

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

**GENERAL OPTICAL COUNCIL**

**IO(07)03**

**AND**

**MALCOLM COATES (01-22307)**

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**DETERMINATION OF APPLICATION FOR AN INTERIM ORDER  
- 10 AUGUST 2007 -**

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**Application**

“The registrant has applied to exclude the report of the assessment on the grounds that Rule 11 of the Fitness to Practise Rules has not been complied with.

The Committee has carefully considered this application and in particular it has examined the assessment report and the covering letter signed by both assessors.

The Committee is satisfied that each of the assessors has completed an assessment and has sent a report of the assessment to the parties as required by Rule 11.

The Committee is further satisfied that by signing to the joint report each assessor was confirming that the content of that document fully reflected his own conclusions and opinions. Had this not been the case, the Committee has no doubt that the assessors would have said so whether by way of a rider to the joint report or by way of a separate report.”

**Decision of the Committee**

The Fitness to Practise Committee considered an application for an Interim Order made by the Council and decided as follows:

“When making its decision, the Committee had before it the following material:

1. The assessment report by Mr Gohil and Mr Breakspeare;
2. The report by Mr Lyndon Taylor;
3. The references relating to Mr Coates;
4. Mr Coates’s oral evidence to the Committee;
5. Mr Coates’s CET record.

Having carefully considered that evidence, the Committee is satisfied that there may be deficiencies in Mr Coates's fitness to practise, but whether or not his performance has been deficient is for the Committee to determine at the substantive hearing. On the basis of the evidence before it today, however, the Council has not established to the Committee's satisfaction that Mr Coates poses such a risk to the public and/or to patients as to justify an interim order against him."

**Chairman of the Committee: Francesca Jones**

Signed \_\_\_\_\_ Date 10 August 2007

**Registrant: Malcolm Coates**

Signed \_\_\_\_\_ Date 10 August 2007