

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

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**F(07)05**

**AND**

**ROBERT RANDAL DAVIES (01-22396)**

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**DETERMINATION OF THE INQUIRY: 19 JULY 2007**

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**Adjournment application**

The registrant contacted the Council during the afternoon of 17 July 2007 indicating that he was not well enough to travel from South Wales to attend today's hearing. He asked that the hearing be postponed until he was feeling better. In these circumstances we have treated this as an application to adjourn. The Council's legal representative relied heavily upon the absence of any medical evidence substantiating that the registrant was too ill to attend proceedings. We note that the registrant said that he intended to see his GP the following day (18 July) and was advised that he "should try to obtain a letter from his GP to support his medical condition" and that such evidence "would be beneficial to his case". At the time the hearing commenced no further communication had been received from Mr Davies or anyone on his behalf. We have considered carefully the various matters to which we should have regard as set out in the case of *R-v-Jones*.

We have considered carefully all the evidence and submissions made and have received advice from the Legal Adviser. Whilst there is plainly a public interest that these proceedings are brought to a conclusion, we consider that the proceedings should be adjourned in the interests of justice.

It is plainly in the public interest that the proceedings should be heard as soon as possible. In order that a date for the hearing can be arranged the Committee directs that the registrant provides medical evidence by 12 p.m. on 6 August 2007 which sets out the nature of his illness and states when, in the opinion of the medical practitioner, the registrant will be fit to attend. A further date for the hearing will then be made.

**Chairman of the Committee**

**Signed** .....

**Date:** 19 July 2007