

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

GENERAL OPTICAL COUNCIL

AND

KEITH COAKHAM (01-24050)

**DETERMINATION SUMMARY OF A SUBSTANTIVE HEARING
AGREED PANEL DISPOSAL (APD)
23-24 MARCH 2023
PRIVATE HEARING**

Committee Members:	Mr Graham White (Chair/Lay) Ms Miriam Karp (Lay) Ms Asmita Naik (Lay) Dr Catherine Collin (Optometrist) Mr Christian Dutton (Optometrist)
Legal Adviser:	Mr Ralph Shipway
Clinical Adviser:	Dr Desmond Dunleavy
GOC Presenting Officer:	Mr Neil Smart
Registrant:	Not present and represented
Registrant representative:	Mr Trevor Archer (Counsel) Ms Katharine Germishuys (AOP)
Hearings Officer:	Mr Terence Yates
Facts found proved:	All particulars proved
Facts not found proved:	None
Misconduct:	Found
Impairment:	Impaired
Sanction:	12 months suspension (with no review)
Immediate order:	Immediate order of suspension

ALLEGATION

That being a registered optometrist, the fitness to practise of Mr Keith Coakham is impaired by reason of misconduct [REDACTED], in that:

1. You have the [REDACTED] set out in Schedule A;
2. Failed to engage with the Council's investigation into concerns about your [REDACTED], in particular you:
 - a. Did not provide to the Council your consent in order for the Council to obtain your [REDACTED] and DVLA records, despite correspondence being sent to you via email on;
 - i. 9 March 2021; and/or
 - ii. 23 March 2021; and/or
 - iii. 15 April 2021; and/or
 - iv. 6 July 2021; and/or
 - v. 28 July 2021; and/or
 - vi. 17 August 2021; and/or
 - vii. 31 August 2021; and/or
 - viii. 16 September 2021; and/or
 - ix. 24 September 2021; and/or
 - x. 7 October 2021; and/or
 - xi. 23 November 2021; and/or
 - xii. 4 February 2022
 - b. Did not provide to the Council your consent in order for the Council to obtain your [REDACTED] and DVLA records, despite correspondence being sent to you via post on;
 - i. 6 July 2021; and/or
 - ii. 31 August 2021; and/or
 - iii. 16 September 2021; and/or
 - iv. 24 September 2021
 - c. Did not respond to the Council's telephone calls in an attempt to chase your consent to obtain your [REDACTED] and DVLA records on:
 - i. 17 August 2021; and/or
 - ii. 23 November 2021.

And by virtue of the facts set out above your fitness to practise is impaired by reason of misconduct and [REDACTED].

Schedule A

[REDACTED]

Application to amend the Allegation

1. The parties applied to amend the particulars of allegation pursuant to Rule 46(20) of the Rules to amend the allegation from:

“And by virtue of the facts set out above your fitness to practise is impaired by reason of misconduct and [REDACTED].”

To:

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

2. The Committee considered that such an amendment could be made without injustice and agreed to it.

ALLEGATION (as amended)

That being a registered optometrist, the fitness to practise of Mr Keith Coakham is impaired by reason of misconduct and [REDACTED]

, in that:

You have the [REDACTED] set out in Schedule A;

1. *Failed to engage with the Council’s investigation into concerns about your [REDACTED], in particular you:*
 - a. *Did not provide to the Council your consent in order for the Council to obtain your [REDACTED] and DVLA records, despite correspondence being sent to you via email on;*
 - i. *9 March 2021; and/or*
 - ii. *23 March 2021; and/or*
 - iii. *15 April 2021; and/or*
 - iv. *6 July 2021; and/or*
 - v. *28 July 2021; and/or*
 - vi. *17 August 2021; and/or*
 - vii. *31 August 2021; and/or*
 - viii. *16 September 2021; and/or*
 - ix. *24 September 2021; and/or*
 - x. *7 October 2021; and/or*
 - xi. *23 November 2021; and/or*
 - xii. *4 February 2022*
 - b. *Did not provide to the Council your consent in order for the Council to obtain your [REDACTED] and DVLA records, despite correspondence being sent to you via post on;*
 - i. *6 July 2021; and/or*

- ii. 31 August 2021; and/or
 - iii. 16 September 2021; and/or
 - iv. 24 September 2021
- c. Did not respond to the Council's telephone calls in an attempt to chase your consent to obtain your [REDACTED] and DVLA records on:
- i. 17 August 2021; and/or
 - ii. 23 November 2021.

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

Schedule A

[REDACTED]

Application for a private hearing

3. Mr Archer, for the Registrant, made an application that the entirety of this hearing be held in private as matters concerning the Registrant's [REDACTED] were inextricably linked to his misconduct. This was not opposed by Mr Smart for the Council. The Committee agreed to hold the entire hearing in private.

CONSENSUAL PANEL DETERMINATION AGREEMENT

4. At the outset of this hearing, Mr Smart, on behalf of the GOC, informed the Committee that prior to this hearing a provisional agreement for a consensual panel determination had been reached between the GOC and the Registrant.
5. The agreement, which was put before the Committee, sets out the Registrant's full admission to the facts alleged in the allegation, that the Registrant's actions amounted to misconduct and that the Registrant's fitness to practise is currently impaired by reason of misconduct. It is further stated in the agreement that an appropriate sanction in this case would be a 12 months suspension. During the hearing, both parties confirmed that they were not seeking a review.
6. The Committee considered the provisional agreement reached by the parties. The Agreed Panel Disposal report.

DETERMINATION

Facts

7. The Committee found all of the facts proved by reason of the Registrant's admissions.

Misconduct

8. The Committee found that the facts found proved amount to misconduct.

Impairment

- 9. The Committee found that the fitness of Mr Keith Coakham to practise as an optometrist is impaired.

Sanction

- 10. The Committee approved the revised Agreed Panel Disposal report and made an order in the terms agreed by the parties, namely a 12 months suspension order with no review. An immediate order of suspension will also take effect.
- 11. The Committee revoked the current interim suspension order with immediate effect.

Chair of the Committee: Graham White

Signature 

Date: 24 March 2023

Registrant: Keith Coakham

Signature Not present but represented.....

Date: 24 March 2023

ANNEX A – AGREED PANEL REPORT

[REDACTED]

FURTHER INFORMATION
Transcript
A full redacted 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.