

Hearing held in public

Summary

Name:	SAYANVALA, Hasan [Registration number: 77253]
Type of case:	Professional Conduct Committee (Review)
Outcome:	Suspended indefinitely
Duration:	N/A
Date:	5 January 2021
Case number:	CAS-166321

This is a resumed hearing pursuant to section 27C of the Dentists Act 1984 (as amended) ('the Act') to review the order of suspension for 12 months which was imposed on Mr Sayanvala's registration by the Professional Conduct Committee ("PCC") on 20 December 2019. The PCC directed that the case should be reviewed prior to the expiry of the 12-month period. Ms Headley presented the case for the General Dental Council ("the GDC"). Mr Sayanvala was neither present in the hearing nor represented in his absence. The entire hearing was conducted remotely via video link in line with the GDC's current practice.

Submissions on service of notice of hearing

Ms Headley submitted that the notification of this hearing had been served on Mr Sayanvala in accordance with Rules 28 and 65 of the General Dental Council (Fitness to Practise) Rules Order of Council 2006 ("the Rules"). The Committee accepted the advice of the Legal Adviser.

Decision on service of notice of hearing

The Committee received a bundle of documents which contained a copy of the notification of today's review hearing, dated 1 December 2020, that was sent to Mr Sayanvala's registered address by international signed for delivery and via email. The Committee noted that the notification provided Mr Sayanvala with more than the 28 days required by the Rules. It was satisfied that the letter contained proper notification of today's hearing, including its time, date and location, as well as notification that the Committee has the power to proceed with the hearing in Mr Sayanvala's absence. The Committee noted that Rule 65 permitted the notification to be sent by post and proof of service to be confirmed by Royal Mail. The Committee had sight of a Royal Mail Track and Trace proof of delivery document with the same tracking number as appeared on the notification of hearing letter. This showed that the letter was "In Transit" and had left the United Kingdom. A copy of the notice of hearing was also sent as an attachment in a secure email to Mr Sayanvala on 1 December 2020.

The Committee was satisfied that the notice of this review hearing had been served on Mr Sayanvala in accordance with the rules.

Application to proceed in the absence of the registrant

Ms Headley then made an application for this hearing to proceed in Mr Sayanvala's absence pursuant to Rule 54 of the Rules. She referred the Committee to the cases of *Tait v Royal College of Veterinary Surgeons* [2003] UKPC 34, *GMC v Adeogba*. The Committee accepted the advice of the Legal Adviser.

Decision on proceeding with the hearing in the absence of the registrant

The Committee noted that Mr Sayanvala has not engaged with the GDC since the last review hearing. Mr Sayanvala had engaged in previous hearings so would be well aware of the procedure. There is no information from Mr Sayanvala regarding his non-attendance today and there is no request from him for an adjournment. By not engaging with the GDC, Mr Sayanvala has voluntarily absented himself from these proceedings and the Committee is of the view that an adjournment may not lead to him attending at a future date. The Committee took account of the public interest in the expeditious disposal of proceedings and the serious failings found in Mr Sayanvala's practice. Given that the order is due to expire on 19 January 2021 any adjournment could lead to the order lapsing, leaving the public unprotected and the GDC without jurisdiction on the matter. The Committee concluded that it is appropriate to proceed with the review hearing in the absence of Mr Sayanvala.

Background

First Case

Mr Sayanvala first appeared before a PCC in April 2014. A summary of the background to that case was set out in the determination of the December 2019 reviewing PCC as follows:

“On 24 April 2014 the Professional Conduct Committee (PCC) found your fitness to practise to be impaired by reason of misconduct, summarising the factual background as follows:

The proven facts in this case relate to your treatment of one patient, Patient 1, between 7 June 2011 and 8 October 2012 at the Longlands Dental Practice. You have admitted, and the Committee has found, that the standard of care you provided to Patient 1 fell below that reasonably expected of a dental practitioner in a number of respects.

During your treatment of Patient 1 over the period in question, you failed to:

- *carry out a periodontal assessment;*
- *take an updated medical history;*
- *justify, take and report on radiographs as clinically necessary;*
- *provide adequate oral health advice;*
- *diagnose a number of potentially serious dental conditions;*
- *provide an adequate standard of record keeping.*

On 18 July 2012 Patient 1 attended the Practice for an emergency appointment, complaining of a problem with her LL3. A periapical radiograph showed a large carious lesion, which had almost destroyed the crown of the tooth. As Patient 1 was about to go on holiday, you placed a temporary filling in the LL3, with the intention of preparing the tooth for a post retained crown on her return. Whilst on holiday Patient 1's LL3 fractured sub-gingivally.

At her next scheduled appointment on 9 August 2012, you recorded in the dental records that her LL3 had a poor prognosis for a post retained crown. Therefore, you extracted the LL3 and prepared the LL4 before placing a temporary bridge. The proposed treatment plan at that time was a two tooth cantilever bridge replacing the LL3 and retained on LL4. However, at an appointment on 8 October 2012, you varied the treatment plan to prepare the LL2, a healthy tooth. You fitted a temporary three tooth fixed-fixed bridge, retained on the LL2 and LL4, which was of poor quality. This variance was not with the informed consent of Patient 1.”

The PCC in April 2014 directed that Mr Sayanvala's registration be made subject to his compliance with conditions for a period of 18 months with a review.

Second Case

On 08 May 2015 the PCC considered a different set of allegations against Mr Sayanvala in respect of another patient also anonymised as 'Patient 1'. It found that Mr Sayanvala's fitness to practise was impaired by reason of misconduct, summarising the factual background as follows:

"Between 25 March 2010 and 4 June 2010 you provided a course of treatment to Patient 1. You did not provide an adequate standard of care in a number of respects, including:

- Failing to carry out a full assessment of the presenting dental condition;*
- Failing to carry out a full diagnostic assessment;*
- Failing to take radiographs of diagnostic quality;*
- Failing to discuss treatment options;*
- Failing to diagnose the cause of the patient's pain;*
- Prescribing antibiotics when they were not clinically indicated;*
- Prescribing antibiotics in excess of the recommended dose and duration;*
- Failing to provide treatment that was clinically indicated;*
- Failing to take a post-operative radiograph following root canal treatment;*
- Failing to provide an adequate standard of record keeping."*

The May 2015 PCC directed that Mr Sayanvala's registration be made subject to his compliance with a second set of conditions in respect of these matters for a period of 6 months with a review. The 6-month period aligned to the expiry of the period of conditional registration directed by the April 2014 PCC, allowing the review hearing for both sets of conditions to be held on the same day.

First Review

An early review hearing was held on 23 September 2015 to consider alleged breaches of the conditions. The PCC found that Mr Sayanvala had breached the conditions imposed in April 2014 and May 2015. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired in respect of both cases and directed that the two periods of conditional registration be revoked and that his registration should be suspended for a period of 4 months with a review. An immediate order of suspension was also imposed. Regarding current impairment, the PCC on that occasion said this:

"You have conceded that you have not complied fully with a number of the conditions imposed on you [sic] registration, albeit you have provided documents to show the progress you have made. The Committee notes from your correspondence to SC, and in your submissions before it today, some of the difficulties you have experienced in trying to arrange meetings through the secretary of Mr Majthia. You have described your attempts to comply with the conditions as being a "struggle". You told the Committee that you have sold your dental practice in the United Kingdom and that you have been attending to family matters in South Africa. You have put forward these personal matters as the reasons why you were not able to comply with the conditions. In summary, you have accepted that it would be appropriate for your registration to remain subject to conditions.

The Committee has had regard to the email exchange from SC [the GDC's Case Review Officer] to you in which she sets out the information the GDC requires and the date by which it was required in compliance with the conditions. It is clear from this exchange of emails that you have repeatedly failed to comply with deadlines in terms of the provision of information to the GDC, and thus you have failed to comply with the requirements of your conditions. In particular, the Committee finds that you have breached conditions 1, 3, 4, 6, 7, 8, 9, 11 and 12 of the conditions imposed by the PCC in April 2014 and you have breached conditions 4, 5, 6, 7 and 10 imposed by the PCC in May 2015. The Committee considers that these breaches are widespread and are significant. The Committee is of the view that the development of a PDP in conjunction with the Postgraduate Dental Dean is an essential first step in addressing your failings. It is concerned that your PDP has been devised by yourself, without you having discussed its contents with the Postgraduate Dental Dean. It has heard of the difficulties you have experienced in trying to organise meetings with Mr Majthia. Nevertheless, the Committee considers that it was incumbent upon you to have taken the initiative in resolving the situation. It is concerned that you have not attended any meetings with Mr Majthia since 6 March 2015.

Accordingly, the Committee is not satisfied that you have complied with the conditions on your registration. There is no evidence before this Committee to satisfy it that you have addressed adequately the concerns identified by the PCC in April 2014 and May 2015. In addition, the Committee has grave concerns as to whether you understand the importance of adhering to the requirements of your conditional registration. Taking all these factors into account, the Committee is satisfied that your fitness to practise remains impaired...

In the light of its findings that you have breached the conditions imposed on your registration by the PCC in April 2014 and May 2015, the Committee has concluded that it is necessary for the protection of patients that your registration be restricted. It considered whether it would be sufficient to direct that your current period of conditional registration be extended, as invited by both parties. The Committee is concerned by the widespread nature of your breaches of the conditions imposed on your registration. You told the Committee that you will comply fully with a further period of conditional registration. However, the Committee is not convinced that you are committed to addressing these shortcomings in a meaningful and substantial way. You have been given ample opportunity by the GDC to demonstrate compliance with the conditions but you have failed to do so. The Committee considers that conditions are no longer sufficient to meet the requirements of public protection and to maintain public confidence in the profession and the GDC as its regulator.

In all the circumstances, the Committee has determined that in order to secure the change in your attitude and behaviour which it considers to be necessary to ensure your future compliance and to enable you to address your shortcomings, it is necessary and proportionate to suspend your registration for a period of four months, with a review hearing to take place prior to the end of that period. The Committee considers that this period of time is sufficient to enable you to reflect properly on the shortcomings that have been identified and to bring about the attitudinal change that is necessary.

The reviewing Committee may be assisted by a reflective piece setting out your understanding of the importance of addressing the deficiencies in your practice and your commitment to comply fully with any future conditions on your practice, designed to return you to safe practice."

Second Review

A review hearing was held on 8 February 2016. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired in respect of both sets of proceedings. It directed

that the suspension be replaced with conditions of practice for a period of 12 months with a review and an immediate order of conditions, stating:

“...The Committee accepted that you have indicated that you would be willing to comply with conditions placed on your registration by this Committee.

The Committee considered whether extending the current suspension order would be proportionate and appropriate in this case. The Committee concluded that in all the circumstances of this case, and taking into account all the evidence adduced, a further period of suspension on your registration would serve no useful purpose. Further, the public would be suitably protected and the public interest upheld through the imposition of conditions of practice. The Committee also had regard to the submissions made by Miss French that the GDC are not seeking to extend the suspension order currently in place.

Having regard to the matters it has identified, the Committee concluded that a conditions of practice order will mark the importance of maintaining public confidence in the profession, and will send the public, the profession and you a clear message about the standards required of a registered dental practitioner. Further, a period of conditional registration will allow you to address the concerns identified...”

Third Review

A review hearing was held on 17 February 2017. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired. It directed that the conditions be extended for a further period of 12 months with a review. An excerpt of the PCC's reasons in its determination is as follows:

“...The Committee noted that the clinical deficiencies identified by the previous PCC were capable of remediation. It was of the view that you have undertaken some remediation and acknowledges the positive steps you have taken thus far to address your deficiencies. However, it considered that your remediation still has a way to go. It considers that you have not fully addressed all the areas of concern identified by the previous Committee. In particular it considers that your CPD is lacking in detail. The hours of CPD that you have undertaken since your first meeting with the deanery in May 2016 is limited. It noted that you had visited the deanery last week, however, you have not furnished this Committee with any update from the Post Graduate Dean [sic] regarding his assessment of any progress you may have made.

The Committee is satisfied that you have not demonstrated adequate insight into your deficiencies. You continue to believe that you have more or less addressed all of the concerns identified by the previous Committee.

It concluded that more time is required to allow your learning to be sufficiently embedded into your current practice. The Committee therefore determined that your fitness to practise remains currently impaired because of your misconduct...”

Fourth Review

An early review hearing was held on 18 August 2017 on the basis that Mr Sayanvala had allegedly not complied with the conditions. The PCC determined that Mr Sayanvala had in fact not complied with the conditions, his fitness to practise continued to be impaired and directed that the conditions be replaced with suspension for a period of 4 months with an immediate order of suspension. The PCC stated in its determination as follows:

“You have not complied with the order of conditions imposed in February and have therefore not remedied the matters of concern. You failed to fully engage with the GDC after the last hearing, including not responding to correspondence and not providing details of your current address.

The Committee has therefore determined that your fitness to practise remains currently impaired...

...The Committee imposes the order for a period of four months, with a review shortly before the end of the period. This will allow you time to deal with your personal circumstances and the stress that you have been under recently. You stated that you had not been coping in the recent past due to the various pressures upon you. The Committee therefore takes the view that a period of suspension will benefit you

At the review hearing, the Committee might be assisted by your written reflections on the failings that led to your misconduct and current impairment and the steps you have and will take to remedy them. Any evidence of CPD aimed at addressing your past failings and any audits undertaken at your current practice in South Africa may also assist..."

Fifth Review

A review hearing was held on 4 January 2018. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired. It directed that the suspension be extended for a further period of 12 months with a review. An excerpt of the PCC's reasons in its determination is as follows:

"The Committee took into account that wide ranging failings were identified in your clinical practice in April 2014 and May 2015. Since those initial hearings, successive Committees have found that your attempts at remedying the failings have not been sufficient. The anticipation has been that following the further suspension of your registration in August 2017, you would take further steps to address the concerns that have continued to remain outstanding in this case. You stated in an email to the GDC, dated 12 September 2017, that "I have taken note in your letter that a committee will be assisted by a reflective piece from myself." However, you have chosen not to provide any reflection or evidence of remediation on this occasion and, in the Committee's view, have not provided a valid reason for failing to do so. The Committee noted that you are currently practising dentistry in South Africa which, it considered, should have enabled you to at least provide some, if not all, of the information recommended by the Committee in August 2017.

Given the absence of any evidence of further remediation or any evidence of your current level of insight, the Committee concluded that there has been no material change in this case since the last hearing. There is nothing before this Committee to suggest that you have sufficiently addressed the extensive failings identified in your clinical practice and therefore the risk of repetition must remain. The Committee therefore determined that a finding of impairment is necessary for the continued protection of the public. It also considered the wider public interest and decided that public confidence in the dental profession and the regulatory process would be undermined, if a finding of impairment were not made in the circumstances of this case."

Sixth Review

A review hearing was held on 4 January 2019. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired. It directed that the suspension be extended for a further period of 12 months with a review. An excerpt of the PCC's reasons in its determination is as follows:

"This Committee, like previous PCCs, has had regard to the wide-ranging failings in relation to your clinical practice in respect of two patients. These matters were considered by the PCC at hearings in April 2014 and May 2015. Since those initial hearings, successive Committees have found that your attempts at remedying the

failings have not been sufficient. The information before this Committee comprises an updated reflective piece which, in the Committee's opinion, is lacking in detail and is woefully inadequate. While the Committee acknowledges that you have provided some evidence of CPD, it considers that the CPD is unfocussed and not targeted on the issues relevant in this case. Further, 9 of the 13 CPD certificates submitted confirm that the verifiable learning time was less than one hour, and thus in the Committee's view, of limited value. This Committee, like the previous PCC, notes that you are currently practising dentistry in South Africa which, it considered, should have given you an opportunity to provide some evidence of remediation in the form of independent audits of your work or reports from the other dental professional working with you there. You have chosen not to provide any such evidence in the past year. The Committee considers that the efforts you have made at remediating your past shortcomings have been woefully inadequate and raise concerns as to your level of insight into your shortcomings and engagement in the remediation process.

Given the very limited attempts to address the extensive failings identified in your clinical practice and limited insight into these matters, the Committee therefore considers the risk of repetition remains. The Committee has determined that a finding of impairment is necessary for the continued protection of the public. It also considered the wider public interest and decided that public confidence in the dental profession and the regulatory process would be undermined, if a finding of impairment were not made in the circumstances of this case.

Accordingly, the Committee has determined that your fitness to practise remains impaired by reason of your misconduct in both cases.

...it has had regard to your previous failures to comply with conditions imposed on your registration as well as the absence of any substantial remediation, despite you being given the opportunity to do so on many occasions. The Committee also has concerns about your lack of insight into your failings. Taking all of these factors into account, the Committee has concluded that conditions would not be workable, appropriate or proportionate in the circumstances.

The Committee has therefore determined to extend the order of suspension on your registration. The Committee has decided to extend the order by a period of 12 months...

...At the resumed hearing, the reviewing Committee may be assisted by your written reflections on the failings that led to your misconduct and current impairment as well as the steps you have taken to remedy them. It might also be assisted by evidence of CPD aimed at addressing your past failings, any audits undertaken at your current practice in South Africa, together with a report or statement from another dentist on your clinical competence, and whether learning undertaken has become embedded in your current clinical practice."

Seventh Review

A review hearing was held on 20 December 2019. The PCC determined that Mr Sayanvala's fitness to practise continued to be impaired. It directed that the suspension be extended for a further period of 12 months with a review. An excerpt of the PCC's reasons in its determination is as follows:

"As found by the previous Committees, your clinical failings are remediable. The evidence you provide of remediation at this seventh review hearing of matters occurring in 2010 to 2012 is still limited. Your written reflection lacks any reflection of the possible harm you caused to the patients and the effect of your misconduct on the reputation of the profession. There is very little linking of the failings identified in these proceedings to your written reflection.

The Committee considers that you still have little insight into the failings identified by the initial hearings Committees, the possible impact on the patients and you have shown little or no remorse for your actions.

In your oral submissions you were frank but did not demonstrate a link between your original failings, any learning and any embedded improvement in practice. You blamed the NHS system rather than taking responsibility yourself. There has been some learning but you have not consolidated that learning into your practice. You have not submitted any of the audits you have undertaken, notwithstanding that this was identified by the last Committee as being relevant to the review today. You have also not provided any statement from another practitioner on your learning and competence as a dentist.

The Committee determined on the material before it that there continues to be a risk of repetition owing to your lack of remediation. There is therefore a real risk of harm to patients should you be allowed to practise without restriction. The Committee therefore determined that your fitness to practise continues to be impaired in respect of the misconduct found in both proceedings.

The continued restriction of your registration is necessary for the protection of the public and to maintain public confidence in the profession.

You failed on two occasions to comply with conditions in the past, resulting in the need for your registration to be suspended. There is nothing to suggest to the Committee that you would comply with conditions on your registration at this stage of your remediation. The Committee could not be satisfied either that conditions would be sufficient at this stage to protect the public and to maintain public confidence in the profession.

The Committee was satisfied that the continued suspension of your registration therefore remains appropriate. The Committee gave consideration to directing that your registration be suspended indefinitely but concluded that this would be disproportionate owing to your engagement in these proceedings and the remedial steps, albeit limited, which you have taken so far and the prospect of you continuing to demonstrate further remediation. The Committee therefore directs that the period of suspension be extended for a further period of 12 months beginning with the date on which that period would otherwise expire.

The further period of suspension shall be reviewed prior to its expiry. The Committee reminds you of the importance of providing sufficient evidence to the reviewing Committee. Your current reflections before the Committee today do not specifically or adequately address the failings identified at your initial PCC hearings. The reviewing Committee may be assisted by the following:

- *Your written reflections on the misconduct identified at the initial PCCs in April 2014 and May 2015 and your reflections on your learning and how this has been embedded in your current practice.*
- *CPD addressing the identified areas of failure, your reflection on the lessons you have learned from this CPD and how you have embedded it in your current clinical practice.*
- *Independently verified audits on the specific areas of clinical practice identified in these proceedings.*
- *A report or statement from another dentist on your clinical competence and how your learning has been embedded in your current practice.”*

Submissions on behalf of the GDC

Ms Headley submitted that there is no evidence to suggest that Mr Sayanvala has practised in contravention of his suspension. She submitted that in conducting the review, the Committee should take into account the extent of any engagement by Mr Sayanvala with the recommendations made by the previous reviewing Committee. She submitted that to date the GDC has received no documentation from Mr Sayanvala in respect of the recommendations.

In relation to current impairment, Ms Headley referred the Committee to the guidance set out in *Abrahaem v GMC*, *Bamgbelu v GDC*, *Cohen v GMC* and *CHRE v NMC and Grant*.

Ms Headley submitted that, as determined by previous Committees, it is clear that the identified failings are remediable. She submitted that there is no evidence that they have been remedied and as such there is still a risk of repetition. Ms Headley submitted that despite Mr Sayanvala's ad hoc engagement previously, he had participated in the hearings and although the evidence that he had submitted showed limited remediation, his engagement had demonstrated a willingness to participate. She submitted that there have been a number of hearings held to date and on each occasion the Committees have given Mr Sayanvala a structured approach to demonstrate remediation. However, Ms Headley submitted that Mr Sayanvala has either been unwilling or unable to provide evidence of remediation even though he is in a stronger position than other suspended registrants in that he is able to practise dentistry abroad. Furthermore, she submitted that the Council was concerned about the number of hearings held to date and that the profession as a whole may also be concerned to learn of the number of review hearings. In addition, Ms Headley submitted that the Committee may feel that the continued inadequacy of remediation and underdeveloped insight may mean that his registration should be suspended indefinitely, particularly given that he has not produced any evidence in line with the recommendations of the previous review Committee in December 2019. She submitted that an indefinite suspension would not prevent Mr Sayanvala from seeking a review of the case in future but would remove the need for automatic yearly reviews and place the onus on him to seek such a review should he wish to engage and address his failings. For these reasons Ms Headley invited the Committee to conclude that Mr Sayanvala's fitness to practise remains impaired and that his registration should be suspended indefinitely.

Decision of the Committee

Current Impairment

This is the eighth review hearing. In considering whether Mr Sayanvala's fitness to practise is currently impaired, the Committee bore in mind that this is a matter for its own independent judgement. It also had regard to its duty to protect the public, declare and uphold proper standards of conduct and competence and maintain public confidence in the profession.

The Committee noted that as this is a review hearing there is a persuasive burden on Mr Sayanvala to satisfy the Committee that his fitness to practise is no longer impaired. The Committee agrees with the previous Committees that Mr Sayanvala's failings are remediable. Mr Sayanvala has had many opportunities to remedy his failings since the initial findings made against him by the PCC in 2014 and 2015. Mr Sayanvala has been given structured and clear recommendations on how he can demonstrate that he has remedied the failings and that his remediation has become embedded in his daily practice. Whilst Mr Sayanvala engaged with the proceedings in the past, his evidence of remediation was limited and considered to be lacking by a previous Committee. Since the last review hearing, Mr Sayanvala has ceased to engage with the GDC. There is no evidence before this Committee in relation to any remediation he may have undertaken or in relation to the recommendations made by the previous reviewing Committee. Mr Sayanvala is in a unique position since he is practising as a Dentist in South Africa and he could have provided ample evidence of remediation of his clinical failings.

There is also no evidence of his insight before the Committee. In the absence of evidence demonstrating remediation or insight, the Committee concluded that there remained a risk of repetition of the failings found proved and a continuing risk to the safety of patients. The Committee concluded that a finding of current impairment is required to protect patients. In addition, a finding of current impairment is in the public interest in order to uphold the standards of the profession. The Committee considered that if a fully informed member of the public was aware of the initial findings, the limited evidence of remediation since then and the absence of any engagement with the GDC since the last review, they would be shocked if a finding of current impairment was not made.

The Committee therefore determined that Mr Sayanvala's fitness to practise remains currently impaired by reason of his misconduct in both cases.

Sanction

The Committee considered what restriction, if any, to impose on Mr Sayanvala's registration. It reminded itself that the purpose of any restriction is not to be punitive although it may have that effect. The Committee bore in mind the principle of proportionality.

The Committee first considered whether to terminate the suspension currently in place or allow it to lapse and leave Mr Sayanvala's registration unrestricted. It was of the view that this course of action would be inappropriate having concluded that there remains a risk of repetition, a risk to patient safety and current impairment.

The Committee then considered whether to replace the suspension with a direction for conditional registration. However, given that Mr Sayanvala's previous efforts at remediation have been limited and the subsequent non-engagement with the GDC, the Committee is not assured that conditions would be complied with. It concluded that conditions are not workable, sufficient or appropriate at this stage.

The Committee concluded that the appropriate direction to make is one of suspension of Mr Sayanvala's registration. It then considered whether to impose the suspension for a period of 12 months or indefinitely. Mr Sayanvala has now disengaged completely with the GDC. There is nothing to be gained by extending the suspension order for a further period of 12 months. Mr Sayanvala has had many chances to demonstrate his remediation and insight, but he has not taken up the opportunities given to him. The Committee took account of the public interest and the expense to the GDC in conducting statutory yearly reviews if a further 12-month suspension were to be imposed. It was of the view that this served no purpose to the GDC or the public. The Committee concluded that a further period of suspension for 12 months would not be appropriate.

The Committee considered that the criteria for an indefinite suspension is met in this case. It noted from section 27C(1)(d) that a person's registration in the register can be suspended indefinitely if *"the period of suspension will, on the date on which the direction takes effect, have lasted for at least two years, and the direction is made not more than two months before the date on which the period of suspension would otherwise expire."* The Committee noted that Mr Sayanvala's registration would have been suspended for three years and five months by 19 January 2021, having first been suspended for 4 months on 18 August 2017 and then a further 12 months on 4 January 2018, 4 January 2019 and 20 December 2019. The Committee noted that the current order is due to expire on 19 January 2021 which is less than 28 days from today.

The Committee therefore directs that Mr Sayanvala's registration be suspended indefinitely pursuant to section 27C(1)(d) of the Dentists Act, as amended.

That concludes this determination