

**GENERAL PHARMACEUTICAL COUNCIL**

**FITNESS TO PRACTISE COMMITTEE**  
**(Sitting as the DISCIPLINARY COMMITTEE**  
**UNDER THE PHARMACISTS AND PHARMACY**  
**TECHNICIANS ORDER 2007)**

129 Lambeth Road, London SE1 7BT

Thursday, 9 June 2011

Chairman: Mr Douglas Readings

Committee Members: Mr Peter Wrench

Mr Roy Fitzsimmons

Committee Secretary: Miss Georgia Conrad-Leigh

CASE OF:

**TAYLOR, Mark Robert**  
**(Registration Number 2039228)**

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**MR MARK MILLIN**, FTP Manager, advocacy, instructed by the Fitness to Practise & Legal Affairs Directorate, appeared on behalf of the General Pharmaceutical Council.

**MR MARK TAYLOR** was not present and was not represented.

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**Transcript from the stenograph notes of T A Reed & Co Ltd**  
**Tel No: 01992-465900**

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## DETERMINATION OF THE COMMITTEE ON SANCTION

The purpose of a sanction in proceedings brought against a registrant by a professional regulator is not to punish the registrant, but to protect the public, to maintain public confidence in the profession, and to declare and uphold proper standards of behaviour. Mr Millin on behalf of the Council said that Mr Taylor had demonstrated an inappropriate attitude towards his professional colleagues and his professional regulatory body. He suggested that the misconduct did not justify removal from the register, but that nothing less than an order for suspension would be sufficient to maintain public confidence in the profession.

The Committee has reached its decision independently of the Council, and independently of the registrant. It has had regard to the Council's published Sanctions Guidance. It is satisfied that the matter is too serious for the Committee to conclude the case by imposing no sanction or merely issuing a warning.

Part of Mr Taylor's misconduct occurred in the presence of members of the public, but there is no evidence that he has ever posed any threat of direct harm to the public. However, Mr Taylor's behaviour is in breach of several important principles of the Code, and it demonstrates a flagrant disregard for the reputation of the profession, for procedures designed to protect the security of controlled drugs, and the welfare of staff colleagues. It also demonstrates disrespect for the regulatory authority of the Society and the Council, and their role in protecting the public interest. Mr Taylor chose to work in a regulated profession, but has failed to co-operate with investigation by the regulatory body, after first breaching principles of ethical conduct laid down by that body.

The Committee has taken into account what Mr Taylor said about his conduct at the time when his employers investigated the matter. His clinical performance has never been criticised, but he was suffering some personal stress at the time of what he described as "a moment of madness". He was genuinely remorseful, and said he deserved punishment, and was reconciled to the inevitability of being dismissed by his employers.

The Committee considered but rejected the possibility of an order for conditional registration, because there is no evidence that Mr Taylor would be prepared to comply with any conditions which might be imposed upon his registration, in the light of his failure to co-operate with the investigation of his fitness to practise; nor would it be practicable to devise conditions to address Mr Taylor's failure to behave in a manner appropriate to a professional, registered pharmacist.

The Committee then considered whether the public interest would be adequately protected by an order suspending Mr Taylor's registration. It weighed in the balance Mr Taylor's own interest in continuing to practise his profession. It came to the conclusion that Mr Taylor's behaviour is not fundamentally incompatible with continued registration as a pharmacist, and that it would be sufficient and proportionate to make an order suspending Mr Taylor from the register for a period of six months. Before the end of this period of suspension, the case will be reviewed. It is to be hoped that Mr Taylor will then attend or

be represented before the Committee and will present evidence to demonstrate that he is then fit to return to practice as a pharmacist.

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