

General Pharmaceutical Council

Fitness to Practise Committee

Principal Review Hearing

Remote videolink hearing

13 March 2025

Registrant name:	Mohammed Amier
Registration number:	2076769
Part of the register:	Pharmacist
Type of Case:	Misconduct
Committee Members:	Neil Calvert (Chair, lay member) Lizzie Provis (Registrant member) Stephanie Hayle (Lay member)
Legal Adviser:	Ralph Shipway
Clinical Adviser:	Dr Sabarigirivasan Muthukrishnan
Committee Secretary:	Gemma Staplehurst
Registrant:	Present and represented by Paul Summerfield, Pharmaceutical Defence
General Pharmaceutical Council:	Represented by Gareth Thomas, Case Presenter
Order being reviewed:	Suspension (12 months)
Fitness to practise:	Impaired
Outcome:	Suspension 8 months, with review

This decision including any finding of impairment and sanction is an appealable decision under *The General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010*. Therefore, this decision will not take effect until 22 April 2025 or, if an appeal is lodged, once that appeal has been concluded.

Particulars of Allegations at the Principal Hearing

Allegations 1 - 15 (in relation to 14(b)) were found proved

Allegation 15 (in relation to 14(a)) was found not proved

“You, Mohammed Amier, a registered pharmacist,

1. Around November 2019, you signed Ms A’s signature on a Service Level Agreement (“SLA”) between British Chemist and Ealing Hospital NHS Trust.

2. Your conduct at paragraph 1 above was dishonest in that you:

- a. did not have permission to sign the SLA on behalf of Ms A; and*
- b. knew you did not have permission to sign the SLA on behalf of Ms A; and*
- c. did not make it clear you had signed the SLA on behalf of Ms A.*

3. Between April 2019 and March 2021, whilst employed at Pharmacy Bond, you:

- a. prepared false and / or template prescriptions; and / or*
- b. were aware orders were being submitted to pharmaceutical companies, including but not limited to those set out in Schedule A, using false and / or template prescriptions.*

4. In relation to your actions as set at paragraph 3 above, you knew that:

- a. false and / or template prescriptions were being submitted with orders for pharmaceutical products; and / or*
- b. the orders were not in respect of genuine patient demand.*

5. *Your actions as set out at paragraph 3 above were dishonest by reason of paragraph 4.*

6. *Between January 2020 and January 2021, whilst employed at Mojji LS Ltd, you:*

a. prepared false and / or template prescriptions; and / or

b. were aware orders were being submitted to pharmaceutical companies, including but not limited to those set out in Schedule B, using the false and / or template prescriptions.

7. *In relation to your actions as set at paragraph 6 above, you knew that:*

a. false and / or template prescriptions were being submitted with orders for pharmaceutical products; and / or

b. the orders were not in respect of genuine patient demand.

8. *Your actions as set out at paragraph 6 above were dishonest by reason of paragraph 7.*

9. *On or around 18 June 2020 you wrote to Oxford University Hospital NHS Trust ("OUH") and confirmed the medications ordered from OUH would be supplied to patients and not for any other purpose.*

10. *Your conduct at paragraph 9 above was dishonest in that you:*

a. knew the information provided to OUH was not true; and / or

b. did not reasonably believe the medication would be provided to patient(s).

11. *Between April 2019 and March 2021, while employed at Pharmacy Bond, you:*

a. submitted orders on one or more occasions to pharmaceutical companies, including but not limited to Janssen-Cilag and Alcura, for pharmaceutical products using false and / or template prescriptions; and / or

b. signed declaration forms which confirmed the order was made in respect of genuine patient demand; and / or

c. signed Mr B's signature on declaration forms.

12. *In relation to your actions as set out at paragraph 11 above, you knew that you:*

a. were submitting false and / or template prescriptions; and / or

b. the orders were not in respect of genuine patient demand; and / or

c. did not have permission to sign the declaration forms on behalf of Mr B;

d. knew you did not have permission to sign the declaration forms on behalf of Mr B; and / or

e. did not make it clear you had signed the declaration forms on behalf of Mr B.

13. *Your actions as set out at paragraph 11 above were dishonest by reason of paragraph 12.*

14. *On or around 4 March 2022, you stated in a response to the ongoing GPhC investigation that:*

a. the MHRA had approved Noviscom/4Pharma to act on your behalf;

b. you had been in 'prolonged' negotiations with Northwick Park Hospital regarding a Service Level Agreement;

15. Your conduct at paragraph 14 above was dishonest in that you:

a. knew the information provided in response to the GPhC investigation was not true; and / or

b. did not reasonably believe the information provided in response to the GPhC investigation was true.

By reason of the matters set out above, your fitness to practise is impaired by reason of your misconduct.

Schedule A

AAH

Abbvie

Alcura

Alliance Healthcare

Alloga

B&S

HAH

Healthcare at Home

Janssen-Cilag

Movianto

Novartis

OTC

Pharmahouse

Phoenix

Schedule B

AAH

Abbvie

Alliance Healthcare

BMS

HAH

Novartis

Oxford University Hospital NHS Trust

Shire Pharmaceuticals”

Documentation

Exhibit 1- Council’s hearing bundle

Exhibit 2- Council’s skeleton argument

Exhibit 3- Registrant’s bundle

Introduction

1. This is the written determination of the Fitness to Practise Committee at the General Pharmaceutical Council (‘the Council’).
2. This hearing is governed by *The Pharmacy Order 2010* (‘the Order’) and *The General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010* (‘the Rules’).
3. The statutory overarching objectives for these regulatory proceedings are:
 - a. To protect, promote and maintain the health, safety and well-being of the public;
 - b. To promote and maintain public confidence in the professions regulated by the Council; and
 - c. To promote and maintain proper professional standards and conduct for members of those professions.
4. The Committee also has regard to the guidance contained in the Council’s Hearings and outcomes guidance 2024.

5. At a Review Hearing the Committee must decide whether the Registrant's fitness to practise remains currently impaired and, if so, what should be the appropriate outcome. If the Committee find that the Registrant's fitness to practise is no longer impaired the current order will lapse on expiry.

Service of Notice of Hearing

6. The Committee has seen a letter dated 5 February 2025 from the Council headed 'Notice of Hearing' ('Notice') addressed to the Registrant and sent to them via their email address as noted on the Register.
7. The Committee was satisfied that there had been good service of the Notice in accordance with Rules 3 and 16.

Application for the hearing to be held in Private

8. The Committee heard an application from Mr Summerfield under Rule 39(3) to hold parts of the hearing in private which refer to the Registrant's health and personal matters.
9. Mr Thomas agreed with the application. The Committee then accepted the advice of the Legal Adviser.
10. The Committee decided to hold certain parts of the hearing in private to protect the Registrant's privacy.

Hearing history

- Principal Hearing (18-26 March 2024) – Suspension, 12 months
- The current suspension is due to expire on 30 April 2025

11. The Committee at the last hearing determined that the Registrant's misconduct meant they were impaired on public interest grounds. In finding the Registrant impaired, that Committee referred to:
- The dishonesty was premeditated, going to extraordinary lengths such as drafting a false SLA, inventing a patient in the Middle East and creating a false doctor's letter.
 - The dishonesty was for personal, financial gain.
 - The dishonesty was repeated over the course of two to three years.
 - The dishonesty took many forms and in different settings.
 - The Registrant had only shown limited insight into his misconduct.
12. The Committee at the last hearing determined the following with regard to sanction:
- "A suspension for 12 months will provide the Registrant with an opportunity to develop his insight into how his actions impacted on the public and the profession. The Committee wishes to make it clear to the Registrant that he has much work to do, and he will need to dedicate time and energy if he is to persuade the reviewing committee that his fitness to practise is no longer impaired."*
13. The Committee at the last hearing suggested that today's committee may be assisted by:
- The Registrant providing a detailed written reflection on this Committee's findings
 - Evidence of comprehensive CPD and training he has undertaken regarding honesty, ethics and professionalism, including what he has learned from them
 - REDACTED
 - Finding a mentor with whom he can discuss this Committee's findings and to assist with his journey through his period of suspension

Determination

Decision on Impairment

14. The Committee considered whether the Registrant's fitness to practise remains impaired. The Committee has taken into account all of the documentation before it and submissions on behalf of the Council.

Council submissions on impairment

15. On behalf of the Council, Mr Thomas submitted that a finding of impairment was a matter for the Committee's judgement and Council's role is to identify the correct issues. The Council's outline was to emphasise the serious nature of the previous allegations. Mr Thomas reminded the Committee that the previous committee felt the Registrant had a lot to do to prove matters have now been remediated.
16. Mr Thomas submitted that in some areas, the Committee may not have heard enough to demonstrate how the Registrant came to act in such a dishonest matter, how he has changed his attitude and his approach to Pharmacy Practice in a way that he has learnt about probity and ethics.
17. Mr Thomas noted that the Registrant has provided written reflections in which the wording is bold and striking in describing lessons that he has learnt. However, Mr Thomas reminded the Committee that on the basis of what it had before it, it may not be satisfied that matters have been fully remediated or that Registrant is fit to return to practise and therefore current impairment may be found at this stage.
18. The Council submitted that there is nothing to stop the Registrant from returning to wholesaling as long as he is not doing anything which requires a registration with the Council as a Pharmacist. Further, the Council are not aware of any new concerns. Mr

Thomas stated that there had not been much information provided by the Registrant regarding his current wholesaling practise which may come to a surprise concerning the original allegations and further, there may have been opportunity for the Registrant to provide insight into his current practise.

19. Today's Committee will have seen that the previous Committee considered that the Registrant's dishonesty was connected to his desire to make a profit and that is an area where the Committee might have benefited from hearing from the Registrant in his written submissions on how he has reflected on his previous wrongdoings and any areas in which he has gained an insight. This may raise an area of concern for the Committee considering the Registrant's current fitness to practice.

Registrant's Evidence

20. On behalf of the Registrant, Mr Summerfield submitted that the Committee would have regard to the material placed before them today including bundle from the Registrant. The Committee will hear evidence regarding why the bundle was put together and what has been learnt since the Principal Hearing regarding how the Registrant has become (in the Registrant's words) "a better person, a better professional". Mr Summerfield called the Registrant to provide evidence under affirmation.
21. The Registrant confirmed the contents of his witness statement are true to the best of his knowledge and written by himself. REDACTED. Since his suspension, Mr Amier stated he is not as impulsive and has applied these strategies to everyday life as well as his professional practice.
22. Mr Amier stated that he has had a full year to reflect on his previous actions and was not thinking clearly at the time. REDACTED, Mr Amier accepted the decision of suspension, he accepted that his previous actions were wrong and has had a full year

to reflect. REDACTED he wants to become a better person and the 'best pharmacist I can be'.

23. Mr Summerfield referred Mr Amier to the certificate from ethics course contained within his bundle; Mr Amier stated that he undertook this course as he wanted to remind himself where he went wrong and where he can improve. After completing the ethics course, Mr Amier fully appreciated the responsibility placed upon Healthcare Professionals and wanted to go back to doing his role to the best of his ability whilst withholding the protection and interest of the public.
24. REDACTED "This is different to how I acted previously, I'm older, wiser and can now question myself in a good way. I can talk things through before acting".
25. When questioned by Mr Summerfield on why he has returned to wholesaling, Mr Amier stated he has done this as he wants to learn from his previous mistakes and to challenge himself. Mr Amier stated he could have repeated his previous actions but has not and was not tempted to do so. He has had a wholesaling licence for 7-8 months and has not made many sales. Mr Summerfield submitted that this demonstrated that he is not acting for financial gain.
26. REDACTED
27. Mr Amier states if someone were to offer a money-making opportunity where he used his wholesale licence, if this opportunity was in anyway unethical, put the public at harm or the put the reputation of Pharmacy into disrepute, he would dismiss the opportunity. If everything was legitimate, he would accept the opportunity.
28. Mr Amier sought to reassure today's Committee that he adheres to the standards of a Pharmacy Professional. Throughout his career he has not received any complaints

from a single customer, patients trust him, and Pharmacy is where he needs to be. These standards apply in his personal life and reiterates that Pharmacy professionals are trusted by the public and we are expected to act the same way in both our personal and professional lives.

Cross examination

29. During cross examination, Mr Thomas reminded Mr Amier that the misconduct in relation to his practice took place between 2019-2021. Mr Thomas asked the Registrant why the events took place over such a lengthy period of time to which Mr Amier stated he was acting upon impulse and not thinking clearly, upon reflection Mr Amier stated that whilst wholesaling, he was acting as a businessman and not a pharmacist however he accepts this was wrong, was naive at the time and realises he was not thinking straight.
30. Mr Thomas stated that the previous Committee was not assured that the conduct would not happen again and questioned whether there was a link between dishonesty and desire to get ahead in business and profit financially. Mr Amier responded that he went into wholesaling to make money the right way. He has returned to rectify his past wrongdoings and to put his Pharmacy practice first.
31. REDACTED
32. Mr Thomas went on to question Mr Amier on the consequences on other professionals affected by his previous wrongdoing. Mr Amier accepted that he involved others who should not have been and has expressed remorse. Mr Thomas questioned Mr Amier on whether he put his profession into disrepute and used it in order to commission these acts. Mr Amier accepted this. Mr Amier further went on to accept that he was dishonest at the time arguing that this was due to his impulsivity.

33. Mr Thomas raised that the previous Committee recommended that Mr Amier appoint a mentor to assist with his journey through suspension and to discuss the Committee's findings. Mr Amier responded to confirm he uses the business partner, with whom he was working when the misconduct took place, as a mentor who provides support and advice. "We will always discuss things before taking action, he is a family member and he is always asking about my welfare, he is older and knows me well and gives me general advice".

Council further submissions

34. Mr Thomas submitted at this stage the Committee are looking at whether there is current impairment. The Committee are invited to consider the following:
- Has the Registrant demonstrated a full understanding to reassure the Committee that integrity can be relied upon and how standards apply to everyday life. Mr Thomas submitted that it does it is not a normal part of business activity to undertake dishonest representations as set out in the allegations against him. It was not fully explored in Mr Amier's evidence that it was not for financial gain.
 - In reference to the registrant attributing his behaviour to being younger at the time of allegations, Mr Thomas submitted we learn from experience. However, Mr Amier had been a pharmacist for 8 years, the allegations were sophisticated and serious and therefore not conduct a young Pharmacist would fall into.
 - The Registrant has not demonstrated a greater understanding of the previous Committee's findings in respect of his wrongdoing – the Registrant's evidence has not added a lot to what was advanced on the previous occasion. The mentor which Mr Amier referred to was only mentioned when probed.

- The Registrant submitted that he could not find excuses for his past actions and stated that personal and professional lives are interchangeable. Although this is a plausible piece of learning it does not fit the facts of this case.
- REDACTED
- It is not the Council's intention to penalise the Registrant for making the decision to go back into wholesaling. However given the registrant's quick return to wholesaling following the imposition of his suspension, the Committee may conclude that the Registrant has missed this opportunity to demonstrate what he has learnt from the regulatory process. Although he is unable to practice as a Pharmacist he has gone back into a pharmacy environment where his business interests may get the best of his integrity.
- The Council submit that the 12 month suspension imposed at the first hearing marks the misconduct and upholds standards and public confidence in the Pharmacy Profession. If the Committee consider remediation and insight incomplete, it could be said that the need to uphold standards and public confidence has not yet been fully met. The biggest question is integrity and whether it can be relied upon. For all of the reasons highlighted, the Committee may make a finding of current impairment. The Registrant's clinical practice is not in doubt and conditions are therefore not appropriate in this case, a shorter suspension of 6-8 months may therefore be appropriate.

Submissions on behalf of the Registrant

35. Mr Summerfield submitted that words can only go so far to show Mr Amier has remediated. Building upon written submissions which outline how Mr Amier has changed as a person, Mr Summerfield submits the following:

- He has undergone a reflective state of remission and counselling and is now able to understand why he acted the way he did.
- The Committee may ask themselves whether the impulsivity could lead to dishonesty. Repeated incidents of impulsivity over an extensive period could be a plausible reason for Mr Amier's conduct. The Committee have heard how he used to think, he used to act before he thought and now takes time to think and assess a situation before he acts. He has embarked upon an ethics course and submitted a reflection on this.
- Mr Amier stated within his evidence that if faced with a similar situation, he would question if the opportunity was ethical and walk away if it were not right.
- He has learnt that his actions led to other professionals being investigated by the regulator and has apologised and shown insight.
- REDACTED
- In relation to the mentoring, although he did not formally request his business partner to become his mentor, that person supports him without hesitation, he is a Pharmacist, and a member of his family. He is able to open up to his mentor on an ad hoc basis.
- Together the REDACTED, mentorship, reflections and evidence shows Mr Amier has insight into why he acted the way he did and how he brought the profession into disrepute and how the public would perceive his conduct.
- Mr Summerfield submitted that different individuals have different ways of expressing remorse/insight, when considering Mr Amier's written work, he does show insight.
- The Council questioned whether it was appropriate to enter wholesaling during period of suspension, Mr Amier has shown he can wholesale ethically. He has been asked by organisations if he can obtain drugs and he has stated he will walk away from opportunities such as these if he is not satisfied with the ethics. Mr Amier has shown through written and oral evidence today that his integrity can be relied upon.
- Mr Summerfield invites the Committee to consider the testimonials which speak of Mr Amier's professionalism and of him as a person. He is fit to return to practice. However, if the Committee are concerned, conditions of practice could be put into

place which allow for a mentor to be found within 4 weeks of an order taking place. If insight is not fully developed there is a way Mr Amier could return to practice with conditions detailing what areas are to be covered.

- If the Committee decide the Registrant is fit to return to practice, the public would be served with a dedicated and experienced pharmacist who will contribute to the protection of the public and upholding the reputation of the Pharmacy profession.

REDACTED

Legal Advice

36. The Legal Adviser, Mr Shipway advised the Committee on 26 March 2024, a 12 month suspension was imposed due to misconduct. The Committee's role today was to determine whether there is current impairment of Mr Amier's Fitness to Practice. The Committee shall determine whether concerns have been addressed and whether insight been shown to persuade them that the Registrant's Fitness to Practice is no longer impaired.
37. In the previous hearing the vast majority of particulars were admitted, and the Committee determined that the Registrant had much work to do to persuade the Committee that he is no longer impaired. It raises the question, does today's Committee have the evidence of sufficient steps taken and has the Registrant articulated how his dishonest behaviour affected public confidence.
38. The Committee shall evaluate the evidence, is it cogent and reliable and does it promote and maintain the public confidence in the profession? Should the Committee consider imposing conditions of practice, those conditions must be appropriate, measurable, practical and meet the risk. If it feels that no conditions could be applied then the Committee must consider the continuation of suspension.

39. The Committee must consider all submissions and evidence provided by the council, REDACTED and if it is persuaded that there has been remediation, then can the registrant's integrity be relied upon.

Decision

40. The Committee determined that the Registrant's Fitness to Practice remains impaired. Although it heard reassurance that the Registrant is unlikely to repeat the misconduct, and that he attributes his actions to impulsivity, it noted that the misconduct identified by the first panel, which it described as "sophisticated, protracted and very serious" was premediated rather than opportunistic.
- The Committee noted the recommendation from the first hearing that a reviewing Committee would be assisted by:
 - finding a mentor with whom he can discuss this Committee's findings and to assist with his journey through his period of suspension
 - REDACTED
41. The committee was not persuaded that the informal 'mentorship' Mr Amier had sourced from a family member/business partner was sufficiently robust to provide the necessary rigorous insight into his conduct and development. REDACTED.
42. As such this Committee was not satisfied that Mr Amier showed appropriate insight into the importance of the steps outlined by the previous committee as part of his professional and personal development. REDACTED.
43. The Committee considered that it had not been presented with sufficient evidence in either written or oral submissions of Mr Amier demonstrating insight into the reasons for his misconduct or its seriousness. It noted the absence of any explicit reference to dishonesty in his written reflections. It also noted his reliance on both his age REDACTED to explain his misconduct in his oral submissions. The Committee was also concerned that in response to panel questions the registrant showed a lack

of insight into the reasons for his referral to the GPhC, stating “I wasn’t smart enough to see it was a trap”.

44. REDACTED
45. The Committee was not convinced that Mr Amier had discharged the persuasive burden upon him.
46. The Committee next went on to consider sanction. The purpose of the sanction is not to be punitive, though a sanction may in fact have a punitive effect. The purpose of the sanction is to meet the overarching objectives of regulation, namely the protection of the public, the maintenance of public confidence and to promote professional standards. The Committee is therefore entitled to give greater weight to the public interest over the Registrant’s interests.
47. The Committee had regard to the Council’s hearings and outcomes guidance 2024 to inform its decision.
48. The Committee took into account the submissions made on behalf of the Council and on behalf of the Registrant.
49. The Committee accepted the advice of the Legal Adviser.
50. The Committee considered the imposition of conditions of practice. A Conditions of Practice Order would allow the Registrant to practise, albeit with restrictions. The Committee must determine whether a Conditions of Practice Order would be appropriate given the concerns identified regarding the Registrant’s practice, in particular whether conditions would protect the public from harm, be sufficient to mark the seriousness of the matter so as to maintain public confidence in the Registrant, the profession and the regulator, and sufficient to promote professional standards within the profession. The Committee noted that the concerns are not related to the Registrant’s clinical practice, and it determined that Conditions would not address the seriousness of the concerns in this case, and there were no workable conditions which met the requirements in this case.

51. The Committee next considered whether suspension would be a proportionate sanction. The Committee noted the Council's guidance which indicates that suspension may be appropriate where:

"The Committee considers that a warning or conditions are insufficient to deal with any risk to patient safety or to protect the public, or would undermine public confidence. It may be required when necessary to highlight to the profession and to the public that the conduct of the registrant is unacceptable and unbefitting a member of the pharmacy profession. Also, when public confidence in the profession demands no lesser sanction."

53. The Committee therefore directs that the Registrant remains suspended for a period of 8 months, to provide sufficient time to demonstrate the necessary level of insight.
54. Given the above conclusions the Committee determined that removal was not appropriate and proportionate in this case.

Review Hearing

55. This decision will be reviewed by the Committee before the sanction expires. A future Committee may be assisted by further submissions from Mr Amier, including:
- Evidence and/or reports of regular meetings with an independent professional mentor, evidence of areas discussed and progress made.
 - Proof of remediation which addresses the standards for Pharmacy Professionals.
 - Detailed written reflections on this Committee's findings and specifically the reasons why the misconduct took place.
 - Reflections on how recent learning on ethics can be applied to personal and professional life.

56. This concludes the determination.