

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

GENERAL OPTICAL COUNCIL

F(07)14

AND

LEO MARTIN THRELFALL (D-9091)

DETERMINATION OF THE INQUIRY: 17 SEPTEMBER 2007

On 17 September 2007, the Fitness to Practise Committee of the General Optical Council met to consider the following allegation against Leo Martin Threlfall:

APPLICATION

Having heard the submissions by the Presenting Officer which were unopposed in this case that the public should be excluded from the substantive hearing of the allegation and having considered the Council's Rules and the general law, we have concluded that balancing the interests set out in Rule 23(2), including the public interest, the hearing must be held in private.

We have considered carefully whether it might be possible to hear part of the matter in private and part in public, but we were satisfied that it would be difficult to separate the issues in this way such as to enable us to hear the matter properly and fairly without revealing directly or indirectly the matters that we consider should be heard privately.

ALLEGATION

The Council alleges that the fitness to practise of Leo Martin Threlfall (a registered dispensing optician) is impaired in that:

1. On 24 November 2006 at Liverpool Crown Court Mr Threlfall was convicted upon indictment of two counts of sexual assault on a female by penetration, one count of attempted assault by penetration and one count of assault occasioning actual bodily harm, for which offences he was, on 20 December 2006, sentenced to a period of imprisonment of six years and six months.

AND by reason of the facts set out above, Mr Threlfall is guilty of misconduct.

DETERMINATION

Findings in relation to the particulars of the allegation

The Committee found the particulars of the allegation admitted and proven.

We were told additionally that the Registrant had been ordered to have his name placed on the Sex Offenders' Register for life. These crimes in any circumstances are very grave offences. A conviction for so serious a series of offences damages public confidence in his reputation, in the profession itself and the maintenance of proper professional standards and because of this we found Mr Threlfall guilty of misconduct.

Findings regarding impairment

The Committee found that the fitness of Mr Threlfall to practise as a dispensing optician is impaired because of the grave effect on his reputation and that of the profession caused by the fact of the convictions of indictment, the full circumstances of those convictions, and the lengthy sentence of imprisonment imposed by the Court.

Further order

The Committee gave full and careful consideration to the mitigation advanced most thoroughly and carefully by Ms Hewson including the particular circumstances of the offences and of Mr Threlfall himself including his background and his behaviour since the offences, including his pleas of guilty. Nevertheless, in view of the seriousness of the criminal offences and the damage they must do to public confidence in the profession the Committee considered erasure the least possible direction that could be made in all the circumstances. Accordingly, the Committee has decided that Mr Threlfall's name must be erased from the register with immediate effect in the public interest.