

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

F(22)32

GENERAL OPTICAL COUNCIL

AND

AMANDEEP SANDHU (01-25360)

**DETERMINATION OF A SUBSTANTIVE HEARING
30 MARCH – 03 APRIL 2023**

Committee Members:	Ms Valerie Paterson (Chair/Lay) Mr Ben Summerskill (Lay) Mr Mark Richards (Lay) Ms Sanna Nasrullah (Optometrist) Mr Alex Howard (Optometrist)
Legal adviser:	Mr Graeme Dalgleish
GOC Presenting Officer:	Ms Tope Adeyemi
Registrant present/represented:	Yes, represented
Registrant representative:	Mr Nicholas Hall - Red Lion Chambers Ms Nan Mousley (part) and Ms Victoria Koramoah (part) (AOP)
Hearings Officer:	Ms Abby Strong-Perrin
Facts found proved:	1 a), 1 b), 1 c), 2 , 3 , 4, 5
Facts not found proved:	None (6 and 7 withdrawn)
Misconduct:	Found
Impairment:	Impaired
Sanction:	Suspension 12 months with review

Immediate order:	Yes

ALLEGATION

The Council alleges that in relation to you, Amandeep Sandhu (01-25360), a registered optometrist:

1) On 27 May 2020 at REDACTED Magistrates' Court (2923) sitting at REDACTED Magistrates Court, you were convicted of the following offences:

a. Breach of a non-molestation order, contrary to section 42A(1) and 5 of the Family Law Act 1996;

b. Witness intimidation, contrary to section 51(1) and 6 of the Criminal Justice and Public Order Act 1994;

c. Stalking which amounted to harassment, contrary to section 2A(1) and 4 of the Protection from Harassment Act 1997;

2) On 10 July 2020 at REDACTED Magistrates' Court (2923) sitting at REDACTED Magistrates Court, you were convicted for breach of a restraining order, contrary to section 5(5) and 6 of the Protection from Harassment Act 1997, and sentenced to a total of 8 weeks imprisonment;

3) On or around 30 March 2020, when applying to be retained on the GOC's register as an Optometrist, you failed to declare you were undergoing criminal court proceedings and/or criminal investigation for the offences set out at 1) above;

4) On or around 3 March 2021, when applying to be retained on the GOC's register as an Optometrist, you:

a. Failed to declare the conviction set out at 1) above;

b. Failed to declare that, on 10 July 2020, you were convicted at REDACTED Magistrates' Court for breach of a restraining order, contrary to section 5(5) and 6 of the Protection from Harassment Act 1997.

5) Your conduct as set at 3) and/or 4a) and/or 4b) above, was dishonest in that you knew you were required to provide details of your convictions and/or criminal matters to the GOC and did not do so;

And by virtue of the facts set out above, your fitness to practise is impaired by reason of a conviction in respect of allegation 1 and 2, misconduct in respect of allegation 3 and/or 4 and/or 5.

~~6) You failed to declare the health conditions set out at Schedule A, to the Council on your application for retention to the register of optometrists dated:~~

~~a. 30 March 2020; and/or~~

~~b. 3 March 2021.~~

~~7) Your conduct as set at 6) above, was dishonest in that you knew you were required to provide details of your health condition to the GOC and did not do so;~~

~~Schedule A (not for publication)~~

~~REDACTED~~

Preliminary

1. Ms Nasrullah advised that she teaches at [redacted] University where the Registrant is presently undertaking a course. She had no prior knowledge of the Registrant and no objections were raised to her continuing to sit with the Committee.
2. The GOC (the Council) applied to withdraw particulars 6 and 7 of the allegation as the Council had decided not to offer any evidence in that regard. This was agreed to by Mr Hall, on behalf of the Registrant.
3. The Committee was satisfied that it was appropriate to allow particulars 6 and 7 concerning health declarations to be withdrawn and they did not form part of the inquiry.

4. The panel considered in light of the evidence before it about the Registrant's health, that proceeding without these particulars did not present a risk of under prosecution. The evidence before the Committee about the Registrant's health and his knowledge of particular conditions on the specific dates alleged is weak and unclear and these allegations do not have a realistic prospect of success. Further, not proceeding with particulars 6 and 7 does not alter the overall nature and gravity of the allegation. In these circumstances, the Committee was satisfied that it was fair, appropriate and in the interests of justice to allow the Council to present no evidence in respect of particulars 6 and 7.

DETERMINATION

Admissions in relation to the particulars of the allegation

5. The Registrant admitted particulars 1a), 1b), 1c), 2, 3, 4 and 5 of the allegation. Misconduct was also admitted. Misconduct is a matter for the professional judgment of the Committee.

Background to the allegations

6. Mr Sandhu (the Registrant) was admitted as an optometrist in June 2010. He was convicted as alleged and as set out in the allegation. He failed to make declarations to the Council in March 2020 and March 2021 regarding a criminal investigation and a number of subsequent convictions. The Registrant was married in 2014 and he filed for divorce in March 2019 and the divorce decree was granted on 13 March 2020. The convictions arose after this period. He disclosed his convictions to the Council on 7 April 2021.

Findings in relation to conviction and facts

7. The Committee heard submissions on behalf of the Council and the Registrant. The Committee accepted the advice of the Legal Adviser. He reminded the Committee of the relevant rules and in particular rules 40(3) and 40(6) of the Fitness to Practice Rules 2013. Rule 40(3) provides that production of a certificate of conviction shall be conclusive evidence of the offence committed. Rule 40(6) provides that matters that are admitted may be treated as proved. The Committee accordingly found particulars 1a), 1b), 1c), 2, 3, 4, and 5 proved by way of certificate of conviction and by admission.

Submissions and Findings in relation to Misconduct

8. The Committee considered the issue of misconduct in respect of particulars of 3, 4 and 5. Ms Adeyemi submitted that these amount to misconduct. She referred to the relevant case law and that the conduct breached the Standards for Practice for Optometrists and Dispensing Opticians, Standards 16 and 17. She submitted that

the conduct admitted and found proved amounted to misconduct. Mr Hall made no further submissions, the Registrant having admitted misconduct.

9. The Committee accepted the advice of the Legal Adviser who reminded it that the conduct must be sufficiently serious to amount to misconduct. He referred to the guidance in *Roylance v GMC (No 2)* [2001] 1 AC 311, which states 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 matter was for the Committee's own professional judgment and there was no onus or burden of proof.
10. The Committee considered particulars 3, 4 and 5 in relation to misconduct. It found that particulars 3 and 4 are a serious departure from standards 16 and 17 which require the Registrant to be honest and trustworthy and not to damage the reputation of the profession. Declaration of these matters is required and expected of all Registrants in order for the Council to fulfil its proper function as a professional regulator, and in order to protect the public and maintain public confidence in the profession. Not to make the required declarations was serious and it amounts to misconduct.
11. The Committee decided that failure to declare these convictions was serious, not least given the nature and gravity of them. Not to declare these convictions at the time was a serious departure from professional standards and fell far short of what would have been proper. The Committee found that particulars 3 and 4 amounted to misconduct.
12. As regards particular 5, the admitted dishonesty was a significant falling short of what would have been proper in the circumstances. Honesty is an essential and core quality for all professionals. Particular 5 was a serious and significant departure from professional standards 16 and 17 and the Committee found that it amounts to misconduct.
13. The Committee next considered whether the Registrant's fitness to practise is currently impaired.

Hearing in private application

14. Mr Hall applied to hear any part of the evidence about the Registrant's health in private. Ms Adeyemi had no objection. The Committee accepted advice from the Legal Adviser about rule 25 and the need to balance the interests of the Registrant with the open justice principle. It was satisfied that any matter of health would be heard in private to protect the Registrant's private life.

Evidence from the Registrant regarding impairment

15. The Registrant affirmed and referred to his written witness statement. He expressed remorse about the impact on those involved and the far-reaching effect of his conduct.

16. **REDACTED**

17. **REDACTED**

18. **REDACTED**

19. The Registrant said that he understood that the public would be shocked and concerned by his conduct and that his behaviour had been unacceptable. He said that Optometrists deal with sensitive information and are relied upon to provide sound advice, so it was paramount that the public can trust the profession.
20. The Registrant accepted that he should have declared the criminal investigation in March 2020 and deeply regretted his actions. He said it was his duty to declare criminal matters and by not doing so he had impeded the proper functioning of the Council. He said that he had not declared the convictions as he had been ashamed and in denial about what had happened. However, on 7 April 2021 he had declared the convictions to the Council as he felt guilty and knew that it was dishonest not to do so.
21. The Registrant said that he did not work as an Optometrist between May 2019 and March 2021, and that he had started practising again in October 2021. He said that he felt by then he had dealt with a lot of his well-being issues and was in a good frame of mind. He said he has been working as a locum in Specsavers and has been working on an unrestricted basis for about 18 months.
22. The Registrant said he had decided to study at [redacted] University for a Professional Certificate in Medical Retina to advance his knowledge and career.

Cross-examination of the Registrant

23. The Registrant said that he was held on remand in prison for five weeks after the 19 April 2020 arrest. Following his release from prison he made the threatening calls to his ex-wife in July 2020 and pleaded guilty to doing so. The Registrant said that he had reflected on the impact of his conduct on her and explained that he was now better able to cope with his emotions and that he would not repeat his conduct. He had completed courses on probity and ethics and said that they had helped him understand his behaviour and the importance of not being isolated from the profession.
24. The Registrant explained his understanding of the public interest and the seriousness of his offences including intimidation and threatening behaviour. He said that most the courses he attended took place after his failure to declare his convictions.

25. REDACTED

Submissions on Impairment

26. Ms Adeyemi submitted that the Registrant had taken positive steps, made admissions and expressed remorse. She referred to the Council's guidance on impairment and submitted that there were multiple convictions and the steps taken were a start, but the behaviour had not been remediated. She submitted that the restraining order had been in effect until earlier this year. She stated that the Registrant had shown some insight, but that there was still much to be done.
27. Ms Adeyemi submitted that the severity of the conduct was such that a finding of impairment was required on public interest grounds. She invited the Committee to find current impairment.

28. Mr Hall submitted that the Registrant was impaired on public interest grounds alone. It was acknowledged that dishonesty is a serious allegation and that a Registrant who is dishonest should be found impaired so as to uphold public confidence. He submitted that the Registrant had shown remorse and insight and there was not a likelihood of repetition.
29. Mr Hall asked the Committee to consider the nature of the convictions and that, whilst serious, they are not at the highest level of offending. He submitted that these offences occurred in a brief period of offending by the Registrant. He submitted that the seriousness of his offending was reduced by the fact of the Registrant's health issues **REDACTED**. Mr Hall pointed out that the convictions were not connected to the Registrant's professional role.
30. As regards the lack of declaration in March 2020, Mr Hall submitted that was linked to the Registrant's health crisis at that time. The subsequent lack of declaration stemmed from shame, anxiety and remorse which was supported by the medical evidence. The Registrant was not "*found out*" but had realised he should have declared to the Council, and then he did so about a month later. Mr Hall reminded the Committee that the Registrant was not working in his professional role at that time.
31. Mr Hall submitted that the Registrant had demonstrated deep and thorough insight into what are difficult issues. He deserved credit for that and for having undertaken deep analysis of these issues. Mr Hall submitted that it was not possible to demonstrate 100% insight, and that the Registrant's remorse was clear from his admissions of the offences to the police from the outset.
32. Mr Hall submitted that the Registrant had also done all he can to remediate his conduct given his engagement with all the support services and courses. Since October 2021 he had practised without issue and without any restrictions and that demonstrated he had remediated his practice. The Registrant has also provided numerous positive testimonials from colleagues and friends about his professional practice and character. There had been no repetition of his conduct and behaviour.
33. Mr Hall submitted that the Registrant today was not the Registrant he was in March 2020, three years ago, and the Registrant had fully engaged with the Council throughout.
34. Mr Hall said that the public interest was what would a fully informed member of the public would make of the case. He submitted that they would understand what had happened and know that humans make mistakes. The public would understand that the conduct had to be marked in some way, and on that basis it was accepted that a finding of impairment may be required on public interest grounds.

Findings regarding impairment

35. The Committee has heard submissions from Ms Adeyemi on behalf of the Council and from Mr Hall on behalf of the Registrant. The Committee accepted the advice of the Legal Adviser. He reminded the Committee of the Council guidance on impairment and the case law including *CHRE v NMC and Grant* [2011] EWHC 927 (Admin) (*Grant*) and *Cohen v GMC* [2008] EWHC 581. He reminded that

Committee that it should consider the central issues of the Registrant's insight and any steps he has taken to remedy his practice, and it should assess the risk of repetition of the misconduct. It must also be mindful of the importance of considering the public interest and the need to maintain public confidence in the profession.

36. The Committee took account of the advice in *Grant* where it is stated its role is “to determine whether the misconduct is easily remediable, whether it has in fact been remedied and whether it is highly unlikely to be repeated.” The Committee considered that the conduct and behaviour is remediable, although it may be difficult to do so, and it next considered whether it has been remedied.
37. The Registrant has not sought to minimise or deflect responsibility for his conduct and behaviour. The Committee found that he has admitted his conduct and acknowledged it, and he has expressed authentic remorse. He has taken a number of steps to understand and remedy his behaviour, including undertaking a number of courses as well as therapy and counselling to address his conduct and manage his health and well-being.
38. The Committee found that the Registrant has shown developing insight into his convictions and his dishonesty. He has taken a number of meaningful steps to understand and to seek to remedy his conduct. The Committee noted the Registrant's evidence that his health issues had some impact on his offending behaviour and dishonesty. It noted that he has practised unrestricted since October 2021.
39. The Committee concluded that, whilst the Registrant has shown developing insight and taken good and positive steps towards the remediation of his practice, for which he is to be commended, the convictions are at the higher end of seriousness, including breach of a non-molestation order; witness intimidation; stalking which amounted to harassment and he was convicted for breach of a restraining order, this last offence resulting in eight weeks in prison.
40. The Committee also found that dishonesty in respect of the Council, the regulatory body, was particularly serious as honesty with the regulator is fundamental to its role in protecting the public. By being dishonest with the Council in failing to declare, the Registrant undermined that critical role.
41. The Committee decided that the Registrant is on the path to remedying his practice and he has clearly taken several positive steps to do so. However, given the nature and the gravity of the convictions coupled with the seriousness of the dishonesty, the Committee was not able to conclude that that the misconduct is highly unlikely to be repeated.
42. The Committee looked at the tests that assist in assessing impairment expressed in *Grant* as follows:-

“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 practise 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.”*

43. The Committee found that the limbs of the *Grant* case were engaged. It concluded that the Registrant has in the past, and is liable in the future to bring the profession into disrepute, to breach fundamental tenets of the profession, namely trust and integrity; and is liable to act dishonestly. Despite the positive steps that the Registrant told the Committee that he has taken, the convictions and dishonesty are of such gravity that the Committee cannot be assured that the conduct is, at this stage, highly unlikely to be repeated. **REDACTED**. In all these circumstances, the Committee decided that the issue of public protection arose and that a finding of impairment was required in order to protect the public.

44. As regards the wider public interest considerations, given the nature and gravity of the convictions and the dishonesty, the Committee decided that it was necessary to find that the Registrant's fitness to practice was impaired. Not to do so would undermine public confidence in the profession and the regulator, and would fail to uphold and declare proper professional standards. The Registrant breached fundamental tenets of the profession as honesty and integrity are at the heart of any professional role.

45. The Committee therefore concluded that on both public protection and public interest grounds, the Registrant's fitness to practice is currently impaired.

Submissions on Sanction

46. Ms Adeyemi submitted that the Indicative Sanctions Guidance must be considered and that a period of suspension was the appropriate sanction. She submitted that conditions were not appropriate given the nature of the findings.

47. Ms Adeyemi submitted that the mitigating factors may be:-

- Full Engagement
- Efforts to remediate
- Expressions of remorse

Ms Adeyemi submitted that the aggravating factors may be:-

- Multiple convictions
- Repeated dishonesty
- Emotional harm caused
- Reputational damage to the profession

48. Ms Adeyemi referred to an earlier Fitness to Practise (FTP) finding in 2010 in respect of the Registrant. This arose in part in respect of an incident in February 2007 which resulted in the Registrant, whilst a student, receiving a fixed penalty notice for causing harassment, alarm or distress contrary to section 5 of the Public Order Act 1986; on 8 June 2008 he received a police caution for possession of cannabis, and for assault; and there was an allegation of dishonesty in respect of a question asked of the Registrant at an interim order hearing before the Council.
49. Ms Adeyemi advised that this FTP matter had resulted in the imposition of a Warning when the Registrant was a student optometrist. The allegation had been admitted, and impairment of fitness to practice had not been found. That committee had imposed a three year Warning on public interest grounds. She submitted that this was an aggravating factor in relation to the current case. Ms Adeyemi submitted that a sanction of suspension should be imposed with a review before expiry.
50. Mr Hall submitted that a very brief period of suspension was appropriate. He suggested one to three months. He accepted that conditions of practice were not appropriate in this case but that a brief suspension would strike the correct balance in protecting the public and upholding proper standards and would be proportionate. A brief period would also recognise the Registrant's insight, remediation and remorse.
51. As regards the 2010 finding, Mr Hall advised the Committee that it was the Registrant who had alerted the Council to this 2010 finding. He submitted that this was demonstrative of his honesty. Mr Hall referred the Committee to the finding in 2010 that had concluded that the allegation of dishonesty was an unintentional response by the Registrant. The Committee in 2010 had found no impairment, and that there had been racial abuse and provocation in respect of the fixed penalty notices.
52. Mr Hall submitted that, as regards the current case, the period of imprisonment had been eight weeks and it was not the most serious and was linked to the Registrant's health issues **REDACTED**. He referred to *Lusinga v NMC* EWHC 1458 (Admin) regarding dishonesty and submitted that there was a level of dishonesty far more serious than that demonstrated by the Registrant.
53. Mr Hall submitted that the Registrant had insight and the Committee had found it was developing. He posed the question - "*what more could the Registrant have done?*" He said that the Registrant cannot get around the allegations and that "*his hands were tied*" as to how to demonstrate further insight. He submitted that a brief suspension period would provide the Registrant with the opportunity to demonstrate further insight. He submitted that a lengthy period of suspension was not necessary. It was accepted that one can never guarantee that there would be no relapse

REDACTED but that the Registrant today had moved on and had completed various courses and treatment.

54. Mr Hall submitted that the Registrant has practised for over 15 years and had no previous FTP history as a qualified Optometrist, the 2010 finding relating to his student period. Mr Hall submitted that the public interest would be satisfied by a brief period of suspension and reiterated that the convictions did not relate to the Registrant's professional practice. He submitted that there was a public interest in allowing an Optometrist who presents no risk to the public to practise.
55. Mr Hall submitted that there was no need for a review of any order for suspension. He submitted that a review was only an issue where there was a lack of insight and remediation and a continuing risk. Public confidence would be upheld by the imposition of a brief suspension and review was not necessary. What would a future reviewing Committee look for given what the Registrant has already done? He submitted that an immediate order would be appropriate.

Findings on Sanction

56. Having heard the submissions from Ms Adeyemi on behalf of the Council and from Mr Hall on behalf of the Registrant, the Committee accepted the advice of the Legal Adviser. He advised the Committee to consider the Council's Indicative Sanctions Guidance (ISG) and to act proportionately. It should consider sanction starting at the lowest level and move upward, imposing the least restrictive sanction that is sufficient to protect the public and the wider public interest. The purpose of sanction was not to punish but, primarily, to protect the public and the public interest.
57. The Committee considered the sanctions available to it from the least necessary to the most severe - no sanction, financial penalty, conditional registration, suspension, erasure. It first considered the mitigating and aggravating factors.
58. The Committee found the following mitigating factors:-
- Developing insight
 - Positive steps to remediate
 - Evidence of serious personal difficulties and health issues at the time
 - Full engagement
 - The conduct did not take place in his professional role
 - Positive testimonials and references
 - Evidence that the Registrant self-referred in respect of courses and treatment
59. The Committee found the following aggravating factors:-
- Two incidents of regulatory dishonesty 2020 and 2021

- The gravity of the multiple criminal offences
- The previous regulatory history

60. Given the nature of the findings, the Committee decided that to impose no sanction would be wholly inappropriate as it would fail to protect the public and fail to sufficiently mark the seriousness of the misconduct. To impose no sanction in this case would undermine confidence in the profession and would fail to uphold and declare proper professional standards.
61. A financial penalty is not an appropriate sanction in the circumstances of this case given the nature and gravity of the findings.
62. The Committee next considered whether it could devise workable, realistic, measurable and proportionate conditions of practice and it considered in particular, paragraphs 21.19 and 21.20 of the ISG. The concerns are in respect of convictions for criminal conduct and dishonesty. The misconduct is attitudinal in nature and the Committee decided that it could not devise workable, realistic and measurable conditions that could manage such conduct and behaviour. Further, given the gravity of the findings, the Committee decided that conditions of practice would not be sufficient to maintain public confidence and would undermine the reputation of the profession.
63. The Committee next considered suspension and was mindful of the factors in paragraph 21.29 of the ISG. It found that the misconduct was so serious that a lesser sanction would fail to sufficiently mark the conduct as totally unacceptable. The Registrant has fully engaged, has admitted the allegation from the outset of this hearing, and he has demonstrated developing insight. He has also taken a number of meaningful and positive steps to remedy his practice and to deal with his health issues. There has been no evidence of repetition since 2021 and the Registrant has been working in his professional role. He has positive references from his employer. In these circumstances, whilst the misconduct is attitudinal in nature, the Committee did not find that there was evidence of harmful or deep-seated personality issues.
64. The Committee concluded that suspension was the appropriate and proportionate sanction given the seriousness of this case. It then considered what period to impose. The Committee found that this case is at the higher end of the scale of seriousness. The Committee has found that not disclosing these matters on two occasions to the Council amounted to serious dishonesty. The criminal offences are at the more serious end of the scale. The Committee noted the Registrant sought to undermine the judicial process, breaching a court order and intimidating a witness which resulted in a prison sentence. The offences also included stalking which amounted to harassment.
65. The Committee was mindful of the public interest and what a reasonable member of the public would make of this case. It decided that to impose a short suspension period would not sufficiently mark the severity of the misconduct and would undermine confidence in the profession and the regulator.

66. In these circumstances, the Committee concluded that a period of 12 months suspension was the appropriate and proportionate period to properly reflect the gravity of this case. The Committee concluded that the combination of serious criminal conduct and repeated dishonesty came very close to the threshold for imposing Erasure.

67. The Committee considered Erasure and considered the factors in paragraph 21.35 of the ISG. The Registrant has insight, has fully engaged and has taken steps to remedy his practice. In the circumstances of this case, the Committee decided that to impose an Erasure order would go further than is necessary to protect the public and is not required in order to maintain public confidence in the profession. The Committee concluded that Erasure is not the only sanction that would be sufficient to protect the public and the wider public interest and that to impose it would be disproportionate and would amount to a punishment.

Immediate Order

68. The Committee decided that there was no reason to delay the imposition of the suspension order. Mr Hall on behalf of the Registrant sought an immediate order. Given the seriousness of the conduct and that public protection is engaged in this case, the Committee decided that it was appropriate to impose the 12 month suspension order with immediate effect.

Review Hearing

69. The Committee decided that a Fitness to Practise Committee will need to be reassured that the Registrant is fit to resume practice either unrestricted or with conditions.

70. A Review Hearing will be held between four and six weeks prior to the expiration of this order. A Review Committee may be assisted by the following:-

- a reflective piece that sets out the following:-
 - that he has fully appreciated the gravity of the offences and their impact on victims and the reputation of the profession and the regulatory process
 - that he has continued to successfully manage his health and well being
 - his coping strategies and support network
- that he has not re-offended
- that he has maintained his skills and knowledge and the steps taken to keep his practice up to date, including CPD
- any testimonials or references including from paid or unpaid work

Chair of the Committee: Valerie Paterson

Signature 

Date: 03 April 2023

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 10 Old Bailey, London, EC4M 7NG or, by telephone, on 020 7580 3898.