

General Pharmaceutical Council

Fitness to Practise Committee

Principal Hearing

Remote videolink hearing

3-4 July 2025

Registrant name:	Baljinder Singh Gill
Registration number:	2036767
Part of the register:	Pharmacist
Type of Case:	Conviction
Committee Members:	Manuela Grayson (Chair) Amira Guirguis (Registrant member) Fahmina Begum (Lay member)
Committee Secretary:	Ivana Raimundova
Registrant:	Present and not represented
General Pharmaceutical Council:	Represented by Tariq Aldeek, Case Presenter
Legal Adviser:	Ralph Shipway
Facts proved by admission:	1
Fitness to practise:	Impaired
Outcome:	Suspension for 6 months

This decision including any finding of facts, 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 **4 August 2025** or, if an appeal is lodged, once that appeal has been concluded.

Particulars of Allegation

“You, a registered Pharmacist,

1. On 14 September 2022 were convicted at Hull Magistrates Court, of stalking without fear, alarm or distress, under Section 2A of the Protection from Harassment Act 1997.

By reason of the matter set out above, your fitness to practise is impaired by reason of your conviction”

Documentation

Document 1- GPhC hearing bundle, 214 pages

Document 2- GPhC skeleton argument, dated 20 June 2025, 12 pages

Document 3- Court Extracts, 4 pages & 6 pages

On the first day of the hearing the Committee was provided with the following:

Document 4- Letter to Registrant from Council’s Concerns Team dated 21 May 2021

Witnesses

Witness 1, Case Officer, appeared before the Committee on behalf of the Council to confirm production of relevant exhibits;

The Registrant gave evidence at the impairment stage.

Determination

Introduction

1. This is the written determination of the Fitness to Practise Committee at the General Pharmaceutical Council ('the Council').
2. The 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 *Good decision making: Fitness to practise hearings and outcomes guidance* as revised March 2024.
5. A Principal Hearing has up to three stages:
 - Stage 1. Findings of Fact – the Committee determines any disputed facts.
 - Stage 2. Findings of ground(s) of impairment and impairment – the Committee determines whether, on the facts as proved, a statutory ground for impairment is established and, if so, whether the Registrant's fitness to practise is currently impaired.
 - Stage 3. Sanction – the Committee considers what, if any, sanction should be applied if the Registrant's fitness to practise is found to be impaired.

Service of Notice of Hearing

6. The Committee has seen a letter dated 27 May 2025 from the Council headed 'Notice of Hearing' addressed to the Registrant. The Committee was satisfied that there had been good service of the Notice in accordance with Rules 3 and 16.

Preliminary Decision for the parts of hearing to be held in Private

7. The Chair confirmed that if any evidence was to be heard which related to private matters such as the Registrant's health or personal family matters, then these would be heard in private, in accordance with Rule 39(3) of the Rules.

Registrant's response to Particulars of Allegation

8. The Registrant admitted particular 1. He told the Committee that whilst he accepted that he had fitted a tracking device on the vehicle of "Colleague A", as set out in the Certificate of Conviction, he did so with her knowledge. He said he did not access the device.
9. In the light of the above, and by the application of Rule 31(6) of the Rules, the admitted factual particulars were found proved.
10. The Chair confirmed that the Committee could not go behind the facts as stated by the Magistrates' Court, and therefore it accepted the summary of facts set out in the information provided by the Court.
11. The Committee then went on to consider whether the Registrant's fitness to practise is currently impaired which is a matter for the Committee's judgement.

Background

12. The background to the Particulars of Allegation is set out below.
13. On 28 September 2022, the Registrant completed a self-declaration form notifying the Council of ongoing criminal proceedings against him.
14. On 3 November 2022 the Council received an anonymous referral of concern from a member of the public detailing that the Registrant had been sentenced to stalking and harassing a previous female colleague ("Colleague A"), resulting in a 10- year restraining order and 200 hours of community service to be completed within two years.
15. The Council received a copy of the court outcome from the Registrant's legal representatives, The Johnson Partnership Solicitors, outlining that the Registrant pleaded guilty on full facts to a charge of stalking under section 2 of the Protection from Harassment Act 1997.
16. A copy of the Certificate of Conviction was obtained by the Council which set out that the Registrant pleaded guilty and was convicted of stalking without fear/alarm/distress contrary to Section 2 of the Protection from Harassment Act 1997 at Beverley Magistrates' Court on 14 September 2022. The particulars of the offence were:

"Between 15 December 2021 to 19 May 2022 at Fangfoss, East Riding of Yorks your course of conduct amount to stalking of [Colleague A] and which you knew or ought to have known amounted to the harassment of her in that you made multiple calls to her, sent her messages and emails and placed a tracking device on her vehicle to monitor her movements".
17. The facts of the Registrant's conviction are set out in a statement by a Detective Constable of Humberside Police dated 21 June 2022. The relevant facts are that while working as a SI, the Registrant entered into a romantic relationship with Colleague A

who was a registered pharmacist. The relationship started in early 2021 and ended in October 2021. During the Registrant's relationship with Colleague A he had provided her with gifts and with a large sum of money, which he sought to reclaim following the end of their relationship. The Registrant sent several texts and emails to Colleague A, *inter alia*, requesting repayment. The statement said that the Registrant's behaviour escalated as he proceeded to plant a tracking device on Colleague A's vehicle. As a result of the Registrant's conduct Colleague A reported the issue to the police who investigated the matter and following an examination of the Registrant's mobile device, subsequently charged the Registrant.

18. On 14 September 2024, the Registrant pleaded guilty to one charge of stalking at Hull Magistrates' Court. The Registrant was sentenced by Hull Magistrates' Court and received a 10-year restraining order and an 18 -month community service order as follows:
 - a. 25 rehabilitation activity days;
 - b. 200 hours of unpaid work; and
 - c. £405 victim surcharge.

Stage 2: The Committee's Decision on Grounds and Impairment

19. Having found factual particular 1 proved, the Committee went on to consider whether that amounted to the statutory ground, and, if so, whether the Registrant's fitness to practise is currently impaired.
20. The Registrant gave evidence. He apologised to the Committee and to the wider pharmacy profession, and said his actions, which were out of character, had potentially brought the profession into disrepute; he had been a pharmacist for 35 years and this was his first involvement in anything criminal. He had given a "no comment" interview on advice from his appointed solicitor, but in retrospect he should have admitted the offence at the police station.

21. He told the Committee that the guidance he had been given in a letter from the Council dated 21 May 2021, which Mr Aldeek had produced in evidence on the first day of the hearing, was as a result of being caught on CCTV at work whilst on duty involved in sexual conduct with Colleague A, which he said she had initiated, and about which she later had made a complaint to her employer against him. This incident had prompted him to leave the prison where he had his business running the pharmacy, and in any event, he had been suspended by his employer during an investigation into the matter.
22. The Registrant told the Committee he had not been in touch with Colleague A since he was sentenced at Court in 2022; he had closed down his pharmacy business at the prison and had voluntarily decided not to return to work as pharmacist, having taken the years since his conviction to reflect on his behaviour, and stay away from working as a pharmacist until he could bear to look patients in the eye again.
23. He explained that having lent Colleague A £50,000 to pay for her mortgage, the harassment charge arose because having come to his senses he was contacting her to try to get his money back; however he now understood that the money was gone and if that was what it cost for him and his wife to move on with his life, he would regard it as like a training cost. He had learned from the experience and would never let a similar situation occur again.
24. In terms of remediation, alongside CPD which was necessary to retain his registration, he had benefitted greatly from the offender management course which he had completed as part of his criminal sentence; it had not been easy but he had learnt to reflect and when angry to think carefully before acting, considering the potential consequences. [PRIVATE]. He was also continuing to read books about relationships, about his communication style, and about appropriate behaviour. His learning was, he told the Committee, “now embedded”.
25. In answer to questions from the Committee, the Registrant admitted that he did not at the time think about how his conduct might affect Colleague A; he was “lost in the

moment”, but having heard her victim impact statement and as a result of his reflections and remediation, he now understood, stalking is a “horrible word”; the feeling of stalking, being watched or feeling unsafe even in one’s own home, he now realised “the horrid nature of [his]actions” and their effect on her, “someone [he’d] cared about”, he felt terrible that he’d done that to her and made somebody feel that way. It had made him think about the impact of his words and actions on others a lot more than he did in the past.

26. The Registrant told the Committee that he deeply regretted his behaviour, he had let down the wider profession and he was sorry from the bottom of his heart; he was not in any rush to return to pharmacy but would like to as he was proud to call himself a pharmacist and he would wish to go back to work as a pharmacist in the future when he feels ready. He would accept any sanction which the Committee chose to impose.

The Committee’s Determination

27. The Committee took account all of the documentation before it and also took into account Mr Aldeek’s submissions on behalf of the Council.
28. The Committee accepted the legal advice of Mr Shipway who drew the Committee’s attention to relevant case law and the meaning of current impairment.
29. The Committee referred to the Council’s publication *“Good decision-making: Fitness to practise and Outcomes Guidance”* (Revised March 2024). The document provides guidance as to the meaning of ‘fitness to practise’ at paragraph 2.12 as follows:
“2.12 A pharmacy professional is ‘fit to practise’ when they have the skills, knowledge, character, behaviour and health needed to work as a pharmacist or pharmacy technician safely and effectively. In practical terms, this means maintaining appropriate standards of competence, demonstrating good character, and also keeping to the principles of good practice set out in our various standards, guidance and advice.”

Grounds

30. Article 51(1) of the Order set out the possible grounds or “gateways” to a finding of impairment. The relevant gateway in this matter is:

- *“conviction for a criminal offence”* (Article 51(1)(e).

31. The Committee determined that the ground of conviction was established on the basis of the copy Certificate of Conviction from Hull Magistrates’ Court dated 14 March 2023.

Decision on Impairment

32. Having found that the ground of conviction was established, the Committee went on to consider whether the Registrant’s fitness to practise is currently impaired.

33. The Committee first considered which, if any, of the Council’s Standards for Pharmacy Professionals (May 2017), had been breached by the Registrant’s conviction.

34. It determined that the Registrant breached standards 6 and 9.

- (i) **Standard 6:** Pharmacy professionals must behave in a professional manner...Behaving professionally is not limited to the working day. The standard states that the privilege of being a pharmacist and the importance of maintaining confidence in the profession calls for appropriate behaviour at all times. The Registrant’s actions resulting in his criminal conviction for harassing a woman with whom he had previously been in an intimate amounted to a breach of this standard.

- (ii) **Standard 9:** Pharmacy professionals must demonstrate leadership...taking responsibility for their actions and leading by example. The Committee considered the facts which led to the

conviction and took into account that the woman who was the victim of the Registrant's stalking conviction had been his junior colleague at the pharmacy where they both worked and which in fact he owned at the time. The Committee was of the view that the Registrant failed to lead by example by his conduct which resulted in his criminal conviction, and thus breached standard 9.

35. Turning to consider the question of current impairment, the Committee considered the principles set out by Mr Justice Silber in Cohen v General Medical Council [2008] EWHC 581 (Admin) :

"It must be highly relevant in determining if a [practitioner's] fitness to practise is impaired that first ... his conduct that led to the charge is easily remediable, second that it has been remedied and third that it is highly unlikely to be repeated".

36. The Committee considered all of the evidence before it in light of the above principles. Whilst it was of the view that the Registrant's conduct which led to his conviction, and the fact of the conviction itself, were in principle remediable, it observed that the Registrant had said that his conduct had not been easily remediable. He said he had found the learnings and self-reflection required as part of his offender management course to be difficult, although he had benefitted greatly from the course; and the Committee considered that this was a significant demonstration of insight on the part of the Registrant.

37. The Committee noted that the Registrant had not provided any documentary evidence to support his assertions that he had reflected upon and remediated his conviction. He said this was because he thought everything would be dealt with at this hearing and he had not realised he could provide documentation in advance of the hearing. The Committee was somewhat surprised to hear this given that the Council would have communicated with him on a number of occasions before the hearing and would have invited to provide evidence if he wished. It noted however

that the Registrant also admitted that he would have found it very hard to obtain testimonials or references from friends or family as they would have asked why he wanted them and he was too ashamed to tell people. [PRIVATE].

38. Whilst taking into account the absence of independent evidence, the Committee was satisfied that the Registrant, in his oral evidence to the Committee, had demonstrated a sufficient degree of insight and reflection into his conviction and his conduct which lay behind it; he accepted fulsomely in his evidence that what he had done was wrong, inappropriate, and would have let down his profession. The Committee accepted his genuine and heartfelt remorse for his conviction and his evident shame for what he had done. Turning to consider the Registrant's criminal sentence, the Committee accepted the Registrant's evidence to the effect that he had completed his unpaid work promptly- save for the restraining order which would remain in effect until 2032.
39. That restraining order aside, the Committee was of the view that the Registrant had remediated his conduct.
40. As for whether, in the words of the Cohen case, the Registrant's conduct was "highly unlikely to be repeated", the Committee took into account the insight, remorse and remediation summarised above. It also noted that both the guidance issued to him by the Council in May 2021 and the criminal conviction, had been in relation to the relationship with Colleague A. The Registrant had been open and honest with the Committee in admitting that despite the guidance provided by the Council warning him to adhere to professional boundaries, he had continued the relationship with Colleague A, simply not at work. The Committee accepted the particular context of the relationship with Colleague A, as described by the Registrant PRIVATE. Furthermore the Committee took the view that the Registrant's attitude to the sum of money he had given to Colleague A – that is, that he had given up on getting it back and had come to view it as the necessary cost for moving forward with his and his wife's life together, demonstrated a mature insight into the situation.

41. Taking all of the above into account, the Committee was of the view that the Registrant's conduct which led to his conviction for stalking, was highly unlikely to be repeated.
42. The Committee next turned to consider whether any sub-particulars of Rule 5(2) of the Rules are engaged by the Registrant's conviction and misconduct.
43. Rule 5(2) of the Rules provides:

"In relation to evidence about the conduct or behaviour of the registrant which might cast doubt on whether the requirements as to fitness to practise are met in relation to the registrant, the Committee must have regard to whether or not that conduct or behaviour –

- a) presents an actual or potential risk to patients or to the public;*
- b) has brought, or might bring, the profession of pharmacy into disrepute;*
- c) has breached one of the fundamental principles of the profession of pharmacy; or*
- d) shows that the integrity of the registrant can no longer be relied upon."*

44. Given its conclusions as to the risk of repetition, the Committee did not consider that rule 5(2) (a) or (d) were engaged as at today's date. Mr Aldeek had however submitted on behalf of the Council that Rule 5(2)(b) and (c), which reflect the principles of the wider public interest, are engaged by the fact of the Registrant's conviction for stalking, and the Committee agreed.
45. The Committee was satisfied that by his conviction, the Registrant has brought or might bring the profession of pharmacy into disrepute. This is particularly the case

since he remains currently subject to a restraining order in relation to Colleague A, which prevents him from contacting her directly or indirectly personally or via any third parties, and from entering the village in which Colleague A lives until 30 October 2032 -Rule 5(2)(b). He has also breached one of the fundamental principles of the profession of pharmacy, that is, the expectation that he will behave professionally in his personal life -Rule 5(2)(c).

46. The Committee bore in mind the well-known case of CHRE v NMC and Grant [EWHC] 927 (Admin), in which Mrs Justice Cox stated that a panel must consider whether *“the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances”* of a case.
47. Taking all of the evidence before it into account, the Committee is satisfied that members of the public, if they were fully apprised of the facts of this case, would be surprised if a finding of impairment were not made. In the words from the case of Grant set out above, the need to uphold proper professional standards and public confidence in the profession would be undermined if a finding of impairment were not made in the particular circumstances of this case.
48. For all the reasons set out above, the Committee finds the Registrant’s fitness to practise is currently impaired in the wider public interest, that is, in order to maintain public confidence in the professions regulated by the Council; and to uphold proper professional standards and conduct for members of those professions.

Stage 3: Decision on Outcome

49. Having found current impairment, the Committee went on to consider the matter of outcome. The Committee’s powers are set out in Article 54(2) of the Order. The Committee should consider the available outcomes in ascending order from least restrictive, take no action, to most restrictive, removal from the register, in order to

identify the appropriate and proportionate outcome that meets the circumstances of the case.

50. The purpose of the outcome is not to be punitive, though an outcome may in fact have a punitive effect. Its purpose 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 than to the Registrant's interests.

Submissions

51. Mr Aldeek on behalf of the Council drew the Committee's attention to the case of Bolton v Law Society (1994) 1 WLR 512 CA (Civ Div) in which it was said that:

"The reputation of the profession is more important than the fortunes of any individual member. Membership of a profession brings many benefits, but that is a part of the price".

52. Mr Aldeek proposed a number of aggravating and mitigating factors which the Committee should take into account and submitted that a nine- month suspension was the appropriate and proportionate outcome given the facts of this case. Mr Aldeek submitted that this is not a one-off matter as the Registrant had a past history of fitness to practise concerns relating to a breach of his professional standards; however this was not in the course of his professional practice nor for financial gain. Whilst the relationship was consensual in the beginning, the conviction for stalking a former colleague who was also a registered pharmacist would cause significant damage to the reputation of the profession compounded by the fact that his breach was repetitive in nature.
53. Furthermore, the Registrant had provided no evidence to substantiate the CPD and counselling which he had said he had undertaken.

54. Mr Aldeek submitted that a nine- month suspension would not personally have an impact on the Registrant as he was not working as a pharmacist but it would provide deterrence to others.
55. The Registrant unreservedly apologised to the victim and to his profession for his unprofessional actions; he thanked the Committee for acknowledging he had shown insight into his adverse behaviour and acknowledging that he would not repeat it. He said he would abide by all and any outcomes imposed by the Committee.

The Committee's Decision

56. The Committee had regard to the Council's 'Good decision making: Fitness to practise hearings and outcomes guidance' (2024) ("the Outcomes Guidance") to inform its decision, and carefully considered the submissions of both parties. It accepted the legal advice in relation to its powers today and the principles it should consider when deciding upon the appropriate outcome.
57. The Committee first considered what, if any, aggravating and mitigating factors there may be.
58. The Committee identified the following aggravating factor:
- Colleague A had been a junior colleague at his workplace so there would have been a power imbalance between them.
59. The Committee identified the following mitigating features:
- The Registrant made a self-declaration of the conviction as per the Council's standards
 - The conviction only related to one person with whom he had initially been in a consensual relationship.

60. The Committee next turned to consider the outcomes available to it in ascending order of severity.
61. Take no Action: The Committee first considered whether it would be appropriate to take no action, however it was of the view that this outcome would not be sufficient to protect the wider public interest by sending out a message to the profession and the public about the seriousness of the Registrant's conviction in light of the standard of conduct expected of him as a professional.
62. Warning: The Committee next considered whether issuing a Warning would be appropriate. It took into account the Registrant's criminal sentence, as set out in the Certificate of Conviction. He has completed his community service and ancillary financial orders, however he remains subject to a restraining order in relation to his victim, Colleague A, which will continue until October 2032. The Committee was of the view that a Warning in these circumstances would not be sufficient to mark the seriousness of the Registrant's conviction and sentence and thereby maintain confidence in the profession and the standards which registrants are required to observe. A Warning would be too lenient.
63. Conditions of Practice. The Committee next considered whether to impose conditions of practice. The Outcomes Guidance states that conditions may be appropriate where there is evidence of poor performance or of significant shortcomings in a registrant's practice. However, the Committee was of the view that conditions would not be appropriate or relevant in this case since the particulars of allegation relate to a conviction for conduct outside the workplace.
64. There have been no concerns raised about the Registrant's standard of professional practice.
65. In any case, an order for conditions would undermine public confidence in the profession as it would not be sufficient, in the Committee's view, to send out a clear

message, both to practitioners and to the public, of the gravity of the findings in this case.

66. Suspension Order. The Committee next considered whether suspension would be a proportionate outcome.
67. The Council's Outcomes Guidance 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 outcome."
68. The Committee has already determined that the Registrant's practice does not need to be restricted to protect public safety; and also that the risk of repetition of the Registrant's conviction for stalking is low. The question for the Committee is whether a suspension order is sufficient to deal with the wider public interest.
69. The Committee considered the nature and gravity of the Registrant's offence. It carefully considered the extent to which the Registrant's conviction, was likely to bring the profession into disrepute or to undermine confidence in the profession.
70. Whilst this was a conviction for stalking in the aftermath of a consenting relationship, the Committee observed that the Registrant had received previous guidance (which was non-statutory) in the letter from the Council dated 21 May 2021. This letter had stated that he had breached Standard 6 and gave him guidance in the following terms:
"... this guidance ...is to help you minimise the risk of a similar incident happening again, or a similar concern being raised in the future:

You are reminded of the Standards you are expected to meet at all times and the expectation that you will at all times treat all colleagues with respect and dignity, and maintain appropriate and professional boundaries...”

The letter went on to invite the Registrant to review the Standards, particularly Standard 6. The Committee noted that although the circumstances which led to the Registrant’s conviction were different, they concerned the same colleague and this Committee found that his conviction constituted a breach of Standard 6. Whilst therefore this cannot be characterised as a situation of repeated similar conduct, the Committee considers that this is a case in which the Registrant would benefit from a suspension which will serve as a reminder of the expectations imposed upon him to behave appropriately at all times and not just when at work. The Committee is satisfied that a suspension is necessary to highlight to the profession and to the public that the conduct of the Registrant is unacceptable and unbefitting of a member of the pharmacy profession. Public confidence in the profession demands no lesser outcome.

71. The Committee turned to consider whether this was a case in which it was necessary, to impose the most serious outcome, that of removal. The Outcomes Guidance states that removal is *“reserved for the most serious conduct”* and that it should be considered *“when the registrant’s behaviour is fundamentally incompatible with being a registered professional”*.
72. Taking all of the evidence before it into account, the Committee was of the view that the Registrant’s conviction was not fundamentally incompatible with being a registered professional and therefore a removal order would be unduly punitive.
73. The Committee considers that a period of six months’ suspension would be proportionate to mark the conviction.
74. The Committee does not consider that the suspension needs to be reviewed before its termination as it has been imposed in the public interest alone. The suspension

will therefore expire at the end of the period of suspension and then the Registrant will be permitted to return to the register unrestricted.

75. The Committee directs the Registrar to suspend Mr Baljinder Singh Gill (2036767) from the Register forthwith for a period of six months.