s supervisor, as set out in, inter alia, the Council’s Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, and you are thereby in breach of Regulation 16 of the Dental Registration Regulations (“**DRR**”) and Section 3 of the Council’s Ethical Code and Ethical Guidelines (“**ECEG**”),

and your aforesaid conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency, and that in relation to the facts alleged you have been guilty of professional misconduct under Section 40(1)(d) of the Act.

SECOND CHARGE

That you, **Dr Amit Patel**, are charged that on or about 4 December 2016, whilst practicing as a dentist at the Clinic, failed to supervise Dr SE being a dentist who was conditionally registered under Section 14A of the Act, to wit: -

PARTICULARS

- (a) On or about 23 September 2016, you were approved by the Council as Dr SE's supervisor pursuant to Section 14A(4)(a) of the Act;
- (b) On or about 4 December 2016, you allowed Dr SE to practice dentistry independently from you at the Clinic and you failed to supervise her; and
- (c) You breached your duties as Dr SE's supervisor, as set out in, *inter alia*, the Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, and you are thereby in breach of Regulation 16 of the DRR and Section 3 of the Council's ECEG,

and your aforesaid conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency, and that in relation to the facts alleged you have been guilty of professional misconduct under Section 40(1)(d) of the Act.

THIRD CHARGE

That you, **Dr Amit Patel**, are charged that on or about 9 December 2016, whilst practicing as a dentist at the Clinic, failed to supervise Dr SE being a dentist who was conditionally registered under Section 14A of the Act, to wit:-

PARTICULARS

- (a) On or about 23 September 2016, you were approved by the Council as Dr SE's supervisor pursuant to Section 14A(4)(a) of the Act;
- (b) On or about 9 December 2016, you allowed Dr SE to practice dentistry independently from you at the Clinic and you failed to supervise her; and
- (c) You breached your duties as Dr SE's supervisor, as set out in, *inter alia*, the Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016,

and you are thereby in breach of Regulation 16 of the DRR and Section 3 of the Council's ECEG,

and your aforesaid conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency, and that in relation to the facts alleged you have been guilty of professional misconduct under Section 40(1)(d) of the Act.

FOURTH CHARGE

That you, **Dr Amit Patel**, are charged that on or about 11 December 2016, whilst practicing as a dentist at the Clinic, failed to supervise Dr SE being a dentist who was conditionally registered under Section 14A of the Act, to wit:-

PARTICULARS

- (a) On or about 23 September 2016, you were approved by the Council as Dr SE's supervisor pursuant to Section 14A(4)(a) of the Act;
- (b) On or about 11 December 2016, you allowed Dr SE to practice dentistry independently from you at the Clinic and you failed to supervise her; and
- (c) You breached your duties as Dr SE's supervisor, as set out in, *inter alia*, the Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, and you are thereby in breach of Regulation 16 of the DRR and Section 3 of the Council's ECEG,

and your aforesaid conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency, and that in relation to the facts alleged you have been guilty of professional misconduct under Section 40(1)(d) of the Act.

FIFTH CHARGE

That you, **Dr Amit Patel**, are charged that on or about 13 December 2016, whilst practicing as a dentist at the Clinic, failed to supervise Dr SE being a dentist who was conditionally registered under Section 14A of the Act, to wit:-

PARTICULARS

- (a) On or about 23 September 2016, you were approved by the Council as Dr SE's supervisor pursuant to Section 14A(4)(a) of the Act;
- (b) On or about 13 December 2016, you allowed Dr SE to practice dentistry independently from you at the Clinic and you failed to supervise her; and
- (c) You breached your duties as Dr SE's supervisor, as set out in, *inter alia*, the Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, and you are thereby in breach of Regulation 16 of the DRR and Section 3 of the Council's ECEG,

and your aforesaid conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency, and that in relation to the facts alleged you have been guilty of professional misconduct under Section 40(1)(d) of the Act.

- 5. The primary facts relating to the charges are collated in the Agreed Statement of Facts ("**ASOF**") between the SDC and Dr Patel duly agreed by Counsel for the Prosecution and the Respondent.
- 6. Dr Patel faced five charges of professional misconduct under Section 40(1)(d) of the DRA, for failing to supervise Dr SE on 5 occasions, namely 3, 4, 9, 11 and 13 December 2016 while Dr SE worked at the Clinic.
- 7. At the Inquiry on 4 November 2022, Dr Patel pleaded not guilty to all five Charges. The parties filed their respective written closing submissions on 23 December 2022. SDC filed its reply submissions on 13 January 2023 while Dr Patel filed his reply submissions on 20 January 2023. The Disciplinary Committee ("**DC**") issued

its decision in respect of the five Charges on 14 February 2023.

Dr Patel's Objections as to the particular in the five Charges

8. Dr Patel had submitted that particular (b) to the five Charges of "allowing a Conditional Registered dentist to practice dentistry independently" of him was ultra vires the SDC complaint dated 2 May 2017 ("**the Complaint**"). In other words, Dr Patel claimed that this particular is different from the complaint which stated that Dr Patel had allowed Dr SE to practice dentistry without his supervision and/or failing to supervise Dr SE as required under the DRA.
9. The DC does not agree that the particular (b) is beyond the Complaint and therefore defective. The DC accepts SDC's submissions that the five Charges sufficiently encapsulate the gravamen of the complaint and which was that Dr Patel had allowed Dr SE to practice dentistry without his supervision.

Main Issues before the DC

10. The main issues before the DC in this Inquiry are as follows: -
 - (a) Did the SDC Circulars amount to "pronouncements" within the meaning of Regulation 16 of the DRR? ("**Issue (a)**");
 - (b) If the answer to (a) above is "yes", what professional conduct did the SDC Circulars require of Dr Patel as the approved supervisor of Dr SE who was a conditionally registered dentist? ("**Issue (b)**");
 - (c) Did Dr Patel meet the requirements of the professional conduct required of him as the approved supervisor of Dr SE? ("**Issue (c)**");
 - (d) If the answer to (c) above is "no", did Dr Patel's conduct of allowing Dr SE to practice dentistry independently from him at the Clinic and failing to supervise her constitute an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency? ("**Issue (d)**").

Issue (a): Did the SDC Circulars amount to "pronouncements" within the meaning of Regulation 16 of the DRR?

11. Regulation 16 of the DRR states that "every registered person shall observe the

Council's pronouncements on professional matters and professional ethics issued from time to time".

12. The SDC Circulars relevant to the five Charges are the Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016.
13. The DC in *Dr Campbell Matthew Angus Christopher* noted the position in other disciplinary cases that dental practitioners practising in Singapore accept that official circulars issued by SDC in relation to matters of dental practice amount to a "pronouncement" within the meaning of Regulation 16 of the DRR. The DC therefore found that any official circular issued by the SDC in relation to matters of dental practice amounts to a "*pronouncement*" within the meaning of Regulation 16 of the DRR.
14. In paragraph 2 of the ASOF, Dr Patel accepted that pursuant to Regulation 16 of the DRR, he was required to observe SDC's pronouncements on professional matters and professional ethics issued from time to time, including the following circular issued by the SDC:
 - Circular SDC 8:4 Vol 5 (dated 11 January 2016), which states that:
 - (i) *Mandatory supervision of dentists under Conditional Registration and OHTs under Part 2 of register*

B. Other reminders

Please be reminded that, as per sections 14A(4) and 21A(4) of the [DRA], dentists registered under Conditional Registration and OHTs under Part II of the register of OHTs are required to work under supervision of a fully registered dentist in a particular employment approved by the Council."
15. Dr Patel admitted during the hearing that SDC Circulars are pronouncements of the SDC.
16. As such, Dr Patel would have accepted that Circular SDC 11:4 dated 30 July 2014 and Circular SDC 8:4 Vol 5 dated 7 December 2015 are all pronouncements of

SDC on professional matters and professional ethics.

17. The DC therefore finds that the Circulars are SDC pronouncements on professional matters and professional ethics within the meaning of Regulation 16 of the DRR.

Issue (b): what professional conduct did the SDC Circulars require of Dr Patel as the approved supervisor of Dr SE who was a conditionally registered dentist?

18. According to the Council's pronouncements as stated in Council's Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, a supervisor of a conditionally registered dentist must ensure that the conditionally registered dentist is supervised at work at all times.
19. Dr Patel argued in the Opening Statement that the 2 Circulars SDC11:4 Vol 4 dated 30 July 2014 and Circular SDC 8:4 Vol 5 dated 7 December 2015 did not bind him because the circulars were not addressed to him but to "Employers".
20. Dr Patel accepted that he is aware of the attachment to Circular SDC 11:4 Vol 4 dated 30 July 2014 on page 8 of the Agreed Bundle of Documents ("**ABOD**") because he had received a copy of it from SDC sometime in February 2016 when he corresponded with SDC regarding his role and responsibilities as a supervisor of a conditional registrant. The attachment made express reference to the responsibilities of a "Supervisor".
21. Dr Patel accepted during the hearing that one of his responsibilities as a supervisor was to ensure that the conduct and practice of the supervisee adheres to the regulations and guidelines of the Council, and is befitting of the dental profession.
22. Dr Patel also accepted in [49] of his witness statement that he was aware that as a supervisor of a conditional registered dentist, he was required to supervise the conditionally registered dentist at all times.
23. As explained by the DC in *Dr Campbell Matthew Angus Christopher*, "supervision" necessary "entails the supervisor having the ability to oversee the treatment that that each and every patient receives from the conditional registrant. "Supervision"

also entails an ability for the supervisor to immediately step in and take over a procedure being performed by the conditional registrant, should this be required for the safety or best interests of the patient. ...Seen in this context, nothing less than a physical proximity between supervisor and supervisee would suffice for purposes of “supervision”.

24. The DC therefore finds that the professional conduct required Dr Patel was to ensure that Dr SE, as a conditionally registered dentist, practised under the supervision of a fully registered Division 1 dentist in close physical proximity and that Dr SE did not work without supervision at all material times.

Issue (c): Did Dr Patel meet the requirements of the professional conduct required of him as the approved supervisor of Dr SE on 3, 4, 9, 11 and 13 December 2016?

25. Dr SE was charged with failure to practise dentistry under the supervision of a fully registered Division 1 dentist at the Clinic whilst under conditional registration on 3, 4, 9, 11 and 13 December 2016. Dr SE pleaded guilty to two of the charges in respect of 9 and 11 December 2016 and agreed that the other charges be taken into consideration for the purpose of sentencing.
26. Dr SE was found guilty of breaching the Council's circulars Circular SDC 11:4 Vol 4 dated 30 July 2014, Circular SDC 8:4 Vol 5 dated 7 December 2015, and Circular SDC 8:4 Vol 5 dated 11 January 2016, and breaching Regulation 16 of the DRR and Section 3 of the Council's ECEG.
27. According to the work schedule of Dr Patel and Dr SE which was submitted by the Clinic to SDC, Dr SE was supposed to work on Tuesdays, Thursdays, Fridays and Sundays under the supervision of Dr Patel.
28. Dr SE had in her witness statement at [8] said that she was not scheduled to work on 3 December 2016, a Saturday. She received 2 WhatsApp messages from Dr Patel in the morning of 3 December 2016 asking her to first, standby in case she had to “cover” Dr Patel that day and secondly, stating that Dr Patel needed her to go to the Clinic that day.
29. Dr Patel also called Dr SE after the messages to inform that:
 - (a) Dr Patel's wife was in labour;

- (b) Dr Patel would be taking emergency leave;
 - (c) Patients had been booked and Dr Patel needed Dr SE to cover him; and
 - (d) if there were any issues, Dr Patel was contactable at any time and would go to the Clinic if Dr SE required assistance.
30. Dr SE felt she was unable to refuse to see the Clinic's patients or to cancel the appointments which would go against the instructions of Dr Patel.
31. Although Dr SE was scheduled to work on 4, 9,11 and 13 December 2016, she was supposed to work under the supervision of Dr Patel. However, even though Dr Patel was going to take leave, Dr SE was not told either by Dr K or Dr Patel not to work.
32. It was on 13 December 2016 that an inspector from the SDC visited the Clinic and discovered that Dr Patel was not present at the Clinic to supervise Dr SE.
33. Dr SE was not cross-examined by Dr Patel. As such, the matters which Dr SE had stated in her witness statement were not controverted by Dr Patel.
34. Dr Patel claimed that he did not intend for Dr SE to attend to his patients on 3 December 2016 when he asked Dr SE to "cover" him. Dr Patel claimed that he expected Dr SE to be in the Clinic on 3 December 2016 to cancel his appointments and to answer questions of the patients if necessary.
35. However, given that Dr SE had given her evidence in the witness statements and she was not cross-examined as to her understanding of Dr Patel's instructions, Dr Patel has no corroborative evidence that he had communicated to Dr SE his intention for Dr SE to cancel his appointments or to be in the Clinic only to answer questions of those patients whose appointment was being cancelled.
36. In Dr Patel's witness statement, he had said that "prior to 13 December 2016, I had informed all clinic staff and Dr SE to call me should Dr SE require my supervision at the Clinic. This was supported by Dr SE who said that "he told me over the phone he was contactable at any time and was able to come into the clinic should I need his assistance." The DC considers this evidence to mean that Dr Patel's use of the word "cover" was for Dr SE to take over and treat patients, rather than to reschedule the patient's appointment and to provide explanation for the need to

reschedule; supervision would not have been required for the task of rescheduling patients.

37. Further, telling the staff and Dr SE to contact him should supervision be required also shows that Dr Patel knew that Dr SE would be working without supervision of a fully registered Division 1 dentist and therefore offered to go into the Clinic when there was a need for supervision.
38. This explains the reason Dr SE had treated patients on 3, 4, 9, 11 and 13 December 2016 without any supervision because she could call upon Dr Patel if supervision was required.
39. Dr Patel had in fact attended to patients on 6, 8 and 12 December 2022 (ABOD 272-274).
40. When Dr Patel wrote to SDC on 14 December 2016, 1 day after Dr SE was found out by SDC to be working without supervision, Dr Patel's explanation was that he was on "emergency paternity leave". This was 11 days after Dr Patel's wife had given birth and it shows that up to 13 December 2016, Dr Patel knew that there was no fully registered Division 1 dentist assigned to supervise Dr SE.
41. Dr Patel also somewhat admitted that Dr SE had to attend to patients even in the absence of a fully registered Division 1 dentist because like Dr Patel had to go to the Clinic to see patients who "simply could not have been rearranged", Dr SE "needed to do the same thus is the difficulty with some patients and treatments".
42. Dr Patel tried to say that it was the Clinic's responsibility to arrange another fully registered Division 1 dentist to supervise Dr SE and that he had assumed the Clinic had done so. There was no evidence that Dr Patel had taken any steps to ensure that the Clinic had indeed made such arrangements. Even though the original leave period was to begin on 9 December 2016, there was no evidence that arrangements had been made for a fully registered Division 1 dentist to supervise Dr SE on 9, 11 and 13 December 2016. The DC finds that Dr Patel is not absolved from the strict liability of ensuring that Dr SE was working under such supervision.
43. Dr Patel had attended the Clinic on 6, 8 and 12 December 2022 to treat patients. Dr Patel admitted that at no time did he check with the Clinic or Dr SE who was the

fully registered Division 1 dentist who was supervising Dr SE even though Dr Patel knew Dr SE was treating patients whose appointments could not be rescheduled.

44. The DC is of the view that Dr Patel knew that Dr SE would not have been supervised on 4, 9, 11 and 13 December 2016. Dr SE had confirmed that following Dr Patel's instructions to her on 3 December 2016, neither Dr Patel or Dr K had told her not to work. In the Whatsapp Messages between Dr Patel and Dr K, Dr Patel was told by Dr K to respond to SDC by telling that Dr Patel was on paternity leave and Dr Patel himself suggested that he would say that his baby was 6 days early. Both Dr Patel and Dr K appeared to be contented with relying on an emergency as the reason for not having a fully registered Division 1 dentist assigned to supervise Dr SE. As at 14 December 2016, no formal application for emergency leave or paternity leave was submitted to Human Resource Department of the Clinic. What is clear is that even though Dr Patel was expecting to be on paternity leave from 9 December 2016, no arrangements had been made for another fully registered Division 1 dentist to supervise Dr SE. Dr K admitted that no arrangements had been made for Dr SE's supervision in his email on 4 January 2017 to SDC because the Clinic did not have another fully registered dentist able to supervise Dr SE.
45. Having considered the evidence, the DC is of the view that Dr Patel did not meet the requirements of the professional conduct required of him as the approved supervisor of Dr SE.

Issue (d): did Dr Patel's conduct of allowing Dr SE to practice dentistry independently from him at the Clinic and failing to supervise her constitute an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency?

46. The DC finds that:
- (a) Dr Patel knew of the duties required of him as set out in the Circulars as the approved supervisor to Dr SE;
 - (b) Dr Patel was not entitled to rely on his paternity leave arrangements with the Clinic because Dr Patel's responsibility to ensure that Dr SE's conduct and practice adheres to the regulations and guidelines of the Council is absolute;
 - (c) Dr Patel knew that Dr SE was practising without the supervision of a fully

registered Division 1 on 3, 4, 9, 11 and 13 December 2016;

- (d) Dr Patel had failed to ensure that Dr SE would practise under the supervision of a fully registered Division 1 dentist on 3, 4, 9, 11 and 13 December 2016.
- (e) Dr Patel's conduct constitutes an intentional, deliberate departure from the standards observed or approved by members of the profession of good repute and competency.

47. The DC therefore finds Dr Patel guilty of the five Charges of having committed professional misconduct in breach of Section 40(1)(d) of the DRA. Dr Patel was informed of the DC's decision on 14 February 2023.

Submissions on Mitigation and Sentence

48. SDC and Dr Patel tendered submissions on sentencing on 27 March 2023.

Harm & Culpability

49. Applying the matrix in Wong Meng Hang, the DC found the potential harm to the patients and the harm to public confidence fall in the Moderate category due to the fact that Dr SE had attended to 41 patients in the course of five days. With regard to Dr Patel's culpability, the DC found it to fall in the Medium category due to the factual circumstances of the case. As set out in paragraph 36 above, Dr Patel had intended for Dr SE to attend to patients when he asked Dr SE to "cover" him. There was no urgency in attending to any of the 41 patients and the appointments could have been postponed if a fully registered Division 1 dentist could not be found to supervise Dr SE.

50. The DC considered that there was financial gain because the total takings for the 41 patients amounted to \$7,885.60. Dr Patel was at the material time a shareholder in the Clinic. Dr Patel did not put in place the arrangements to ensure that Dr SE was supervised by a fully registered Division 1 dentist on the 5 days and expected that Dr SE would attend to patients who could not be turned away. Dr Patel was in fact attending to patients himself on 6, 8 and 12 December 2016 but did not see fit to ensure that Dr SE did not attend to patients unsupervised on the other days that he was not working in the Clinic.

Sentencing range

51. The sentencing range in the matrix for medium harm and medium culpability is suspension of between 1 to 2 years. While the DC understood that a suspension is not a default or presumptive punishment, the DC is of the opinion that the facts of the case warranted a suspension.

Starting point within indicative sentencing range

52. The DC considered the starting point to be 1 year per charge coupled with a fine. The DC in Dr SE's case had considered imposing a suspension of 3 months and a fine of \$7,000.00 for Dr SE's plea of guilt to the two charges (with three other charges being taken into account). A discount was applied due to the offender-specific circumstances and Dr SE was suspended for 3 months in the end. The DC noted that in Dr SE's case, the matrix in *Wong Meng Hang* was not applied in arriving at the appropriate sentence. As the supervisor, Dr Patel ought to receive a sentence of suspension longer for being found guilty of five charges and the sentence should reflect the level of culpability found.
53. Based on a sentence of 12 months per charge, the total suspension would have been 60 months which exceeds the maximum of 36 months. The DC therefore considered the totality principle to reduce suspension of each charge i.e. 6 months for the 1st three charges to run consecutively and the remaining two charges to run concurrently, giving a total of 18 months. The Committee has also inferred that there was financial gain and impose a fine of \$6,000 per charge.
54. The DC therefore decided that a suspension of 15 months and a fine of \$30,000 for the five charges as fair and just.

Adjustments to starting point taking into account offender-specific factors

55. With regard to the adjustments to be made to take into account the offender specific factors, the DC considers Dr Patel had not demonstrated remorse because Dr Patel continued to claim that he had honestly believed that the clinic had made arrangements for Dr SE's supervision notwithstanding the convictions. The DC does not accept this given the evidence before the DC.

56. The DC does not consider the prosecution of the matter to have been inordinately delayed. Based on cases in the past, the period between 5 May 2017 and 19 February 2019 cannot be considered to be inordinate. The DC understands that Dr SE and Dr Patel were served with the Notice of Inquiry around the same time and there was one DC appointed to hear the cases against both. However, Dr Patel had on 20 February 2019 applied to have his case heard separately as Dr Patel was going to contest the charges and did not wish to be prejudiced by Dr SE's plea of guilt before the same DC.
57. As such, the time that it had taken to have a new DC appointed and to the time when the hearing eventually took place on 4 November 2022 and the hearing on 2 May 2023 for sentencing, cannot be said to be inordinate delay at all.
58. The DC notes that Dr Patel had remained gainfully employed with Q & M and therefore finds that he had not been prejudiced financially by the time the matter has taken to come to a conclusion. The DC accepts that the length of the proceedings would have caused Dr Patel some level of distress and anxiety but since the delay was not inordinate, the DC is not minded to discount the sentence.
59. The DC accepts that Dr Patel has an otherwise long unblemished track record, good professional standing and that there are no incidents of complaint against Dr Patel since the events which are the subject of the five charges. This merely means that there are no aggravating factors as it is a given that a professional would uphold the standards of practice at any point in time.
60. The DC is mindful that the sentencing objectives and public interest considerations remain of overarching importance. The DC is of the view that the sentence is warranted as general deterrence against similar misconduct in the future, protecting the health, safety and well-being of the public and to prevent erosion of public confidence in the trustworthiness and competence of the profession.
61. The DC is mindful of Dr Patel's personal circumstances at the material time. The DC therefore has applied a discount of 3 months from the sentence of suspension which brings the total suspension period to 15 months. There is no discount applied to the fine of \$30,000.

DC's Decision on sentence

62. After careful and due consideration of the facts and evidence presented in this case, the DC ordered that:
- (a) Dr Patel's registration be suspended for a period of 15 months. The period of suspension will only take effect 30 days after the Registrar issues a Notice;
 - (b) Dr Patel pays a fine of \$30,000;
 - (c) Dr Patel be censured;
 - (d) Dr Patel to submit a written undertaking to the Singapore Dental Council that he would not engage in the conduct complained of and any similar conduct; and
 - (e) Dr Patel shall pay the full costs and expenses of, and incidental to these proceedings, including the costs of the solicitors to the SDC. This will include the costs incurred by the SDC for engaging the Legal Assessor.
63. Pursuant to Regulation 25 of the DRR, the DC orders that the grounds of its decision herein be published.

Dated this 26th day of June 2023.

Dr Kaan Sheung Kin
Chairman of DC 2018/01

A/Prof Keson Tan
Member of Disciplinary Committee

A/Prof Goh Bee Tin
Member of Disciplinary Committee

Mr Mansoor Hassanbhai (Observer)
Member of Disciplinary Committee