



SINGAPORE DENTAL COUNCIL

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PRESS RELEASE

DISCIPLINARY COMMITTEE INQUIRY FOR DR SAMINTHARAJ KUMAR S/O SAMY RAJA

1. The Singapore Dental Council (“SDC”) held a Disciplinary Inquiry against Dr Samintharaj Kumar s/o Samy Raja (“Dr Kumar”). At all material times, Dr Kumar is a registered dentist, who practises at Nuffield Dental Kovan located at 2 Kovan Road #01-03, Simon Plaza, Singapore 548008.
2. The inquiry arose out of a complaint dated 2 August 2016 by Dr Chen Fee Yuen, the SDC’s Inspecting Officer.
3. The crux of the complaint related to Dr Kumar’s use and display of additional qualifications, namely “MFDSRCS (England)”, “MFDRCSI (Ireland)”, and “MBA (London)”. These were not among the qualifications which were entered in the Register of Dentists or approved by the SDC for his use.
4. Dr Kumar faced 3 charges under the Dental Registration Act (“DRA”) in respect of his breaches of section 31(1) read with section 31(4) of the DRA.
5. Dr Kumar had used the offending qualifications in an advertisement for a seminar in which he was listed as a speaker (ie. the 1st Charge). He had also used the offending qualifications in two separate email correspondence to the SDC (ie. the 2nd and 3rd Charges).
6. This matter was heard before the Disciplinary Committee on 22 March 2017 and 23 March 2017 respectively. Mr Kenny Chooi and Mr Kelvin Fong of Yeo-Leong & Peh LLC represented the SDC at the hearing.
7. Dr Kumar pleaded guilty to the 3 charges and was accordingly convicted of the 3 charges.
8. In deciding on the sentence to be imposed on Dr Kumar, the Disciplinary Committee took into account (amongst other things) a previous disciplinary committee decision in *Re Dr Myles Edward Holt* (“Holt decision”), and accepted that the facts pertaining to the 1st Charge were similar to that in the *Holt* decision. In particular, in the present case, there was also a warning letter previously sent to Dr Kumar, which had put him on notice of the consequence of future breaches, but he had nonetheless committed the misconduct.
9. The Disciplinary Committee recognised that although the *Holt* decision only involved a single charge, the disciplinary committee there had imposed the maximum penalty of \$50,000, rather than any period of suspension. Logically, given the fact that the present case involved 2 other charges pertaining to the use of the offending qualifications in emails, the punishment ought to be greater than that given in the *Holt* decision. This invariably meant that a period of suspension be imposed in the present case.

10. The Disciplinary Committee was conscious of imposing a sentence that is commensurate with the severity of the offences, and was of the view that a period of suspension of say 6 weeks would have been appropriate in the circumstances. However, the DRA did not allow the Disciplinary Committee to impose that sentence as the minimum period of suspension under the DRA was 3 months, which the Disciplinary Committee felt was excessive.
11. Furthermore, the Disciplinary Committee was advised that under the DRA, the totality of the fines imposed cannot exceed \$50,000. If there was no such limitation, the Disciplinary Committee would have imposed a fine of \$50,000 for the 1st Charge, and \$10,000 each for the 2nd and 3rd Charges. However, this option was not available to them under the DRA and hence the Disciplinary Committee was compelled to impose the maximum penalty of \$50,000 in respect of all 3 Charges.
12. The Disciplinary Committee cautioned that while on the face of their decision, there seemed to be an inconsistency with the *Holt* decision, this was the best decision that the Disciplinary Committee could make given the limitations on their powers of punishment.
13. In the light of all the circumstances, the Disciplinary Committee made the following determination:
 - 1) Dr Kumar shall be fined an amount of \$50,000. In default of payment of this fine, a period of 6 months for the suspension of the registration of Dr Kumar in the Register of Dentists shall be imposed;
 - 2) Dr Kumar shall give a written undertaking to the SDC that he will not engage in the conduct complained of or any similar conduct;
 - 3) Dr Kumar shall be censured; and
 - 4) Dr Kumar shall pay the costs and expenses of and incidental to the proceedings, including the costs of counsel to the SDC and the Legal Assessor, and such reasonable expenses as are necessary for the conduct of the proceedings.
14. The Disciplinary Committee also ordered that the grounds of their decision be published, for the benefit of the public and to raise the standard of the dental profession.