

## PUBLIC HEARING

### Professional Conduct Committee Initial Hearing

14 – 15 January 2025

**Name:** SOHAL, Balraj Singh

**Registration number:** 278194

**Case number:** CAS-206804-P3B2L8

---

**General Dental Council:** Sharmistha Michaels, Counsel.  
Instructed by Caral Marie Clough, IHLPS

**Registrant:** Present  
Represented by Mr Stephen Brassington, Counsel.  
Instructed by Clyde & Co Solicitors

---

**Fitness to practise:** Impaired by reason of misconduct and conviction

**Outcome:** Fitness to Practise Impaired. Reprimand Issued

---

**Committee members:** Clive Powell (Lay) (Chair)  
Vatsal Amin (Dentist)  
Nicola Rice (Dental Care Professional)

**Legal adviser:** Angus Macpherson

**Committee Secretary:** Andrew Keeling

---

## **CHARGE**

SOHAL, Balraj Singh, a dentist, BDS King's College London 2018, is summoned to appear before the Professional Conduct Committee on 14 January 2025 for an inquiry into the following charge:

“That being a Registered Dentist:

1. On 06.04.2023 at Lavender Hill Magistrates Court you pled guilty to the offence of entering a compulsory ticket area on the Transport for London regional railway network without a valid ticket.
2. On 06.04.2023 at Lavender Hill Magistrates Court you had 32 offences of entering a compulsory ticket area on the Transport for London regional railway network without a valid ticket, taken into consideration.
3. Your behaviour in relation to entering a compulsory ticket area on the Transport for London regional railway network without a valid ticket on at least 32 times was dishonest.

AND that by reason of the facts alleged, your fitness to practise is impaired by reason of conviction in relation to allegations 1 and 2 and by misconduct in relation to allegation 3.”

---

Mr Sohal,

1. This was a Professional Conduct Committee (PCC) hearing. You attended the hearing, and you were represented by Mr Stephen Brassington, Counsel. Miss Sharmistha Michaels, Counsel, presented the General Dental Council's (GDC) case. The hearing was held in person at the hearing suite of the Dental Professionals Hearing Service in Wimpole Street, London.

## **Admissions**

2. You informed the Committee that you admitted all the factual particulars within the charge, as set out at heads of charge 1 to 3.

## **Background**

3. Miss Michaels took the Committee through the background to the case. On 25 January 2023, you emailed the GDC stating that you may be subject to possible criminal proceedings. In March 2023, you provided the GDC with a Requisition document stating that you were required to attend Lavender Hill Magistrates' Court in respect of a prosecution brought against you by Transport For London (TFL).

4. On 6 April 2023 at Lavender Hill Magistrates' Court, you pleaded guilty and were convicted of entering a compulsory ticket area at Barking station without having a valid ticket on 17 November 2022. You were ordered to pay a fine, compensation and costs totaling £1425.90. Miss Michaels referred the Committee to the certificate of conviction received by the GDC as conclusive proof of your conviction.
5. Miss Michaels stated that the GDC had obtained a witness statement from Mr Chris Albrighton, a Revenue Control Inspector employed by the London Underground. Mr Albrighton stated that he was on duty on 17 November 2022 at Barking station carrying out a check of tickets on the way-out barrier. Mr Albrighton approached you after you had exited the gates and asked to see your Oyster card (a card used as a method of paying for journeys on TFL services). His monitor had detected that you had used a freedom pass (a card issued to travellers over 60 years of age which allows free travel on all TFL services). Mr Albrighton noticed that you had placed the freedom pass, which you had used to exit the gates, into your jacket pocket and instead showed Mr Albrighton your Oyster card. Upon examining your Oyster card, Mr Albrighton noticed that it had last been used on 22 June 2022.
6. Mr Albrighton then asked to see the freedom pass. You showed this to Mr Albrighton and he noted that this was issued in your father's name and therefore you were not eligible to use it. He suspected you of fare evasion, cautioned you and informed you that the incident will be reported. It was established later, following your admission, that you had used the freedom pass on 32 other occasions and this was taken into consideration at the Magistrates' court when you were convicted.
7. Miss Michaels referred the Committee to the *GDC's 'Guidance on Admissions made at the Preliminary Stage in Fitness to Practise Proceedings'* (issued in October 2022). She submitted that in line with this guidance, as you have admitted the heads of charge in their entirety, there should be no further factual inquiry. She therefore invited the Committee to find all the facts proved based on your admissions.

### **Findings of Fact – 14 January 2025**

8. The Committee noted your admissions. It further noted, in respect of heads of charge 1 and 2, the certificate of conviction dated 6 April 2023 from Lavender Hill Magistrates' Court, which served as proof of your conviction as outlined under Rule 57(5) of the GDC's (Fitness to Practise) Rules Order of Council 2006 ('the Rules'). The Committee accepted the advice of the Legal Adviser.
9. The Committee considered its powers and in line with *GDC's 'Guidance on Admissions made at the Preliminary Stage in Fitness to Practise Proceedings'* (issued in October 2022) the Committee announced all the admitted factual allegations as found proved.

## Stage Two

10. The hearing moved to Stage 2. At this stage of the hearing, the Committee considered whether the facts found proved amounted to misconduct and, if so, whether your fitness to practise was currently impaired by reason of your misconduct and conviction, and if so, what sanction, if any, should be imposed.
11. The Committee reminded itself that its decisions on misconduct, impairment and sanction are matters for its own independent judgement. There is no burden or standard of proof at this stage of the proceedings. It 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. Where applicable, the Committee took into consideration the GDC's "*Standards for the Dental Team*" (September 2013) and the Guidance for the Practice Committees, including Indicative Sanctions Guidance, (October 2016, revised December 2020) ("*the GDC's Guidance*"). The Committee also had regard to relevant case law. The Committee heard and accepted the Legal Adviser's advice on all of these matters.
12. The Committee had sight of your defence bundle, which included your witness statement, dated 28 October 2024, and associated exhibits. A further defence addendum bundle was produced and submitted for the Committee's consideration at this stage.
13. The Committee heard oral evidence from you. It then heard submissions from Miss Michaels, on behalf of the GDC, and from Mr Brassington, on your behalf, in relation to the matters of misconduct, impairment and sanction.

## Submissions

14. Miss Michaels submitted that you had no fitness to practice history.
15. Miss Michaels submitted that you had admitted that the matters found proved in respect of head of charge 3 amounted to misconduct. However, this was still a matter for the Committee's consideration and she referred the Committee to the relevant case law. She submitted that your actions were a serious departure from the GDC's Standards and outlined those which she considered you had breached. She submitted that a finding of dishonesty was highly damaging to public confidence in the profession. Furthermore, this was not an isolated incident as you had used your father's freedom pass on 32 other occasions. Therefore, she submitted that a finding of misconduct was warranted in the circumstances of this case.
16. In respect of impairment, she again referred the Committee to the relevant case law, which included the *Fifth Shipman Report* by Dame Janet Smith. She submitted that limbs (b), (c) and (d) of the test were met. She submitted that allegations of dishonesty were always serious and she referred the Committee to the relevant sections on

dishonesty in the Guidance for the Practice Committees, including Indicative Sanctions Guidance, (October 2016, revised December 2020) (*“the Guidance”*). She submitted that your conduct had breached one of the fundamental tenets of the dental profession.

17. In respect of your insight, Miss Michaels invited the Committee to carefully consider your oral evidence and the documents you have provided. She submitted that you have not demonstrated full insight into your actions and invited the Committee to consider therefore whether your actions would be repeated. She acknowledged that this was not a case involving patient safety. However, she submitted that public confidence in the profession would be severely undermined if a finding of impairment were not made. Furthermore, she submitted that a finding of impairment was required in order to maintain proper standards of conduct in the dental profession and to protect the reputation of the profession.
18. In respect of sanction, Miss Michaels submitted that as you had not demonstrated full insight into your actions, the most appropriate and proportionate sanction would be one of suspension for nine months with a review hearing.
19. Mr Brassington submitted that you accepted that your dishonest conduct amounted to misconduct.
20. In respect of impairment, Mr Brassington submitted that he rejected Miss Michaels’ submission that you lacked complete insight into your actions. He submitted that Miss Michaels’ submission was made entirely without merit and was not supported by the documents in this case. He submitted that your insight was complete and there was nothing further that you could have done in terms of your remediation. He submitted that, apart from at the time of the incident, you have been completely candid and open about your conduct. You have also reflected on your actions at the time of the incident, when you had initially denied that you were using your father’s Oyster card. He submitted that there was no likelihood of recurrence of your actions. In respect of whether a finding of impairment was required in the public interest, he submitted that he would leave this to the Committee’s judgement.
21. In respect of sanction, Mr Brassington submitted that the most appropriate and proportionate way of disposing of the case was by way of reprimand. He took the Committee through the mitigating and aggravating factors in this case. He also referred the Committee to the positive testimonials submitted on your behalf and submitted that this showed that you were a well-regarded dentist.

## **The Committee’s Decision**

### **Misconduct**

22. The Committee first considered whether the facts found proved against you amounted to misconduct. In doing so it had regard to the GDC publication *Standards for the*

*Dental Team (2013)*. It considered that your conduct was in breach of the following sections in particular:

1.3 *You must be honest and act with integrity.*

1.3.1 *You must justify the trust that patients, the public and your colleagues place in you by always acting honestly and fairly in your dealings with them. This applies to any business or education activities in which you are involved as well as to your professional dealings.*

1.3.2 *You must make sure you do not bring the profession into disrepute.*

9.1 *You must ensure that your conduct, both at work and in your personal life, justifies patients' trust in you and the public's trust in the dental profession.*

23. The Committee considered that your dishonest conduct was a serious departure from, and a breach of, these GDC standards. You admitted acting dishonestly on 33 separate occasions when you used your father's Oyster card to travel by train for free when you were not entitled to do so.

24. The Committee concluded that your actions in this case amounted to misconduct which was serious.

## **Impairment**

25. The Committee then considered whether your fitness to practise is currently impaired by reason of your misconduct and conviction.

26. The Committee considered your oral evidence and your witness statement, dated 28 October 2024. It was clear to the Committee that you were remorseful in respect of your dishonest conduct and your conviction. You have undertaken reflection in order to understand why you acted in this way and how you could ensure that it would not be repeated. It noted that you had disclosed your conviction and offences to your family and friends in order that you could be held accountable for your actions. The Committee noted that you retained the support of your family and this was shown by their attendance in person at this hearing.

27. The Committee also took account of the remediation work you have undertaken since your conviction. It noted that you had undertaken voluntary work for three charities, Guru Nanak Seva, Crisis at Christmas and DentAid, which provide food and dental services to the homeless community and others. You stated that you were motivated to work for these charities to demonstrate that you understood the seriousness of what you had done. The Committee also noted that you have a mentor, Dr Tom Bereznicki, who has asked you to become a trustee of his charity, The Tom Bereznicki Charitable Dental Foundation Trust. You also act as a mentor for other dental colleagues.

28. The Committee noted that you have undertaken one-to-one coaching on ethics and professionalism. In particular, the Committee noted the bespoke coaching you received from Daniel Sokol in these areas to help you understand the impact and consequence of your actions. The Committee noted that you have enrolled in a part-time Dental Law and Ethics postgraduate course at the University of Bedfordshire. The Committee also noted the presentation you had undertaken at King's College on 15 October 2024 to dental students about professionalism and the consequences of dishonesty. The Committee had regard to the positive testimonial from Mr Rohit Patel, dated 1 January 2025, in respect of your presentation.
29. Lastly, the Committee considered the Continuing Professional Development (CPD) courses you have undertaken, the further positive testimonials submitted on your behalf and the patient and staff feedback forms. It was clear from these testimonials and feedback forms that you are a well-regarded dentist.
30. The Committee determined that the remediation work you had undertaken demonstrated that you had shown full and complete insight into your dishonest conduct and conviction. The Committee further determined that the risk of repetition would be very low. It determined that a finding of impairment is not required on public protection grounds.
31. The Committee went on to consider whether your fitness to practise was impaired on wider public interest grounds.
32. The Committee was mindful of its role to protect the public interest, which includes:
- The protection of patients, colleagues and the wider public from the risk of harm;
  - Maintaining public confidence in the dental professions;
  - Upholding the reputation of the dental professions; and
  - Declaring and upholding appropriate standards of conduct and competence among dental professionals.
33. The Committee was aware that the GDC raised no concerns about patient safety. However, the Committee had regard to the seriousness of dishonesty. It noted that your dishonest conduct occurred on 33 separate occasions and led to your conviction for which you were ordered to pay a fine, compensation and costs totaling £1425.90. Furthermore, the Committee determined that when initially confronted about your behaviour you denied any wrongdoing and maintained your position in subsequent initial correspondence with TFL.

34. The Committee determined that your dishonest conduct and conviction brought the dental profession into disrepute and had breached a fundamental tenet of the profession.
35. The Committee determined, therefore, that owing to the seriousness of your conviction and dishonest conduct, a finding of impairment was required in the wider public interest, to maintain public confidence in the profession and to uphold appropriate standards of conduct among dental professionals.

### Sanction

36. The Committee next considered what sanction, if any, to impose on your registration. It recognised that the purpose of a sanction was not to be punitive although it may have that effect. The Committee applied the principle of proportionality balancing your interest with the public interest. It also took account of the *GDC's Guidance*.
37. The Committee considered the mitigating and aggravating factors in this case as outlined in the GDC's Guidance at paragraphs 5.17 and 5.18.
38. The mitigating factors in this case include:
- Evidence of good conduct following the incident in question, particularly your remedial action;
  - Evidence of previous good character;
  - Evidence of remorse shown, insight and apologies given;
  - Evidence of steps taken to avoid repetition of misconduct;

39. The aggravating factors in this case include:

- premeditated misconduct;
- financial gain by you;

40. The Committee decided that it would be inappropriate to conclude this case with no further action. It would not satisfy the public interest given the seriousness of your conviction and dishonest conduct.

41. The Committee next considered whether it would be appropriate to conclude the case with a reprimand. The Committee had regard to the GDC's Guidance and noted the following:

*“A reprimand does not impose requirements on a registrant's practice and should therefore only be used in cases where he or she is fit to continue practising without restrictions. A reprimand might be appropriate if the circumstances do not pose a risk to patients or the public which requires rehabilitation or restriction of practice.”*



42. Furthermore, the Committee noted from the GDC's Guidance that a reprimand may be suitable where the following factors were present:

- There is no evidence to suggest that the dental professional poses any danger to the public;
- The dental professional has shown insight into his failings;
- The dental professional has genuinely expressed remorse;
- There is evidence that the dental professional has taken rehabilitative/corrective steps;
- The dental professional has no previous history.

43. The Committee considered that all these factors were present in this case.

44. Having given the matter careful consideration, the Committee has determined that a reprimand is the appropriate sanction to impose in the particular circumstances of this case. The Committee noted that you did not and do not pose a risk to patients, that you have no fitness to practise history and that you have also shown remorse for, and insight into, your dishonest conduct which led to your conviction. The Committee considered that although dishonesty is a serious matter, your offences were at the lower end of the scale of dishonesty. Furthermore, you have taken comprehensive and exhaustive steps to remedy your dishonesty and have shown complete insight into your actions.

45. In all the circumstances the Committee considered that the issuing of a reprimand was sufficient to mark the seriousness of the misconduct and your conviction. A reprimand meets the public interest considerations to maintain trust and confidence in the profession and to declare and uphold proper professional standards. The Committee was satisfied that a reasonable informed observer would note the Committee's findings of facts, misconduct and impairment, and in particular the remediation you have undertaken, and would consider that the sanction of a reprimand represents a suitable and proportionate disposal. Further, it would enable the public to continue to have access to your dental services.

46. In determining that a reprimand was the commensurate and appropriate sanction to impose, the Committee considered this was the least restrictive sanction that would satisfy the public interest. Therefore, to impose a more restrictive sanction would be disproportionate. A period of conditional registration would not be appropriate or workable given the matters in this case involve dishonesty. Furthermore, the Committee considered that a suspension order would be disproportionate in light of the remediation you have undertaken and complete insight you have shown. The Committee was satisfied that a reprimand was sufficient to uphold standards and maintain confidence in the dental profession.

47. The Committee has therefore determined that a reprimand should be recorded against your name in the Register. The fact of this reprimand, and a copy of this determination, will appear alongside your name in the Register for a period of 12 months. The reprimand forms part of your fitness to practise history and is disclosable to prospective employers and prospective registrars in other jurisdictions.

48. That concludes this case.