

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

GENERAL OPTICAL COUNCIL

F(20)26

AND

DEVKUMAR PATEL (01-32258)

**DETERMINATION OF A SUBSTANTIVE HEARING
12-15 JANUARY 2021**

Committee Members:	Ms Anne Johnstone (Chair/Lay) Ms Vivienne Geary (Lay) Mr Mark McLaren (Lay) Mr David Cartwright (Optometrist) Ms Denise Connor (Optometrist)
Legal adviser:	Ms Lucia Whittle-Martin
GOC Presenting Officer:	Mr Dean Taylor
Registrant present/represented:	Yes and not represented
Registrant representative:	None
Hearings Officer:	Mr Terence Yates
Facts found proved:	1(a); 1(b); 2(a); 2(b); 3(a); 3(b); 3(c); 3(d); 4; 5; 6; 7(a); 7(b); 7(c); 7(d); 7(e); 7(f); 7(g); 8; 9(a)
Facts not found proved:	None

Misconduct:	Found
Impairment:	Impaired
Sanction:	Suspension Order – 2 months - Without Review)
Immediate order:	None

ALLEGATION

The Council alleges that in relation to you, Mr Devkumar Patel (01-32258), a registered optometrist, whilst you were training and registered as a student optometrist, you:

- 1) On 12 September 2017, as evidence for your Stage 1 assessment, you presented inaccurate record(s) purporting that you:
 - (a) Advised and/or dispensed a low vision aid for Patient [REDACTED];
 - (b) Did a toric contact lens aftercare fit and/or complete fit for Patient [REDACTED];
- 2) On 12 September 2017, as evidence for your Stage 1 assessment, you presented record(s) for Patient [REDACTED] regarding a rigid contact lens fitting that contained discrepancies as to:
 - (a) Dates;
 - (b) Clinical information;
- 3) Whilst completing the College of Optometrists Scheme for Registration, you created inaccurate records regarding:
 - (a) Non-tolerance patient;
 - (b) Rigid gas permeable fits;
 - (c) Rigid gas permeable aftercares;
 - (d) Soft and toric initial fits;
- 4) Your conduct as set out at each subpart above at 1, 2, and/or 3 was dishonest in that you knew the records were inaccurate;

- 5) Forged your Stage 1 Supervisor's signature onto the Stage 1 assessment paper records;
- 6) Your conduct as set out at 5 above was dishonest in that you knew you acted without your supervisor's knowledge in copying his signature onto the paper records;
- 7) Whilst completing the College of Optometrists Scheme for Registration, you edited:
 - (a) The paper record for rigid gas permeable fit and/or aftercares;
 - (b) The paper record for soft contact lens fits;
 - (c) The paper record for soft contact lens aftercares;
 - (d) The paper records for multifocal contact lens fit and/or aftercare;
 - (e) The electronic patient record for the colour vision record in that you added the name of the colour defect after finishing test;
 - (f) The electronic patient record in that you added 'no' in the record;
 - (g) The electronic patient record to correct spelling;
- 8) Your conduct as set out at each subpart at 7 above was dishonest in that you knew the edits made were not accurate and/or contemporaneously made
- 9) Regarding your conduct as set out at 7(e), 7(f) and/or 7(g) above, you failed to maintain adequate patient records, in that you:
 - (a) Did not make contemporaneous notes.

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

DETERMINATION

Application to amend the Allegation

Mr Taylor applied to amend Sub-Particular 7(e) and 7(f) of the Allegation, by

- (i) substituting the word “*text*” in Sub-Particular 7(e) with the word “*test*”, and
- (ii) substituting the words “*added ‘no comments’ in family history*” in Sub-Particular 7(f) with the words “*added ‘no’ in the record*”.

The Registrant did not oppose the application.

The Committee accepted the advice of the Legal Adviser. The Committee considered, in accordance with Rule 46(20) of the General Optical Council (Fitness to Practise) Rules 2013 as amended (“the Rules”), whether it was in the interests of justice to allow the application.

The Committee concluded that the proposed amendments were purely technical in nature, and did not prejudice the Registrant, and that it was in the interests of justice to allow the application in relation to both Sub-Particular 7(e) and 7(f).

Hearing evidence in private

In accordance with Rule 25 of the General Optical Council Fitness to Practise Rules 2013 (the “Rules”), the Committee concluded that it would be appropriate for such parts of the proceedings as related to the Registrant’s personal life [REDACTED], to be heard in private.

Witnesses

The GOC relied on two witnesses whose statements were read by agreement:

[REDACTED] Locum Optometrist, Stage 1 Assessor and Examiner for the College of Optometrists (“the College”) Scheme for Registration, who had been allocated the Registrant as a Stage 1 trainee at the relevant time; and

[REDACTED] Deputy Lead Assessor for the College, who had overall responsibility for all clinical aspects of quality assurance of the Scheme for Registration and completed an internal investigation into the Registrant’s conduct.

The GOC also relied on a 197 page of bundle of exhibits.

The Registrant gave evidence in the course of the hearing and relied on two written testimonials.

Admissions

At the commencement of the hearing, the Registrant entered formal Admissions to the entirety of the Allegation.

Background to the allegations

On 19 September 2017, the College of Optometrists (the “College”) contacted the Registrant, informing him that concerns had been identified by his Stage 1 Assessor, [REDACTED], regarding his assessment of the Registrant’s work.

The Registrant was at the first stage of the Scheme for Registration assessment process. That process required him to examine patients in community practice under the supervision of an experienced and registered Optometrist.

The Assessor had been shown records by the Registrant which conflicted with the clinical information contained in other records. The College advised the Registrant that an investigation would be carried out, and invited the Registrant to provide a written statement.

The Registrant provided the following statement, dated 29 September 2017:

“Please accept this letter as my admission to inappropriately amending records: [REDACTED] (the Records). I cannot apologise enough for my conduct. I acted in a foolish and irresponsible way when feeling under pressure and in an [REDACTED]. I regret my actions entirely and can state without exception that this would never happen again.

I am currently undertaking my pre-registration year with [REDACTED], and am on Stage One. I have found Stage One challenging but felt my focus slip completely when [REDACTED].

[REDACTED]. Looking back now I wish I had at just postponed the assessment, which was scheduled for 12th September, but instead I foolishly fabricated these records.

With the distraction of [REDACTED] I felt like I was being left behind by my peers. Everything from finding the patients to learning and recalling the theory became difficult. I understand that I should not have been comparing myself to other but my ability, and the practical application of my skills, seemed diminished.

I felt a sense of frustration, like I was not progressing, so I created records in order to recover the ground that I had lost. I did not want to burden or disappoint my parents. I accept that my conduct was absolutely wrong.

I made-up the following within the Records:

- *Low vision dispense*
- *Non-tolerance patient.*
- *Rigid Gas Permeable fits and aftercares.*
- *Soft and Toric initial fits.*

I also edited the following within the Records:

- *Paper record for RGP fit and aftercares.*
- *Paper record for soft contact lens fits.*
- *Paper record for Soft aftercares.*
- *Paper records multifocal CL fit and aftercare.*
- *Colour vision record – added name of colour defect after finishing text*
- *Adding extra no's and correcting spelling within my records.*

I acted without my supervisor's knowledge and copied his signature onto these paper records. I appreciate the seriousness of my actions but now I have been given this opportunity would like to be entirely candid.

I understand the next steps and realise that this matter could be referred to the General Optical Council. I do not wish to provide any excuse for my behaviour, which I accept was inappropriate, dishonest and wrong. However, [REDACTED] impacted upon my [REDACTED] more than I realised, my judgement was certainly undermined, and I acted in a way that I believe was entirely out-of character.

I am willing to co-operate entirely with the investigation, and I hope that upon its conclusion there is an opportunity for me to continue into a career, in which I wish to passionately contribute”.

The Allegation brought by the GOC was as follows:

Particulars 1a and 4

It was alleged by the GOC that the Registrant had falsely compiled a dispensing record, which he presented on 12 September 2017 as evidence of his Stage 1 assessment, in order to give the impression that he had provided advice on the use of a hand magnifier for a patient, who is referred to as “Patient 2”, and, further, that he had dispensed a hand magnifier, when in fact, as was revealed by later enquiry, he had done neither thing.

It was alleged that the Registrant acted dishonestly in presenting this, in that he knew at the time of presenting the record that he had not given any such advice, or

dispensed any such hand magnifier, in relation to any patient, and he had fabricated the information to improve his chances of passing the Stage 1 assessment.

Particular 1b and 4

It was alleged by the GOC that the Registrant falsely completed a toric contact lens aftercare record in relation to a patient, Patient 1, which he presented on 12 September 2017 as evidence of his Stage 1 assessment, in order to give the false impression that he had conducted a toric contact lens aftercare fit when in fact, as was revealed by later enquiry, he had not done so.

It was accepted that the Registrant may have seen Patient 1 for his initial contact lens fit. However, it was alleged that by giving the impression that he had conducted an aftercare fit, he was also giving the false impression that he had conducted a complete fit.

It was alleged that the Registrant acted dishonestly in presenting this, in that he knew, at the time of presenting the record, that he had not conducted an aftercare or complete fit, and he had fabricated the information to improve his chances of passing the Stage 1 assessment.

Particular 2 and 4

It was alleged by the GOC that the Registrant falsely completed a contact lens fitting record, including entering incorrect dates, regarding a rigid contact lens fitting for Patient 3, which he presented on 12 September 2017 as evidence of his Stage 1 assessment, in order to give the false impression that he had advised as follows:

“Advised continue with lenses. Good fit and vision. Advised any redness pain, itches to seek to advice. Advised no sleeping, no swimming no showering. Return if any concerns. Recall within 6 to 12 months’ time”.

It was alleged that the Registrant acted dishonestly in presenting this, in that he knew, at the time of presenting the record, that he had not provided this advice and he had fabricated the information to improve his chances of passing the Stage 1 assessment.

Particular 3 and 4

It was alleged by the GOC that whilst completing the College’s Scheme for Registration, the Registrant fabricated records in relation to:

- a non-tolerance patient;
- rigid gas permeable contact lens fits and aftercares; and
- soft and toric initial contact lens fits.

The evidence for this was based on the Registrant's statement, dated 19 September 2017, which he submitted to the College.

It was alleged that the Registrant acted dishonestly, in that he knew at the time of completing the College's Scheme, that he had fabricated this information. It was alleged that he did so to improve his chances of successful registration.

Particular 5 and 6

It was alleged by the GOC that the Registrant forged his Stage 1 Supervisor's signature onto the Stage 1 assessment paper records.

The evidence for this was based on the Registrant's statement, dated 19 September 2017, which he submitted to the College, in which he said that he had acted without his Supervisor's knowledge and had copied his Supervisor's signature onto the paper records.

It was alleged that this behaviour was dishonest in that he knew that he had acted without his Supervisor's knowledge and that he should not have forged his Supervisor's signature.

Particular 7 and 8

It was alleged by the GOC that the Registrant edited

- a. the paper record for rigid gas permeable contact lens fit and aftercares
- b. the paper record for soft contact lens fits
- c. the paper record for soft contact lens aftercares
- d. the paper records for multifocal contact lens fit and aftercare
- e. the electronic patient record for the colour vision record, by adding the name of the colour defect after finishing the test
- f. the electronic patient record by adding the word "no" in the record
- g. the electronic patient record to correct his poor spelling – for example, in relation to the word "diabetes".

The evidence for this was based on the Registrant's statement, dated 19 September 2017, which he submitted to the College.

It was alleged that the Registrant's behaviour was dishonest, in that he knew that he should not have made these edits in that they were not accurate and/or were not made contemporaneously, and he made them to create a better impression and thereby improve his chances of Registration.

Particular 9

It was alleged by the GOC that in relation to Particular 7(e), 7(f) and 7(g) the Registrant failed to maintain adequate patient records, in that his note was not contemporaneous.

Findings in relation to the facts

The Committee found the entirety of the Allegation proved on the basis of the Registrant's admissions.

Submissions in relation to misconduct

Mr Taylor submitted on behalf of the GOC that the Registrant's behaviour had breached Standards 6,7,9,15 and 16 of the Council's Standards of Practice for Optical Students (April 2016), and amounted to misconduct.

The Registrant accepted that his past behaviour amounted to misconduct.

Legal Advice in relation to misconduct

The Committee accepted the advice of the Legal Adviser, who advised that in considering misconduct the Committee should ask whether, in its judgement, the Registrant's behaviour, as admitted and found proved, had fallen seriously below the standards required of a Student Optician in the circumstances, and whether it would be regarded as deplorable by fellow practitioners. She took the Committee to the cases of *Roylance v General Medical Council No 2 [2001] 1 AC 311* and *Nandi v GMC [2004] EWHC 2317*.

Findings in relation to misconduct

The Committee concluded that the Registrant had breached the following Standards of the Council's Standards of Practice for Optical Students (April 2016):

Standard 6: Conduct appropriate assessments, examinations, treatments and referrals under supervision;

Standard 7: Maintain adequate patient records;

Standard 9: Work collaboratively with your peers, tutors, supervisors or other colleagues in the interests of patients;

Standard 15: Be honest and trustworthy; and

Standard 16: Do not damage the reputation of your profession through your conduct.

The Committee concluded that the Registrant's behaviour had fallen seriously below the standards expected of a registered Student Optician. His dishonesty had been deliberate and premeditated and repeated.

Accordingly, the Committee concluded that the facts found proved amounted to misconduct.

Evidence and submissions on impairment

The Registrant gave oral evidence. He told the Committee that the events took place at the beginning of his training, between Visit 4 and Visit 5 of Stage 1 of the Pre-Registration year. He accepted that by this time he had been warned by [REDACTED] about an amendment he had made to earlier records during Visit 4; [REDACTED] had warned him not to do the same thing again.

He said that his behaviour stemmed from the fact that he had been struggling to keep up, and he had been under pressure in his personal life, which included [REDACTED]. He said that he understood that what he had done was completely wrong. He appreciated that he had disappointed his employer and supervisor. He said that looking back, he now realised how unnecessary it was to have acted in the way that he did. He said that he would never "*want to or need to*" act in that way again. He explained that at the time "*it was almost as if it was happening to someone else*". He did not know what had led him down the path of acting in the way that he did, when he could have asked for support from others.

The Registrant said that he had been allocated a fresh Assessor after [REDACTED], who had been happy with his records. He was then asked to restart the process for a third time due to the amount of time that had passed from the start of the Pre-Registration Scheme. He was given another Assessor, who was also happy with his work. He passed Stage 1 and progressed to Stage 2.

In cross-examination he agreed that had he gained Registration without having achieved the required level of competence on a genuine footing, he could have presented a risk to patients. He also accepted that this would have been unfair to other students, and also that his actions had undermined the trust the public held in his profession.

The Registrant said that he was now employed by [REDACTED], where he works with a good team, who provide him with support, as do his friends, partner and family. [REDACTED]. He said that much of the year had been spent on furlough, but he had worked occasionally in July 2020, and from November 2020 his work had increased, meaning that he was now working 5 days p.w.

He accepted that he had not engaged with the GOC until as late as last week, when he decided to attend the hearing. He said that he had struggled to open any correspondence relating to these proceedings.

The Registrant submitted two written testimonials.

The first testimonial was provided by his Primary Supervisor for his pre-registration training placement, who described the Registrant as *“honest, professional, competent and knowledgeable”*, and as someone who had *“shown much integrity”*. The writer confirmed that the Registrant’s home life at the time of the Allegation had been extremely difficult, and that he had been under a significant amount of stress. He said *“If given the chance, I am certain that Dev will continue to be a real asset in the eye care community.”*

The second testimonial was provided by the Registrant’s current employer at [REDACTED], who outlined the family difficulties that the Registrant had been experiencing at the time of the Allegation. He said: *“I have always known Dev to be honest and trustworthy. Even after he had made an error in judgement I continued his employment I believe we can all make mistakes in our life but the real proof of an individual’s character is how we behave after the mistake! Devkumar has made a mistake in his professional life, but he has gone on to show me and his work colleagues that he is of great character. He has gone on to surpass the high regard I held him in prior to the indiscretion”*.

Mr Taylor submitted that due to the dishonest misconduct, public confidence in the Registrant and in the profession would be severely undermined if he were to be permitted to practise, and that he had brought the profession into disrepute. He also submitted that the Registrant had committed his misconduct at an early stage of his career and there remained a risk that he would repeat his misconduct. He submitted that the behaviour could not be regarded as an isolated incident without premeditation, in that he had been warned not to amend records by [REDACTED] prior to the commission of his misconduct.

Legal Advice on impairment

The Committee accepted the advice of the Legal Adviser, who took the Committee to the case of *Council for Healthcare Regulatory Excellence v (1) Nursing and Midwifery Council (2) Paula Grant [2011] EWHC 927*, and encouraged the Committee to ask whether the Registrant:

- *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*
- *Has in the past and/or is liable in the future to bring the profession into disrepute; and/or*

- *Has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the profession*
- *Has in the past acted dishonestly and/or is liable to act dishonestly in the future.*

The Legal Adviser referred to the case of *Cohen v General Medical Council [2008] EWHC 581*, and advised the Committee to ask whether the Registrant's conduct is easily remediable, whether it has been remedied and whether it is highly unlikely to be repeated. She also advised the Committee, in accordance with the case of *Grant and Yeong v General Medical Council [2009] EWHC 1923 (Admin)*, to consider whether a finding of current impairment is required to maintain standards and confidence in the Registrant, the profession and the GOC.

Findings on impairment

In reaching its decision the Committee took account of the fact that that the Registrant is a person of previous good character, who has been in employment for some three years since the date of the Allegation. His oral evidence, together with testimonial evidence supplied by him, satisfied the Committee that there has been no repetition of dishonesty since the commission of the Registrant's misconduct.

In considering the oral evidence provided by the Registrant, for example his evidence that he would never "need to" act in the same way again, the Committee took account of the fact that he has not had the benefit of legal representation and may not have been adept in his choice of words.

The Committee did not regard the Registrant's misconduct as an isolated incident. To the contrary, the Committee had already expressed its view that the misconduct comprised numerous instances of dishonesty, and was clearly premeditated in that it all took place after [REDACTED] had spotted the Registrant amending earlier records retrospectively and had warned him not to do so again.

In considering whether the Registrant had sufficient insight into the seriousness of his past behaviour, the Committee took account of the fact that he had not engaged with these proceedings until last week. However, having heard the Registrant give evidence, the Committee concluded that this was more likely to be the product of anxiety related to the bringing of these proceedings than evidence of lack of insight into the seriousness of his dishonesty. The Committee balanced the Registrant's lack of engagement against the fact that many of the particulars in the Allegation were based solely on the Registrant's own admissions, which he had made to the College in his letter of 29 September 2017. Furthermore, he had now attended the hearing and participated fully. The Committee concluded from his written and oral

evidence, and from the testimonials supplied by him, that he had developed adequate insight into his past dishonesty.

In asking itself whether the Registrant was likely to repeat his dishonesty, the Committee reminded itself that the dishonesty in this case had occurred in the course of student examinations, which the Registrant had now successfully passed, and that the Registrant had now been in employment for some 3 years without further incident. His current employer had confirmed that there had been no repetition of any similar behaviour, and had vouched for his current integrity.

In the circumstances, the Committee concluded that it was highly unlikely that the Registrant would place patients at unwarranted risk of harm in the future by repeating his dishonest behaviour. The Committee concluded that the Registrant's fitness to practise is not currently impaired on the ground of public protection.

However, the Committee concluded that the Registrant's past dishonesty amounted to a breach of a fundamental tenet of the profession and had brought the profession into disrepute. The Committee concluded that a reasonable member of the public, in possession of all the facts, would expect a finding of impairment in the circumstances, and that the absence of such a finding would adversely affect the confidence held by the public in the profession of Optometry, including the robustness of the qualification process. The Registrant's misconduct had involved deliberate and repeated dishonesty for personal advancement. A finding of impairment was required to uphold proper professional standards and to maintain public confidence in the Registrant, his profession and his regulator.

Accordingly, the Committee concluded that the Registrant's fitness to practise is currently impaired on public interest grounds.

Submissions on Sanction

Mr Taylor provided the Committee with a list of suggested aggravating and mitigating circumstances in this case. He submitted that sanction was a matter for the judgement of the Committee. He suggested that the circumstances were such that the Committee might choose to accept that the Registrant's eventual engagement with these proceedings now tipped the scales in favour of a Suspension Order.

The Registrant told the Committee that he understood the seriousness of what he had done. He referred to the difficult personal circumstances that he had faced at the time of the Allegation. He described why it was that he was convinced that he would now be able to prevent any potential future difficulties in his personal life from affecting his professional life.

Legal Advice on Sanction

The Committee accepted the advice of the Legal Adviser who advised the Committee to consider the range of available sanctions in ascending order of seriousness; to consider any aggravating and mitigating factors in the case; to act proportionately; and to remember that the purpose of sanction is not to be punitive, but is to protect the public, maintain public confidence in the profession, and declare and uphold proper standards of conduct and behaviour. She advised the Committee to take into account the factors set out in the GOC's "Hearings and Indicative Sanctions Guidance".

Decision on Sanction

The Committee took into account the following mitigating factors:

- the Registrant's previous good character
- the Registrant's early admissions to the College
- the lack of any repetition of the misconduct over the past 3 years, whilst the Registrant had been employed as an Optometrist
- the Registrant's expressions of remorse and insight
- the difficult personal circumstances faced by the Registrant at the time of the misconduct
- the Registrant's lack of experience at the time of the misconduct; the misconduct had occurred at a very early stage in the Registrant's student training.

The Committee took into account the following aggravating factors:

- the misconduct was premeditated; it occurred after the Registrant had been warned not to amend records retrospectively
- the misconduct was repeated
- the misconduct, if left undetected, could have resulted in the Registrant entering his profession without the relevant competencies.

The Committee concluded, in view of the seriousness of the dishonesty, that to take no further action, or to impose a financial penalty, would be insufficient and inappropriate.

The Committee concluded that conditional registration would be neither appropriate nor workable due to the nature of the misconduct; there were no identifiable areas of practice that were in need of assessment or retraining, and dishonesty could not be addressed by measurable conditions.

The Committee considered a Suspension Order.

The Committee accepted that the Registrant's dishonesty had taken place on a repeated basis, and had been premeditated. Furthermore, had the misconduct been left undetected, the Registrant may have succeeded in qualifying as an Optometrist without first gaining the necessary competencies.

Nevertheless, the Committee was mindful of the exceptional personal circumstances faced by the Registrant at the time of the misconduct. It took into account the Registrant's subsequent employment as an Optometrist for some 3 years, without further incident. It was clear that the Registrant had lacked experience at the time of the misconduct, in that he had been at the very start of his student training. Those factors, together with the Registrant's early admission to the College, his remorse and insight, and his previous good character, led the Committee to conclude that a reasonable member of the public, in possession of all the facts, would accept that a Suspension Order was the appropriate and proportionate sanction in the circumstances of this case. It was the judgement of the Committee that the public would be satisfied that the regulatory process had been conducted with due rigour, and that a Suspension Order would be a sufficient to mark the Registrant's wrongdoing, and to declare and uphold proper standards of conduct and behaviour, and maintain confidence in the profession.

The Committee concluded that erasure would be disproportionate in light of the mitigating circumstances of the case.

The Committee concluded that 2 months was the appropriate length for the order. The Registrant had lacked experience at time of the Allegation, and since that time he had been employed as a registered Optometrist for some 3 years. It was in the public interest for a competent practitioner to continue in practice. In those circumstances the Committee concluded that the public interest demanded no greater period of time.

The Committee therefore imposed a Suspension Order for a period of 2 months.

The Committee concluded that a review hearing would be inappropriate as there were no objectives that the Registrant had been asked to meet, and the decision on impairment had been made on public interest grounds alone.

Immediate order

Mr Taylor informed the Committee that in light of the Committee’s findings he was not applying for an immediate suspension order. There has been no interim order imposed in this case.

The Committee had based its finding of impairment on public interest considerations alone, and the Committee concluded that it was not necessary to impose an immediate order at this stage as the public interest was adequately protected by the final order that had been imposed, which would come into effect in due course.

Chair of the Committee: Anne Johnstone

Signature.....

Date: 15 January 2021

Registrant: Devkumar Patel

Signature present via video

Date: 15 January 2021

NOTICE TO REGISTRANT:

- 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.

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. PSA is required to make its decision within 40 days of the hearing (or 40 days from the last day on which a registrant can appeal against the decision, if applicable) and will send written confirmation of a decision to refer to registrants on the first working day following a hearing. 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.

