

PUBLIC HEARING

Professional Conduct Committee Initial Hearing

16 - 18 December 2025

Name: BANWAIT, Prabjit Singh

Registration number: 192102

Case number: CAS-210082-F7R9Z6

General Dental Council: Miss Natalie Bird, Counsel.
Instructed by Sarah Barker, IHLPS

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension (with a review)

Duration: Six months

Immediate order: None Imposed

Committee members: Anthony Mole (Lay) (Chair)
Annika Hindocha (Dentist)
Donna Lightbody (Dental Care Professional)

Legal Adviser: Nicola Bircher

Committee Secretary: Andrew Keeling

CHARGE

Prabjit Singh BANWAIT, a dentist, BDS University of Birmingham 2010, is summoned to appear before the Professional Conduct Committee on 16 December 2025 for an inquiry into the following charge:

“That, being registered as a dentist:

1. *On 01 May 2010, you signed an application form which you submitted for registration with the General Dental Council, having ticked the box “No”, in response to the question: “Have you been convicted of a criminal offence and/or cautioned and/or are you currently the subject of any police investigations which might lead to a conviction or a caution in the UK or any other country? Note: Dentists are exempt from The Rehabilitation of Offenders Act 1974. You must therefore tell us about prosecutions or convictions, including those that might otherwise be considered 'spent' under this Act”.*
2. *Your conduct in relation to (1) was:*
 - a. *misleading; and/or*
 - b. *dishonest; in that you had accepted a caution from West Midlands Police on 10 April 2007.*

AND by reason of the matters alleged above, your fitness to practise is impaired by reason of your misconduct.”

Mr Banwait,

1. This was a Professional Conduct Committee (PCC) inquiry into the facts which formed the basis of the allegation against you that your fitness to practise is impaired by reason of misconduct.
2. You were present at the hearing but not represented. Miss Natalie Bird, Counsel, appeared on behalf of the General Dental Council (GDC).
3. The hearing was held remotely on Microsoft Teams.

Your Admissions

4. You informed the Committee that you admitted charges 1 and 2(a). You stated that you denied charge 2(b).

Decision on Admissions (16 December 2025)

5. The Committee noted your admissions and in line with the GDC's '*Guidance on Admissions made at the Preliminary Stage in Fitness to Practise Proceedings*' (issued in October 2022) announced charges 1 and 2(a) as found proved.

Background

6. In June 2010, the GDC received your application for registration as a dentist. As part of that application form, which you signed and dated 1 May 2010, you answered 'no' to the question of whether you had previously been cautioned. However, on 10 April 2007, you had received a caution from West Midlands Police for pursuing a course of conduct which amounted to harassment on 7 April 2007, contrary to Sections 2(1) and 2(2) of the Protection from Harassment Act 1997. This caution was given after you had admitted to police that you had sent a threatening voicemail to a female, who was a friend of your girlfriend at the time. The offence occurred whilst you were studying dentistry at university.
7. The matter came to the GDC's attention in April 2024 whilst it was investigating you in respect of another matter when it had received a Police National Computer (PNC) printout showing your police caution. The GDC subsequently obtained confirmation from West Midlands Police that you had been issued with a caution, a copy of the police's investigation paperwork, MG11 form and custody record.
8. As stated above, you have admitted that you answered 'no' on your GDC application form to the question of whether you had received a caution. You have also admitted that this was misleading. However, you have denied that your actions were dishonest, which is also alleged by the GDC. The GDC alleges that you would have been aware at the time of completing the application form for registration that you had been issued with a caution and were required to declare this on the application form. The GDC

alleges that your actions would be seen as dishonest by the objective standards of ordinary and decent people with reference to the test for dishonesty as set out in the case of *Ivey v Genting Casinos (UK) Ltd. t/a Crockfords* [2017] UKSC 67.

Evidence

9. By way of factual evidence from the GDC, the Committee was provided with signed witness statements and associated exhibits from the following:
- A Senior Casework Manager in the Fitness to Practise department at the GDC, dated 22 September 2025, who adopted a witness statement from a previous GDC employee, dated 19 May 2025;
 - A UK Registrations Manager at the GDC, dated 16 May 2025; and
 - A Senior Paralegal within the In-House Legal Presentation Service at the GDC, dated 1 December 2025.
10. These witness statements were agreed by you and, therefore, there was no need for the witnesses to attend the hearing to give live evidence.
11. As part of your case, the Committee was provided with your emails to the GDC, dated 5 June 2024 and 28 August 2024, which set out your response to the allegations. The Committee also heard oral evidence from you.

The Committee's Findings of Fact

12. The Committee has considered all the documentary evidence presented to it. It took account of the submissions made by Miss Bird, on behalf of the GDC, and your submissions. The Committee heard and accepted the advice of the Legal Adviser. In accordance with that advice, it has considered each head of charge separately, bearing in mind that the burden of proof rests with the GDC and that the standard of proof is the civil standard, that is, whether the alleged matters are found proved on the balance of probabilities.
13. The Committee's findings in relation to each head of charge are as follows:

1.	On 01 May 2010, you signed an application form which you submitted for registration with the General Dental Council, having ticked the box "No", in response to the question: "Have you been convicted of a criminal offence and/or cautioned and/or are you currently the subject of any police investigations which might lead to a conviction or a caution in the UK or any other country? Note: Dentists are exempt from The Rehabilitation of Offenders Act 1974. You must therefore tell us about prosecutions or convictions, including those that might otherwise be considered 'spent' under this Act".
----	--



	Admitted and Found Proved
2.	Your conduct in relation to (1) was: 1. misleading; and/or Admitted and Found Proved 2. dishonest; in that you had accepted a caution from West Midlands Police on 10 April 2007. Found Proved When considering this charge, the Committee referred to the test set out in the case of <i>Ivey v Genting Casinos (UK) Ltd. t/a Crockfords</i> [2017] UKSC 67. It first considered the actual state of your knowledge or belief as to the facts at the time. The Committee then considered whether your conduct would be viewed as dishonest by the objective standards of ordinary and decent people. You denied this charge. In your emails to the GDC, dated 5 June 2024 and 28 August 2024, and in your oral evidence, you explained to the Committee that you had spoken to a police officer at the time you received your caution and they assured you that it would not affect your dental career. You relied on this explanation when completing the form, but you stated you were not intentionally being dishonest. Although you accepted that this was misleading and therefore admitted to this charge above. When considering your knowledge or belief as to the facts at the time, the Committee considered your oral evidence and all the documentary evidence submitted. The Committee noted that it would have been clear to you that you had received a police caution as you have clearly stated that you had a conversation with a police officer at the time about how it could affect you in future. Furthermore, your conversation with the police officer, clearly demonstrated to the Committee that you were aware of the possible consequences of receiving a police caution on your future dental career. The Committee had sight of the application form that you completed. It was clearly noted on the form that you had to declare any cautions. Furthermore, it stated that further details should be provided on a separate sheet, including the approximate date, offence, the authority which dealt with the offence and the circumstances of the caution. In oral evidence, you explained that you had read this form fully and carefully.

Taking all this into consideration, the Committee considered that it was more likely than not that you would have been aware that you would have needed to declare your caution when completing the application form. Whilst the Committee accepted that you had a conversation with a police officer regarding the potential impact of the caution on your career, it concluded that you allowed this to influence your decision to tick 'no'. The Committee determined that the written instructions regarding the requirements to declare a caution on the GDC registration form were unequivocally clear. Therefore, the Committee were fully satisfied that you were aware that you had received a caution three years previously and having read the form carefully, would have understood that you would have needed to declare the caution to the GDC.

The Committee then considered the second stage of the *Ivey* test. In circumstances where you have knowingly not disclosed the fact that you had received a police caution when applying for registration with the GDC, particularly when this was explicitly stated on the application form, the Committee determined that this conduct would be viewed as dishonest by the objective standards of ordinary and decent people.

Accordingly, the Committee found this charge proved.

14. We move on to Stage 2.

15. Following its announcement of its decision on the facts, Stage 2 of the hearing took place between 17 and 18 December 2025.

Summary of the Committee's Findings

16. The Committee has found proved, based on your admission, that you failed to disclose the caution you received on 10 April 2007 when applying for GDC registration on 1 May 2010 (received by the GDC on 16 June 2010). On the application form for registration, you ticked 'no' to the question of whether you had received a caution. You admitted that this conduct was misleading. The Committee also found that your conduct was dishonest in that you knowingly did not declare your caution to the GDC despite knowing that you were required to do so.

Documents

17. The Committee had regard to further documents which you submitted for this stage of the proceedings. These documents included various character references and your emails to the GDC, dated 29 March 2022 and 2 January 2024. In these emails, you

stated that you have no other cautions or criminal convictions, and that you have had few complaints from patients whilst working for the NHS over the previous 13 years.

18. The Committee also heard oral evidence from one of your character referees.

Submissions

19. In accordance with Rule 20 of the Fitness to Practise Rules 2006, the Committee then heard submissions from Miss Bird and from you in relation to the matters of misconduct, impairment and sanction.
20. With regard to misconduct, Miss Bird referred the Committee to the relevant case law and the GDC's *Standards for the Dental Team (2013)*. She submitted that your conduct was in breach of Standards 1.3, 1.3.2 and 9.1. In conclusion, she invited the Committee to conclude that the facts found proved, particularly dishonesty, amounted to misconduct.
21. Miss Bird then moved on to the issue of current impairment. She referred to the relevant case law, and the relevant sections regarding misleading and dishonest behaviour in the *GDC's Guidance for The Practice Committees including Indicative Sanctions Guidance (October 2016, revised December 2020) (the GDC's Guidance)*, which were relevant to your case.
22. Miss Bird submitted that you possessed limited insight into your conduct given that the fact of your caution only came to the GDC's attention when the GDC was investigating another matter in respect of your fitness to practise. She further submitted that your lack of insight was demonstrated when you stated in oral evidence that you did not think anyone would voluntarily inform the GDC of a police caution if it did not appear on a CRB (Criminal Records Bureau) check.
23. Therefore, given the GDC Standards you have breached, your lack of insight and with reference to the *GDC's Guidance* on dishonest conduct and impairment, Miss Bird invited the Committee to determine that your fitness to practise is currently impaired on public interest grounds.
24. Miss Bird lastly addressed the Committee on the matter of sanction. She submitted that the most appropriate sanction was a period of suspension for six to nine months with a review hearing before its expiry.
25. You submitted that you accepted the Committee's decision that you had acted dishonestly. You accept that you should have ticked the correct box when completing the registration form as stipulated. You apologised for not informing the GDC of your caution. You submitted that although it was unlikely that you would receive a caution or conviction in future, if you did receive one you would immediately inform the GDC and your indemnity provider. You submitted that it was important to try and maintain professional standards and not bring the profession into disrepute.

26. You agreed that the facts found proved amounted to professional misconduct, but you did not believe that your fitness to practise is currently impaired on public interest grounds. You also submitted that you did not present a risk to patients and that since being on the register you have not breached the GDC's Standards and have treated patients fairly and ethically. However, you would accept the Committee's decision if it did find your fitness to practise impaired and agreed that a period of suspension would be appropriate. However, you requested that the duration of the suspension be at the lower end of the six-to-nine-month period requested by the GDC.

Committee's Decision

27. The Committee has borne in mind that its decisions on misconduct, impairment and sanction are matters for its own independent judgment. There is no burden or standard of proof at this stage of the proceedings. The Committee had regard to the *GDC's Guidance* and the relevant case law. The Committee also received advice from the Legal Adviser which it accepted.

Misconduct

28. The Committee first considered whether the facts found proved amounted to misconduct. In doing so, the Committee had regard to the GDC's publication, *Standards for Dental Professionals Standards (2005)* which were in force at the time of the incident and pre-dated the current GDC's *Standards for the Dental Team (2013)*. It further noted that although you were not registered with the GDC at the time of the application, in the Committee's judgement they were still relevant as your dishonest conduct was directly connected to obtaining registration with the GDC. The Committee, therefore, considered that you had breached the following of the 2005 Standards:

6.1 Justify the trust that your patients, the public and your colleagues have in you by always acting honestly and fairly.

6.3 Maintain appropriate standards of personal behaviour in all walks of life so that patients have confidence in you and the public have confidence in the dental profession.

29. The Committee noted that this was a single act of dishonesty that took place 15 years ago. However, the Committee considered that acting with honesty is a fundamental tenet of the dental profession. By knowingly and deliberately not declaring a caution you had received when applying for GDC registration and when the requirement to do so was explicitly clear, you demonstrated a serious falling short of the conduct expected in these circumstances.

30. Accordingly, the Committee determined that your actions amounted to misconduct.

Impairment

31. The Committee then considered whether your fitness to practise is currently impaired by reason of your misconduct.
32. In considering impairment, the Committee had regard to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Grant* [2011] EWHC 927 (Admin), which referred to Dame Janet Smith's "test" when determining current impairment:
1. *He/she has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm;*
 2. *He/she has in the past brought and/or is liable in the future to bring the medical profession into disrepute;*
 3. *He/she has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession;*
 4. *He/she has in the past acted dishonestly and/or is liable to act dishonestly in the future.*
33. The Committee considered that limbs 2, 3 and 4 were all engaged in this case.
34. The Committee then went on to consider the level of your insight into your dishonest conduct. It gave careful consideration to the character references you submitted and the oral evidence it heard. It noted that you apologised to the GDC for your actions and were remorseful. The Committee considered your oral evidence and noted that you were consistent and honest throughout the hearing when explaining your reasons for your dishonest behaviour and that you now understood and accepted the Committee's findings. The Committee also noted your admissions at the start of the hearing, including your acceptance that your conduct was misleading. Furthermore, it noted that there has been no repetition of your dishonest conduct since the incident in 2010.
35. However, the Committee was of the view that you did not sufficiently address the impact of your dishonest conduct on either the GDC, the dental professions or the wider public. The Committee noted that your submissions and evidence were focused more on patient safety and that you been practising ethically and safely with few complaints since you qualified. In the Committee's view you did not fully address the effect of your conduct on the GDC's role in ensuring the reliability and integrity of the register and how this could undermine the public's confidence in the profession and its regulation. Therefore, whilst you reassured the Committee that any repetition of your dishonesty was unlikely, which the Committee accepted, the Committee considered that your insight into your misconduct in respect of the wider public interest was still developing.
36. In conclusion, considering the developing nature of your insight and the serious nature of your dishonest conduct, the Committee determined that a finding of impairment is necessary in the wider public interest, to maintain public confidence in the profession and to uphold proper standards of conduct. The Committee has concluded that a

reasonable and informed member of the public would have their confidence in the profession and the regulator undermined if a finding of impairment were not made in a case where you had been dishonest to your regulator in order to obtain registration by knowingly and wilfully not declaring a caution when clearly required to do so.

37. The Committee therefore determined that your fitness to practise is currently impaired by reason of your misconduct on public interest grounds only.

Sanction

38. The Committee next considered what sanction, if any, to impose on your registration. It recognised that the purpose of a sanction is not to be punitive although it may have that effect. The Committee applied the principle of proportionality balancing your interests with the public interest. It also took into account the *GDC's Guidance*.

39. The Committee considered the mitigating and aggravating factors in this case as outlined the GDC's guidance at paragraphs 5.17 and 5.18.

40. The mitigating factors in this case include:

- Evidence of good conduct following the incident in question;
- Evidence of remorse shown, insight (albeit still developing in respect of the public interest) and apology given;
- Evidence of steps taken to avoid a repetition – the Committee noted your clear reassurance that your behaviour would not be repeated;
- The fact that the incident was a single, isolated event; and
- Time elapsed since the incident – the Committee noted that it occurred 15 years ago.

41. The aggravating factors in this case include:

- Dishonesty;
- Breach of Trust with regard to the GDC;
- Wilful disregard of the role of the GDC and the systems regulating the profession; and
- Attempts to cover up wrongdoing.

42. 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 serious nature of the dishonest misconduct.

43. The Committee then considered the available sanctions in ascending order starting with the least serious.

44. The Committee concluded that misconduct of this nature could not be adequately addressed by way of a reprimand. Dishonest conduct by a dental professional is a breach of a fundamental tenet of the profession. Your dishonest conduct was also directly related to your profession and the GDC and therefore could not be considered to be at the lower end of the spectrum of seriousness. The public interest would not be sufficiently protected by the imposition of such a sanction. The Committee therefore determined that a reprimand would be inappropriate and inadequate.
45. The Committee considered whether a conditions of practice order would be appropriate. The Committee considered that it would be difficult to formulate appropriate and workable conditions to address a behavioural concern such as dishonesty. Furthermore, the Committee was of the view, that conditions would neither reflect the seriousness of your dishonest behaviour nor adequately address the public interest concerns arising from such behaviour.
46. The Committee then considered whether an order of suspension would be appropriate to mark the nature and severity of the misconduct. It noted in the *GDC's Guidance* that suspension is appropriate for more serious cases when:
- Public confidence in the profession would be insufficiently protected by a lesser sanction;
 - There is no evidence of harmful deep-seated personality or professional attitudinal problems (which might make erasure the appropriate order).
47. The Committee considered that both of these aspects were present in this case. The Committee also considered that your misleading and dishonest behaviour was sufficiently serious to justify a suspension. You had knowingly not disclosed a caution to the GDC when applying for registration when it was unequivocally clear that you were required to do so. This undermined the GDC's role in being able to effectively scrutinise whether you were a fit and proper person to be registered and is conduct which strikes at the very heart of the registration process and the reliability and integrity of the register.
48. The Committee gave careful consideration to the option of erasure and the factors mentioned in the *GDC's Guidance* which would make erasure the appropriate sanction. However, although your conduct was a serious departure from the relevant standards, the Committee determined that in the circumstances of this case your behaviour was not such that it was incompatible with being a dental professional. The Committee acknowledged that your dishonest conduct related to one incident 15 years ago and there has been no repetition since. You are otherwise of good character, you have engaged fully with these proceedings, provided honest and candid oral evidence, accepted the findings of the Committee and apologised for your actions. You have also been practising now for 15 years with no evidence of any complaints upheld against you. For these reasons, the Committee determined that the sanction of erasure would be disproportionate in the context of this case.

49. The Committee determined that, in the circumstances of this case, a period of suspension would sufficiently mark the seriousness of your dishonest conduct and was the least restrictive sanction to maintain public confidence in the dental profession and to declare and uphold appropriate standards of conduct among dental professionals.
50. Accordingly, having had regard to all of the evidence, the Committee has determined to direct that your registration be suspended for a period of six months. The Committee is satisfied that this period of time is sufficient and necessary to mark the nature and extent of your misconduct, to uphold professional standards and to maintain public confidence in the profession. The Committee determined that a longer period of suspension would be disproportionate owing to your engagement with these proceedings and your insight into your behaviour, albeit this was not fully developed in respect of the public interest.
51. The Committee also directs that the suspension order be reviewed before its expiry. The Committee considered that the reviewing Committee may be assisted by the following evidence from you:
- A written reflective document to show that you fully understand the impact of your dishonest behaviour on the GDC, the dental professions and the wider public interest; and
 - Any further testimonials or character references.
52. The Committee now invites submissions from both parties as to whether an immediate order should be imposed on your registration.

Decision on Immediate Order (18 December 2025)

BANWAIT, Prabjit Singh
Registration Number: 192102

53. The Committee has considered whether to make an order for the immediate suspension of your registration in accordance with Section 30 of the Dentists Act 1984 (as amended).
54. Miss Bird, on behalf of the GDC, submitted that the GDC does not seek an immediate order in your case as such an order is not required to protect public confidence in the profession.
55. You agreed with the GDC's submissions and submitted that an immediate order is not required on your registration.

56. The Committee has considered the submissions made. It has accepted the advice of the Legal Adviser.
57. The Committee determined that an immediate order of suspension is not necessary for the protection of the public or is otherwise in the public interest. The Committee noted that its findings did not include any public protection issues. Furthermore, it concluded that immediate action is not required to protect public confidence in the profession as the public interest considerations have been sufficiently met by the substantive order of suspension for six months.
58. That concludes this hearing.