

**BEFORE THE REGISTRATION APPEALS COMMITTEE
OF THE GENERAL OPTICAL COUNCIL**

GHAITH AL NAEME (SD-2592)

A(11)06

AND

GENERAL OPTICAL COUNCIL

DECISION: 15 AUGUST 2011

On 15 August 2011, the Registration Appeals Committee met to consider an appeal against the decision of the Council not to retain the registration of Ghaith Al Naeme in the register of student dispensing opticians.

The Committee determined that the Registrar's decision be upheld.

Section 8A(3) of the Opticians Act 1989 states that a student is entitled to be registered if, amongst other things, he satisfies the Council that he is fit to undertake training and that he is obtaining or will be obtaining practical experience in the work of a dispensing optician under the supervision of (for example) a registered dispensing optician. The Committee heard oral evidence from the Appellant and received in evidence various documents which he produced. It has considered his submissions and those of Mr Whalley for the GOC.

The Committee found the Appellant's evidence to be unsatisfactory in several respects. His evidence was neither frank nor full. He was selective in the material that he chose to put before the Committee. For example, he produced evidence that he was currently employed but not as to his job description. He is currently employed as a sales representative for a company selling optical products to opticians. The Committee does not accept his evidence that this would enable him to undertake supervised dispensing. The Appellant was not able to demonstrate that any arrangements have been made, or are in prospect, for him to undertake dispensing work under supervision. The Appellant has done very little to put himself in a position to undertake such work. He claimed to have undertaken some supervised work on Saturdays on an unpaid basis but the person alleged to have supervised him has written to the GOC to say that he had not done any such work. The Committee does not accept the Appellant's evidence in relation to this work. The Committee agrees with the Registrar that the Appellant does not meet the requirements for registration

in that he is not obtaining, and will not be obtaining (in the near future) practical experience under appropriate supervision.

A further matter that caused the Committee considerable concern is that in January 2011 the Appellant submitted documents to ABDO to demonstrate his satisfactory completion of earlier stages of training. It is now clear, and the Appellant admits, that he forged the signatures on these documents. The Appellant attempted to explain this by reference to medical issues which he told the panel about. However he did not provide any substantial medical evidence, such as a report, to support this. The Appellant showed little or no insight into the seriousness of his actions. He gave no convincing explanation for why he had acted as he had. Importantly, he did not provide the Committee with any reassurance that he had understood the seriousness of his actions, and learnt appropriately. The Committee recognises that the Appellant is still very young but at this time it is not satisfied that he is a fit person to undertake training. For that reason also this appeal is refused.

Chairman of the Committee: Lady Margaret Wall

Signed _____ Date 15 August 2011

Appellant: Ghaith Al Naeme

Signed _____ Date 15 August 2011

FURTHER INFORMATION
Transcript
A full transcript of this hearing will be made available via the GOC website in due course.
Appeal
Where the decision by the Registrar been upheld by the Registration Appeals Committee, the appellant may appeal against that decision through the Courts. The relevant court is shown at section 23G(4)(b)-(c) of the Opticians Act 1989 (as amended).
Council for Healthcare Regulatory Excellence
This decision will be reported to the Council for Healthcare Regulatory Excellence.
Contact
If you require any further information, please contact the Council's Hearings Manager at 41 Harley Street, London, W1G 8DJ or, by telephone, on 020 7580 3898.