

**BEFORE THE FITNESS TO PRACTISE COMMITTEE
OF THE GENERAL OPTICAL COUNCIL**

GENERAL OPTICAL COUNCIL

IO(09)08

AND

IQBAL NABI (D-11818)

**DETERMINATION OF REVIEW OF AN INTERIM ORDER
28 MAY 2010**

The Fitness to Practise Committee reviewed an interim suspension order made by the Fitness to Practise Committee on 21 December 2009 in respect of Iqbal Nabi; the order being for 18 months in duration. The Fitness to Practice rules Paragraph 13L(3) (a) require that the committee must review such an order within the period of six months to decide whether the order should be maintained.

In reaching its decision on this review the Committee have heard and taken into account submissions of Mr Harding on behalf of the Council and those of Mr Mohammed who represents the registrant who is here today. The Committee has also received and accepted the advice of the Legal Adviser and has received no further advice in camera.

On behalf of the Council it is said that there has been no significant change in either the evidence or the grounds upon which the Interim suspension Order was made. The only development has been that the police have continued their inquiries to the point where the matter has been referred to the CPS who are currently reviewing it. On behalf of the registrant, Mr Mohammed has indicated that his client remains on bail and the next occasion on which he is due to answer his bail is 28 June 2010. He accepts that there are no changes in circumstances which lead him to oppose the continuation of the order and, he goes further, and does not resist its continuation at this stage. Both advocates have highlighted the fact that if circumstances do change between now and the next required six month review stage then an earlier review can then be requested.

Against the above background the Committee have approached this review on the basis that, whilst it is entitled to exercise its own independent judgement and to approach the matter afresh, there is no material before it which persuades the Committee that it should depart from the reasons or grounds given in the

determination dated 21 December 2009. This Committee takes the same view of the matter as the Committee of 21 December 2009 and considers that the grounds and reasoning given for the making of the order should be adopted now in support of maintaining it at this stage.

The Committee ordered that the current suspension order be maintained. The order will be further reviewed within 6 months from today unless all matters are resolved within that time, or earlier should new evidence be made available, or if the registrant, at any time after three months from today's date, requests an early review.

Chairman of the Committee: Lady Margaret Wall

Signed

Date

28 May 2010