

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

**GENERAL OPTICAL COUNCIL**

**F(21)09**

**AND**

**JOHN RAJNATH (01-22440)**

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**DETERMINATION SUMMARY OF A SUBSTANTIVE HEARING  
4-5 AUGUST 2021  
(PRIVATE HEARING)**

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<b>Committee Members:</b>	Ian Crookall (Chair/Lay) Alice Robertson-Rickard (Lay) Mark Richards (Lay) Gemma O'Rourke (Optometrist) Maninder Gudray (Optometrist)
<b>Clinical adviser:</b>	Desmond Dunleavy
<b>Legal adviser:</b>	Graeme Henderson
<b>GOC Presenting Officer:</b>	Dean Taylor
<b>Registrant present/represented:</b>	Yes, and represented
<b>Registrant representative:</b>	Sam Thomas , Counsel Instructed by Cassandra Dighton of Association of Optometrists
<b>Hearings Officer:</b>	Terence Yates
<b>Facts found proved:</b>	1 and 2
<b>Impairment:</b>	Impaired

<b>Sanction:</b>	Conditional Registration -12 Months (With Review)
<b>Immediate order:</b>	Yes

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**ALLEGATION (As amended)**

The Council alleges that you, Mr John Rajnath (01-22440), a registered optometrist:

1. On 16 October 2018, at Dudley Magistrates' Court, you were convicted of an offence contrary to section 4(2) of the Road Traffic Act 1988 and Schedule 2 to the Road Traffic Offenders Act 1988 in that on 06 July 2018 at Walsall in the County of West Midlands were in charge of a mechanically propelled vehicle namely Toyota Avensis on a road, namely Pitchwood Close, whilst unfit to drive through drugs;
2. [REDACTED]

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

- i) Conviction
- ii) [REDACTED]

Schedule A [Private]

[REDACTED]

### **Preliminary issue**

An Amendment to the allegation was agreed by the Committee.

### **Hearing in Private**

The Committee heard an application and agreed for the entire hearing to be held in private.

## **DETERMINATION**

### **Admissions in relation to the particulars of the allegation**

After the allegation, in its amended form, was read into the record the Registrant admitted the facts of particulars 1 and 2 of the allegation. Accordingly, the Chair announced these facts as having been found proved.

### **Findings in relation to the facts**

The Committee found particulars 1 and 2 proved.

### **Findings in relation to proof of conviction and [REDACTED]**

The Committee found the conviction proved.

### **Grounds for impairment**

The Committee found ground for impairment by the conviction and [REDACTED]

### **Findings Regarding Impairment**

The Committee found that the fitness of John Rajnath to practise as an optometrist is currently impaired.

### **Sanction**

The Committee determined the sanction of Conditional Registration for a period of 12 months.

A review hearing will be held between four and six weeks prior to the expiration of this order.

**Immediate order**

The Committee has decided to impose an immediate conditions order for the following reasons.

- Such an order was necessary for the protection of the public and in the public interest
- Not to impose an order would be inconsistent with the earlier determination

**Revocation of the existing interim order**

The Committee revoked the interim suspension order imposed on 25 June 2020.

**Chair of the Committee: Ian Crookall**

**Signature..... Date: 5 August 2021**

**Registrant: John Rajnath**

**Signature .....Date: 5 August 2021**

## LIST OF CONDITIONS

1	<p>You must inform the following parties that your registration is subject to conditions. You should do this within two weeks of the date this order takes effect, and in any event before you provide any optometric services:</p> <ul style="list-style-type: none"> <li>a. Any organisation or person employing or contracting with you to provide paid or unpaid optometric services, whether or not in the UK (to include any locum agency).</li> <li>b. Any prospective employer or contractor where you have applied to provide optometric services, whether or not in the UK.</li> <li>c. Chairman of the Local Optometric Committee for the area where you provide optometric services.</li> <li>d. The NHS body in whose ophthalmic performer or contractor list you are included or are seeking inclusion.</li> </ul>
2	<ul style="list-style-type: none"> <li>a. On the 20th of each month, you must provide the GOC with any employer's details (name of practice; location; date of working; point of contact) for the succeeding month if any such employment has been obtained.</li> <li>b. You must not accept any other employment outside the dates provided unless you have provided the employer's details to the GOC in advance.</li> </ul>
3	<p>You must provide the declaration form annexed to these conditions to your employer at the start of each working day, to be completed at the end of that day. This completed form must be submitted to the GOC on the 20<sup>th</sup> of each month.</p>
4	<p>You must inform the GOC within 14 days if you become aware of any criminal investigation or formal disciplinary investigation against you.</p>
5	[REDACTED]
6	[REDACTED]
7	[REDACTED]

8	[REDACTED]
9	[REDACTED]

NOTICE TO REGISTRANT:

- The GOC will enter these conditions against your name in the register save for any conditions that disclose information about your health.
- In accordance with Section 13C(3) of the Opticians Act 1989, the GOC may disclose to any person any information relating to your fitness to practise in the public interest.
- In accordance with Section 13B(1) of the Opticians Act 1989, the GOC may require any person, including your learning/workplace supervisor or professional colleague, to supply any information or document relevant to its statutory functions.

<b>FURTHER INFORMATION</b>
<b>Transcript</b>
A full transcript of the hearing will be made available for purchase in due course.
<b>Appeal</b>
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).
<b>Professional Standards Authority</b>
<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 <a href="http://www.professionalstandards.org.uk">www.professionalstandards.org.uk</a> or by telephone on 020 7389 8030.</p>
<b>Effect of orders for suspension or erasure</b>
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.
<b>Contact</b>
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.