



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

GENERAL OPTICAL COUNCIL

F(20)39

AND

LEE PURDY (D-10419)

**DETERMINATION OF A SUBSTANTIVE HEARING
10-11 FEBRUARY 2021 RESUMING ON 18-19 MARCH 2021**

Committee Members:	Ms Sara Fenoughty (Chair/Lay) Mr Ben Summerskill (Lay) Mr Paul Curtis (Lay) Ms Jessica Ames (Dispensing Optician) Ms Sarah Baylay (Dispensing Optician)
Clinical adviser:	Dr Dunleavy present 18-19 March
Legal adviser:	Mr Gary Leong
GOC Presenting Officer:	Mr Dean Taylor
Registrant present/represented:	Yes and represented
Registrant representative:	Mr John Graham [WGL]
Hearings Officer:	Ms A Shabani
Facts found proved:	Particulars 1, 2, 3, and 4
Facts not found proved:	None
Misconduct:	Found
Impairment:	Impaired on Misconduct [REDACTED]
Sanction:	Erasure
Immediate order:	Immediate Suspension



ALLEGATION

The Council alleges that you, Lee Purdy (D-10419), a registered dispensing optician:

1. *Between around August 2015 and January 2017, [redacted], you;*
 - a) *Processed false transactions and/or false refund transactions on the till(s); and/or*
 - b) *Removed cash belonging to [redacted] from the till(s) and/or from the practice, for your own personal use, to the value of approximately £3,755.00;*

2. *Your conduct as set out at (1) above was:*
 - a) *Inappropriate;*

3. *Your conduct as set out at (1) above was dishonest and/or misleading in that:*
 - a) *You knew or ought to have known that you were not authorised by your employer to remove the cash from the practice for your own personal use; and/or*
 - b) *You did not inform your employer that you had removed the cash from the practice; and/or*
 - c) *You knew that the cash belonged to your employer; and/or*
 - d) *You did not intend to return the cash to your employer;*

4. *You have the [redacted] set out in Schedule A;*

And by virtue of the facts set out above, your fitness to practise is impaired by reason of misconduct and/or your [redacted]

SCHEDULE A [redacted]

PRELIMINARY MATTERS

Amendment of Schedule A

1. At the start of the proceedings, the Council applied to amend the [redacted] listed in Schedule A so as to give their correct name. This application was not opposed and the Committee permitted the correction to be made.
2. Schedule A [redacted]

Application to exclude evidence

3. Mr Graham on behalf of the Registrant submitted that historic matters, one relating to the Registrant's resignation from his previous employer and the other relating to two [redacted] matters be excluded on the grounds that they were not relevant and that to allow their admission into evidence would be unfair to the Registrant as their prejudicial effect outweighed their probative value.
4. Mr Taylor on behalf of the Council submitted that those matters were relevant as they not only go to demonstrate a propensity on the part of the Registrant to act in the manner that is alleged, but they are also relevant to the question as to whether the conduct of the Registrant was capable of being remediated and whether it has been remediated. Mr Taylor submitted that in the circumstances the probative value of the matters outweighed their prejudicial effect.
5. The Committee accepted the advice of the Legal Adviser and determined that the matters in question were indeed relevant to the issues in this case and that it would be fair for them to be admitted into evidence. The Committee was conscious that this was an application about the admissibility of the evidence and not about what reliance that the Committee might place on such evidence. It is open to the Committee, upon consideration of all the evidence, to place appropriate weight upon the said matters.



DETERMINATION

Admissions in relation to the particulars of the allegation

6. The Registrant admitted particulars 1(a), 1(b), 2(a), and 4 of the allegation. The Registrant also admitted particulars 3(a), 3(b), 3(c) but denied that his actions were dishonest or misleading.

Background to the allegations

7. At all material times, the Registrant was employed by [redacted] (the "Practice") as a dispensing optician. Between August 2015 and January 2017, the Registrant processed false transactions and/or false refund transactions on the tills in order to appropriate approximately £3,755.00 for his own personal use.
8. It is alleged that the Registrant had [redacted] which affected his behaviour and his fitness to practise.

Findings in relation to the facts

9. The only issues relating to the facts is for the Committee to determine whether particular 3(d) is proved and whether the actions of the Registrant were dishonest and misleading. There is no dispute regarding what the Registrant did.
10. The Committee heard oral evidence from Mr A who was the partner at the Practice who gave evidence on behalf of the Council.
11. The Committee also heard oral evidence from the Registrant and from Mr BW and Mr MJ on his behalf.

The Committee also had regard to the bundle of papers provided by the Council including the documents relating to his disciplinary procedure, a [redacted] report on the Registrant dated 11 August 2020, and his response to the case examiners on the 27 September 2019.

12. Mr A told the Committee that the Registrant had been employed as a manager at the Practice from the start. He told the Committee that the Registrant had been struggling to cope with his managerial role. He said that he first knew about the Registrant taking the money when the police informed him. When the Practice investigated the matter it discovered the sums of money taken by the Registrant.
13. Mr A told the Committee that he held a disciplinary interview with the Registrant in which the Registrant made full admissions as to what he had

done. He told the Committee that the Registrant was remorseful and apologetic and that he believed the Registrant to be sincere and genuine in that regard.

14. Mr A told the Committee that he had been aware that the Registrant had been struggling [redacted] for some time and the Practice had tried to assist him by reducing his hours and bringing in new staff to take over some of his managerial roles. Mr A offered to pay for [redacted] which the Registrant declined.
15. The Registrant said that he had [redacted] for many years. He also told the Committee that he [redacted] and his actions were as a result of his [redacted]. He said that his [redacted]. He said that in the past this led him to take items from shops in order to [redacted].
16. The Registrant told the Committee that at the time of these matters he had been [redacted] about items that were on sale on eBay and he acted in the manner that he did at the Practice to fund those purchases. He told the Committee that he was [redacted] and that he had not acted with malice or dishonesty.
17. The Registrant told the Committee about the [redacted] that he had on and off over the years and provided some [redacted] to substantiate this.
18. The Committee heard the submissions of Mr Taylor and Mr Graham and it also accepted the advice of the Legal Adviser. It considered all the evidence before it and reminded itself that the burden of proof lay with the Council and that the standard of proof was that of the balance of probability test.

Finding in relation to Particular 3(d)

19. The Committee considered the evidence in relation to the Particular 3(d). The Registrant told the Committee that at the time that he had taken the money, he did not have any intentions whether or not to repay it. The Committee accepted his evidence. The Registrant had used the money obtained to make purchases on eBay and it was not until he was discovered that he offered to repay it, with assistance from his mother. Further, he did not know how much he had taken. The Committee determined that it was more likely than not the Registrant did not have any intention to return the money if he had not been found out.
20. Accordingly, the Committee determined that Particular 3(d) is proved on the balance of probabilities.



Finding in relation Particular 3 – Dishonesty and Misleading

21. The Committee's attention was drawn to the case of *Ivey v Genting Casinos (UK) Ltd t/a Crockfords [2017] UKSC 67* which set out the test when determining dishonesty. The Committee noted the change in the test to be applied for dishonesty. The Committee took particular note of paragraph 74 of their Lordships' judgment:

"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 is established, the question 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."

22. The Committee placed no weight on the previous matters that were admitted into evidence at the start of proceedings.
23. It was clear from the Registrant's admissions that:
- (a) he was aware of what he was doing, processing false refunds to obtain money to make purchases for his own benefit; and
 - (b) he was aware that he should not have been doing that at the time.
24. The Committee took into account that the Registrant was [redacted] but it did not consider that his actions were wholly attributable to this. There was no [redacted] evidence to support such a conclusion. The evidence before the Committee was that there was a formal [redaction], but not [redacted].
25. The Registrant' actions demonstrated a degree of planning and sophistication and were not the only way that he could have obtained money to make the purchases. The Registrant could have used his own funds, whether on credit or otherwise, to fund his purchases. He told the Committee that he did not want his family to find out that he had made those purchases and if he had used his credit card, his family would have found out. The Committee determined that was the true reason for the Registrant's actions.

26. The Committee determined that ordinary and decent people would consider the Registrant's actions in the circumstances as set out above to be dishonest.
27. The Committee determined that it followed that the Registrant had intended his actions to mislead others into believing that the refund transactions were genuine so that it would not be discovered that he had taken the money.
28. Accordingly, the Committee determined that Particular 3 was proved as a whole.

Findings in relation to Misconduct

29. The Committee heard submissions on behalf of the Council and the Registrant.
30. Mr Taylor pointed out that in this case, the Registrant had been taking large sums of money from his employer during work hours with no intention of returning or repaying it. He submitted that such conduct involved serious misconduct going to fitness to practise and also involved conduct of a morally culpable and disgraceful kind that brings disgrace upon the profession.
31. Mr Taylor submitted that the Registrant has departed from standards 16 and 17 as contained in the Council's Standards of Practice for Optometrists and Dispensing Opticians, effective from April 2016, which state:

16: to be honest and trustworthy

17: do not damage the reputation of your profession through your conduct
32. Mr Taylor reminded the Committee that the Registrant had admitted to having inappropriately processed false refunds and taking money out of the tills without his employer's knowledge over a period of about 17 months and that this stopped only after the police informed the Practice.
33. Mr Taylor submitted that in the circumstances of this case, particulars 1, 2 and 3 demonstrated conduct on the part of the Registrant that fell far below the standard expected of a reasonable and competent Dispensing Optician and as such constituted misconduct.
34. Mr Graham said that the Registrant accepted that his conduct was serious and reminded the Committee that throughout the case there has been no attempt by the Registrant to minimise his behaviour or its seriousness.
35. Mr Graham submitted that when considering whether Particulars 1, 2 and 3 amounted to misconduct, the Committee should take into account that the

Registrant [redacted]. He said that the Registrant accepted that his behaviour was serious and reminded the Committee that it had recognised that the Registrant is [redacted].

36. Mr Graham submitted that it was not insignificant that the Registrant's [redacted] played some part in his offending behaviour. He also pointed out that the Committee had recognised that the Registrant was genuinely remorseful.
37. Mr Graham reminded the Committee that there has been no previous fitness to practise allegations made against the Registrant and that there are positive references from other professionals, some of whom the Committee has had the opportunity to hear from and to ask questions of. He pointed out that the Registrant had repaid the money to his employer.
38. The Committee accepted the advice of the Legal Adviser. He reminded the Committee that it was a matter for its professional judgement as to whether or not Particulars 1 to 3 were so serious that they amounted to misconduct either individually or taken together, as they were linked due to the manner in which they were drafted.
39. The Committee was advised that there was no burden of proof nor standard of proof at this stage in proceedings. Whether a factual particular amounted to deficient professional performance or misconduct was a matter for the Committee exercising its professional judgment.
40. The Committee was also advised by the Legal Adviser that misconduct is “a word of general effect, involving some act or omission, which falls short of what would be proper in the circumstances.” The term “misconduct” is qualified by the word “serious”. It is not just any professional misconduct, which will qualify. In some cases, it has been described as conduct that would be regarded as "deplorable" by fellow practitioners and which would include a degree of moral blameworthiness or a degree of opprobrium.
41. The Committee considered particulars 1, 2 and 3 together as they were intrinsically linked.
42. The Committee was aware that not every instance of falling short of what would be proper in the circumstances and not every breach of the Council's standards would be sufficiently serious such as to amount to misconduct in this context. Therefore, the Committee has had careful regard to the context and circumstances of the matters found proved.
43. The Registrant had stolen relatively large sums of money from his employer regularly and over a long period of time. His conduct, as well as being

dishonest, was a breach of trust expected from an employee. The Committee has already found that the Registrant's actions demonstrated a degree of planning and sophistication. His decision to steal from his employer had been made in the full knowledge that what he was doing was wrong.

44. The Committee determined that the evidence demonstrated that the Registrant did [redacted]. The Committee was also satisfied that the said [redacted] were related to the Registrant's [redacted]. However, the Committee did not accept that his [redacted] were the cause of his acting dishonestly. The Registrant could have funded his acquisition of the items he desired without resorting to the dishonest means that he did. By his own evidence, he took a conscious decision not to use his own money or resources, or to borrow the money from others to fund his acquisitions. The evidence demonstrated his conduct in stealing money from his employer was planned and sophisticated - it was not a spur of the moment decision to steal the money.
45. The Committee determined that the Registrant had made a conscious decision to steal the money from his employer and that this was not caused by his [redacted]. As such his actions were so serious that they amounted to misconduct.
46. The Committee also determined that the Registrant's misconduct did breach standards 16 and 17 of the Council's Standards of Practice for Optometrists and Dispensing Opticians, effective from April 2016.
47. Accordingly the Committee finds that Particulars 1, 2 and 3 amounted to the statutory ground of Misconduct.

Findings in relation to Impairment

48. The Committee then went on to consider whether the Registrant's fitness to practise is currently impaired by reason of his misconduct and/or [redacted]. The Committee heard the submissions of Mr Taylor and Mr Graham and it accepted the advice of the Legal Adviser.
49. Mr Taylor submitted that the Registrant's fitness to practise was impaired because of his misconduct and also because of his [redacted]. He submitted that the Registrant's insight into his misconduct was insufficient for him to properly remediate his misconduct.
50. Mr Taylor submitted that the Registrant had taken insufficient steps to address his dishonesty other than blaming his [redacted] for his actions. He submitted

that without cogent evidence from the Registrant, the Committee could not be satisfied that the Registrant would not act dishonestly in future.

51. Mr Taylor submitted that the Registrant's misconduct was such that a finding of impairment of fitness to practise is required so as to maintain public confidence in the profession and the regulatory process.

52. In relation to the Registrant's [redacted] Mr Taylor drew the Committee's attention to the [redacted] and conclusions of [redacted] who had said:

"[redacted]."

53. Mr Taylor also drew the Committee's attention to [redacted] conclusion that:

"[redacted]."

54. Mr Taylor reminded the Committee that the Registrant had indicated that he is not currently undertaking any [redacted]. He submitted that in the circumstances there was a real risk that the Registrant would repeat his behaviour and therefore his fitness to practise is impaired.

55. Mr Graham submitted that the Registrant had demonstrated significant insight into his misconduct. He reminded the Committee that the Registrant had referred these matters to the Council himself and that there has been positive engagement throughout the entire process by the Registrant. He pointed out that had made full admissions and taken full responsibility for his conduct.

56. Mr Graham submitted that there were no attitudinal issues demonstrated in this case and that since November 2016 when these matters were brought to light there has not been any repetition.

57. Mr Graham pointed out that the report of [redacted] also stated that the Registrant has very good insight into his [redacted]. Mr Graham reminded the Committee of the Registrant's evidence of his coping mechanisms and steps he has taken to address his [redacted]. Mr Graham submitted that the evidence demonstrated that that the Registrant was seeking help and was taking up help if it becomes available.

58. Mr Graham submitted that there has been significant positive development and that the Registrant has taken steps that one would expect someone with his [redacted] to take.

Advice of the Clinical Adviser

59. [redacted]

60. [redacted]

61. [redacted].

62. [redacted]

Advice of the Legal Adviser

63. The Legal Adviser advised the Committee when considering whether the Registrant's [redacted] meant that his fitness to practise is impaired, it should take into account that the [redacted]. Therefore, the Committee should firstly consider what the risk was of the Registrant suffering a similar relapse to that which led to these matters. He advised that the Committee was entitled to take into consideration what has happened in relation to the [redacted] thus far and the steps taken by the Registrant to address his [redacted].
64. The Legal Adviser also said that even if there was a risk of a similar relapse that did not necessarily mean that the Registrant's fitness to practise was impaired. The Committee was asked to consider what was the risk to the public and/or of the Registrant committing further acts of misconduct in the event of [redacted].

Impairment due to misconduct

65. The Legal Adviser drew the Committee's attention to the approach set out in the case of *CHRE v NMC and Grant (2011) EWHC 927 (Admin)*, and reminded the Committee that there was a personal and public component when considering whether the Registrant's fitness to practise was currently impaired.
66. For this purpose, the Committee adopted the approach formulated by Dame Janet Smith in her fifth report of the Shipman inquiry by asking itself the following questions:

Do our findings of fact in respect of the Registrant's 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 act so as to put service users at unwarranted risk of harm; and/or*
- b) has in the past brought and/or is liable in the future to bring the optical 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 profession?"; and or*
- d) *has in the past acted dishonestly and/or is liable in the future to act dishonestly?*

67. The Committee determined that the answers to questions b), c) and d) were in the affirmative in relation to past, and future possible conduct. In coming to its decision, the Committee took particular account of the Registrant's insight. The Committee determined that there was limited evidence of insight on the part of the Registrant in relation to his dishonesty.
68. The Registrant does not appear to recognise that his decision to act dishonestly did not come about because of his [redacted]. The Committee recognised that the Registrant's [redacted] gave rise to the situation that he had to make a decision whether to act dishonestly but that is not the same as causing him to act dishonestly. There were alternatives to him other than to steal the money.
69. The Committee also determined that the Registrant's misconduct was such that the need to uphold professional standards and public confidence in the professions would be undermined if a finding of impairment were not made in these circumstances.
70. Therefore, the Committee determined that the Registrant's fitness to practise is currently impaired on both personal and public interest considerations in relation to his misconduct.

Impairment due to [redacted]

71. In coming to its decision, the Committee took into account the Registrant's evidence and the further statement provided to the Committee at this stage. [redacted].
72. [redacted]
73. Accordingly, the Committee determined that the Registrant's fitness to practice was also impaired due to [redacted].

Decision on Sanction:

74. The Committee heard the submissions of Mr Taylor and Mr Graham with regards to sanction.

75. The Committee accepted the advice of the Legal Adviser. The Committee had regard to all the evidence presented, and to the Council's Indicative Sanctions Guidance. The Committee reminded itself that the purpose of a sanction is not punish although it may have a punitive effect. The Committee bore in mind the principles of fairness and proportionality when determining what the appropriate sanction in this case should be.
76. The Committee also bore in mind that its over-arching duty is:
- (a) to protect, promote and maintain the health, safety and wellbeing of the public;
 - (b) to promote and maintain public confidence in the Optical profession;
 - (c) to promote and maintain proper professional standards and conduct for members of the Optical profession;
77. The Committee considered the aggravating factors in this case to be:
- a) The Registrant has not demonstrated sufficient insight into his dishonesty;
 - b) The Registrant was in a position of trust and responsibility and his misconduct was a serious breach of trust;
 - c) The Registrant's dishonesty was directly related to his role as a Dispensing Optician;
 - d) The Registrant's dishonesty involved a degree of sophistication, was planned, and carried out on multiple occasions over a lengthy period of time enabling him to steal £3755.00 from his employer;
 - e) The Registrant did not use his own funds to purchase the items he desired but resorted to stealing from his employer;
78. The Committee considered the following to be mitigating features in this case:
- a) The Registrant has no previous fitness to practise issues;
 - b) He has [redacted] which gave rise to the circumstances in which he chose to act dishonestly;
 - c) There has been no repetition of the behaviour in the allegations. The Committee noted, however, during the period since then that he had been employed, he said that had not been in a particularly stressful job;
 - d) The Committee noted the Registrant's admissions and self-referral, which arose after he had been dismissed for stealing from his employer but the Committee gave very limited weight to them;

- e) He had repaid the monies he had taken; and
 - f) He had cooperated and engaged with the Council's proceedings.
79. In considering the matter of sanction, the Committee started with the least restrictive moving upwards.
80. The Committee first considered taking no action but concluded that, given the seriousness of the Registrant's misconduct, this would be wholly inappropriate.
81. With regard to the Registrant's ongoing [redacted], it would be wholly inappropriate to take no further action in this case with regard to the issues raised by his [redacted].
82. The Committee reminded itself of the information obtained from [redacted] contained in her report of 11 August 2019:
- [redacted]*
83. The Committee also reminded itself of the conclusions of [redacted] in which she concludes amongst others:
- "... [redacted]."*
84. The Committee then considered whether to make a Financial Penalty Order but these matters are too serious for such an order. Dishonesty of this nature is at the top end of the spectrum of seriousness.
85. A Financial Penalty Order would also not be suitable to address the Registrant's impaired fitness to practice due to his [redacted].
86. The Committee next considered the imposition of a Conditional Registration Order. The Committee has found that the Registrant has not demonstrated insight into his misconduct. This was not a case where the Registrant's clinical skills are in question. There are no identifiable areas of his practice which might benefit from re-training. The Registrant's dishonesty is a matter involving attitudinal issues, which cannot be addressed by the imposition of conditions. The Committee determines that a Conditional Registration Order is not suitable to address the Registrant's misconduct.
87. With regard to his ongoing [redacted], the Committee determined that the imposition of conditional registration would not be appropriate in this case. The evidence before the Committee has demonstrated that:

- (a) there is evidence of harmful deep-seated personality or attitudinal problems on the part of the Registrant; and
 - (b) Whilst the Registrant has insight into his [redacted], his previous [redacted] has demonstrated that he is unwilling or reluctant to abide by the [redacted] advice given to him by the [redacted]. Therefore, the Committee cannot be satisfied he would abide by conditions on [redacted] and supervision.
88. In the circumstances, the Committee determined that it was not possible to formulate appropriate and practical conditions that would be workable and achievable.
89. The Committee went on to consider whether a period of suspension would be appropriate in this case. A period of suspension would be appropriate if the Registrant had demonstrated insight into his misconduct such that there was not a significant risk of repetition, and also if there was no evidence of deep seated-personality or attitudinal problems.
90. In this case the Registrant has demonstrated limited insight into his dishonesty. The Committee has determined that the evidence demonstrated that, whilst his [redacted] may have given rise to the circumstances in which he chose to be dishonest, his decision to steal the money from his employer as an alternative to using his own available funds was a conscious decision taken in the full knowledge that what he was doing was wrong. As [redacted] had concluded in her report:
- [redacted]*
91. The Registrant has breached a fundamental tenet of the profession and the Committee has determined that there is a significant risk of repetition of his misconduct.
92. The Committee considered the Indicative Sanctions Guidance on imposing Suspension Orders. It determined that the Registrant's misconduct did not meet the factors that indicated a Suspension Order was the appropriate sanction to be imposed. There is evidence of unresolved harmful deep-seated personality and attitudinal problems on the part of the Registrant and there is limited insight on his part into his dishonesty and as a result, there is a significant risk of him repeating his behaviour. The Registrant has not taken responsibility for his dishonesty. The Registrant's misconduct was a serious departure from the standards expected of a Dispensing Optician. It involved dishonesty which was persistent and covered up and directly related to his position of trust as an employee and as a manager.



93. The Committee determined that a period of suspension might be appropriate in relation to his [redacted], in that such suspension might motivate him to work with [redacted].
94. However, the Committee determined that the Registrant's misconduct was so serious that it meant that maintaining public confidence in the profession and in the regulatory process took precedence over the Registrant's interest. A member of the Optical profession must take the consequences if they bring the profession into disrepute, which the Registrant has done in this case. The Registrant's behaviour was fundamentally incompatible with being a registered professional.
95. This is a case where there has been a serious departure from the relevant professional standards. It involved an abuse of position and trust and the Registrant's behaviour was dishonest, persistent and covered up. He continues to lack meaningful insight into the seriousness of his actions.
96. Whilst there is no evidence that the Registrant posed a risk to members of the public through his clinical practice, the Committee determined that even the maximum period of suspension would not address the wider public interest in maintaining public confidence in the profession in the regulatory process. The Committee determined that a reasonable member of the public with full knowledge of the facts of this case and the findings of the Committee on facts, misconduct and impairment would be concerned if a sanction less than erasure were imposed.
97. Therefore, the Committee is satisfied that the only appropriate and proportionate response to protect the wider public interest in these circumstances is to direct erasure.

Immediate order

98. The Committee has heard submissions from Mr Taylor on behalf of the Council and from Mr Graham the Registrant. It has accepted the advice of the Legal Adviser.
99. The Committee has decided to impose an immediate suspension order for the following reasons. It has already determined that the Registrant's misconduct is fundamentally incompatible with remaining on the Register and if the Committee did not impose an immediate order, it would be incongruous with its determination. The Committee was satisfied that in the circumstances an immediate order was in the public interest.

Chair of the Committee: Sara Fenoughty

Signature

Date: 19 March 2021

Registrant: Lee Purdy

Signature

Date: 19 March 2021



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
<p>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.</p> <p>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).</p> <p>Further information about the PSA can be obtained from its website at www.professionalstandards.org.uk or by telephone on 020 7389 8030.</p>
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 10 Old Bailey, London, EC4M 7NG or, by telephone, on 020 7580 3898.