

General Pharmaceutical Council v Lim

High Court of Justice Queen's Bench Division Administrative Court

[2019] EWHC 1699 (Admin)

Before: His Honour Judge Lickley QC (sitting as a deputy High Court Judge)

Thursday, 06 June 2019

Representation

Ms J. Holdsworth (instructed by The General Pharmaceutical Council) appeared on behalf of the Applicant.

The Respondent did not appear and was not represented.

Judgment

Judge Lickley QC:

1. This is an application by the General Pharmaceutical Council to extend an interim order that was originally made on 22 June 2017, under of Art.56 of The Pharmacy Order 2010 for a period of 12 months from 23 June 2019.
2. There is a lengthy history to this case but in short the respondent, Mr Lim, came to the attention of the applicants in June 2017 when his employers reported that he had been found to have stolen medicines from their pharmacy. The matter was reported to the Cheshire Constabulary. An allegation of theft was made. The medicines were worth over £3,000.
3. The respondent admitted his wrongdoing and was summarily dismissed. A dismissal letter has been provided (pp.94 - 95 of the bundle) informing him of that decision dated the 9 June 2017. It is now almost exactly two years later and the General Pharmaceutical Council have yet to deal with this matter as a disciplinary body.
4. I have read the witness statement served. The first interim order was made on 22 June 2017 for 12 months. It was extended by this court on 7 June 2018. As I say, that period has almost elapsed by one day. There were further reviews on 31 August 2018 and 15 February 2019. There has been no response from the respondent at all, at any stage of the proceedings, as I understand it. He is now in Malaysia. He is obviously not present today and is not represented.
5. I have pressed Ms Holdsworth as to why it has taken so long for this matter to proceed. She tells me now there is a desire, on the part of the General Pharmaceutical Council, to resolve this matter, to collect the relevant evidence from the police including the witness statements, to allow the respondent sufficient time to respond to the service of the material and the notice and for the matter to be resolved, hopefully, within six months. In those circumstances I am satisfied that it is necessary to protect the public, it is in the public interest or in respondent's own interest for the interim suspension to continue, but I do so for a period of only six months. That is from 23 June 2019 to 23 December 2019.

6. There is no application for costs and I do not make any order. Thank you.

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