

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

GENERAL OPTICAL COUNCIL

F(09)13

AND

PARAMJIT SINGH (01-24265)

DETERMINATION OF THE INQUIRY: 19 APRIL 2010

On 19 April 2010, the Fitness to Practise Committee of the General Optical Council met to consider the following allegation against Paramjit Singh:

ALLEGATION

The Council alleges that in relation to you, Paramjit Singh, a registered optometrist:

1. On 18 January 2006, at Wolverhampton Crown Court, you were convicted of conspiracy to defraud.
2. You failed to declare that you were the subject of a criminal investigation in your application to join the student register made to the General Optical Council by application form dated 10 August 2005.
3. You failed to declare that you were made the subject of a conviction on the following applications made to the Registration Department of the General Optical Council:
 - (i) Application for retention 2006-7 (student) dated 28 June 2006;
 - (ii) Application for retention 2007-8 (student) dated 8 April 2007;
 - (iii) Application for retention 2008-9 (student) dated 15 June 2008;
 - (iv) Application for registration for 2008-9 dated 1 October 2008.
4. On your application for inclusion in the Wolverhampton City Primary Care Trust supplementary ophthalmic list dated 15 June 2008, you failed to declare:
 - (i) That you were made the subject of a conviction; and
 - (ii) The nature of that conviction.
5. On or around 16 July 2007, when you completed the section "*Has the employee ever been convicted of any offence before a court of law*" in the form entitled Boots Opticians Engagement Particulars Form you failed to declare:

- (i) That you were made the subject of a conviction; and
- (ii) The nature of the conviction.

6. Your actions at paragraphs 2, 3, 4 and 5 above are:

- (i) Dishonest;
- (ii) Not of the standard expected of a registered optometrist.

And by virtue of the matters set out above your fitness to practise is impaired by reason of your:

- (a) Conviction;
- (b) Misconduct.

DETERMINATION

Findings in relation to the particulars of the allegation

The registrant admitted particulars 1, 2, 3(i), 3(ii), 3(iii), 3(iv), 4(i), 4(ii), 5(i), 5(ii), 6(i), 6(ii) of the allegation and the Committee therefore found the particulars of the allegation proved.

Findings in relation to the facts

The Registrant admitted the facts and the Committee found the facts proved.

Findings in relation to the conviction

The conviction has been admitted by the registrant. The Committee has before it a memorandum of conviction. On this evidence the conviction alleged is found proved.

Findings in relation to misconduct

The Committee received advice on the definition of misconduct which was agreed by both parties. Having considered this the Committee concluded that the Registrant's behaviour fell short of the standards expected of an optometrist and this amounted to misconduct.

Findings regarding impairment

The Committee found that the fitness of Mr Singh to practise as an optometrist is not impaired.

The Committee has taken particular note of the unusual circumstances which brought him before the Crown Court. It has had regard to the basis of plea that was placed before the Court on his behalf. It further noted the limited role that the prosecution and the Judge accepted that he played in this offence. It has also had regard to the sentence passed upon him by the Judge. In view of these matters the Committee has taken a less serious view of this conviction than it otherwise would have done.

The Committee considered that what made this case unusual were the particular family circumstances and pressures which persuaded him to take part in the offence. The Registrant was at the start of his career and subsequently failed to disclose to the General Optical Council, his employer and the Primary Care Trust the fact of his conviction. Mr Singh has stated that it was because he was deeply ashamed and embarrassed. He recognises that he has made a grave mistake in not disclosing his conviction when he was required to do so, and that he should have been honest from the beginning. Having set out on this course of conduct he felt that he had to continue with the deception. The Committee felt that he has now demonstrated insight into his dishonest behaviour and is satisfied that he will have learned a salient lesson from this experience unfolding, as it has, over a period of 5 years.

The Committee determined, in its judgement, for these reasons, that his fitness to practise is not impaired currently or looking to the future.

In reaching its decision on impairment the Committee took into account the public interest and in particular the maintenance of public confidence in the profession but decided that, in these unusual circumstances, the public interest can be properly served by the issue of a Warning.

WARNING

Mr Singh you are an optometrist at the start of your career but you should be in no doubt that, although the Committee has not found that your fitness to practise is impaired, your criminal conviction and a persistent failure to disclose this conviction on forms required by your regulatory body, your primary care trust and your employer are serious matters. Both you and the profession at large should clearly understand and be in no doubt that the code of practise and the standard expected of all optometrists is that all such matters must be declared. Further, the gross error of judgement in allowing yourself to become involved in a serious criminal offence should not be repeated. If similar actions cause you appear before a Fitness to Practise Committee again it would take a grave view.

This warning will remain on your record at the General Optical Council for a period of 5 years from today's date.

Chairman of the Committee: Francesca Jones

Signed _____ Date 19 April 2010

Registrant: Paramjit Singh

Signed _____ Date 19 April 2010