

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

**GENERAL OPTICAL COUNCIL**

**IO(11)01**

**AND**

**MARK MORGAN (01-19963)**

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**DETERMINATION OF A 2<sup>nd</sup> REVIEW OF AN INTERIM ORDER  
- 8 DECEMBER 2011 -**

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The Fitness to Practise Committee imposed an interim conditional registration order for a period of 18 months on 24 March 2011 on Mark Morgan and this was reviewed on 29 June 2011 when the Committee replaced the conditional order with a suspension order.

**Decision**

The Committee today has considered whether it is necessary for an interim order to continue and, in particular, whether the current suspension order should continue pursuant to Section 13L (4) of the Opticians Act 1989.

The Committee has reached its determination taking into account the material placed before it, the submissions of Counsel and the advice of the Legal Adviser.

The Committee has considered the representations made by Mr Albuery on behalf of the Council. The Council's position is that an interim order remains necessary for the protection of the public.

The Committee has not concerned itself today with the issue as to whether there has been a breach of the previous conditional registration order. Both parties agreed that the Committee should make an interim suspension order today. Neither party has submitted that there are any practicable and workable conditions to replace the existing order nor that it would be appropriate to do so.

The conduct alleged against the registrant amounts to a prolonged period in which he dishonestly recorded tonometry readings on patients which he had not carried out. He has admitted that this was the case. The Committee is satisfied that in the

light of these allegations it is necessary for the protection of the public to continue the interim order of suspension.

The order will be reviewed within 6 months from today unless all matters are resolved within that time, or earlier should new evidence be made available, or if the registrant, at any time after three months from today's date, requests an early review. It is noted that the substantive hearing in this matter has been listed for 13-14 March 2012.

**Chairman of the Committee: Sir Alistair Graham**

Signed \_\_\_\_\_

Date 8 December 2011