

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

GENERAL OPTICAL COUNCIL

F(25)13

AND

SAMANTHA WALL (D-15166)

**DETERMINATION OF A SUBSTANTIVE HEARING
AGREED PANEL DISPOSAL (APD)
29 JANUARY 2026**

Committee Members: Sarah Hamilton (Chair/Lay)
Miriam Karp (Lay)
Mark Richards (Lay)
Philip Cross (Dispensing Optician)
Jillian Perry (Dispensing Optician)

Legal adviser: Aaminah Khan

GOC Presenting Officer: Holly Huxtable

Registrant: Not present and unrepresented

Registrant representative: N/A

Hearings Officer: Anwar Henry

Facts found proved: All

Facts not found proved: None

Misconduct: Found

Impairment: Impaired

Sanction: Erasure

Immediate order: Yes

Proof of service

1. As the Registrant did not attend the hearing, the Committee heard an application from Ms Huxtable, on behalf of the Council, for the matter to proceed in the Registrant's absence. First, the Council was required to satisfy the Committee that the documents had been served in accordance with Section 23A of the Opticians Act 1989 and Rule 61 of the Fitness to Practise Rules 2013.
2. The Committee was provided with a service bundle, which contained documents relevant to the service of the Notice of Hearing upon the Registrant. This included the Notice of Hearing dated 16 December 2025, the covering email dated 17 December 2025 sent to the Registrant's email address as registered with the Council and an email dated 28 May 2025, from the Registrant consenting to receive statutory notices by email from the Council.
3. Ms Huxtable took the Committee through the relevant service documents and highlighted that the Registrant had acknowledged the hearing and in an email sent by the Registrant on 20 January 2026 she stated that she would not be attending.
4. Ms Huxtable read the contents of the Registrant's email dated 20 January 2026 and as it referred to private matters relating to the Registrant and her [redacted] the Committee determined that it was appropriate for this part of the hearing to be heard in private, pursuant to Rule 25. Ms Huxtable, on behalf of the Council, had no objection to this course of action.
5. Ms Huxtable submitted that it was very clear from the Registrant's correspondence that the Registrant was aware of the hearing and did not want to attend.
6. The Committee accepted the advice of the Legal Adviser, who advised the Committee on the requirements for effective service under the Rules and the notice period for a substantive hearing being at least 28 days.
7. The Committee, having had regard to the documents provided regarding service, was satisfied that there had been effective service under the Rules and that all reasonable efforts have been made to notify the Registrant of the hearing.

Proceeding in the absence of the Registrant

8. The Committee then went on to consider whether it would be in the public interest to proceed in the Registrant's absence in accordance with Rule 22.
9. Ms Huxtable submitted that it was in the public interest to proceed with the hearing in the Registrant's absence. She reminded the Committee of the guidance from the case of *R v Jones* [2002] UKHL, that the discretion to proceed in the Registrant's absence should be exercised with great care, in rare and exceptional circumstances. However, considering the relevant factors to consider, Ms Huxtable submitted that it was clear that the Registrant had waived her right to attend and if the case was adjourned it would likely be the same position on the next occasion.
10. Ms Huxtable submitted that the case involves serious allegations of dishonesty and that adjourning would not likely result in the Registrant attending a future hearing. In relation to whether there was a risk that the Committee may reach the wrong conclusion in the case, Ms Huxtable submitted that this was unlikely as the

parties had come to agreement on the outcome of the case. Further, Ms Huxtable highlighted that there was a general public interest in ensuring that hearings take place without undue delay.

11. The Committee accepted the advice of the Legal Adviser, which was that the Committee had a discretion under Rule 22 as to whether to proceed in absence of the Registrant, which should be approached by applying the factors from the case of *Jones*. The Legal Adviser referred the Committee to the case of *GMC v Adeogba; GMC v Visvardis* [2016] EWCA Civ 162, where the Court of Appeal gave guidance that when deciding whether to proceed in absence, fairness to the practitioner is a prime consideration but it is not determinative; fairness to the Council and the public interest must be taken into account and a culture of adjournments is to be deprecated and would be contrary to the efficient delivery of regulation.
12. The Committee found that the Registrant was aware of the hearing today and she had made it clear in her correspondence that she would not be attending. In the circumstances, the Committee was satisfied that the Registrant had voluntarily waived her right to attend the hearing. No adjournment had been applied for and an adjournment would serve no useful purpose, as there was nothing to suggest that if the case was adjourned the Registrant would attend on the next occasion. The Committee noted that the allegations of dishonesty were serious and it was mindful of the public interest in proceedings being dealt with expeditiously.
13. The Committee determined that it would be in the public interest for the hearing to proceed in the Registrant's absence.

ALLEGATION

The Council alleges that you, Samantha Wall (D-15166), a registered dispensing optician:

1. *On or around 1 August 2024, while employed as a director of Specsavers, [redacted], you:*
 - a. *took £550.55 from the company cash safe and only deposited £50.55 into the business bank account;*
 - b. *retained the remaining cash of £500;*
 - c. *amended the store copy of the bank giro to show that £550.55 had been deposited into the business bank account, when only £50.55 had been deposited;*
2. *Between 30 December 2019 and 23 October 2023, while employed as a director of Specsavers, [redacted] you:*
 - a. *purchased 10 iPads totalling, £5,359.90, through the business account and did not declare these iPads;*
 - b. *resold the 10 iPads and kept the proceeds for yourself;*

3. *Between 5 October 2022 and 16 August 2024, while employed as a director of Specsavers, [redacted], you were responsible for banking shortfalls totalling £1,327.30;*
4. *Between 1 August 2022 and 31 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate expense claims totalling £258.26;*
5. *Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate claims through petty cash totalling £121.94;*
6. *Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you took money from petty cash totalling £744.*
7. *Your conduct as set out at 1 above was dishonest in that you:*
 - a. *deliberately sought to retain a cash deposit that you knew you were not entitled to;*
 - b. *knowingly created a false store copy of the bank giro;*
8. *Your conduct as set out at 2 above was dishonest in that you knowingly purchased 10 iPads through the business to sell and make a financial gain.*
9. *Your conduct as set out at 3 and/or 4 and/or 5 and/or 6 above was dishonest in that you knowingly took money from the business, which you were not entitled to, and/or submitted duplicate petty cash and expense claims.*

And by virtue of the facts set out above, your fitness to practice is impaired by reason of your Misconduct.

Agreed Panel Disposal

14. Prior to this hearing a provisional agreement of consensual panel determination had been reached with regard to this case between the Council and the Registrant.
15. The agreement, which was put before the Committee within an Agreed Panel Disposal ('APD') report dated 26 January 2026, sets out the Registrant's full admission to the facts alleged in the allegations, that the Registrant's actions amounted to misconduct and that the Registrant's fitness to practise is currently impaired by reason of that misconduct. It is further stated in the agreement that an appropriate sanction in this case would be erasure with no immediate order.
16. The Committee considered the provisional agreement reached by the parties, as set out in the APD Report, which is at **Annex A** of this determination.

DETERMINATION

17. Ms Huxtable referred the Committee to the APD report, which sets out in detail the agreed position of the parties and the Council's APD policy, which outlines the APD process, and proposed that this process be followed. The APD report states that the Registrant accepts the facts and the parties had agreed that misconduct and current impairment were established and that the case can appropriately be disposed of by a sanction of erasure. Further, that no immediate order was considered necessary.
18. Ms Huxtable highlighted that although the parties were in agreement, the ultimate decision rests with the Committee and there were a number of options open to the Committee, as set out in the APD policy.
19. The Committee queried with Ms Huxtable why the Council had taken the position that no immediate order was necessary. Ms Huxtable stated that the Registrant had not been made subject to an interim order as one had not been considered necessary. Ms Huxtable stated that there were no public protection concerns in this case and the Registrant had not been working as a Dispensing Optician since she left her post. The Registrant had been working in another field outside of the profession, having made it very clear that she had no intention to return to practice. In the circumstances the Council did not consider that the test was met for an immediate order.

Background to the Allegation

20. At the material time the Registrant was working at the **[redacted]** Specsavers ('the Practice') as a Dispensing Optician and was a director of the Practice.
21. The Registrant made a self-referral to the Council on 15 October 2024, in which she declared that she had resigned from the Practice and explained the background to her actions **[redacted]**. The Council then received a referral from the Practice on 22 October 2024 regarding financial discrepancies that had been identified by the Practice, which were suspected to be due to conduct of the Registrant.
22. A banking discrepancy was identified on 16 August 2024, when it was found that the in-store bank giro showed a deposit of £550.55 on 1 August 2024, but it had been noted that only £50.55 had been deposited in the business bank account. A closer inspection of the in-store giro and bank giro revealed that the in-store giro had been amended.
23. It was established by the Practice that the Registrant was responsible for the banking discrepancy on 1 August 2024. This prompted the Practice to conduct a closer examination of other potential irregularities. It was found that the Registrant had purchased 10 iPads from a local IT store over a period of 18 months without

the knowledge, or agreement, of the clinical director, [redacted]. None of the iPads were located at the Practice.

24. The Practice raised concerns with the Specsavers Financial Risk Support Team, who conducted investigations, which found multiple irregularities and banking variations.
25. When interviewed in the local investigation, the Registrant fully admitted that she took the £500 in August 2024 and amended the in-store giro to cover up her actions. The Registrant made further admissions in relation to three other occasions over the previous two years when money had not been received in the business bank account. The Registrant stated that she could not recall taking the money on the three specific dates but accepted that she must have been responsible. She also admitted that she was responsible for a till variance of £190 on 16 August 2024. The Registrant repaid £550 to the Practice.
26. Additionally, the investigation revealed that 10 iPads had been purchased by the Registrant through the business account between 30 December 2019 and 23 October 2023. In her interview, the Registrant stated that the first iPad had been purchased for legitimate business purposes but that she sold it when she started to struggle financially. She subsequently purchased the further iPads and sold them to pay for her own substantial legal fees in relation to [redacted]. The total value of the iPads purchased through the business account was £5,359.90.
27. The investigation also reviewed petty cash transactions completed by the Registrant between 1 August 2023 and 10 August 2024. This identified a shortfall between what monies had been paid out to the Registrant and purchases made, which amounted to £744.00. The Registrant accepted in her interview that she had taken money from petty cash.
28. Lastly, the investigation found that the Registrant had duplicated expense claims on numerous occasions, in respect of different systems, amounting to £258.26 and £121.94 respectively, as set out in the Allegation.

Legal Advice

29. The Committee heard and accepted the advice of the Legal Adviser who reminded the Committee that although there was an agreed disposal, as set out in the APD report, the Committee was not obliged to follow that outcome and it was for the Committee to form its own independent judgment in respect of each stage of the proceedings. If the Committee disagreed with and was minded to vary the APD report, there should be an opportunity for further submissions from the parties.
30. In relation to misconduct and impairment, the Legal Adviser endorsed the legal analysis set out in the APD report but added reference to the case of *The General Medical Council v Armstrong* [2021] EWHC 1658 (Admin). This case held that the consequences of a finding of dishonesty in the professional regulatory context on

the overarching objective, mean that to justify a finding of no impairment, the factors balanced on the other side will need to be extremely strong.

31. However, it does not automatically follow that there has to be a finding of impairment in a dishonesty case. There are some examples of impairment not being found in a case involving dishonesty, however it would be a rare or unusual case where a finding of impairment was not required in the public interest. Mr Justice Lane observed that in previous cases in which a finding of dishonesty did not lead to a finding of impairment, the dishonest conduct in each of them was an isolated incident, there was no question of financial gain and they were in the nature of uncharacteristic lapses in what may be described as “front-line” challenging clinical situations.
32. In relation to sanction, the advice of the Legal Adviser was for the Committee to take into account the factors on sanction as set out in the Sanctions Guidance; to consider any aggravating and mitigating factors; and to consider the range of available sanctions in ascending order of seriousness. Further, the Committee is required to act proportionately by weighing the interests of the Registrant against the public interest.

The Committee's findings

33. The Committee decided to accept the Agreed Panel Disposal, with a variation, which was agreed to by the parties, in relation to making an immediate order (as set out further below).

Findings in relation to the facts

34. The Committee was satisfied that the Registrant had admitted the entirety of the Allegation by way of her admissions made and her agreement to the agreed panel disposal process. She had signed the APD report which outlined her admissions.
35. The Committee therefore found the facts proved on the basis of the Registrant's admissions, pursuant to Rule 40(6).

Findings in relation to misconduct

36. In relation to misconduct and impairment, the Committee considered these matters separately and in turn. Whilst acknowledging the agreement between the Council and the Registrant, the Committee has exercised its own independent judgement in reaching its decisions.
37. The Committee proceeded to consider whether the admitted facts, which were found proved, amounted to misconduct, which was serious.

38. The Committee had regard to the bundle of documentary evidence before it, which included the witness statement of **[redacted]**, Clinical Director of Specsavers **[redacted]** and her referral to the Council, the Investigation reports, the Registrant's self-referral, the Registrant's representations to the Council, the signed APD report (as amended to correct a typographical error), and correspondence from the Registrant.

39. The Committee agreed with the parties' submission, set out within the APD report, that the Registrant's conduct breached the "Council's Standards of Practice for Optometrists and Dispensing Opticians," effective from April 2016 and that the Registrant has departed from the following standards:

- i. Standard 16: Be honest and trustworthy.
- ii. Standard 17: Do not damage the reputation of your profession through your conduct.

40. The Committee was of the view that the Registrant's conduct was serious as it involved multiple instances of dishonesty for financial gain and was persistent (over a period of several years), which only appeared to cease when it was discovered. The Registrant acted dishonestly in various ways in respect of obtaining money from the Practice, which had resulted in a total financial loss to the Practice that was significant. The dishonesty was covered up in some respects (for example, altering the giro) and was premeditated. The Registrant had also abused a position of trust, having been a director of the Practice at the relevant time.

41. The Committee considered that the Registrant's conduct fell far below the standards to be expected of her as a Dispensing Optician and what was proper in the circumstances. The Committee concluded that this dishonest conduct is damaging to the reputation of the profession and has brought it into disrepute. Further, fellow professionals and the public would consider it deplorable.

42. Taking everything into account, the Committee was satisfied that the conduct of the Registrant in committing repeated acts of dishonesty, for financial gain, which was premeditated and covered up, breaching her position of trust, amounted to professional misconduct, which was serious. Therefore, the Committee determined that the facts found proved amount to misconduct.

Findings in relation to current impairment

43. The Committee then went on to consider whether the Registrant's fitness to practise is currently impaired by virtue of her misconduct. Whilst acknowledging the agreement between the Council and the Registrant, the Committee has exercised its own independent judgement in reaching its decision on impairment.

44. The Committee noted that the APD report sets out that the Registrant accepts that her fitness to practise is currently impaired in that,

- i) she took a substantial amount of money from the Practice which she was not entitled to, submitted duplicate expense/invoice claims and purchased iPads through the Practice to sell for financial gain. Her conduct was repetitive, multi-faceted and occurred over a significant period. Her conduct was dishonest and therefore attitudinal, which is not easy to remedy.
- ii) beyond repaying some of the money, the Registrant has not undertaken any remediation sufficient to satisfy the Committee that such conduct will not be repeated in the future.
- iii) it is necessary in the public interest to make a finding of impairment of fitness to practise in order to uphold professional standards and public confidence in the profession.

45. The Committee considered whether the Registrant's conduct was capable of being remediated, whether it had been remediated and whether there is a risk of repetition of the conduct in future. The Committee considered the level of insight and remediation that had been demonstrated in this case by the Registrant. In relation to insight, the Committee was of the view that whilst the Registrant had shown some remorse for her actions and had repaid some of the money that she obtained, overall her level of insight was limited and there was no evidence of reflection or remediation before the Committee.

46. Additionally, the Committee was of the view that given the repeated and pre-meditated nature of the dishonesty in this case, it was likely deep-seated and attitudinal and without evidence of remediation, there was a high risk of repetition.

47. The Committee considered the explanation that the Registrant had put forward for her conduct, which she stated was *[redacted]*. However, the Committee was of the view that it could only give the personal mitigation limited weight as it noted that the Registrant had not provided any evidence to corroborate these matters. In addition, it was not clear to the Committee whether these factors had been addressed by the Registrant or were still present, which may lead to repetition.

48. The Committee concluded that given its findings regarding remediation and the risk of repetition, the Registrant was currently impaired on the personal component.

49. The Committee next considered the public interest and the guidance in the case of *CHRE v (1) NMC and (2) Grant [2011] EWHC 927 (admin)*. In particular, the Committee had regard to the test that was formulated by Dame Janet Smith in the report to the Fifth Shipman Inquiry, as approved in the case of Grant, which is as follows:

"Do our findings of fact in respect of misconduct... show that his fitness to practise is impaired in the sense that he:

(a) Has in the past acted and/or is liable in the future to so act so as to put a patient or patients at unwarranted risk of harm and/or;

- (b) *Has in the past brought and/or is liable in future to bring the medical profession into disrepute and/or;*
- (c) *Has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession and/or;*
- (d) *Has in the past acted dishonestly and/or is liable to act dishonestly in future.”*

50. The Committee noted that the parties agreed that limbs (b)-(d) of this test are engaged in this case, namely that the Registrant's conduct brought the profession into disrepute, breached one of the fundamental tenets of the profession and was dishonest. The Committee agreed with this assessment in relation to past conduct and as it had found a high risk of repetition, there is a liability to so act in future.

51. The Committee had regard to the public interest and considered that given the serious nature and extent of the dishonesty in this case, the need to uphold professional standards and maintain public confidence in the profession would be undermined if no finding of impairment was made.

52. Therefore, the Committee found that the fitness of the Registrant to practise as a Dispensing Optician is currently impaired.

Committee's findings on sanction

53. The Committee considered the aggravating and mitigating factors present in this case. In the Committee's view, the aggravating factors are as follows:

- i) The serious nature and extent of the dishonesty, which involved repeated and varied acts of pre-meditated dishonesty over a period of several years, for financial gain;
- ii) The Registrant's conduct was an abuse of trust given her position as a director;
- iii) The Registrant has limited insight;
- iv) The dishonesty only stopped (and the Registrant made admissions) when it was discovered;
- v) The Registrant has only partially re-paid the money taken from the Practice.

54. The Committee identified the following mitigating factors:

- i) The Registrant was of previous good character with no fitness to practise history;
- ii) The Registrant has made admissions, co-operated with the Council and the APD process and has shown remorse;

- iii) The Registrant has repaid some of the money (£550).
- iv) The Registrant's difficult personal circumstances were acknowledged by the Committee but only limited weight attached to them.

55. The Committee was of the view, having balanced the aggravating and mitigating factors, that the aggravating factors outweighed the mitigating factors in this case.

56. The Committee considered the sanctions available to it from the least necessary to the most severe (no further action, financial penalty, conditional registration, suspension, erasure).

57. In relation to taking no further action, the Committee was of the view that there were no exceptional circumstances present in this case that could justify taking no further action. In addition, this outcome was not appropriate nor sufficient given the seriousness of the misconduct and the public interest concerns.

58. The Committee considered the issue of a financial penalty order; however, it was of the view that such an order was not appropriate nor proportionate in the circumstances. It would not be sufficient to meet the public interest concerns in the case.

59. The Committee considered the Sanctions Guidance in relation to the imposition of conditions. It was of the view that conditional registration would not be practicable due to the nature of the misconduct, which was attitudinal. There were no clinical concerns or identified areas for re-training which conditions often seek to address. The Committee was of the view that it would be difficult to formulate appropriate conditions in a dishonesty case. Further, conditions would not sufficiently mark the seriousness of the misconduct in this case and would not meet the public interest.

60. The Committee concluded that conditions could not be devised which would be appropriate, proportionate, workable or measurable.

61. Next, the Committee considered suspension and had regard to paragraphs 21.29 onwards of the Sanctions Guidance. In particular, the Committee considered the list of factors contained within paragraph 21.29, that indicate that a suspension may be appropriate, which are as follows:

Suspension (maximum 12 months)

21.29 This sanction may be appropriate when some, or all, of the following factors are apparent (this list is not exhaustive):

- a. A serious instance of misconduct where a lesser sanction is not sufficient.*
- b. No evidence of harmful deep-seated personality or attitudinal problems.*
- c. No evidence of repetition of behaviour since incident.*

d. The Committee is satisfied the registrant has insight and does not pose a significant risk of repeating behaviour.

e. In cases where the only issue relates to the registrant's health, there is a risk to patient safety if the registrant continued to practise, even under conditions.

62. The Committee considered that several of the above factors did not apply to this case, for example, the Committee had found that the dishonesty was attitudinal and was not satisfied that the Registrant has insight. The Committee had also found that there was a significant risk of repetition.

63. The APD report sets out that it is agreed between the parties that suspension would be inappropriate in all the circumstances, as the Registrant had not demonstrated sufficient insight nor has she sought to remediate, therefore there is a risk of repetition.

64. The Committee agreed with the position of the parties that a suspension would not be an appropriate sanction, even if the maximum period of 12 months was imposed. As the Registrant had not sought to remediate, there was nothing to indicate that she would remediate during a period of suspension and therefore it would not address the misconduct. The Committee decided that a suspension order would not adequately mark the seriousness of the Registrant's conduct, maintain confidence in the profession and declare and uphold proper standards of professional conduct and behaviour.

65. The Committee considered the relevant part of the Sanctions Guidance in relation to erasure, namely paragraph 21.35 onwards.

66. The Committee was of the view that several of the factors listed in the Guidance at paragraph 21.35 (a)-(h), which lead towards the sanction of erasure being appropriate, applied in this case. Paragraph 21.35 states as follows:

Erasure

21.35 Erasure is likely to be appropriate when the behaviour is fundamentally incompatible with being a registered professional and involves any of the following (this list is not exhaustive):

- a. Serious departure from the relevant professional standards as set out in the Standards of Practice for registrants and the Code of Conduct for business registrants;*
- b. Creating or contributing to a risk of harm to individuals (patients or otherwise) either deliberately, recklessly or through incompetence, and particularly where there is a continuing risk of harm to patients;*
- c. Abuse of position/trust (particularly involving vulnerable patients) or violation of the rights of patients;*
- d. Offences of a sexual nature, including involvement in child pornography;*
- e. Offences involving violence;*

- f. Dishonesty (especially where persistent and covered up);*
- g. Repeated breach of the professional duty of candour, including preventing others from being candid, that present a serious risk to patient safety; or*
- h. Persistent lack of insight into seriousness of actions or consequences.*

67. The Committee was of the view that the dishonesty in this case was at the upper end of the scale and was particularly serious. It concluded that the conduct was fundamentally incompatible with being a registered professional. The Committee was satisfied that any lesser sanction than erasure would not sufficiently meet the public interest. Therefore, erasure, in the particular circumstances of this case, would be the proportionate and appropriate sanction.
68. Accordingly, the Committee approved the APD report and made an order in the terms agreed by the parties, namely erasure.

Immediate Order

69. The Committee considered whether to make an immediate order in this case. The parties had agreed the APD report on the basis that no immediate order was necessary. The Committee considered the submissions from Ms Huxtable on behalf of the Council on this issue, who submitted that an immediate order was not warranted in this case.
70. The Committee accepted the advice of the Legal Adviser, which was to consider the statutory test in section 131 of the Opticians Act 1989 is met, i.e., whether the making of an order is necessary for the protection of members of the public, otherwise in the public interest or in the best interests of the Registrant.
71. The Committee decided that an immediate order was not necessary to protect the members of the public, as there were no public safety concerns in this case. Nor was an immediate order required in the Registrant's own best interests.
72. However, in relation to whether an immediate order was otherwise in the public interest, the Committee had concluded that erasure was the only appropriate and proportionate sanction in this case. In the circumstances, and given the serious nature of the dishonesty, the Committee found that it was also in the wider public interest that an immediate order of suspension be imposed.
73. The Committee reconvened the hearing to inform Ms Huxtable that it had agreed with the APD report dated 26 January 2026, up until the stage of immediate order, in respect of which it disagreed with the parties' position that there should be no immediate order imposed.
74. Following the process set out in the APD Policy, at paragraph 8.4, the Committee proposed to invite further submissions from the parties on the issue of it imposing an immediate order. As the Registrant was not present nor represented at the

hearing, the Committee proposed that the Registrant be contacted by phone and/or email to establish whether she agreed with a variation to the APD report that an immediate order be imposed.

75. The Registrant was duly contacted and she confirmed by email in response that she agreed to an immediate order being imposed. The Council responded that,

"In light of the Committee's wish to vary the sanction and impose an immediate order, the Council agrees that, given the nature and seriousness of this matter, it is in the public interest to impose an immediate order. The Council does not seek to make any further submissions in respect of sanction."

76. Having received the parties' agreement to the Committee's proposed variation in relation to an immediate order, the Committee determined to impose an immediate order of suspension as being otherwise in the public interest.

Conclusion

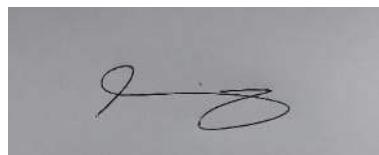
77. For the reasons set out above, the Committee determined to accept the agreed panel disposal as put forward by the parties, with variation only to the extent that an immediate order of suspension is hereby imposed.

Revocation of interim order

78. The Committee was informed that there was no interim order made in this case, therefore there is no such order to revoke.

Chair of the Committee: Sarah Hamilton

Signature



Date: 29 January 2026

Registrant: Samantha Wall

Signature emailed to registrant

Date: 29 January 2026

ANNEX A

BEFORE THE FITNESS TO PRACTISE COMMITTEE
OF THE GENERAL OPTICAL COUNCIL

GENERAL OPTICAL COUNCIL

and

SAMANTHA WALL (D-15166)

AGREED PANEL REPORT

Introduction

1. *This is a substantive hearing in respect of Samantha Wall ("the Registrant"), a registered dispensing optician who first registered with the General Optical Council ("the Council") as a dispensing optician on 17 February 2014. The Fitness to Practise Committee ("the Committee") are to consider whether to approve an agreed form of disposal under the Agreed Panel Disposal ("APD") process. Both parties agree to the proposed form of disposal set out in this report. The Registrant is not legally represented but has been provided with the Council's policy in respect of the APD process ("the Policy").*
2. *Page numbers included within this document refer to the Council's bundle unless indicated otherwise and are shown in square brackets [page x].*
3. *The Policy is appended to this report. It is a hearing management tool, designed to assist in avoiding full hearings with the calling of evidence where the public protection and public interest objectives of the fitness to practise process would still be met by an agreed outcome. It is not a separate statutory tool or path to a finding of impaired*

fitness to practise. The Committee retains full jurisdiction over the procedure and, save where it would be otherwise appropriate not to do so, the proposed APD is considered at a public hearing. The options available to the Committee are:

- i. To approve the report in its entirety and make the appropriate order(s);*
- ii. To vary the sanction with the agreement of both parties after inviting submissions. If one or both parties disagree with the variation suggested by the Committee, the APD hearing will be vacated, and the matter will be scheduled for a full substantive hearing before a new Committee;*
- iii. To disagree with all or part of the report. In this instance, the Council and Registrant may agree to amend the report in light of the Committee's findings and resubmit this to the same committee at a reconvened hearing, otherwise the APD hearing will be vacated, and the matter will be listed for a full substantive hearing before a new Committee;*
- iv. If either party decides that they no longer want the case to proceed by APD, the current hearing must be immediately concluded by the Committee with no orders being made (unless there is a request for procedural directions from both parties). The matter will then be scheduled for a full substantive hearing before a new Committee.*

4. *The Registrant is not expected to attend the APD hearing and is not legally represented.*

Background

5. *The Council's case was served on the Registrant on 9 June 2025.*
6. *The Registrant made a self-referral to the Council on 15 October 2024 stating that she had resigned from [redacted] Specsavers ("the Practice") with immediate effect and explaining the background to her actions [415]:*

"I would like to withdraw from the GOC register with immediate effect as I no longer want to practice as a Dispensing Optician. There is absolutely no excuse for what I have done. I have ruined my career and let down my colleagues and [redacted]. I have gone against everything I stood for and believe in and I am utterly ashamed of myself. Even though there is no excuse for my actions I would like to explain my situation. [redacted] Being a Dispensing Optician is no longer what I am able or want to do. [redacted]

7. *The Council subsequently received a referral from the Practice on 22 October 2022 [417 – 418].*
8. *On 16 August 2024 a banking discrepancy was found the Practice, notably the in-store bank giro showed that a cash deposit of £550.55 had been made on 1 August 2024 but*

only £50.55 had been deposited into the business bank account. A closer inspection of the in-store giro and bank giro revealed that the in-store giro had been amended.

9. It was established that the Registrant was responsible for the banking discrepancy on 1 August 2024. This prompted the Practice to conduct a closer examination of other potential banking irregularities. It was found that the Registrant had purchased 10 iPads from [redacted] over a period of 18 months without the knowledge, or agreement, of the clinical director, [redacted]. None of the iPads were located at the Practice.
10. A concern was duly raised with the Specsavers Financial Risk Support Team ("FRS") who conducted a preliminary and then a full investigation. The final FRS report [34 – 414] highlighted multiple irregularities and banking variances which were attributable to the Registrant. These can be categorised as follows:

Banking

11. In respect of the banking discrepancy on 1 August 2024, the Registrant fully admitted in her interview with the FRS that she "took the £500 and only banked some of it". She further admitted to amending the in-store giro to cover up her actions [41 – 42].
12. The FRS completed a cash and banking review for a two-year period and identified a further three occasions where money had not been received into the business bank account, notably:
 - 5 October 2022 - £512.30.
 - 11 November 2022 - £550.
 - 22 March 2023 - £75.
 -
13. The Registrant stated in her FRS interview that she could not recall taking the money on the three occasions identified but latterly confirmed that she must have been responsible, albeit she could not recall specific dates [45].
14. The Registrant further admitted to being responsible for a till cash variance of £190 on 16 August 2024. She confirmed that she had taken the money.
15. To date, the Registrant has repaid £550 to the Practice. The total financial loss to the business has therefore been calculated as £1,327.30.

iPads

16. [redacted] provided the Practice with invoices for 10 iPads purchased by the Registrant through the business account between 30 December 2019 and 23 October 2023 [345 – 355]. The Registrant stated in her FRS interview that the first iPad she purchased in 2019 was for legitimate business use but that she sold it when she started to struggle

financially. She subsequently purchased and sold several other iPads to pay for legal expenses. She confirmed that she sold all the iPads purchased and retained the money. She admitted that her intention was to sell the iPads for financial gain [50 – 51].

17. *The total value of iPads purchased through the business amounted to £5,359.90.*

Petty cash

18. *As part of the remote analysis, a review of petty cash transactions completed by the Registrant was conducted for the period 1 August 2023 to 10 August 2024. It was established that the total amount processed using the Registrant's Socrates User ID was £2,607.82, and that the shortfall between what had been paid out to the Registrant and purchases made amounted to £744.00.*

19. *The Registrant in her FRS interview confirmed that where there was no available receipt for purchases/expenses then she had taken the money from petty cash [54].*

20. *The FRS review of petty cash and expenses further revealed that the Registrant duplicated expense claims on five occasions, totalling £121.94, by submitting the same receipts through both petty cash and the Concur expense system:*

- *A receipt dated 23 January 2024 for £60.00 for 5 gift vouchers from the Post Office was submitted through both Concur and petty cash. The receipts had identical date, time, session number, and amount [371 - 375].*
- *A Co-Op receipt dated 11 March 2024 for £28.10 for various food and drink items was submitted through both systems [376 - 380].*
- *A receipt dated 15 March 2024 for £10 from Sampsons Greetings Cards was submitted through both Concur and petty cash, with matching date, time, amount, and vendor [381 - 386].*
- *A receipt dated 17 January 2024 for £9.15 from the Post Office for postage was submitted through both systems, with identical date, time, and session ID [389 – 392].*
- *A receipt dated 26 January 2024 for £4.69 from the Post Office was submitted through both expenses and petty cash, with matching date, time, session, and amount [393 – 397].*

Duplicate invoicing and expenses

21. *The FRS conducted a review of invoices submitted over a two-year period, between August 2022 to August 2024, and found that the Registrant duplicated claims by submitting invoices for payment through the business and submitting the same invoices*

as expenses through the Concur system. The total value of duplicated claims was £258.26 [398 – 414].

22. The allegation is set out below.

Allegation

The Council alleges that you, Samantha Wall (D-15166), a registered dispensing optician:

1. On or around 1 August 2024, while employed as a director of Specsavers, [redacted], you:
 - a. took £550.55 from the company cash safe and only deposited £50.55 into the business bank account;
 - b. retained the remaining cash of £500;
 - c. amended the store copy of the bank giro to show that £550.55 had been deposited into the business bank account, when only £50.55 had been deposited;
- 2. Between 30 December 2019 and 23 October 2023, while employed as a director of Specsavers, [redacted], you:
 - a. purchased 10 iPads totalling, £5,359.90, through the business account and did not declare these iPads;
 - b. resold the 10 iPads and kept the proceeds for yourself;
- 3. Between 5 October 2022 and 16 August 2024, while employed as a director of Specsavers, [redacted], you were responsible for banking shortfalls totalling £1,327.30;
- 4. Between 1 August 2022 and 31 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate expense claims totalling £258.26;
- 5. Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate claims through petty cash totalling £121.94;
- 6. Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you took money from petty cash totalling £744.
- 7. Your conduct as set out at 1 above was dishonest in that you:

- a. deliberately sought to retain a cash deposit that you knew you were not entitled to;
- b. knowingly created a false store copy of the bank giro;
-
- 8. Your conduct as set out at 2 above was dishonest in that you knowingly purchased 10 iPads through the business to sell and make a financial gain.
-
- 9. Your conduct as set out at 3 and/or 4 and/or 5 and/or 6 above was dishonest in that you knowingly took money from the business, which you were not entitled to, and/or submitted duplicate petty cash and expense claims.

And by virtue of the facts set out above, your fitness to practice is impaired by reason of your Misconduct.

Nature of the Recommended Disposal

23. Upon the Registrant's admissions and upon the Council and Registrant agreeing to this recommendation, the parties jointly seek and recommend to the Committee that this matter is disposed of by a determination on the following basis:

- i. All the particulars of the allegations are admitted and found proved;
- ii. That the Registrant's fitness to practise is impaired by reason of misconduct; and
- iii. The appropriate and proportionate sanction is erasure.

Relevant Legislation:

24. The procedure for principal hearings before the Fitness to Practice Committee is set out in Rule 46 of the Fitness to Practise Rules ("the Rules"). This hearing is required to be conducted in four stages:

- i. Stage 1 – findings of fact;
- ii. Stage 2 – if the facts have been found proved, have the grounds of impairment alleged under section 13D of the Opticians Act 1989 ("the Act"), by reason of misconduct, has been established;
- iii. Stage 3 – if the grounds of impairment alleged under section 13D of the Act have been established, is the Registrant's fitness to practise so impaired; and
- iv. Stage 4 – if the Registrant's fitness to practise is impaired, what is the appropriate sanction, if any.

25. Rule 40(6) of the Rules provides: "the registrant may admit a fact or description of a fact, and a fact or description of a fact so admitted may be treated as proved."

Stage 1: Factual Findings

Allegation 1

On or around 1 August 2024, while employed as a director of Specsavers, [redacted], you:

- a. *took £550.55 from the company cash safe and only deposited £50.55 into the business bank account;*
- b. *retained the remaining cash of £500;*
- c. *amended the store copy of the bank giro to show that £550.55 had been deposited into the business bank account, when only £50.55 had been deposited;*

26. *In support of this allegation, the Council relies on the statement of [redacted] at paragraph 7 - 10 [1 – 2], and the FRS report [40 – 43].*

27. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 2

Between 30 December 2019 and 23 October 2023, while employed as a director of Specsavers, [redacted], you:

- a. *purchased 10 iPads totalling, £5,359.90, through the business account and did not declare these iPads;*
- b. *resold the 10 iPads and kept the proceeds for yourself;*

28. *In support of this allegation, the Council relies on the statement of [redacted] at paragraph 7 - 10 [1 – 2], and the FRS report [49 – 51 and 345 – 355].*

29. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 3

Between 5 October 2022 and 16 August 2024, while employed as a director of Specsavers, [redacted], you were responsible for banking shortfalls totalling £1,327.30;

30. *In support of this allegation, the Council relies on the FRS report [40 – 49].*

31. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 4

Between 1 August 2022 and 31 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate expense claims totalling £258.26;

32. *In support of this allegation, the Council relies on the FRS report [56 - 58].*
33. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 5

Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you submitted duplicate claims through petty cash totalling £121.94;

34. *In support of this allegation, the Council relies on the FRS report [53 - 56 and 371 - 397].*
35. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 6

Between 1 August 2023 to 10 August 2024, while employed as a director of Specsavers, [redacted], you took money from petty cash totalling £744.

36. *In support of this allegation, the Council relies on the FRS report [53 - 56]*
37. *It is therefore submitted that on the basis of the above evidence, findings of fact can be made out, notwithstanding that the Registrant admits the facts against her in their entirety.*

Allegation 7 – 9

Your conduct as set out at 1 above was dishonest in that you:

- a. *deliberately sought to retain a cash deposit that you knew you were not entitled to;*
- b. *knowingly created a false store copy of the bank giro;*

Your conduct as set out at 2 above was dishonest in that you knowingly purchased 10 iPads through the business to sell and make a financial gain.

Your conduct as set out at 3 and/or 4 and/or 5 and/or 6 above was dishonest in that you knowingly took money from the business, which you were not entitled to, and/or submitted duplicate petty cash and expense claims.

38. *It is agreed by the Council and the Registrant that the Registrant's conduct was dishonest.*

39. *In assessing whether the Registrant's conduct was dishonest, the Committee may also be assisted by the relevant case law as set out below.*

DISHONESTY

40. *In Ivey v Genting Casinos (UK) Ltd [2017] UKSC 67, the Supreme Court set down the proper test for dishonesty. Lord Hughes, at para [74], expressed as follows:*

'When dishonesty is in question the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts. The reasonableness or otherwise of his belief is a matter of evidence (often in practice determinative) going to whether he held the belief, but it is not an additional requirement that his belief must be reasonable; the question is whether it is genuinely held. When once his actual state of mind as to knowledge or belief as to facts established, the questions whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest'.

41. *The Ivey test does not require the Registrant to appreciate that he was dishonest. For example (and with reference to Ivey itself) a gambler may think that manipulating a deck of cards is not cheating, but that would not prevent a tribunal from finding that he had in fact acted dishonestly.*

•

42. *In General Medical Council v Krishna [2017] EWHC 2892 (Admin), the Queens Bench Division supports Ivey as the correct approach to be applied in regulatory proceedings. The court confirmed that the approach, in accordance with Ivey, was that the Panel should have first determined the Respondent's state of mind as to the facts and then gone on to consider whether his conduct was dishonest by the standards of ordinary decent people.*

43. *The Committee is respectfully invited to consider the issue of dishonesty in the following way:*

- i. *Consider whether the act or omission said to be dishonest is proven on the balance of probabilities;*
- ii. *Consider, on the balance of probabilities, what the Registrant's actual state of knowledge or genuine belief as to the facts was;*
- iii. *Consider whether the Registrant's actions were dishonest by the standards of ordinary honest people.*

Stage 2 and 3: Misconduct and Impairment

44. *The Council respectfully invites the Committee to find misconduct and impairment in accordance with section 13D(2)(a) of the Act, which provides:*

'The only grounds upon which the fitness to practise of a registered optometrist or registered dispensing optician, or the fitness to undertake training of a student registrant, is "impaired" for the purposes of this Act are—

(a) misconduct.'

45. *There is no strict definition of misconduct. However, Lord Clyde in Roylance v General Medical Council (No. 2) [2000] 1 A.C. 311 at para [35] stated:*

'Misconduct is a word of general effect, involving some act or omission which falls short of what should be proper in the circumstances. The standard of propriety may often be found by reference to the rules and standards ordinary required to be followed ... in the particular circumstances'.

46. *In R (Calhaem) v General Medical Council [2007] EWHC 2606 (Admin) at para [26] Mr Justice Jackson stated:*

'The word 'misconduct' in [the Medical Act 1983] section 35C(2)(a) does not connote any breach of the duty owed by a doctor to his patient: it connotes a serious breach which indicates that the doctor's fitness to practise is impaired'.

47. *In Remedy UK Ltd v General Medical Council [2010] EWHC 1245 (Admin) the Court reviewed a number of authorities in relation to misconduct and derived a number of principles which included the following at para [37]:*

'Misconduct is of two principal kinds. First, it may involve sufficiently serious misconduct in the exercise of professional practice such that it can properly be described as misconduct going to fitness to practise. Second, it can involve conduct of a morally culpable or otherwise disgraceful kind which may, and often will, occur outwith the course of professional practice itself, but which brings disgrace upon the doctor and thereby prejudices the reputation of the profession. Misconduct within the first limb need to arise in the context of a doctor exercising his clinical practice, but it must be in the exercise of the doctor's medical calling. There is no single or simple test for defining when that condition is satisfied. Conduct falls into the second limb if it dishonourable or disgraceful or attracts some kind of opprobrium; that fact may be sufficient to bring the profession of medicine into disrepute. It matters not whether such conduct is directly related to the exercise of professional skills'.

48. *In Nandi v GMC [2004] EWHC 2317 (Admin), Collins J held that:*

'What amounts to professional misconduct has been considered by the Privy Council in a number of cases. I suppose perhaps the most recent observation is that of Lord Clyde in Rylands v General Medical Council [1999] Lloyd's Rep Med 139 at 149, where he described it as "a falling short by omission or commission of the standards of conduct expected among medical practitioners, and such falling short must be serious". The adjective "serious" must be given its proper weight, and in other contexts there has been reference to conduct which would be regarded as deplorable by fellow practitioners. It is of course possible for negligent conduct to amount to serious professional misconduct, but the negligence must be to a high degree.'

49. *Having regard to the Standards of Practice for Optometrists and Dispensing Opticians, effective from April 2016, the Council and Registrant agree that the Registrant has breached:*

- *Standard 16 – Be honest and trustworthy.*
- *Standard 17 - do not damage the reputation of your profession through your conduct.*

50. *It is agreed by both the Council and the Registrant that the allegations amount to a serious departure from the standards of practice expected of a competent dispensing optician and that the Registrant's conduct therefore amounts to misconduct within the meaning of section 13D(2)(a) of the Act.*

Impairment

51. *The Committee is reminded that the purpose of Fitness to Practise proceedings is not to punish the Registrant for past wrongdoings but to protect the public from acts of those who are not fit for practice. The committee must look forward and not back. However, in order to form a view as to fitness to practise today, the committee will have to take account of the way in which Registrant has acted in the past: Meadow v GMC [2007] 1 All ER 1.*

52. *Guidance on these issues which the Committee may wish to take into account is contained at pages 22-24, paragraphs 16.1 to 17.8 of the "Hearings and Indicative Sanctions Guidance," December 2021.*

53. *The Committee will be aware of the volume of case law providing guidance on the considerations involved in determining impairment of fitness to practice. The Council bring the following to the Committee's attention:*

The High Court in CHRE v (1) NMC and (2) Grant [2011] EWHC 927 (Admin), considered that an appropriate approach for panels considering impairment might be that which was formulated by Dame Janet Smith in the report to the Fifth Shipman Inquiry:

"Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution, or determination show that his/her fitness to practice is impaired in the sense that s/he:

- a. *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; and/or*
- b. *has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or*
- c. *has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or*
- d. *has in the past acted dishonestly and/or is liable to act dishonestly in the future".*

54. *It is agreed by the parties that limbs b) to d) of the test are engaged in this case.*

55. *Silber, J set out guidance in Cohen v General Medical Council [2008] EWHC 581 (Admin) at paragraph 65:*

"It must be highly relevant in determining if a doctor's fitness to practice is impaired that first his or her conduct which led to the charge is easily remediable, second that it has been remedied and third that it is highly unlikely to be repeated."

56. *In Cheatle v General Medical Council [2009] EWHC 645 (Admin), Cranston J at paras [21-22] stated:*

"21. There is clear authority that in determining impairment of fitness to practice at the time of the hearing regard must be had to the way the person has acted or failed to act in the past..."

22. In my judgment this means that the context of the doctor's behaviour must be examined. In circumstances where there is misconduct at a particular time, the issue becomes whether that misconduct, in the context of the doctor's behaviour both before the misconduct and to the present time, is such as to mean that his or her fitness to practice is impaired. The doctor's misconduct at a particular time may be so egregious that, looking forward, a panel is persuaded that the doctor is simply not fit to practice medicine without restrictions, or maybe at all. On the other hand, the doctor's misconduct may be such that, seen within the context of an otherwise unblemished record, a Fitness to Practice Panel could conclude that, looking forward, his or her fitness to practice is not impaired, despite the misconduct."

57. In *GMC v Armstrong* [2021] EWHC 1658 (Admin) it was suggested at para 37 that it is very rare indeed for a person who has committed serious professional misconduct by reason of dishonesty to escape a finding of impairment. The Court further considered what may amount to exceptional circumstances in the context of dishonest conduct.

Mr Justice Lane stated:

'In determining whether a case is exceptional, it is important not to make direct factual comparisons between one case and another. Freedman J was alive to this in Hilton and I am also. That said, the way in which the facts of other cases have been judicially addressed can shed light on what kinds of factors may or may not be regarded as possessing inherent weight or significance. Adopting this approach, what is striking about all three of the cases in which a finding of dishonesty did not lead to a finding of impairment, is that the dishonest conduct in each of them was an isolated incident; and that there was no question of financial gain. They were in the nature of uncharacteristic lapses in what may be described as "front-line" challenging clinical situations involving direct interaction between professional and patient (or patient's relative)'.

58. In *Yeong v GMC* [2009] Mr Justice Sales said (at Para 21):

"It is a corollary of the test to be applied and of the principle that a FTPP is required to look forward rather than backward that a finding of misconduct in the past does not necessarily mean that there is impairment of fitness to practise - a point emphasised in Cohen and Zygmont...in looking forward the FTPP is required to take account of such matters as the insight of the practitioner into the source of his misconduct, and any remedial steps which have been taken and the risk of recurrence of such misconduct. It is required to have regard to evidence about matter that have arisen since the alleged misconduct occurred".

(At Para 48): *"Miss Grey submitted that each of Cohen, Meadow and Azzam was concerned with misconduct by a doctor in the form of clinical errors and incompetence. In relation to such type of misconduct, the question of remedial action taken by the doctor to address his areas of weakness may be highly relevant to the question whether his fitness to practise is currently (i.e. at the time of consideration by a FTPP) impaired; but Miss Grey submitted that the position in relation to the principal misconduct by Dr Yeong in the present case (i.e. improperly crossing the patient/doctor boundary by entering into a sexual relationship with a patient) is very different. Where a FTPP considers that the case is one where the misconduct consists of violating such a fundamental rule of the professional relationship between medical practitioner and patient and thereby undermining public confidence to the medical profession, a finding of impairment of fitness to practise may be justified on the grounds that it is necessary to reaffirm clear standards of professional conduct so as to maintain public confidence in the practitioner and in the profession, in such a case, the efforts made by the medical*

practitioner in question to address his behaviour for the future may carry very much less weight than in the case where the misconduct consists of clinical errors or incompetence. I accept Miss Grey's submissions that the types of cases which were considered in Cohen, Meadow and Azzam fall to be distinguished from the present case on the basis she puts forward".

59. *When considering impairment, the Committee must have regard to public interest considerations. In PSA v Nursing and Midwifery Council (Grant) [2011] EWHC 927, the High Court said that, in deciding whether fitness to practise is impaired, the Committee should ask themselves:*

"Not only whether the registrant continued to present a risk to members of the public, but whether the need to uphold proper professional standards and public confidence in the registrant and in the profession would be undermined if a finding of impairment of fitness to practise were not made in the circumstances of this case.

60. *The Registrant accepts that her fitness to practise is currently impaired, in that:*

- i. *she took a substantial amount of money from the Practice which she was not entitled to, submitted duplicate expense/invoice claims and purchased iPads through the Practice to sell for financial gain. Her conduct was repetitive, multi-faceted and occurred over a significant period. Her conduct was dishonest and therefore attitudinal, which is not easy to remedy.*
- ii. *beyond repaying some of the money, the Registrant has not undertaken any remediation sufficient to satisfy the Committee that such conduct will not be repeated in the future.*
- iii. *it is necessary in the public interest to make a finding of impairment of fitness to practise in order to uphold professional standards and public confidence in the profession.*

Stage 3: Sanction

61. *If a finding of impairment is made, the available sanctions are set out in section 13F (3)(a) – (c) of the Act.*

62. *The purpose of sanctions in fitness practise proceedings are as follows:*

- a. *the protection of the public;*
- b. *the declaring and upholding of high standards in the profession; and*
- c. *the maintenance of public confidence in the profession*

63. *When deciding on sanction, the Committee should bear in mind that “orders made by the tribunal are not primarily punitive” (Bolton v Law Society [1994] 1 WLR 512, at para [519]). The first concern for the Committee is, however, public protection with the impact of a sanction on the Registrant being secondary (PSA v NMC [2015] EWHC 1887 (Admin)).*
64. *The Committee will be guided by to the Council’s Hearings and Indicative Sanctions Guidance at paragraphs 20.1 – 21.39 and 22.4 – 22.6.*
65. *The Committee should have proper regard to the Indicative Sanctions Guidance unless the Committee have sound reasons to depart from it – per Lindblom LJ in PSA v (1) HCPC (2) Doree [2017] EWCA Civ 319 at paragraph 29.*
66. *The Committee must have regard to the principle of proportionality. The principle requires that when considering what sanction to impose in order to fulfil the statutory over-arching objective, the Committee must take into consideration the interests of the Registrant, which may include the wider public interest in a competent dispensing optician being permitted to return to practice. The Committee should consider the sanctions available, starting with the least restrictive sanction available, judging whether that sanction will be sufficient to achieve the over-arching objective, and if it will not, moving on to consider the next least restrictive sanction.*
67. *A finding of dishonesty is particularly serious as it is likely to undermine the public’s confidence in the profession.*
68. *In terms of aggravating features, it can be said that the Registrant’s actions involved an abuse of trust. As a director, she was in a position of responsibility and had a duty to act in the interests of the Practice. Equally, her conduct was repetitive, deliberate, multi-faceted and motivated by money. Furthermore, it occurred over a significant period until eventual detection. It must therefore be at the higher end of seriousness.*
69. *In terms of mitigating features, it can be said that the Registrant has admitted the allegations since the outset of the FRS investigation and not sought to excuse her behaviour. She has shown remorse. Moreover, she has provided mitigation setting out her personal circumstances at the relevant time [421].*
70. *The Committee’s attention is respectfully drawn to paragraph 22.4 of the Indicative Sanctions Guidance which suggests that “there is no blanket rule or presumption that erasure is the appropriate sanction in all cases of dishonesty. The Committee must balance all the relevant issues in a proportionate manner whilst putting proper emphasis on the effect a finding of dishonesty has on public confidence in the profession (R (on the application of Hassan) v General Optical Council (2013)”.*

71. *It is agreed that this matter is too serious to take no further action or to impose a fine on the Registrant. Equally, conditional registration would be inappropriate given the nature of the misconduct. The Registrant's dishonest conduct is attitudinal, which is difficult to remediate, and there are no workable conditions that could adequately address the concerns in this case.*

72. *It is further agreed that suspension would be inappropriate in all the circumstances. Whilst there has been no evidence of repetition since the incidents, the Registrant has not demonstrated sufficient insight nor has she sought to remediate. There is therefore a risk of repetition.*

73. *Having regard to the Council's Indicative Sanctions Guidance, the Council and the Registrant agree that the appropriate sanction is erasure. In accordance with the Guidance, erasure is likely to be appropriate when the behaviour is fundamentally incompatible with being a registered professional and involves, as is applicable in this case:*

- *Serious departure from the relevant professional standards as set out in the Standards of Practice for registrants and the Code of Conduct for business registrants;*
- *Abuse of position/trust;*
- *Dishonesty (especially where persistent and covered up);*

74. *It is agreed by the parties that there has been a serious departure from the relevant professional standards and persistent dishonest conduct on the part of the Registrant. Her behaviour is fundamentally incompatible with being a registered professional. In the circumstances, the appropriate and proportionate sanction is erasure to maintain public confidence in the profession and regulatory process.*

Immediate Order

75. *The Council and the Registrant agree that, should the Committee accept the recommendation for disposal, it is not appropriate to impose an immediate order as it is not necessary to do so to protect the public and is not otherwise in the public interest.*



General Optical Council

26 January 2026

PRINT REGISTRANT NAME: *Samantha Wall*.....

SIGNATURE:

DATE: *26/01/2026*.....

FURTHER INFORMATION	
Transcript	A full transcript of the hearing will be made available for purchase in due course.
Appeal	Any appeal against an order of the Committee must be lodged with the relevant court within 28 days of the service of this notification. If no appeal is lodged, the order will take effect at the end of that period. The relevant court is shown at section 23G(4)(a)-(c) of the Opticians Act 1989 (as amended).
Professional Standards Authority	This decision will be reported to the Professional Standards Authority (PSA) under the provisions of section 29 of the NHS Reform and Healthcare Professions Act 2002. PSA may refer this case to the High Court of Justice in England and Wales, the Court of Session in Scotland or the High Court of Justice in Northern Ireland as appropriate if they decide that a decision has been insufficient to protect the public and/or should not have been made, and if they consider that referral is desirable for the protection of the public. Where a registrant can appeal against a decision, the Authority has 40 days beginning with the day which is the last day in which you can appeal. Where a registrant cannot appeal against the outcome of a hearing, the Authority's appeal period is 56 days beginning with the day in which notification of the decision was served on you. PSA will notify you promptly of a decision to refer. A letter will be sent by recorded delivery to your registered address (unless PSA has been notified by the GOC of a change of address). Further information about the PSA can be obtained from its website at www.professionalstandards.org.uk or by telephone on 020 7389 8030.
Effect of orders for suspension or erasure	To practise or carry on business as an optometrist or dispensing optician, to take or use a description which implies registration or entitlement to undertake any activity which the law restricts to a registered person, may amount to a criminal offence once an entry in the register has been suspended or erased.
Contact	If you require any further information, please contact the Council's Hearings Manager at Level 29, One Canada Square, London, E14 5AA or by telephone, on 020 7580 3898.