Dear Professor Paul Trummel,

Thank you for your emails of 14 September 2014.

I have been asked to consider your request for the GOC to investigate a criminal complaint concerning your attendance at Houghton Opticians on 19 August 2014. Your email describes that you were subject to a blinding flash in your left eye when an assistant took a photograph during your preliminary examination; as a result, you suffered headaches, sleeplessness, vision distortion and sickness. You suggest that this may amount to common assault and/or assault occasioning actual bodily harm.

The GOC

As you are aware, the General Optical Council is the statutory regulator for the optical professions and optical businesses in the UK. The GOC has four core functions:

- Setting standards for optical education and training, performance and conduct
- Approving qualifications leading to registration
- Maintaining a register of individuals who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians
- Investigating and acting where registrants’ fitness to practise, train or carry on business is impaired.

In addition to these core functions, we can investigate and prosecute criminal offences where this would assist the GOC to protect and promote the health and safety of the public. The GOC does not have any statutory prosecution powers, so any prosecution would have to be brought as a private prosecution in the same way as a private individual. As you are also aware, the GOC has a protocol for the investigation and prosecution of criminal offences, a copy of which I attach for ease of reference.

The Protocol

This GOC’s protocol governs investigations and prosecutions of suspected offences under the Opticians Act 1989 as amended by the Opticians Act 1989 (Amendment) Order 2005 and related legislation (“the Act”). In addition to offences created by the Act, the GOC may consider other allegations that are relevant to its remit.

The first stage, on receipt of a complaint, is an initial screening by the GOC’s Registrar (or her delegate), who must decide whether it may be appropriate for the GOC to investigate or prosecute the matter. In relation to complaints that do not arise directly out of the Act, the Registrar will consider whether there is an indirect connection with the requirements of the Act: for example, allegations of obtaining registration by providing false information or breaching a court order to produce a document requested under the Act.

Your Complaint

In this case, the Registrar is of the view that the GOC should not investigate your complaint further.

The reason for this decision is that the facts of your complaint do not relate to an offence created by the Act, either directly or indirectly. The GOC’s primary concern relates to enforcing the requirements of the Act, and the Registrar is not satisfied that this complaint is sufficiently close to these requirements.

It remains open to you to report this matter to the police, and you may wish to do so as soon as possible, given that strict time limits apply to summary offences such as common assault and battery.

I appreciate that this may not be the outcome you were hoping to receive but I hope you understand our reasons. Please do not hesitate to telephone me if you would like to discuss this decision further, or if you have any queries about the GOC’s processes.

Please note that this response relates only to the criminal prosecution protocol aspect of your complaint. We will respond separately in due course regarding the fitness to practise aspect.
Dear Prof Trummel

Thank you for your emails to me of 29 September and 4 October, as well as your email (below) to Lisa Sparkes of 9 October.

I note that you disagree with the decision communicated in my email of 15 September, that you would like more detailed reasons for that decision and that you would like the GOC to inform the police of your complaint concerning an assault.

I have asked the Registrar to review the decision not to take any further action on your complaint of assault. This review will take place next week, and I will report to you as soon as possible thereafter. I expect to be able to provide you with a substantive response by Wednesday 22 October 2014.

Your email of 9 October refers to the Solicitors Regulatory Authority and the Legal Ombudsman. If you wish to check my record with the SRA, my identification number is 162819.

Kiran Gill
Ms Kiran Gill
Head of Legal Compliance
General Optical Council
41 Harley Street
London
W1G 8DJ
Tel: +44 (0)20 7307 3931
Fax: +44 (0)20 7307 3525
Email: KGill@optical.org
Web: www.optical.org

From: Paul Trummel [trummel@contracabal.org]
Sent: 09 October 2014 1:18 AM
To: Lisa Sparkes
Cc: Keith Watts; Kiran Gill
Subject: Freedom of Information Requests - 880-07-14

Lisa Sparkes, Accreditation & Quality Officer
General Optical Council

You have arbitrarily changed my request which is not acceptable. I am a first-party in this matter and entitled to receive all documents applicable to my case under DPA. I consider the change as another disingenuous manipulation of disclosure information to delay and deny process and will not tolerate arbitrary redactions or exemptions. Any more obstruction by Kiran Gill and her sycophants will result in a complaint to SRA/LeO against her claiming unlawful withholding of disclosure documents and misconduct in public office.

I now request an independent internal review of both document requests in accordance with ICO criteria.

Request:

Please send (by email attachment) copies of all correspondence, forensic reports, hearing transcripts, medical records and all other documentation relative to the complaint about Houghton Opticians. If anything is considered as an exemption under FOIA, then send it in accordance with first-party criteria under DPA.

Response:

Your request will now be considered in accordance with the Freedom of Information Act 2000 (the Act.) You will receive a response within the statutory time-scale of 20 working days as defined by the Act, subject to the
information not being exempt or containing a reference to a third party. In some circumstances The GOC may be unable to achieve this deadline. If this is likely you will be informed and given a revised time-scale at the earliest opportunity.

Please provide a recipient name, sort code and account # for the transmission of any fees.

Moreover, the correct form of address is either Paul Trummel, Professor Emeritus or Professor Paul Trummel: use it.

Paul Trummel, Professor Emeritus.

From: Lisa Sparkes <lsparkes@optical.org>
Date: 8 October 2014 10:32:00 GMT-4
To: Paul Trummel <trummel@contracabal.org>
Subject: Freedom of Information Requests

Dear Mr Trummel,

Please find attached two acknowledgement letters for your requests for information under the Freedom of Information Act 2000 received on the 4/5 October 2014.

Lisa Sparkes
Mrs Lisa Sparkes
Accreditation & Quality Officer
General Optical Council
41 Harley Street
London
W1G 8DJ