

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

GENERAL OPTICAL COUNCIL

F(22)26

AND

HELEN LAMPKA (01-10388)

**DETERMINATION OF A SECOND SUBSTANTIVE REVIEW
7 MARCH 2025**

Committee Members:	Julia Wortley (Chair/Lay) Audrey McFarlane (Lay) Ben Summerskill (Lay) Amit Jinabhai (Optometrist) Kamlesh Gohil (Optometrist)
Legal adviser:	Lara Akande
GOC Presenting Officer:	Abimbola Johnson
Registrant:	Not present and unrepresented
Registrant representative:	N/A
Hearings Officer:	Natasha Bance
Outcome:	Erasure (imposed with immediate effect)

DETERMINATION

Background

1. The Registrant was first registered as an optometrist in March 1980.
2. At the substantive hearing, the Committee considered allegations in relation to the Registrant's care of 19 patients whom she examined between April 2016 and March 2018, whilst employed at Boots Opticians in [redacted].
3. The allegations related to failures to keep adequate records of consultations, failures to carry out adequate examinations and assessments and failures to make or advise of the need for referrals for or reviews of new and/or existing conditions that patients presented with.
4. At the substantive hearing in March 2023, the Committee had found that a number of the particulars found proved were sufficiently serious to amount to misconduct and that the Registrant's fitness to practise was currently impaired.
5. In finding current impairment, the Committee in March 2023 noted that it had been provided with no information about the Registrant's current circumstances, including whether she was currently working as an optometrist or had done so since the events which gave rise to the allegations.
6. The substantive Committee in 2023 noted that the failures were clinical and therefore potentially remediable but that it had been provided with no evidence which would allow it to conclude that the Registrant had remediated to any extent. The Committee had also considered that there was very limited evidence of insight, the extent of it being a commitment, recorded in a letter the Registrant sent to NHS England, to ensure her record keeping in future was 'flawless'.
7. In the light of this, the substantive Committee in March 2023 considered a finding of impairment was necessary to protect the public and in the public interest.
8. When considering what sanction to impose in March 2023, the Committee had noted that there was no evidence of harmful deep-seated personality or attitudinal problems or of repetition since the incident but that otherwise the factors suggested in the Indicative Sanctions Guidance (ISG) as indicating a suspension may be appropriate were engaged.
9. The March 2023 Committee rejected the option of erasure on the basis that the Registrant's misconduct was not fundamentally incompatible with being a registered professional and on the basis that, as the Registrant's reasons for non-engagement were not known, it would be proportionate to give her an opportunity to reflect on the Committee's reasons and consider whether she wished to engage with the process and takes steps to remediate.

10. The March 2023 Committee considered that, on review, a future Committee may be assisted by:
- a. The Registrant's engagement and attendance at the review hearing.
 - b. A statement from the Registrant with her reflections on the Committee's decision.
 - c. Any training or CPD undertaken relating to the Committee's findings.
 - d. Information from the Registrant about her current professional circumstances and any steps she has taken to keep her knowledge and skills up to date.
11. The order is due to expire on 20 April 2024.

1st Sub Review – 20 March 2024

Proof of service

12. The Committee heard an application from Mr Burch for the Council, for this matter to proceed in the Registrant's absence. First, the Council was required to satisfy the Committee that the documents had been served in accordance with Section 23A of the Act and Rule 61 of the Fitness to Practise Rules 2013. The Committee accepted the advice of the Legal Adviser.
13. The Registrant was served with the notice of hearing by post on 07 December 2023, a method permitted by Section 23A and Rule 61 of the Fitness to Practise Rules 2013. The Committee had regard to the contents of the notice, which included the date of this review, together with the requirements set out in Rule 56 and Rule 28(1)(b) to (e), namely the right to attend and be represented, the power of the Committee to proceed in absence, the right of the Registrant to adduce evidence, and the Committee's powers of disposal.
14. The Committee was satisfied that notice was served in accordance with the Rules and that reasonable efforts have been made to notify the Registrant of the hearing.

Proceeding in the absence of the Registrant

15. The Committee then went on to consider whether it would be in the public interest to proceed in the Registrant's absence in accordance with Rule 22. The Committee heard submissions from Mr Burch on behalf of the Council and accepted the advice of the Legal Adviser.
16. The Committee noted that the Registrant had not responded to any correspondence from the GOC relating to the substantive hearing in March 2023

and had not attended the substantive hearing. The Registrant has not responded to any correspondence sent subsequently relating to this hearing despite, as the Committee has already found, being served in accordance with the Rules and all reasonable efforts having been made to notify the Registrant of the hearing.

17. In those circumstances, the Committee considered that the Registrant had voluntarily absented herself.
18. The Committee noted that the Registrant has not requested an adjournment and was not satisfied that an adjournment would secure the Registrant's attendance on a future occasion.
19. The Committee was mindful that this hearing is a mandatory review of a suspension order currently in place which is due to expire on 20 April 2024 and that there was therefore a particular public interest in proceeding.
20. In all the circumstances, the Committee determined that it would be in the public interest for the hearing to proceed in the Registrant's absence.

Findings regarding Impairment

21. The Committee today heard submissions from Mr Burch on behalf of the Council. It noted that it had been provided with no information from the Registrant for the purpose of this review.
22. The Committee accepted the advice of the Legal Adviser.
23. The Committee noted that, whilst the concerns in respect of the Registrant's practice remained, in principle, remediable, it had not been provided with any evidence of remediation.
24. In particular, the Committee noted that:
 - a. a series of recommendations as to what might assist a future Committee on review had been provided to the Registrant and that she had not engaged with any of these recommendations.
 - b. there was no evidence presented which would allow it to conclude that the Registrant had reflected on the issues in her practice or gained further insight into how her practice had fallen short of acceptable standards.
 - c. there was no evidence of remediation which, the Committee considered, could, even whilst suspended, have been evidenced through training and/or self-directed learning.
25. In those circumstances, the Committee considered that:
 - a. there was no evidence which would allow the Registrant to discharge the persuasive burden on her to demonstrate she had addressed the impairment previously found.

- b. in the absence of any evidence to the contrary, there remains a real risk of the Registrant repeating the conduct found proved on the last occasion and thereby causing harm.
- c. the public's confidence in the profession would be undermined if a finding of impairment were not made where serious allegations had been found proved against a registered professional, and that same professional had taken no steps to address the issues in their practice over a 12 month period.

26. Accordingly, the Committee found the Registrant's fitness to practise is currently impaired.

Sanction

27. The Committee has heard submissions from Mr Burch on behalf of the Council. Mr Burch indicated that Council's position was that sanction was a matter for the Committee. He suggested that in the light of the Committee's finding of impairment either conditions of practice or a further period of suspension might be appropriate.

28. The Committee heard and accepted the advice of the Legal Adviser. He referred the Committee to the ISG and *Unozor v Nursing and Midwifery Council* [2016] which he advised was authority for the proposition that it is not appropriate to continuously extend substantive orders in the hope that a registrant might eventually engage.

29. The Committee accepted the advice of the Legal Adviser and had regard to the Indicative Sanctions Guidance.

30. The Committee considered the sanctions available to it from the least restrictive to the most severe, as set out in section 13(7) of the Opticians Act 1989, namely no sanction, conditional registration, suspension, and erasure.

31. The Committee applied the principle of proportionality by weighing the Registrant's interests with the public interest.

32. The Committee concluded that in the absence of any insight or remediation, it would be inappropriate to take no action. To do so would not be sufficient to address either public protection or the public interest issues identified above.

33. The Committee next considered whether conditional registration would be appropriate. It noted the terms of paragraph 21.5 of the ISG which states:

“Conditional registration may be appropriate when most, or all, of the following factors are apparent (this list is not exhaustive):

1. *No evidence of harmful deep seated personality or attitudinal problems.*
2. *Identifiable areas of registrant's practise in need of assessment or retraining.*
3. *Evidence that registrant has insight into any health problems and is prepared to abide by conditions regarding medical condition, treatment and supervision.*
4. *Potential and willingness to respond positively to retraining.*
5. *Patients will not be put in danger either directly or indirectly as a result of conditional registration itself.*
6. *The conditions will protect patients during the period they are in force.*
7. *It is possible to formulate appropriate and practical conditions to impose on registration and make provision as to how conditions will be monitored."*

34. The Committee noted that the Registrant did not engage with the Council with regard to the substantive hearing and has not engaged with the Council since that time. In these circumstances the Committee was not satisfied that appropriate conditions could be formulated which would sufficiently protect the public. The Committee therefore decided that an order for conditional registration was not appropriate or sufficient.

35. The Committee then went on to consider whether a suspension order would be an appropriate sanction. The Committee noted the terms of the ISG dealing with when suspension may be an appropriate sanction.

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

1. *A serious instance of misconduct where a lesser sanction is not sufficient.*
2. *No evidence of harmful deep-seated personality or attitudinal problems.*
3. *No evidence of repetition of behaviour since incident.*
4. *The Committee is satisfied the registrant has insight and does not pose a significant risk of repeating behaviour.*
5. *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."*

36. The Committee noted that the Registrant's persistent lack of insight and engagement was relevant to the question of whether a suspension order was appropriate. It kept in mind the advice it had received that it was not appropriate to continuously extend substantive orders in the hope that a registrant might eventually engage.

37. However, the Committee noted that:

- a. this was the first review of the substantive order imposed in March 2023.
- b. the period of non-engagement should be viewed in the context of an otherwise lengthy career.
- c. it had no information as to why the Registrant had not engaged thus far.

38. Before coming to a final decision on suspension the Committee considered the more restrictive option of erasure. The Committee kept firmly in mind that the purpose of sanction was to protect the public and uphold the wider public interest. It came to the view that to impose a sanction of erasure would be disproportionate and punitive at this time.
39. Taking all of this into account, the Committee determined that a suspension order was appropriate and proportionate.
40. The Committee next considered the length of the suspension order.
41. The Committee decided that the order should be for the maximum period of twelve months. In coming to this view, the Committee acknowledged that it would be wrong in principle for the Registrant to be subject to a suspension order in the hope that she might eventually engage. However, having considered this, the Committee concluded that a further period of 12 months would provide the Registrant with a reasonable period to consider whether she wishes to remain on the register and to begin to take steps to remediate the issues identified in her practice, if so minded.
42. The Committee decided that the suspension order should be reviewed before it expires.
43. Whilst this Committee cannot bind a future Committee it records for the Registrant's benefit its expectation that at the next review serious consideration may be given to erasure if there has been no further engagement from the Registrant.
44. A review hearing will be held between four and six weeks prior to the expiration of this order. The Review Committee would be assisted by:
 - a. The Registrant's engagement and attendance at the review hearing.
 - b. A statement from the Registrant with her reflections on the Committee's decision.
 - c. Any training or CPD undertaken relating to the Committee's findings.
 - d. Information from the Registrant about her current professional circumstances and any steps she has taken to keep her knowledge and skills up to date.
45. The next Review Committee will need to be satisfied that the Registrant:
 - a. has fully appreciated the gravity of the offence,
 - b. has not re-offended and has maintained her skills and knowledge and,

- c. that the Registrant's patients will not be placed at risk by resumption of practice or by the imposition of conditional registration.

46. The Committee has therefore determined that the Registrant shall be suspended from the register for a further period of 12 months with a review.

2nd Sub Review – 7 March 2025

47. The Committee was invited by the Council to determine this second substantive order review. The Registrant was not present at today's hearing and was not represented. Ms Johnson appeared on behalf of the Council.

Preliminary matter

48. The Committee noted that there was a clerical error of the first page of the Substantive Hearing decision completed on 20 March 2023. The Hearings Officer was recorded in error as "Ms Helen Lampka". The Hearings Officer in the Substantive Hearing in March 2023 was Mr Lee Wood.

Proof of Service

49. The Committee heard from Ms Johnson who referred the Committee to the 13 page "Service of Hearing" bundle and invited the Committee to find that service had been effected in accordance with the Rules.

50. The Council was required to satisfy the Committee that the documents had been served in accordance with Section 23A of the Opticians Act 1989 and Rule 61 of the Fitness to Practise Rules 2013. The Committee accepted the advice of the Legal Adviser.

51. The Registrant was served with the notice of hearing by post on 28 January 2025, a method permitted by Section 23A and Rule 61 of the Fitness to Practise Rules 2013. The Committee had regard to the contents of the notice, which included the date of this review, together with the requirements set out in Rule 56 and Rule 28(1)(b) to (e), namely the right to attend and be represented, the power of the Committee to proceed in absence, the right of the Registrant to adduce evidence, and the Committee's powers of disposal. The Committee was satisfied that service of the notice of hearing had been effected and had sight of the proof of delivery receipt dated 29 January 2025 which the Committee took as a "*confirmation of posting issued by or on behalf of the Post Office, or other postal operator or delivery service*" in accordance with Rule 61(1)(a).

52. Ms Johnson advised the Committee that the address on the notice of hearing matched the one on record for the Registrant. The Committee requested confirmation from Ms Bance (the Hearings Officer), who verified that this information was correct.

53. The Committee was satisfied that notice was served in accordance with the Rules and that all reasonable efforts had been made to notify the Registrant of the hearing.

Proceeding in the absence of the Registrant

54. The Committee heard an application from Ms Johnson on behalf of the Council for the matter to proceed in the Registrant's absence. The Committee heard submissions from Ms Johnson and accepted the advice of the Legal Adviser.

55. The Committee considered whether it would be in the public interest to proceed in the Registrant's absence in accordance with Rule 22. The Committee noted that the Registrant had not responded to any of the Council's correspondence dated 18 December 2025, 6 January 2025, 28 January 2025, 19 February 2025, 26 February 2025 and 3 March 2025 with respect to this review hearing.

56. The Committee took account of the case of *General Medical Council v Adeogba [2016] EWCA Civ 2348* and was mindful that the discretion to proceed in the Registrant's absence must be exercised with the utmost care and caution. In deciding whether to proceed in the absence of the Registrant, the Committee carefully weighed its responsibilities for ensuring public protection and the proportionate, expeditious disposal of this hearing with the Registrant's right to a fair hearing.

57. In the circumstances, the Committee considered that the Registrant had voluntarily absented herself. The Committee noted that the Registrant has not requested an adjournment of today's review. Based on the Registrant's current and past lack of engagement with the Council, the Committee was not satisfied that granting an adjournment would ensure her attendance at a future hearing.

58. The Committee was mindful that this hearing is a mandatory review of a suspension order currently in place which is due to expire on 21 April 2025 and there is a public interest in the proportionate, expeditious disposal of this hearing.

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

Findings regarding Impairment

60. For the purpose of the Review, the Committee has sight of the following documentation:

- a. A bundle submitted on behalf of the Council consisting of 88 pages;
- b. A Service of Notice of Hearing bundle on behalf of the Council consisting of 13 pages; and
- c. A skeleton argument on behalf of the Council, dated 18 February 2025.

61. The Committee heard submissions from Ms Johnson, on behalf of the Council, who summarised the background of the case and the findings of the earlier Fitness to Practise Committees. Ms Johnson reminded the Committee that it was not bound by the view of any earlier Committee and must make its own judgement based upon all of the information before it today.
62. Ms Johnson submitted that the Council's position was that the Registrant's clinical failings remained of serious concern and presented a risk of harm to patients. Ms Johnson reminded the Committee that at the substantive hearing the Committee had found the Registrant's conduct was potentially remediable, and that the length of the suspension would enable the Registrant to reflect and prepare evidence for any reviewing Committees going forward.
63. Ms Johnson submitted that the Registrant has not engaged with the Council since the last review hearing and has provided no evidence of active engagement with any remediation or the suggestions of the first Substantive Review Hearing Committee in March 2024.
64. Ms Johnson reminded the Committee that there is a persuasive burden on the Registrant to demonstrate that she has engaged in some steps to alleviate the concerns of the previous review hearing Committee. Ms Johnson submitted that there have been no significant changes since the previous review hearing in March 2024 or the substantive hearing in March 2023. Given that the Registrant's misconduct was directly related to clinical failures involving patient care with actual harm to at least one patient, she highlighted that there continues to be a substantial risk of harm to patients.
65. The Committee heard and accepted the advice of the Legal Adviser who advised that upon review the Committee will need to consider impairment afresh (*Clarke v GOC* [2017] EWHC 521 (Admin)). She advised that the question of impairment was a matter for the Committee's independent judgement taking into account all of the evidence it has seen and heard so far, and that a finding of impairment does not automatically follow a finding of misconduct - outlining the relevant principles set out in *Cohen v GMC* [2008] EWHC 581 (Admin). The Legal Adviser referred the Committee to the case of *Azzam v GMC* [2008] EWHC 2711 (Admin), and asked it to consider facts material to the practitioner's fitness to practise looking forward, and for that purpose to take into account evidence as to her present skills or lack thereof and any steps taken, since the conduct criticised, to remedy any defects in skill.
66. The Legal Adviser referred the Committee to the test for considering impairment as set out by Dame Janet Smith in the fifth report of the Shipman Inquiry (para 25.67), and cited with approval in the case of *CHRE v NMC & Paula Grant* [2011] EWHC 927 (Admin). The Legal Adviser reminded the Committee that there is a persuasive burden on the practitioner at a review hearing to demonstrate that they have fully acknowledged why their past professional performance was deficient.

67. The Committee noted that the focus of a review hearing is upon the current fitness of the Registrant to resume unrestricted practice, judged in light of what they have, or have not, done since the substantive hearing and whether they remained currently impaired.
68. The Committee identified that the misconduct found proved concerned serious clinical failures which resulted in the risk of harm to patients and actual harm to Patient W who suffered some permanent sight loss. Whilst in principle the Committee considered this conduct remediable, there was no evidence from the Registrant to demonstrate that it had been remediated, and therefore the Committee was concerned that a risk of repetition remained. The Committee was of the view that, due to the length of time the Registrant has been out of practice, combined with the lack of any evidence of remediation or insight, the risk presented to patients has now increased.
69. The Committee was mindful that the onus at a Review hearing was on the Registrant to demonstrate that she is no longer impaired and in effect there is a persuasive burden upon her to show that she is currently fit to practise unrestricted. Given the absence of any evidence of remediation, the Committee was not satisfied that the Registrant had discharged that persuasive burden and there remains, at this time, a risk of repetition.
70. The Committee determined that the Registrant's conduct breached the fundamental tenets of the profession and fell far below the expected standards, specifically in relation to Standards 6, 7, and 8 of the Council's Standards of Practice for Optometrists and Dispensing Opticians.
71. The Committee determined that there has been a clear lack of motivation on the part of the Registrant to engage with the necessary steps to demonstrate remediation. As such there remains in the Committee's view, a risk to the public, and a finding of impairment was required on public protection grounds. Furthermore, the Committee concluded that the public interest necessitated a finding of current impairment on public interest grounds, because if a well-informed member of the public was aware of the facts and history of this case, they would be concerned if no finding of impairment was made.
72. Accordingly, the Committee found that the fitness of the Registrant to practise as an optometrist is currently impaired.

Sanction

73. Having decided that the Registrant's fitness to practise is impaired, the Committee next considered what direction it should make pursuant to s13F(13) of the Act. The Committee heard submissions from Ms Johnson on behalf of the Council.
74. Ms Johnson submitted that the Committee should begin with an assessment of the least restrictive sanction and work up to the most serious. Ms Johnson reminded the Committee of the first review Committee's comments in the March 2024

hearing. Namely that the Review Committee would be assisted by: a) the Registrant's engagement and attendance at the next review hearing; b) a statement from the Registrant with her reflections on the Committee's decision; c) evidence of any training or CPD undertaken relating to the Committee's findings; and d) information from the Registrant about her current professional circumstances and any steps she has taken to keep her knowledge and skills up-to-date.

75. Ms Johnson highlighted that the Registrant's clinical failures, coupled with the ongoing lack of meaningful engagement with the Council for a number of years, have elevated the seriousness of the issues. She submitted that any sanction other than erasure would be ineffective in the circumstances, as there is no indication that the Registrant will engage going forward. Ms Johnson directed the Committee to the case of *Unozor v Nursing and Midwifery Council* [2016], advising that it serves as authority for the principle that it is inappropriate to repeatedly extend substantive orders in the hope that a registrant may eventually choose to engage.
76. The Committee heard and accepted the advice of the Legal Adviser who referred to Section 13F - 13H of the Opticians Act 1989 and paragraphs 21 -23 of the Council's Indicative Sanctions Guidance (ISG). She advised that the purpose of imposing a sanction is not to punish the Registrant but to protect patients and the wider public interest. It is for the Committee to form its own judgement, and to consider the least restrictive sanction first, and where not appropriate or proportionate, to move to the next available sanction in ascending order. Sanctions are not designed to punish although they may well have a punitive effect.
77. The Committee considered the sanctions available from the least restrictive to the most severe as set out in the ISG. The Committee was mindful that the purpose of imposing a sanction is not to punish the Registrant but to protect patients and the wider public interest. The Committee applied the principle of proportionality by weighing the Registrant's interests against the wider public interest.
78. The Committee reflected on *Bolton v Law Society* [1994] 1 WLR 152, where it was stated that "*the reputation of the profession is more important than the fortunes of any individual member. Membership of a profession brings many benefits, but that is a part of the price*".
79. The Committee was of the view that in light of the absence of any evidence of remediation and of any insight, it would neither be appropriate nor proportionate to make no order. Furthermore, there were no exceptional circumstances that would justify taking no action.
80. The Committee considered that a financial penalty order was not appropriate in this case.

81. The Committee next went on to consider whether a conditions of practice order was a sufficient and proportionate response to the risks identified. The Committee had regard to Paragraph 21.25 ISG, which states conditional registration may be appropriate when most, or all, of the following factors are apparent (not an exhaustive list):

- a. No evidence of harmful deep-seated personality or attitudinal problems*
- b. Identifiable areas of registrant's practise in need of assessment or retraining*
- c. Evidence that registrant has insight into any health problems and is prepared to agree to abide by conditions regarding medical condition, treatment, and supervision*
- d. Potential and willingness to respond positively to retraining*
- e. Patients will not be put in danger either directly or indirectly as a result of conditional registration itself*
- f. The conditions will protect patients during the period they are in force*
- g. It is possible to formulate appropriate and practical conditions to impose on registration and make provision as to how conditions will be monitored.*

82. The Committee is of the view that, when considering the full extent of the misconduct and the Registrant's lack of engagement with her regulator, conditions would not be an appropriate or proportionate response to protect the public from risk of harm. Due to the absence of any information on the Registrant's current position, the Committee was unable to assess the workability of any conditions that could be put into place.

83. The Committee went on to consider the appropriateness of a suspension order with reference to Paragraph 21.29 ISG:

- 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 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.*

84. The Committee considered that since March 2023 (at the very least), the Registrant has failed to provide any evidence of remediation or insight. The Committee considered the continued lack of engagement as significant, particularly given that the Registrant has now been out of practice for a number of years. The Committee noted that there was no meaningful engagement from the Registrant during the past year despite very detailed advice set out by the previous review Committee to aid the Registrant at a future hearing and her potential return to practice.

85. The Committee determined that the Registrant has not presented any evidence of insight or remediation and, as a result, there remains a significant risk of the Registrant repeating the behaviour that led to the misconduct. Consequently, the Committee is satisfied that this case does not meet the criteria for suspension outlined in paragraph 21.29 of the ISG. While the Committee acknowledged that the list is not exhaustive, it was not persuaded that the Registrant would use an additional period of suspension to engage meaningfully with her regulator, provide evidence of remediation or to develop insight, given that the last two suspension periods had passed without any progress whatsoever.
86. The Committee concluded that a further period of suspension was not an appropriate or proportionate sanction in all the circumstances.
87. The Committee went on to consider erasure with reference to Paragraph 21.35 ISG as to when this sanction may be appropriate:
- a. serious departure from the relevant professional standards as set out in the standards of practice for registrants and the code of conduct for business registrations;*
 - b. Creating or contributing to a risk of harm to individuals (patients or otherwise) either deliberately, recklessly or through incompetence, and particularly where there is a continuing risk of harm to patients;*
 - c. abuse of position/trust particularly involving vulnerable patients or violation of the rights of patients;*
 - d. Offences of a sexual nature, including involvement in child pornography;*
 - e. Offences involving violence;*
 - f. Dishonesty especially where persistent and covered up;*
 - g. Repeated breach of the professional duty of candor, including preventing others from being candid, that present a serious risk to patient safety; or*
 - h. persistent lack of insight into seriousness of actions or consequences.*
88. The Committee determined that sub-paragraphs (a), (b), and (h) are all engaged in this case. The Committee considered the Registrant's clinical failures to be serious, with Patient W suffering actual harm, including some permanent sight loss, and the potential risk of harm to several other patients. The Committee also recognised the ongoing lack of evidence demonstrating any insight or remediation during the substantive hearing in March 2023 and the review hearing in March 2024. The Committee identified this as an aggravating factor in the circumstances.
89. The Committee was mindful that the Registrant has had a long and otherwise unblemished career, and considered this a mitigating factor.
90. The Committee also acknowledged that the previous review Committee in March 2024, while not binding any future Committee, had been specific and clear in stating that erasure may be a serious consideration if there was no further

engagement from the Registrant. The Registrant would have received a copy of the first review decision and would have been aware of this warning issued by the previous review Committee. Despite this, the Committee noted that there was still no action taken by the Registrant.

91. The Committee considered the overarching objective, namely: to protect, promote and maintain the health, safety and wellbeing of the public; to promote and maintain public confidence in the profession; and to promote and maintain proper professional standards and conduct for members of that profession. The Committee concluded that erasure was the proportionate sanction to uphold this objective.
92. Accordingly, the Committee determined that a sanction of erasure be imposed upon the Registrant.
93. The Committee then went on to consider whether the order should be imposed immediately. The Committee is satisfied that there are grounds for the immediate imposition of an order of erasure and that doing so is necessary in the wider public interest.

Chair of the Committee: Julia Wortley

Signature



Date: 7 March 2025

Registrant: Helen Lampka

Signature Received via e-mail

Date: 7 March 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
<p>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.</p> <p>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).</p> <p>Further information about the PSA can be obtained from its website at www.professionalstandards.org.uk or by telephone on 020 7389 8030.</p>
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.