

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

GENERAL OPTICAL COUNCIL

AND

SUNDEEP KAUSHAL (01-15473)

**DETERMINATION OF A SUBSTANTIVE HEARING
AGREED PANEL DISPOSAL(APD)
6 NOVEMBER 2025**

Committee Members:	Clive Powell (Chair/Lay) Jacqueline Telfer (Lay) Ann McKechin (Lay) Sarvat Fida (Optometrist) Iftab Akram (Optometrist)
Legal adviser:	Clare Bunting
GOC Presenting Officer:	Holly Huxtable
Registrant:	Not present and represented
Registrant representative:	Tom Stevens
Hearings Officer:	Arjeta Shabani
Facts found proved:	Particular 1
Facts not found proved:	None
Conviction:	Found
Impairment:	Impaired
Sanction:	Erasure
Immediate order:	Yes

ALLEGATION

The Council alleges that in relation to you, Sundeep Kaushal (01-15473), a registered Optometrist:

1. On 17 February 2025 at Thames Magistrates Court, you were convicted of:

a. Making indecent photographs of a child between May 2023 and May 2024, contrary to Sections 1(1)(a) and (6) of the Protection of Children Act 1978 in the following categories:

i. 1x Category A: Indecent video of a child;

ii. 6x Category B: Indecent images of a child;

iii. 3x Category C: Indecent images of a child;

b. Possessing extreme pornographic image / images portraying an act of intercourse / oral sex with a dead / alive animal on or before 4 May 2023, contrary to Sections 63(1), (7)(d) and 67(3) of the Criminal Justice and Immigration Act 2008;

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

Preliminary Matters

Proof of service and Proceeding in the absence of the Registrant

1. The Committee received confirmation from Mr Stevens on behalf of the Registrant that he was fully instructed to act on behalf of the Registrant and it was confirmed that through him the Registrant was deemed to be in attendance. Mr Stevens raised no issue regarding service being effected or with the Committee proceeding in the absence of the Registrant.

2. The Committee determined that it would be in the public interest for the hearing to proceed in the Registrant's absence.

Amendment to Agreed Panel Disposal (APD) Report

3. Ms Huxtable on behalf of the General Optical Council (GOC) confirmed that there had been an error within the report at paragraph 23 where the reference to the Hearings and Indicative Sanctions Guidance should be to paragraphs 16.1 to 16.7.

Privacy

4. The Chair of the Committee referred to the letter which it had received from the Registrant which gave details of a health condition. The Chair proposed that should the Committee refer to this within its decision this should be in private to protect the health and / or private life of the Registrant. This stance was supported by Mr Stevens and Ms Huxtable.

5. It was confirmed by Mr Stevens that the letter from the Registrant had been produced for the purposes of this hearing.

AGREED PANEL DETERMINATION DISPOSAL

6. Ms Huxtable, on behalf of the GOC, invited the Committee to consider the provisional agreement reached with regard to this case between the GOC and the Registrant, which was set out within the APD Report dated 17 July 2025.

7. The agreement, which was put before the Committee, set out the Registrant's full admission to the facts alleged, confirmed that the Registrant's fitness to practise is currently impaired by reason of the conviction. It was further stated in the agreement that an appropriate sanction in this case would be erasure with an immediate order.

8. The Committee considered the provisional agreement reached by the parties as set out in the APD Report, [redacted].

DETERMINATION

9. The Committee considered the hearing bundle of 40 pages, the APD Report, the APD Policy and a letter from the Registrant. The Registrant admitted the facts of the allegation in their entirety. The parties had agreed within the APD report that criminal conviction and current impairment were established and that the case could appropriately be disposed of by erasure.

10. The Committee was mindful that the ultimate decision in respect of this matter rests with the Committee and there were a number of options open to the Committee, as set out at paragraph 8.3 of the GOC's APD policy and paragraph 3 of the Agreed Panel Disposal Report. These options included the Committee disagreeing with parts of the report and varying the sanction, after hearing further submissions.

Background to the allegation

11. The Registrant is a General Optical Council (the Council) registered Optometrist who first registered on 14 October 1994.

12. The Registrant notified the Council on 09 May 2023 that he had been arrested on 04 May 2023 'for an offence' at [redacted] Police Station and was under investigation.

13. The matter was referred to the Council by the Police on 30 May 2023. The Council was informed that the Registrant was under investigation for possession of indecent images and had been released on conditional bail.

14. On 16 June 2023 the Committee imposed an interim order of suspension on the Registrant for a period of 18 months. This interim order was extended for a period of 12 months by the High Court on 11 December 2024. The interim order is due to expire on 11 December 2025.

15. The Registrant was subsequently charged with sexual offences and pleaded guilty at Thames Magistrates' Court on 17 February 2025 to three offences of making indecent images of children, namely category A to C (moving and still) indecent images. He further pleaded guilty to possession of an extreme pornographic image.

16. On 31 March 2025, Thames Magistrates' Court imposed a 6-month custodial sentence suspended for 18 months with a rehabilitation activity requirement.

17. The Council's case was served on the Registrant on 25 June 2025.

Findings in relation to the facts

18. The Committee noted from the Certificate of Conviction dated 23 June 2025 that the Registrant was convicted at Thames Magistrates' Court on 17 February 2025 of three offences of making indecent images of children, namely category A to C (moving and still) images and possession of an extreme pornographic image.

19. The Committee was referred to Rule 40(3) of the Fitness to Practise Rules (the Rules), which states that a memorandum/certificate of conviction from the Court is deemed to be conclusive evidence of a conviction.

20. Additionally, the Committee also considered Rule 40(6) of the Rules which provides: '*the registrant may admit a fact or description of a fact, and a fact or description of a fact so admitted may be treated as proved*'.

21. The Registrant admitted the particulars of the Allegation in their entirety. The Committee accepted the advice of the Legal Adviser and found the facts proved by reason of the Registrant's admissions pursuant to Rule 40(6) of the General Optical Council (Fitness to Practise) Rules 2013 (the Rules) and Rule 40(3).

Findings in relation to grounds

22. The Committee considered the written submissions provided on behalf of the Council and the Registrant included in the APD Report, and the bundle of agreed evidence. It accepted the advice of the Legal Adviser.

23. The Committee proceeded to consider whether the admitted facts, which were found proved, amounted to the ground of conviction.

24. The Committee referred itself to the Standards of Practice for Optometrists and Dispensing Opticians effective from April 2016 and was satisfied that the actions of the Registrant had breached standard 17 *'do not damage the reputation of your profession through your conduct'*.

25. The Committee was mindful of the overarching objective to protect the public including the public interest and was of the view that the Registrant's criminal convictions amounted to a serious departure from the standards expected of a competent Optometrist.

26. Further, the Committee was satisfied that the Registrant had been convicted of criminal offences which fall within the meaning of Section 13D(2)(c) of the Opticians Act 1989.

Findings in relation to current impairment

27. The Committee then went on to consider whether the Registrant's fitness to practise is currently impaired by virtue of the conviction. Whilst acknowledging the agreement between the GOC and the Registrant, the Committee has exercised its own independent judgement in reaching its decision on impairment and accepted advice from the Legal Adviser.

28. The Committee considered whether the Registrant's conduct was capable of being remediated, whether it had been remediated and whether there was a risk of repetition of the conduct in the future. The Committee went on to consider the level of insight and remediation that had been demonstrated in this case by the Registrant.

29. The Committee noted that the Registrant had accepted the allegations in full and engaged with the regulator in these proceedings. The Committee considered that conduct of this nature was extremely difficult to remediate, as it was behavioural and not clinical in nature. There had been some insight and reflection demonstrated by the Registrant within his letter.

30. The Committee considered the public interest and had regard to the test that was formulated by Dame Janet Smith in the report to the Fifth Shipman Inquiry, as approved in the case of Grant, which is as follows:

"Do our findings of fact in respect of misconduct... show that his fitness to practise is impaired in the sense that he:

- a. Has in the past acted and/or is liable in the future to so 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 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 tenants of the medical profession and/or;*
- d. Has acted in such a way that his/her integrity can no longer be relied upon.."*

31. The Committee was satisfied that limbs (a)-(c) of this test were engaged in this case. The Committee noted that category A is the most serious category of material and involves penetrative sexual activity. The criminal convictions are such that the Committee concluded that the Registrant poses a significant risk of harm to child patients, and a finding of impairment is required on public protection grounds. Additionally, the Committee was of the view that the Registrant's conduct had brought the profession into disrepute and was wholly incompatible with fundamental tenets of the profession.

32. The Committee had regard to the public interest and considered that the requirement to uphold professional standards and maintain public confidence in the profession would be undermined if no finding of impairment was made. The Committee was of the view that a member of the public would be shocked and troubled to learn that the Registrant was permitted to practice if they were aware of the nature and seriousness of the convictions.

33. The Committee concluded that the Registrant's fitness to practise is currently impaired as he poses a significant risk of harm to the public, more specifically to child patients. The Committee also considered that it was necessary in the public interest to make a finding of impairment of fitness to practise in order to uphold professional standards and public confidence in the profession.

34. Therefore, the Committee found that the fitness of the Registrant to practise as an Optometrist is currently impaired.

Sanction

35. The Committee accepted the advice of the Legal Adviser and was made aware that the purpose of sanctions in fitness practise proceedings are as follows:

- a) the protection of the public;
- b) the declaring and upholding of high standards in the profession; and
- c) the maintenance of public confidence in the profession.

36. The Committee was mindful that it should start with the least severe and only move on to consider the next sanction if the one under consideration does not sufficiently protect the public, promote, and maintain public confidence in the profession and promote and maintain proper professional standards and conduct.

37. The Committee considered the aggravating and mitigating features present in this case. In the Committee's view, the aggravating factors are as follows:-

- the nature of the offences was serious and involved child sex offences.

38. The Committee considered this to be of considerable weight in its assessment of the seriousness of the conduct.

39. The Committee identified the following mitigating factors:

- the Registrant pleaded guilty to the offences at the earliest opportunity;

- the Registrant has not sought to minimise his conduct and has apologised for his conduct;
- the Registrant's engagement with the regulator.

40. The Committee considered the sanctions available to it from the least necessary to the most severe (no sanction, financial penalty, conditional registration, suspension, erasure).

41. In relation to taking no action, the Committee was of the view that this was neither proportionate nor sufficient given the seriousness of the criminal convictions, the risk of harm to child patients, and the public interest concerns. Further, there were no exceptional circumstances to justify taking no action in any event.

42. The Committee considered the issue of a financial penalty order; however, it was of the view that such an order was neither appropriate nor proportionate in the circumstances.

43. The Committee considered the Indicative Sanctions Guidance (ISG) in relation to the imposition of conditions. It was of the view that conditional registration would not be practicable. The Committee was of the view that it would be difficult to formulate appropriate conditions in this case. Further, conditions would not sufficiently mark the seriousness of the situation and would not meet the public interest.

44. The Committee concluded that conditions could not be devised which would be appropriate, proportionate, workable or measurable.

45. Next, the Committee considered suspension and had regard to paragraphs 21.29 onwards of the ISG. Given the nature and seriousness of the allegations, the Committee concluded that a suspension would not be appropriate or sufficient to protect the public and public confidence in the profession. The nature of the offending is so serious that it is incompatible with continued registration.

46. The Committee considered erasure and concluded that the Registrant's conduct is fundamentally incompatible with registered practice and that this sanction is the appropriate course of action and the most proportionate sanction.

47. Accordingly, the Committee approved the APD report and made an order in the terms agreed by the parties, namely an order for erasure.

Immediate order

48. The Committee considered whether to make an immediate order in this case and had regard to the APD Report in which both parties agreed that an immediate order was warranted in this case.

49. The Committee accepted the advice of the Legal Adviser, which was to consider the statutory test in whether the making of an order is necessary for the protection of members of the public, otherwise in the public interest or in the best interests of the Registrant.

50. The Committee decided to impose an immediate suspension order, as it was necessary to protect the public and was in the public interest given the findings in this particular case, to cover the 28 days' appeal period. The sanction will come into effect after the appeals period should an appeal not be lodged.

Conclusion

51. For the reasons set out above, the Committee determined to accept the Agreed Panel Disposal as put forward by the parties, without variation.

Revocation of interim order

52. The Committee hereby revokes the interim order for suspension of registration that was imposed on 16 June 2023, and which was subsequently extended.

Chair of the Committee: Clive Powell

Signature ...



. Date: 06 November 2025

Registrant: Sundeep Kaushal

Signature

not present

Date: 06 November 2025

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 Level 29, One Canada Square, London, E14 5AA or by telephone, on 020 7580 3898.