

STRICTLY PRIVATE & CONFIDENTIAL

CORU

INQUIRY UNDER PART 6
OF THE HEALTH and SOCIAL CARE PROFESSIONALS ACT 2005

RE: MR. VARGHESE VADAKKEKKEECHERI DEVESIA - RA 023959

TRANSCRIPT OF HEARING
HELD REMOTELY BEFORE THE COMMITTEE
VIA MS TEAMS
ON
FRI DAY, 6TH DECEMBER 2024

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ATTENDANCES

COMMITTEE MEMBERS: MR. SHANE McCARTHY - CHAIRPERSON
MS. VICKY CAHALANE
MS. ESTHER PURCELL

LEGAL ASSESSOR: MR. THOMAS HOGAN SC

FOR THE REGISTRAR: MR. J. P. McDOWELL
SOLICITOR
FIELDFISHER IRELAND LLP

FOR THE REGISTRANT: NO APPEARANCE

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1 THE HEARING COMMENCED, AS FOLLOWS, ON FRIDAY,
2 6TH DECEMBER 2024

3
4 CHAIRPERSON: Good morning. This is an Inquiry
5 convened under Part 6 of the Health and Social Care
6 Professionals Act 2005 in respect of Varghese
7 Vadakkekkecheri Devesia, registered radiographer,
8 registration number RA 023959.

9
10 This Inquiry will be conducted in public. The
11 recording or live streaming of this inquiry is strictly
12 prohibited. No one is permitted to make any video or
13 audio or other recording or image whatsoever of any
14 part of this Inquiry. This prohibition includes a
15 photograph, screenshot or screen grab, and all like or
16 related mechanisms. My name is Shane McCarthy and I am
17 a layperson. I am not a registrant of CORU. I am
18 Chairperson of this Committee. As Chairperson, I am
19 responsible for the conduct of this hearing. I will
20 begin by introducing the other members of this
21 Committee of Inquiry. Ms. Esther Purcell is a
22 registered professional medical scientist; Ms Vicky
23 Cahalane is a registered professional radiographer. Mr
24 Thomas Hogan, senior counsel, is the legal assessor to
25 the Committee.

26
27 The legal assessor is not a member of the Committee,
28 and the legal assessor's role is to assist and advise
29 the Committee in relation to legal issues that may

1 arise during the course of the hearing. The legal
2 assessor will provide his legal advice to the Committee
3 of Inquiry in the presence of everyone here today. I
4 will ask the parties to make submissions in relation to
5 the legal assessor's advice when tendered.

6
7 I intend to conduct this Inquiry in accordance with the
8 natural and constitutional justice procedures and in
9 accordance with fair procedures. During the Inquiry I
10 request the parties or their legal representatives for
11 the parties when making any submissions to the
12 Professional Conduct Committee to address them to me as
13 Chairperson.

14
15 The Committee may retire to make its decisions in
16 camera and will consider the submissions made and any
17 legal advice from the legal assessor. This Inquiry is
18 being held in public and I will now proceed to take
19 appearances from the parties.

20 MR. McDOWELL: Good morning, Chair and Committee
21 members. My name is J.P. McDowell. I am a solicitor
22 appearing on behalf of the Registrar. You will note
23 that there is no appearance by or on behalf of the
24 respondent and I can deal with that issue in due
25 course, Chair.

26 CHAIRPERSON: well perhaps, Mr. McDowell, as there is
27 no appearance on behalf of the respondent you might
28 deal with it now?

29 MR. McDOWELL: Yes, Chair and I'll do so, if

1 convenient, by reference to a booklet of correspondence
2 between this firm and Mr. Devesia, if that's possible.
3 You should have a copy of that.

4
5 SUBMISSION BY MR. McDOWELL

6
7 MR. McDOWELL: If you turn to page 5 of that book,
8 you'll see a memo dated the 11th September and that's a
9 memo prepared by Ms. Cullen. I'll wait until --

10 CHAIRPERSON: If page five could be brought up on the
11 screen, please.

12 MR. McDOWELL: Yes, I don't think that's the right
13 book. The book is the book of correspondence between
14 Fieldfisher and Mr. Devesia.

15 CHAIRPERSON: I think that book is entitled Inter
16 Partes is the title of the book, Inter Partes
17 Correspondence.

18 MR. McDOWELL: You'll see that that was a memo prepared
19 by Ms. Cullen and she was ringing the mobile number
20 held by CORU in relation to Mr. Devesia and the
21 respondent confirmed that he was Mr. Devesia but then
22 went on to say that in fact he wasn't Mr. Devesia but
23 his son and he said his name was Alan, the line was
24 pretty poor, and he provided a number for his father
25 and you'll see that there's an email at page 6 from the
26 respondent and you'll see that he says:

27
28 "Greetings. Dear Ayesha, thank you for your invitation
29 to chat with you. Unfortunately, I'm not interested to

1 proceed further because my family issues. So my kind
2 request, remove my name from the register permanently
3 due to many reasons, physically and financially unfit
4 for work."

5
6 And then you'll see at page 8 a letter to Mr. Devesia
7 sent to him at his address by the Register and also at
8 his email address. Sorry, it's only sent by email and
9 we said -- I'm getting a little bit of feedback, Chair?

10 CHAIRPERSON: Yes, I think the person who was giving
11 you feedback is on mute, so continue please, Mr.
12 McDowell.

13 MR. McDOWELL: Thank you and you'll see that that
14 letter provides in the middle of the page:

15
16 "We note from the contents of your email of 12th
17 September that you wish for your name to be permanently
18 removed from the register of radiographers in Ireland."

19
20 And an undertaking/consent in that regard is furnished
21 to him in draft form and there were further, you'll see
22 at page 10, a further call takes place between Ms. Ryan
23 and, you'll see at three paragraphs:

24
25 "I asked if I was through to Mr. Devesia. The person
26 who answered the phone said no, Mr. Devesia is not here
27 at the moment."

28
29 And again this person confirmed that he was Alan, his

1 son and further efforts were made to try and contact
2 him. You'll see at page 13 an email from Mr. Devesia
3 wherein he says:

4
5 "Dear Ayesha, greetings from India. As per your above
6 email, I'm here attaching the signed consent, looking
7 forward to the voluntary removal confirmation."

8
9 And you'll see at page 14 the signed undertaking and
10 consent that he has provided. It's dated the 1st
11 October. It's signed and witnessed and he says he
12 "undertakes not to repeat the conduct, the subject
13 matter of the above complaint." He undertakes to
14 voluntarily remove his name from the register
15 immediately on the conclusion of the Inquiry and
16 provide evidence of same. He undertakes never to apply
17 for restoration to the register and he consents to
18 being censured.

19
20 And then there's further correspondence to him in
21 relation to him appearing before the Professional
22 Conduct Committee. He's provided with alternative
23 dates, the 6th and 9th of December, 6th being today,
24 the 9th being Monday, and he says at page 16, he says:

25
26 "Dear Ayesha,

27
28 I'm happy to hear from you. However, any date I will
29 accept and I want to remove my name from the register,

1 discrimination policy only for the paper. I faced the
2 discrimination in my real life in the UK healthcare
3 system and I have lost my credibility for the 33 years
4 for the professional and family life. So I'm not happy
5 to communicate further with CORU. Once again thanks
6 for your support."

7
8 And there's further correspondence. He says at page
9 18:

10
11 "Dear Ayesha, if it's the end of this I confirm to
12 attend remotely on the 6th or 9th December."

13
14 He's told at page 19 that the Inquiry is scheduled to
15 take place on the 6th December and he's provided with
16 further details in relation to that hearing and he's
17 provided at page 21 on the 23rd October with the core
18 book and further efforts are then made to contact him
19 throughout the end of October and the start of
20 November.

21
22 You'll see at page 26, for example, efforts to contact
23 him on various numbers that have been provided. You'll
24 see that various voicemails are left and then finally
25 you'll see some WhatsApp exchanges. You'll see that he
26 at one stage says:

27
28 "Greetings from India. My name is Alan Varghese, son
29 of Mr. Varghese who has been referred in your last

1 message. "

2
3 I think that what's happened here is that there are two
4 different numbers and one is for his son and one is for
5 him but the son seems to respond while he doesn't. He
6 says:

7
8 "I'm writing to elaborate my father's current
9 situation. "

10
11 Sorry, I'm at page -- I think it's 31.

12
13 "I'm writing to elaborate my father's current situation
14 where he's undergoing treatment for mental breakdown
15 due to physiological", he may mean psychological,
16 "torment from the HCPC and CORU. We, all the family
17 members including my sister and mother, were with him
18 in the UK while he was working in the Lincolnshire
19 County Hospital in 22 and 23. "

20
21 And you'll know Chair that this ultimately stems from
22 his period of practice as a radiographer in that
23 hospital. He says:

24
25 "I myself had witnessed the pain and agony my father
26 had gone through due to the personal, professional
27 revenge and racial discrimination by the Lincoln County
28 Hospital of Higher Authorities. We, my sister and me,
29 had to break our own studies between and had to come

1 back to India after my father resigned the job.
2 Yesterday I spoke to my father regarding your message
3 and he asked me to reply to it since he can't respond
4 to anybody at the moment. As for my father's opinion,
5 he didn't expect any justice from either CORU or the
6 HCPC and hence he is no more interested in any
7 communication or dealings with both these
8 institutions."

9
10 And then overleaf:

11
12 "Moreover, the last couple of weeks he has received a
13 mail from CORU asking to sign a consent form to end all
14 the proceedings and he did so. Therefore, kindly spare
15 him from any further proceedings since he's any more
16 interested in working under CORU or the HCPC."

17
18 And then there's further efforts to contact them
19 including, for example, a WhatsApp message at page 36
20 wherein it is said:

21
22 "Thank you for your message. Sorry to hear about the
23 toll that this has taken on your father. We have your
24 father's signed consent and undertaking. However,
25 usually the registrant giving the undertaking would be
26 expected to attend the hearing and give this orally to
27 the Committee so it is recorded in the transcript.
28 This is particularly so as the Committee may require a
29 variation on what was agreed. By your father not being

1 present remotely on the 6th December, there is a risk
2 that the Committee won't deal with the application as
3 your father will not be there to provide the
4 undertaking and consent. This is particularly relevant
5 in case the Committee wish to request variations on the
6 undertaking and consent.

7
8 Therefore, ideally your father would attend remotely on
9 the 6th December. Please confirm on or before one
10 o'clock tomorrow Irish time if your father will be
11 attending, will attend the hearing remotely. We
12 emailed your father the remote link to attend the
13 hearing via Microsoft Teams, but please let us know if
14 he has any difficulties accessing."

15
16 And then there's further efforts to contact him and
17 further emails sent as well.

18
19 So, Chair, that is the position regarding
20 communications with Mr. Varghese and his son in
21 relation to today's hearing. It is clear that he won't
22 be in attendance.

23 CHAIRPERSON: An email that you didn't open, Mr.
24 McDowell, was the one contained at page 35 of that
25 inter partes booklet that you might please address us
26 on.

27 MR. McDOWELL: Yes.

28 CHAIRPERSON: My reading of that is that the second to
29 last paragraph, is that he is informed that if he did

1 not attend today that the hearing would be adjourned?

2 MR. McDOWELL: Yes, yes.

3 CHAIRPERSON: So is your application now to proceed
4 even though he has been told that it'll be adjourned if
5 he's not in attendance?

6 MR. McDOWELL: Yes, my application is to proceed on the
7 basis that that position was varied in exchanges
8 thereafter.

9 CHAIRPERSON: Varied without correspondence back from
10 him?

11 MR. McDOWELL: Well, I don't think there had been any
12 correspondence from him at all until -- so that email
13 is dated the Friday, 29th November and the text
14 exchanges take place thereafter. So he's indicated, I
15 would submit, in his text exchanges that he's not
16 attending the hearing and --

17 CHAIRPERSON: The text message, the text exchange is
18 dated on what date?

19 MR. McDOWELL: I'm just looking at the -- so we have a
20 text exchange of page 20, page 30.

21 CHAIRPERSON: I'm sorry, whoever is operating the
22 screen share, could they please move that email down so
23 I can check the date on it, the email that's in front
24 of us at the moment. Friday, the 29th, at 10.57.

25 MR. McDOWELL: Yes, so if you look at the text exchange
26 which is the one that is on page 30. I think that was
27 a, you'll see the one at the bottom of that page which
28 is the reply. That was received on Friday, the 29th
29 November, which is the same day as the email to which

1 you refer but that email is timed at 10.57 and this was
2 a response that was received thereafter.

3 CHAIRPERSON: I'm questioning your timeline, Mr.
4 McDowell. It doesn't appear to me from the screen
5 that's being shown, perhaps it's just because we're
6 only getting a sliver of the text message but I can't
7 see the date on that. Perhaps you can point out to me
8 where that date is, because I just simply can't see it?

9 MR. McDOWELL: I'm not quite sure does the date come
10 out when you actually provide a WhatsApp message or you
11 photocopy it. I'm not sure that the date actually
12 appears and I'm just actually referencing my own phone
13 which is confirming to me that I received that text
14 from him on Friday, 29th November at, after two
15 o'clock.

16 CHAIRPERSON: Okay. I'm just looking at that text
17 message or WhatsApp or whichever it is, Mr. McDowell,
18 I'm wondering has there also been confusion created
19 with the opening paragraph where it references you
20 representing the Irish Medical Council as opposed to
21 CORU?

22 CHAIRPERSON: Yes, apologies, that may have caused
23 confusion, yes, but I think it's clear to him that he's
24 dealing with the people who are representing CORU in
25 his response.

26 CHAIRPERSON: So an unfortunate typo but no more. You
27 feel it hasn't created confusion to any greater degree
28 than that?

29 MR. McDOWELL: I don't think so, Chair.

1 CHAIRPERSON: okay. So your application is to proceed
2 in the absence?

3 MR. McDOWELL: I think it's clear to me, Chair, that
4 it's clear that Mr Devesia is not going to engage with
5 this process and he's not going to engage any further
6 than providing the consent and undertaking that he has.
7 So options for the Committee are to proceed today and
8 either deal with his application to come off the
9 register and perhaps reject it and proceed to hearing
10 and if you do proceed to hearing, Chair, I would submit
11 that it's clear from the engagement that we've had to
12 date with him that there's no possibility that he's
13 going to engage with this process.

14
15 He's now based in India. He doesn't seem to be well
16 according to his family, he's not engaging with the UK
17 Regulator. He's resigned from his post in the UK. The
18 UK regulatory process is at a bit of a standstill it
19 would seem. They haven't as yet completed their
20 determination under their Fitness to Practise regime.
21 All we know for certain as to what was happening in the
22 UK is that he remains suspended from their register.

23 CHAIRPERSON: Not putting words into your mouth but to
24 just try and move it down to a net issue for the
25 Committee, is the issue that we're currently dealing
26 with, whether it is appropriate in all of the
27 circumstances to proceed in the absence of the
28 applicant on today's date?

29 MR. McDOWELL: Yes, and I think that you're entitled to

1 do that. Obviously, your procedures provide at page 20
2 that where a registrant isn't present at the hearing,
3 the Committee may proceed with the hearing if it's
4 satisfied that all reasonable steps have been taken to
5 serve notice of the hearing. So I think if you look at
6 the correspondence in the round, Chair, I think it's
7 clear that he's been provided with notice of the
8 hearing. I agree it's not blemish free, but I think in
9 the round he understands that the hearing is going
10 ahead today. He doesn't want to participate. He is
11 not going to participate at any stage and in those
12 circumstances, I ask you to proceed and deal with the
13 application in relation to the undertaking and consent.
14 Obviously, that is a second matter.

15 CHAIRPERSON: We'll avoid conflating the two issues.
16 We will deal with this application first. What I'm
17 going to do is I'm going to ask Mr. Hogan to give the
18 Committee advice on the appropriate matters that we are
19 to consider in terms of the first net issue. The
20 Committee will retire and consider the matter but of
21 course, Mr. McDowell, on receipt of the advice from Mr.
22 Hogan you have the opportunity to comment on any advice
23 given.

24
25 LEGAL ADVICE

26
27 LEGAL ASSESSOR: Yes, thank you, Chair. I suppose that
28 the starting point is that a registrant has a general
29 right to be present at the hearing of an Inquiry into

1 their conduct. However, that right can be waived and
2 ultimately the Committee has a discretion as to whether
3 it continues in the absence of the registrant or
4 whether it postpones the Inquiry.

5 MR. ADEYANJU: My apologies for interrupting you. Can
6 I ask you to please put on your screen while you are
7 advising the Committee?

8 LEGAL ASSESSOR: Oh sorry, yes, my screen is on.

9 MR. ADEYANJU: We can't seem to see you.

10 LEGAL ASSESSOR: In my extra page I can see myself.

11 CHAIRPERSON: well we'll proceed. I don't think -- it
12 doesn't present a problem for either the Committee or
13 Mr. McDowell, I'm taking it that it doesn't present a
14 problem for you, that some technical problem seems to
15 be preventing Mr. Hogan visually appearing on our
16 screen?

17 MR. McDOWELL: No, that's fine, Chair.

18 LEGAL ASSESSOR: As I was saying, the Committee has a
19 discretion as to whether to continue in the absence of
20 a registrant and to continue with an Inquiry. Where a
21 registrant is unrepresented and possibly suffering from
22 a disability of some kind, obviously caution should be
23 exercised in proceeding in the absence of a registrant
24 but ultimately, fairness is the primary consideration
25 for the Committee. So the Committee must consider all
26 of the circumstances that have been outlined to it in
27 relation to the registrant's absence today, having been
28 given notice that the Inquiry would be proceeding
29 today, and that the Committee would be considering an

1 undertaking that had been proffered, a signed
2 undertaking that had been proffered by the registrant.

3
4 Unfortunately, it has to be said that the
5 correspondence with the registrant, despite the efforts
6 on behalf of Fieldfisher to make contact and to get
7 some sort of coherent response from the registrant
8 clearly was difficult and certainly the Committee may
9 come to the view that certainly the registrant is aware
10 that the matter was going to proceed today and
11 communicated a wish not to engage with the process any
12 further in the belief that having signed the
13 undertaking that he was requested to sign that, as far
14 as he is concerned, that is an end to the matter.

15
16 So in terms of proceeding, the Committee, as I say, has
17 a discretion to proceed in the absence of the
18 registrant if it is satisfied in the circumstances that
19 it would be fair to the registrant to do so. Those are
20 my advices.

21
22 CHAIRPERSON: Mr. McDowell, do you wish to comment on
23 those advices?

24
25 SUBMISSION BY MR. McDOWELL

26
27 MR. McDOWELL: Just to the extent, Chair, that I agree
28 with those advices. Ultimately, I think the Committee,
29 when making a decision as to whether to proceed or not,

1 will have to bear in mind that it is Mr. Devesia who
2 has prompted this hearing. He is the one who has
3 provided -- he initiated this wish to come off the
4 register. He's the one who suggested at the outset.
5 The Registrar has been facilitating that. He's the one
6 who's anxious to go ahead and therefore, I say
7 ultimately, it's no prejudice to him that this matter
8 proceeds in his absence, unless the Committee can
9 identify a prejudice to him. He's indicated that he
10 won't be there, that he doesn't want to be there and
11 whilst the Chair has identified an email that suggests
12 -- and this is the email that appears at page 35, it's
13 the email dated Friday, 29th November, and it's the
14 paragraph, the penultimate paragraph which says:

15
16 "If we do not hear from you the hearing on the 6th
17 December will be cancelled."

18
19 I mean that's unfortunate because it should have said
20 may be cancelled because that would be consistent with
21 what is said in the final email at page 39 in the third
22 paragraph where it says:

23
24 "It'll be a matter for the Committee to decide whether
25 to proceed in your absence and the attached booklet of
26 inter partes correspondence will be provided to the
27 Committee to assist them with their decision."

28
29 CHAIRPERSON: Could I ask whoever is controlling the

1 documents to please go back up to page 35 and I think
2 Mr. McDowell, as this email wasn't opened in full to
3 the Committee, it is worth reading it whereby it says:

4
5 "If we do not hear from you, the hearing on the 6th
6 December 2024 will be cancelled."

7
8 And I understand that you are saying that it would read
9 better if the word may had been used, but the rest of
10 that sentence doesn't lend itself to that
11 interpretation as it says:

12
13 "We will no longer proceed with the undertaking
14 proposal. You will instead be served with a Notice of
15 Inquiry before Christmas and the Inquiry will be
16 scheduled early in 2025."

17
18 I think it is more definitive than that it may be
19 cancelled. It sets out a clear alternative course.

20
21 MR. McDOWELL: Yes and I think my overall point, Chair,
22 is that it is Mr. Varghese or Mr. Devesia, who has
23 asked us to deal with this matter by way of a removal.
24 He wants this to proceed. He wants you to consider
25 this application. He doesn't want to be present, and
26 therefore, in the Registrar's respectful submission, it
27 seems sensible that you would at least consider that
28 today because there doesn't seem to be any reason in
29 his interest as to why you would give him an

1 opportunity to be present at the hearing in relation to
2 his application to be removed when he hasn't asked for
3 that and when he has asked us to proceed.

4
5 CHAIRPERSON: Okay. Mr. McDowell, you were commenting
6 on the advice that Mr. Hogan furnished to the Committee
7 and had -- except for making that point and other than
8 that you're agreeing with the advice. Am I correct in
9 saying that?

10 MR. McDOWELL: I said I agree with the advice, Chair,
11 yes.

12 CHAIRPERSON: Thank you very much. I'm now going to
13 ask my fellow Committee members do they have any
14 questions for Mr. Hogan arising from the advice. If
15 there are questions, Mr. McDowell, I will of course
16 give you the opportunity to comment further. Ms.
17 Purcell?

18 MS. PURCELL: No questions from me, Chair, thank you.

19 CHAIRPERSON: Thank you very much. Ms. Cahalane?

20 MS. CAHALANE: Can you hear me?

21 CHAIRPERSON: Yes?

22 MS. CAHALANE: I'm just kind of referring to that email
23 again, Shane, that you were talking about and actually,
24 in the last paragraph, it does say that we would
25 proceed. I know there's kind of two different messages
26 in that email. So the first one does say it won't go
27 ahead but the second says that it will go ahead, that
28 "the Inquiry can proceed in your absence in the event
29 that we do not hear back from you." So it is, the

1 whole thing is misleading because it says it will be
2 cancelled, then it will go ahead.

3 CHAIRPERSON: Is there a question, Ms. Cahalane?

4 MS. CAHALANE: I don't think we can take that sentence
5 there that it will be cancelled. You know I'm just
6 wondering why would they put in will be cancelled and
7 then put in that we will go ahead. Why are there two
8 conflicting pieces of information in there?

9 LEGAL ASSESSOR: Well, I suppose, Ms. Cahalane,
10 unfortunately the letter could be better drafted, but
11 you could also read it as suggesting that the hearing
12 on the 6th December will be cancelled and then you'll
13 be served with a Notice of Inquiry and then the Inquiry
14 will be scheduled in early 2025, and that Inquiry can
15 proceed in your absence in the event we don't hear back
16 from you. The correspondence is unfortunate.

17
18 As Mr. McDowell has outlined, it was followed up later
19 that day by WhatsApp messages with the registrant's
20 son, which confirmed that the matter would be going
21 ahead and obviously contact was made with his son but
22 yes, it is a difficulty in these cases where
23 registrants don't cooperate when they're being
24 communicated with and don't expressly say whether they
25 will appear or not appear and then the Committee is
26 left in a situation like this of having to decide
27 whether it's fair to proceed or not.

28 CHAIRPERSON: Well Mr. McDowell -- Ms. Cahalane, if
29 your question has been answered and Mr. McDowell, if

1 you don't have any further comments on the legal advice
2 tendered the Committee will proceed to deliberate in
3 private and we will adjourn the matter briefly and
4 we'll contact you as soon as we're in a position to
5 decide on the preliminary application.

6 MR. McDOWELL: Thank you, Chair.

7 MR. ADEYANJU: Thank you everybody. Thank you, Chair.
8 I'll ask everybody to kindly leave the meeting while
9 the Committee and the legal assessor remain online,
10 please. Every other member and the stenographer can
11 leave the meeting now, please.

12
13 BRIEF ADJOURNMENT

14
15 FOLLOWING A BRIEF ADJOURNMENT THE HEARING RESUMED
16 AS FOLLOWS:

17
18 DECISION

19
20 CHAIRPERSON: The Committee has carefully considered
21 the circumstances of the case, all of the inter partes
22 correspondence, the submissions on behalf of the
23 Registrar and the advice of the Legal Assessor. The
24 Committee has decided that it would not be fair or
25 appropriate to proceed with the Inquiry in the absence
26 of the Registrant on today's date. The reasons for the
27 Committee's decision are:

28
29 1. The Committee is cognisant of the fact that the

1 registrant is unrepresented and may be suffering from
2 mental health problems.

3
4 2. It does not appear to the Committee that any direct
5 and/or meaningful communication has been had from the
6 registrant as to whether he would participate in the
7 hearing.

8
9 3. The Committee is concerned that the correspondence,
10 and in particular the email to the registrant of the
11 29th November 2024 is confusing and could have led the
12 registrant to understand that the hearing would be
13 cancelled and the undertaking proposal would no longer
14 be proceeded with if he did not confirm by Monday, 2nd
15 December 2024 whether he would attend the Inquiry
16 remotely.

17
18 4. while the registrant may well not wish to appear
19 and engage with the process any further, he should be
20 given the opportunity to make this clear.

21
22 As the Committee will not be proceeding in the absence
23 of the registrant on today's date, Mr. McDowell, the
24 Committee proposes to adjourn the case for hearing to
25 Thursday, 6th March 2025. Is that a date that is
26 suitable for you?

27 MR. McDOWELL: Yes, Chair, that date is fine. Thank
28 you.

29 CHAIRPERSON: Can I check with the Secretariat of CORU

1 that Thursday, 6th March, is a suitable date for them?

2 MS. MURESAN: Yes, Chair, we can confirm that that date
3 is workable for us.

4 CHAIRPERSON: Okay. Well, as that concludes matters,
5 thank you all very much for your attendance and
6 co-operation with the hearing today.

7 MR. McDOWELL: Thank you, Chair. Thank you Committee
8 members.

9
10 HEARING CONCLUDED

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