

**BEFORE THE FITNESS TO PRACTISE COMMITTEE  
OF THE GENERAL OPTICAL COUNCIL ('GOC')**

**GENERAL OPTICAL COUNCIL**

**F(25)43**

**AND**

**CHINAZA OKOLI (01-34132)**

---

**DETERMINATION OF A SUBSTANTIVE HEARING  
8 – 10 JUNE 2026**

---

<b>Committee Members:</b>	Adrian Smith (Chair/Lay) Joy Tweed (Lay) Ben Summerskill (Lay) Ann Barrett (Optometrist) Alex Howard (Optometrist)
<b>Legal adviser:</b>	Francesca Keen
<b>GOC Presenting Officer:</b>	Holly Huxtable
<b>Registrant present/represented:</b>	Yes, and represented
<b>Registrant representative:</b>	Alex Mills
<b>Hearings Officer:</b>	Bernice Yeboah
<b>Facts found proved:</b>	Particulars 1, 2, 3a), 3b) and 4 by admission
<b>Facts not found proved:</b>	None
<b>Misconduct:</b>	Found
<b>Impairment:</b>	Impaired
<b>Sanction:</b>	No further action
<b>Immediate order:</b>	N/A

---

**Documentation before the Committee:**

- i. GOC final hearing bundle – 104 pages (C1);
- ii. GOC skeleton argument – 13 pages (C2);
- iii. Registrant’s bundle – 59 pages (R1);
- iv. Registrant’s skeleton argument – 6 pages (R2);
- v. Defence submissions on hearsay – 5 pages (R3); and
- vi. Defence authorities on hearsay – 27 pages (R4).

**Preliminary matters**

*(Below is a summary of the advocates’ submissions, legal advice and oral evidence provided to the Committee. It is not intended to be a verbatim record of the aforementioned, and should not be treated as such.)*

**Privacy application**

1. Mr Mills, appearing on the Registrant’s behalf, made an application for parts of the hearing to be conducted in private on the basis that reference to the Registrant’s [redacted] would be made during the course of the hearing. In making the application, Mr Mills drew the Committee’s attention to Rule 25 of the General Optical Council (Fitness to Practise) Rules Order of Council 2013 (hereafter ‘the Rules’) and in particular Rule [redacted]
2. Ms Huxtable, appearing on behalf of the GOC, did not oppose the application.
3. The Committee accepted the Legal Adviser’s advice which also drew the Committee’s attention to Rule 25 and the principle of ‘open justice’.
4. The Committee was aware that Rule 25 states that as a general rule hearings must be held in public in accordance with the ‘open justice’ principle. However, the Committee also considered Rule [redacted] which states that a hearing must be held in private when matters pertaining to a Registrant’s [redacted] are being considered by it. The Committee did not consider that the parameters of Rule 25(4) were engaged in this case, and it therefore determined, in accordance with Rule [redacted] to convene the parts of the hearing relating to the Registrant’s [redacted] in private.

## Application to Amend the Allegation

### Original Allegation (as referred by the Case Examiners):

*'The Council alleges that you, Chinaza Okoli (01-34132), a registered optometrist whilst employed at Specsavers, [redacted]:*

*1) On or around 29 January 2025, you obtained a Statement of Fitness for Work for social security or Statutory Sick Pay form and submitted it to Specsavers, [redacted], for the purpose of declaring sickness and/or to amend your work shifts between the period of 22 January 2025 to 22 February 2025.*

*2) On or around 31 January you obtained a Statement of Fitness for Work for social security or Statutory Sick Pay form and submitted it to Specsavers, [redacted], for the purpose declaring sickness and/or to amend your work shifts between the period of 22 January 2025 to 22 February 2025.*

*3) Having submitted Statement of Fitness for Work for social security or Statutory Sick Pay form(s) to your employer Specsavers, [redacted], for the purpose declaring sickness and/or to amend your contracted work hours, you conducted work as a locum optometrist at Vision Express, [redacted] on:*

*a) 24 January 2025;*

*b) 31 January 2025;*

*c) 1 February 2025;*

*4) Your actions at 1) and 2) and 3) were:*

*a) Misleading; and/or*

*b) Dishonest in that you knowingly submitted Statement of Fitness for Work for social security or Statutory Sick Pay form(s) to your employer Specsavers, [redacted], for the purpose of amending and/or reducing your contracted work hours despite conducting work as a locum optometrist at Vision Express, [redacted].*

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

5. Ms Huxtable made an application, under Rule 46 (20), to amend the Application in the following ways:

- i. amending the wording from 'work shifts' to 'reducing contracted hours';
  - ii. in respect of Particular 4: removing Particular 4a) and reference to the term '*misleading*'; and
  - iii. withdrawing Particular 3a), which referenced '24 January 2025'.
6. Ms Huxtable submitted that the amendments sought by the GOC were required to better particularise the Allegation and, by removing Particular 4a) and the term 'misleading', the Allegation better reflected the evidence being presented by the GOC, that the Registrant knowingly submitted the forms to her employer and she was dishonest in her actions.
7. Ms Huxtable also submitted that the GOC proposed to withdraw Particular 3a) because further to receipt of the Registrant's representative's skeleton argument, having reviewed the evidence, the GOC considered that Particular 3a) was unlikely to be found proved based on the evidence before the Committee.
8. Ms Huxtable further submitted that the proposed amendments did not materially alter the Allegation and the amendments could be made without prejudice to the Registrant.
9. Mr Mills did not oppose the GOC's application to amend the Allegation in the terms set out above.
10. The Committee accepted the Legal Adviser's advice, which had reminded the Committee of Rule 46 (20) and its power to make alterations to the Allegation, if the alterations could be made without any injustice.
11. The Legal Adviser also reminded the Committee of the principle of 'open justice' and highlighted the principle outlined in the case of *Ruscillo v Council for the Regulation of Health Care Professionals & Anor [2004] EWCA Civ 1356* that there is an expectation that a Fitness to Practise Committee '*should play a more proactive role than a judge presiding over a criminal trial in making sure that the case before it is properly presented and that the relevant evidence is placed before it*'.
12. The Committee had regard to the parties' skeleton arguments and to their oral submissions. The Committee carefully considered each aspect of the GOC application in turn. The Committee also considered whether, after alteration, the

remaining Allegation would amount to a viable Allegation. Having done so, the Committee determined to grant the GOC application to amend the Allegation, in the terms outlined above.

13. In the Committee's view, the proposed amendments did not seek to widen the scope of the Allegation faced by the Registrant. Rather, in its view, the amendments sought to better reflect the evidence and made the case being presented by the GOC clearer for the Registrant. In this regard, the Committee also considered that it was in the Registrant's own interest that the amendments were made to the Allegation so that she was aware of the case being brought by the GOC. The Committee also considered that the Registrant would not suffer any injustice as a consequence of it amending the Allegation. The Registrant had been put on notice of the GOC's application to amend the Allegation and she, via her representative, had not opposed it.
14. In respect of the GOC's application to withdraw Particular 3a) of the Allegation, having considered the evidence before it, the Committee agreed that this particular had no realistic prospect of being found proved. Given that the Registrant admitted submitting the 'Fit for Work' certificates to her employer on the 29 and 31 January 2025, and the date outlined in Particular 3a) cited 24 January 2025, the Committee noted that this predated the submission of both certificates and therefore would not be encompassed in the relevant period of time after the submission of the certificates.
15. The Committee was also satisfied that discontinuing Particular 3a) did not amount to an under-prosecution of the GOC's case and that the remaining Allegation was a viable one.
16. The Committee therefore directed that the Allegation be amended in the following manner:

**AMENDED ALLEGATION**

*'The Council alleges that you, Chinaza Okoli (01-34132), a registered optometrist whilst employed at Specsavers, [redacted]:*

*1) On or around 29 January 2025, you obtained a Statement of Fitness for Work for social security or Statutory Sick Pay form and submitted it to your employer*

*for the purpose of declaring sickness and/or to reduce your contracted work hours between the period of 22 January 2025 to 22 February 2025.*

*2) On or around 31 January 2025 you obtained a Statement of Fitness for Work for social security or Statutory Sick Pay form and submitted it to your employer for the purpose declaring sickness and/or to reduce your contracted work hours between the period of 22 January 2025 to 22 February 2025.*

*3) Having submitted Statement of Fitness for Work for social security or Statutory Sick Pay form(s) to your employer, for the purpose declaring sickness and/or to reduce your contracted work hours, you conducted work as a locum optometrist at Vision Express, [redacted] on:*

*a) 31 January 2025;*

*b) 1 February 2025.*

*4) Your actions at 1) and 2) and 3) were dishonest in that you knowingly submitted Statement of Fitness for Work for social security or Statutory Sick Pay forms to your employer, for the purpose of amending and/or reducing your contracted work hours despite conducting work as a locum optometrist at Vision Express, [redacted]*

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

### **Admissions**

17. The Allegation was read in full and the Registrant admitted the Allegation in its entirety.

18. The Committee therefore found Particulars 1, 2, 3a), 3b) and 4 proved by admission as per Rule 40(6).

### **Application to adduce evidence**

19. Mr Mills made an application to adduce hearsay evidence contained within the Registrant's witness statement at paragraphs 15 and 16, into the proceedings. Mr Mills drew the Committee's attention to the relevant passages of the Registrant's witness statement which stated:

*'15. [redacted]. This was very upsetting. I remember one of my colleagues telling me that one of the directors wasn't happy [redacted] because of the money the practice will lose as now that I'm qualified their expectations was for me to work and make money for them.*

*16. The following week, another colleague informed me that one of the other directors had made comments to the effect that [redacted] he considered this to be very inconsiderate. Hearing that these comments had been made about me caused me significant anxiety during an already stressful period. After hearing this, I now felt uncomfortable, paranoid and nervous in the workplace at Specsavers.'*

20. Mr Mills referred the Committee to his detailed skeleton argument and to the supporting authorities' bundle (R4) addressing the point. In doing so, he informed the Committee that he accepted that the aforementioned paragraphs contained hearsay evidence however, he submitted that: a) no formal hearsay application was required (applying the provisions of Thorneycroft v Nursing and Midwifery Council [2014] EWHC 1565 (Admin)) because the evidence was being adduced in respect of the Registrant's state of mind, rather than seeking to prove the directors made the statements alleged. Mr Mills submitted that it was being produced for non-hearsay purposes; and b) in the alternative, the evidence is relevant and its admission is fair.

21. Mr Mills also submitted that as the relevance of the evidence was in establishing the Registrant's state of mind at the time, it was not relevant whether the directors actually made the comments. Furthermore, even if the colleagues that the Registrant says she spoke to were mistaken about what they told her they heard the directors say, that would be irrelevant. All that matters is that the Registrant believed the directors had made the statements at the relevant time. The evidence was therefore not being admitted as evidence of the matters stated, but rather as explaining her state of mind. Accordingly, the statements are not being admitted for a hearsay purpose and no hearsay application is required.

22. Mr Mills also submitted that if the Committee were not with him on his submission that no formal hearsay application was required, then he had set out his submissions on a hearsay application, and the factors identified in Thorneycroft, in his skeleton argument for the Committee's reference.

23. Mr Mills also informed the Committee that he did accept that the Registrant would be considered to be the 'applicant' in respect of an application to adduce the evidence, per Rule 40(1), and in this respect, the GOC had accepted, under the wording contained within Rule 40(1) that the evidence was 'relevant' and his submission to the Committee was that admitting the evidence was also fair and caused no prejudice to the GOC.
24. Ms Huxtable opposed the application to adduce the evidence. In doing so, she submitted that the GOC accepted that the evidence was relevant to the proceedings, but that it would not be 'fair' to enter the evidence into proceedings as the GOC had no way of "*challenging or testing the evidence*". The Registrant had not provided witness statements from the witnesses, nor sought to call any of the proposed witnesses to give oral evidence. Ms Huxtable did not comment specifically on whether a formal 'hearsay' application ought to be made, but rather focussed her submissions to the Committee on the 'fairness' of introducing the evidence into proceedings.
25. The Committee accepted the Legal Adviser's advice which had reminded the Committee of Rule 40(1), the factors identified in *Thorneycroft* and the options available to it.
26. The Committee noted that both parties were in agreement that an application was required, under Rule 40(1), for the aforementioned evidence to be admitted into proceedings. The Committee considered whether a hearsay application was required and accepted Mr Mills' submission to it that the evidence relied upon, in paragraphs 15 and 16 of the Registrant's witness statement, were not seeking to prove the matters alleged, but rather sought to provide contextual background to the Registrant's state of mind at the time. In this respect, the Committee determined that a hearsay application, applying the factors set out in the case of *Thorneycroft*, was not required.
27. However, the Committee did consider that it was required, as in the wording of Rule 40 (1), to consider whether the evidence was 'relevant' and also whether it was 'fair' to admit the evidence into proceedings.

28. The Committee noted that Mr Mills had submitted that the evidence contained within paragraphs 15 and 16 was relevant to the matters to be determined by the Committee, and that Ms Huxtable had accepted the same, on behalf of the GOC.
29. In the Committee's view, the evidence was relevant to the matters to be determined by it as it provided contextual evidence as to the Registrant's state of mind, and the prevailing circumstances, at the time. Whilst the Committee noted that the Registrant had accepted that her actions were dishonest, the Committee also noted that it was going to have to determine the level and seriousness of her dishonesty in the proceedings and in this respect the contextual background to the Registrant's working environment may be relevant to its future determinations. Consequently, the Committee also determined that the evidence was relevant.
30. The Committee next considered whether it was fair to admit the evidence into proceedings and determined that it was. In forming its view, the Committee had regard to Ms Huxtable's submission that the GOC had no way of challenging the evidence should it be admitted into proceedings however, the Committee rejected this submission. Mr Mills had informed the Committee that he was intending to call the Registrant to give evidence at stage 2 and/or 3 of the proceedings and the Committee noted that Ms Huxtable would have an opportunity to cross-examine the Registrant on her state of mind and the comments allegedly made, should she wish to, at those stages. Furthermore, the Committee also noted that if such evidence was admitted into proceedings, the appropriate weight would be attached to it and both parties would have an opportunity to address the Committee on this point later in the proceedings.
31. Consequently, the Committee determined to admit the evidence contained with paragraphs 15 and 16 of the Registrant's witness statement into the proceedings.

## **DETERMINATION**

### **Background**

32. The Registrant registered with the GOC, as a student Optometrist, on 27 September 2021, and as a fully qualified Optometrist, on 26 July 2024. At the material time, the Registrant was employed by 'Specsavers', [redacted] ('the Practice').

33. A referral was made to the GOC by the Practice on 05 April 2025, stating that the Registrant had 'requested to drop to 1 day a week [redacted]' but had been 'providing locum service in other optical stores when contracted to our store'.
34. The Registrant was contracted to work 4 days a week at the Practice (Monday, Tuesday, Wednesday and Saturday). In January 2025, the Registrant asked for her work hours to be reduced to enable her to work just one day a week. [redacted].
35. On 29 January 2025, the Registrant obtained a Statement of 'Fitness to Work' which suggested that she may benefit from altered hours [redacted]. This was submitted to the Practice.
36. On 31 January 2025, the Registrant obtained a second 'Statement of Fitness to Work' which suggested that the Registrant may benefit from altered hours. This was also submitted to the Practice.
37. The Registrant, having sought a reduction in her contracted hours [redacted], proceeded to work locum shifts for a second employer 'Vision Express', [redacted] ('the second employer') on 31 January 2025 and 01 February 2025.

### Findings in relation to misconduct

38. The Registrant gave oral evidence to the Committee. In doing so, she stated that the matters outlined within her witness statement were true to the best of her knowledge and belief and that she did not require any alterations to her statement.
39. In response to questions from Ms Huxtable, the Registrant stated the following:
- i. she had obtained a 'Fit for Work' certificate which suggested that she should work reduced hours;
  - ii. she had handed both of the 'Fit for work' certificates to the Practice;
  - iii. despite this, on the 29 January 2025 and 31 January 2025, she had worked at another practice (the second employer) on a locum basis; and
  - iv. she accepted that fellow practitioners would view her conduct as "not transparent" and would be "disappointed" and "ashamed".
40. In response to questions from the Committee, the Registrant stated:

- i. her answers to the questions posed were not trying to justify her actions, but one of her main reasons for doing what she had done was because of the comments she understood had been made by the directors [redacted], and the hostile working environment which she felt had developed at the Practice. She had increasing anxiety at being there;
- ii. [redacted]
- iii. the second employer being more welcoming does not justify her actions and it does not make what she did “right”.

41. The Committee heard submissions from Ms Huxtable and Mr Mills. Ms Huxtable submitted that the Registrant’s conduct amounts to misconduct and Mr Mills drew the Committee’s attention to his skeleton argument and submitted that it was accepted, by the Registrant, that a finding of dishonesty would almost inevitably lead to a finding of misconduct by the Committee.

42. The Committee accepted the advice of the Legal Adviser. The Legal Adviser advised that not every breach of the expected standards of conduct will necessarily amount to misconduct. She advised that for conduct to amount to misconduct, it must be serious and falling far below the expected standards. She cited the cases of Roylance v GMC (No.20 [2000] 1AC 311) and Nandi v GMC [2004] EWHC 2317 (Admin).

43. The Committee had regard to the GOC’s Standards of Practice for Optometrists and Dispensing Opticians. The Committee considered that the Registrant had breached the following standards:

- 16 – Be honest and trustworthy
- 16.1 – Act with honesty and integrity to maintain public trust and confidence in your profession.
- 17 – Do not damage the reputation of your profession through your conduct.
- 17.1 – Ensure your conduct whether or not connected to your professional practice, does not damage public confidence in you or your profession.

44. The Committee considered that the Registrant’s actions of obtaining ‘Fit for Work’ certificates which stated that she had to work on a reduced hours basis, and then

submitting these forms to the Practice, whilst continuing to perform locum shifts for the second employer, were dishonest and fell far below the standards expected of a registered optometrist, and could only be considered to be a serious falling short.

45. In forming its view, the Committee noted that one of the days the Registrant undertook work for the second employer (Particular 3a) - 31 January 2025), she would not have been scheduled to work at the Practice as she did not ordinarily work there on Fridays (she usually worked there on Monday, Tuesday, Wednesday and Saturday). However, the Committee considered that irrespective of what days the Registrant was supposed to be working at the Practice, the Registrant had conveyed to it, via the submission of the 'Fit for work' certificate, that she was only able to perform a limited number of hours [redacted] and the Practice had accommodated this request. Yet, despite this assertion, the Registrant had continued to work for the second employer undertaking locum shifts. In this respect, the Committee considered that whatever the Registrant's motivations for doing so were at the time, her actions had been dishonest and had fallen far below the standards expected of an Optometrist. It therefore found the facts proved by way of admission are so serious as to amount to misconduct.

### **Decision on Impairment**

46. Mr Mills called the Registrant to give oral evidence to the Committee. He also invited the Committee to have regard to the Registrant's reflective statement, dated 20 May 2026, contained within R1.

47. In response to questions from Mr Mills, the Registrant stated:

- i. since the incident occurred, [redacted], she had been working as a locum for Vision Express;
- ii. she has undertaken training courses in respect of the issues arising in the case;
- iii. the courses had given her "*more insight*" and a "*better understanding of the issues arising at the time*". In short, she allowed her "*stress*" at the time to impact her decision-making and actions and to impact upon the responsibilities expected of her as an Optometrist;

- iv. the training courses have made her understand that as an Optometrist, and healthcare professional, she is expected to be honest and transparent at all times. Her behaviour and her character “*projects on her profession*” and “*the impression of the patient is important as well*”;
- v. the training courses also made her understand the importance of being honest in every situation because her patients rely upon her and whenever they are in the room they need to see her as someone who is honest and as someone that they can trust with any health issues;
- vi. she understands that this will not be the last time that she will experience stress-related issues at work, and her learning has given her more understanding on how to effectively manage stress at work, where she went wrong and were a stressful situation to happen again, what she would do differently; and
- vii. she recognises that she allowed her emotions to impact upon her reasoning and her thinking at the time. She recognised that she did not consider how others might feel, including her colleagues, at the time. She also did not consider how she might have engaged better with her directors at the Practice.

48. In response to questions from Ms Huxtable the Registrant stated the following:

- i. she felt that there had been a breakdown in the relationship between her and the directors at the Practice;
- ii. she made a mistake in not going to the directors at the Practice to raise the issues of what she had been told by colleagues;
- iii. public confidence in her would be reduced because the public would not have confidence in her to communicate in the same way as if this situation had not occurred;
- iv. in terms of the risk of repetition – she had undertaken training and she was hoping to undertake further training. She had now learned to “*open up*” to someone more senior than her, which has been helpful to her.

49. In response to questions from the Committee, the Registrant indicated that she had improved on her communication, openness and transparency and these were

things she had worked on with her current employer. By way of an example of demonstrating these skills, the Registrant informed the Committee that she had needed to cancel shifts at short notice, owing to family circumstances, for her current employer. She had been open about her reasons for doing so and had managed the situation effectively.

### Submissions

50. Ms Huxtable submitted that the Registrant's fitness to practise is currently impaired on the basis that the Registrant knowingly submitted 'Fitness for Work' certificates on two separate occasions, to reduce her contracted hours, despite working as a locum elsewhere. Whilst her conduct occurred over a short period of time, it was repeated, and was dishonest in nature. Therefore, it could be considered attitudinal in nature, which is not easy to remedy. In the circumstances of this case, a finding of impairment is required to meet the wider public interest and to uphold proper professional standards and maintain public confidence in the profession.

51. Mr Mills referred the Committee to his written submissions [redacted]. In summary, he submitted the following:

- i. the Registrant's conduct was dishonesty in a professional context but not in relation to clinical records or qualifications;
- ii. the Registrant's conduct was short-lived, a single episode, and an isolated incident in the context of a practitioner with no fitness to practise history;
- iii. it was unplanned in the sense that there was no intention to mislead;
- iv. there was no financial motive;
- v. the [redacted] and personal circumstances which led to it at the time should be considered and the workplace context also ought to be considered by the Committee;
- vi. the limited nature of the disruption to the Practice in respect of the alleged conduct: i.e. just 01/02/25;
- vii. the Registrant has demonstrated sufficient insight;
- viii. the Registrant has undertaken, and provided evidence of Continuing Professional Development ('CPD');

- ix. the Registrant has provided five separate references which speak highly of her;
- x. the Registrant has demonstrated remorse, and the Committee may feel that she is less likely to repeat her actions;
- xi. the risk of repetition is low;
- xii. not all dishonesty is attitudinal in nature; and
- xiii. the only basis for a finding of current impairment would be in the wider public interest referred to in paragraph 74 of CHRE v NMC & Grant [2011] EWHC 927

52. Having found misconduct, the Committee went on to consider whether the Registrant's fitness to practise is currently impaired. In doing so, the Committee took into account all of the evidence before it, and it had regard to the Registrant's oral and written evidence and the written and oral submissions provided by the parties.

53. The Committee also accepted the Legal Adviser's legal advice. The Legal Adviser advised in respect of the cases of: GMC v Meadow [2006] EWCA Civ 1319; Grant (citation above); and Cohen v GMC [2008] EWHC 581 (Admin); Cheatle v GMC (2009) EWHC 645 (Admin); and Yeong v GMC [2009] EWHC 1923 (Admin).

54. The Committee first considered whether the Registrant's fitness to practise was impaired on the personal component.

55. In addressing the personal component of impairment, the Committee asked itself whether the Registrant is liable, now, or in the future, to repeat conduct of the kind that led to her misconduct. In reaching its decision the Committee also had particular regard to the issues of insight, remorse and remediation.

56. The Committee noted that in the case of CHRE v NMC & Grant [2011] EWHC 927 (Admin) Mrs Justice Cox stated:

*"When considering whether or not fitness to practise is currently impaired, the level of insight shown by the practitioner is central to a proper determination of that issue."*

57. The Committee also had careful regard to Silber J's guidance in *Cohen v GMC [2008] EWHC 581 (Admin)* that fitness to practise Committees should take account of:

- i. whether the conduct which led to the charge is easily remediable;
- ii. whether it has been remedied; and
- iii. whether it is highly unlikely to be repeated.

58. The Committee noted that the Registrant had fully engaged with the regulatory proceedings and had made early admissions to the Allegation.

59. The Committee considered whether the Registrant's conduct was remediable and in doing so, it formed the view that matters relating to dishonesty could be considered to be attitudinal in nature and are inherently difficult to remediate. However, the Committee considered that in this case, the Registrant's dishonest conduct was not attitudinal in nature, but rather had occurred as a result of difficult circumstances which were prevailing at the time [redacted]. In support of its view that the Registrant's conduct was not attitudinal in nature, the Committee noted that the Registrant's dishonest conduct was limited to the provision of two 'Fitness for Work' certificates, furnished to the Practice two days apart (on 29 and 31 January 2025). The Committee also noted that the second certificate (31 January 2025) had been sought and provided to the Practice owing to an issue raised with the wording of the first certificate (29 January 2025). Furthermore, the Committee also had regard to the fact that the Registrant had only worked for the second employer on two days (31 January 2025 and 1 February 2025) and that this occurred shortly after the Fitness for Work certificates had been provided to the Practice. In this regard, the Committee considered that the dishonest conduct related to a single episode and had occurred over a relatively short period of time (days, not weeks) and during a period of extreme stress and worry for the Registrant.

60. The Committee also noted that this case was not one where patients had been put at risk of harm, nor had the GOC alleged that there was any financial motive for the Registrant's actions or conduct. The Committee also accepted the Registrant's explanation to it that in her own view, she felt that the relationship with the Directors at the Practice had broken down [redacted]. The Committee

also accepted the Registrant's evidence to it that she had found the working environment provided by the second employer to be friendlier, more approachable and flexible in view of her circumstances and that this was her reason for continuing to work for the second employer.

61. In considering whether the Registrant had demonstrated sufficient insight into her conduct, the Committee had regard to the Registrant's reflective statement and her oral evidence. Having done so, the Committee considered that the Registrant had demonstrated significant remorse for her actions and had also demonstrated full insight into why she had acted as she had in the circumstances which were prevailing at the time. The Committee was particularly impressed with the Registrant's reflections regarding her actions following the incident, and with the training undertaken by her. The Committee was also persuaded by the steps she had taken with her new employer to ensure that her actions were not repeated.

62. When considering whether the Registrant was likely to repeat her conduct the Committee noted that the Registrant had undertaken CPD, and had provided oral and documentary evidence to the Committee to attest to the same. Additionally, the Committee was also convinced by the Registrant's oral evidence to it, that she had reflected on matters, following the CPD training, as she had explained to the Committee what steps she would take in the future to ensure that her conduct would not be repeated. For example, the Registrant explained that she would be "*more open*" about situations arising in her personal life which may prevent her from working and she provided real life examples of where she had done just that.

63. Further, the Committee also had regard to the very positive testimonials provided on the Registrant's behalf. It noted that the testimonials provided by her current store manager and colleague were positive about the Registrant's work as an Optometrist, and also attested to her character. The Committee also noted that there had been no repetition of the Registrant's dishonest conduct. Consequently, the Committee determined that there was a very low likelihood of repetition of the Registrant's conduct.

64. Accordingly, and having regard to all of the aforementioned, the Committee considered that the Registrant's fitness to practise is not currently impaired on the personal component.

65. The Committee next considered whether the Registrant's fitness to practise is impaired on public interest grounds.

66. The Committee had careful regard to the important public policy issues identified by Silber J in the case of *Cohen* when he said:

*“Any approach to the issue of whether ... fitness to practise should be regarded as ‘impaired’ must take account of ‘the need to protect the individual patient, and the collective need to maintain confidence in the profession as well as declaring and upholding proper standards of conduct and behaviour.’”*

67. The Committee also considered the guidance provided by the High Court in the case of (*Grant*), in respect of the wider public interest and whether confidence in the profession would be undermined if a finding of current impairment were not made in the circumstances of the case.

68. Having done so, the Committee concluded that public trust and confidence in the wider profession and the GOC as its regulator would be undermined if a finding of current impairment were not made in the circumstances of this case. Notwithstanding all of the very positive steps taken by the Registrant, and having careful regard to the circumstances which were prevailing at the time, the Registrant's conduct was dishonest and fell below the required standards. The Committee was also of the view that the public has to be able to trust healthcare professionals to act with honesty and integrity at all times and an informed member of the public would be disappointed to learn that a registered Optometrist had been dishonest. As such, the Registrant's dishonest actions brought her profession into disrepute and the Committee determined that the need to maintain confidence and to declare and uphold proper standards in the profession required a finding of current impairment.

69. Accordingly, the Committee finds that the Registrant's fitness to practise is currently impaired on public interest grounds alone.

## Decision on Sanction

70. In reaching its decision on sanction, the Committee took into account the oral and written submissions made by Ms Huxtable and Mr Mills and again had regard to the documentation before it.

71. Ms Huxtable submitted that a suspension order was appropriate in this case.

72. Mr Mills submitted that the appropriate sanction would be to take no action, or if the Committee were against him on that submission, to impose a suspension order for a short duration.

73. The Committee referred to the 'Hearings and Indicative Sanctions Guidance', dated November 2021, issued by the GOC.

74. The Committee accepted the advice of the Legal Assessor which, amongst other things, reminded the Committee that the purpose of a sanction was not to punish the Registrant, but to protect the public, maintain public confidence in the profession and uphold proper standards of conduct and performance. The Committee was also cognisant of the need to ensure that any sanction is proportionate.

75. The Committee first considered the aggravating and mitigating factors in the case.

76. The Committee determined that the only aggravating factor in this case was that the Registrant's misconduct involved dishonesty.

77. The Committee considered the following to be mitigating factors in the case:

- i. the Registrant's dishonest conduct related to an isolated episode which was short in duration;
- ii. the Registrant had an unblemished career with no previous disciplinary record;
- iii. the Registrant had demonstrated full insight, and remorse, and had taken a number of steps to develop herself as a practitioner by undertaking relevant CPD;
- iv. the Registrant has provided numerous character references, all of which spoke highly of her. The Committee noted that the references included those from a current manager and a colleague;

- v. the Registrant had made full admissions to the Allegation;
- vi. the Registrant was encountering very difficult personal circumstances at that time [redacted];
- vii. the Registrant has fully remediated her conduct;
- viii. there was no identified patient harm; and
- ix. no further complaints had been made against the Registrant.

78. The Committee considered the weight to be attached to the aggravating and mitigating factors. The Committee determined, in view of its earlier finding that the Registrant's dishonesty was an isolated episode and fell at the lower end of the spectrum of seriousness, that it placed greater weight on the mitigating factors.

79. The Committee first considered the option of taking no further action. In doing so, the Committee noted that the GOC Hearings and Indicative Sanctions Guidance stated:

*'21.3 – Where a registrant's fitness to practise is impaired, the FtPC would usually take action to protect patients, maintain public confidence in the profession and uphold proper standards of conduct and behaviour.*

*21.4 There may, however, be exceptional circumstances in which a Committee might be justified in taking no action. An Impairment finding with no further action is a way to mark the seriousness of the misconduct in the public interest, where a restrictive sanction cannot be justified.*

*21.5 In R v Kelly (Edward) [2000] QB 198, Lord Bingham said: "We must construe 'exceptional' as an ordinary, familiar English adjective, and not as a term of art. It describes a circumstance which is such as to form an exception, which is out of the ordinary course, or unusual, or special, or uncommon. To be exceptional a circumstance need not be unique or unprecedented, or very rare; but it cannot be one that is regularly, or routinely, or normally encountered."*

*21.6 The Committee must give reasons as to what the relevant circumstances are, why they are considered exceptional and why they mitigate against action being taken.*

*No action might be appropriate in cases where the registrant has demonstrated considerable insight into their behaviour and has already completed any remedial action the Committee would otherwise require them to undertake. The Committee may wish to see evidence to support the action taken....”*

80. The Committee considered that having regard to the circumstances in this case, it could be considered to be exceptional. In forming this view, the Committee had particular regard to: [redacted]; its earlier findings that the Registrant’s dishonesty fell within the less serious category; the conduct was an isolated episode on the Registrant’s part, with no previous disciplinary findings, or further complaints made against her; there was no patient harm; there was no financial motive for her conduct; the Registrant had demonstrated full insight and remorse; she had undertaken training to remediate her conduct (and provided documentary evidence to the Committee to attest to the same); and the Committee had determined that the Registrant’s conduct was unlikely to be repeated.
81. The Committee also considered, in view of the very specific circumstances in this case, that a finding of current impairment was sufficient to mark the seriousness of the misconduct in the public interest, whilst also serving the wider public interest of having an able practitioner continue to serve the public in her role as an Optometrist. The Committee was satisfied that the regulatory proceedings had provided a salutary lesson for the Registrant and that a fully informed observer would not consider the Committee taking no further action as unduly lenient, in all the circumstances of the case.
82. The Committee determined that imposing a restrictive sanction could not be justified and was not appropriate or proportionate in this case.
83. The Committee considered that a financial penalty was not appropriate in this case because the Registrant’s misconduct was not financially motivated, nor did it result in financial gain. In view of the Committee’s earlier findings in respect of the steps taken by the Registrant to demonstrate insight, and remediation through additional training, the Committee determined that the imposition of a financial penalty was simply not appropriate.

84. Similarly, the Committee also concluded that conditional registration was not appropriate in this case. In forming this view, the Committee had regard to 21.17 of the Hearings and Indicative Sanctions Guidance which states:

*“Conditions might be most appropriate in cases involving a registrant’s health, performance, or where there is evidence of shortcomings in a specific area or areas of a registrant’s practice.”*

85. The Committee noted that this was not a case where the Registrant’s current health or performance as an Optometrist were in question, nor was it a case where there was evidence before the Committee of any shortcomings related to her practice, or risk to patients. Consequently, the Committee concluded that Conditional Registration was also not an appropriate sanction.

86. In considering whether a suspension order was the most appropriate sanction, the Committee carefully considered section 21.29 of the Hearings and Indicative Sanctions Guidance which states:

*“21.29 This sanction may be appropriate when some, or all, of the following factors are apparent (this list is not exhaustive):*

- a. A serious instance of misconduct where a lesser sanction is not sufficient.*
- b. No evidence of harmful deep-seated personality or attitudinal problems.*
- c. No evidence of repetition of behaviour since incident.*
- d. The Committee is satisfied the registrant has insight and does not pose a significant risk of repeating behaviour.*
- e. In cases where the only issue relates to the registrant’s health, there is a risk to patient safety if the registrant continued to practise, even under conditions”*

87. Whilst the Committee acknowledged that a number of the factors outlined within section 21.29 (b) – (d) could be said to apply the Committee remained of the view that taking no action was proportionate and appropriate in this case, for the reasons previously outlined. Furthermore, whilst the Committee acknowledged that the Registrant’s dishonest conduct was a breach of the standards of the profession, the Committee noted that it had already determined that it fell at the lower end of seriousness and it had not found the Registrant’s practice currently

impaired on the personal component or that she posed a risk to patients. The Committee concluded that suspending the Registrant who, according to the testimonials provided on her behalf, is an able practitioner would serve no useful purpose and would be to the public's detriment. Additionally, the Committee also considered that such a sanction would have a disproportionate impact on the Registrant's ability to earn a living, when her conduct had been sufficiently marked with its finding on impairment.

88. Similarly, the Committee also concluded that the Registrant's conduct was not fundamentally incompatible with continued registration and therefore in all of the circumstances of this case, erasure would also be disproportionate in this case.

89. Therefore, the Committee concluded that the appropriate and proportionate option in this particular case was to take no further action.

**Chair of the Committee: Adrian Smith**

Signature  Date: 10<sup>th</sup> June 2026

**Registrant: Chinaza Okoli**

Signature .....Sent to the Registrant via email ..... Date: 10<sup>th</sup> June 2026

<b>FURTHER INFORMATION</b>
<b>Transcript</b>
A full transcript of the hearing will be made available for purchase in due course.
<b>Appeal</b>

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](http://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.