

General Pharmaceutical Council

Fitness to Practise Committee

Principal Hearing

**In person at General Pharmaceutical Council, One Cabot Square, Canary Wharf, London
E14 4QW**

13-15 July 2026

Registrant name: Paul Martin Gadsden

Registration number: 2053298

Part of the register: Pharmacist

Type of Case: Conviction

Committee Members: Lubna Shuja (Chair)
Amira Guirguis (Registrant member)
Stephanie Hayle (Lay member)

Legal Adviser: Gelaga King

Committee Secretary: Adam Hern

Registrant: Attended online and represented himself.

General Pharmaceutical Council: Represented by Hannah Smith, Case Presenter,
who also attended online.

Facts proved: 1, 1.1, 1.2

Facts proved by admission: 2, 2.1

No Evidence Offered 1.3

Fitness to practise: Impaired

Outcome: Suspension (6 months)

Interim measures: Suspension

This decision including any finding of facts, impairment and outcome 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 14 August 2026 or, if an appeal is lodged, once that appeal has been concluded. However, the interim suspension set out in the decision takes effect immediately and will lapse when the decision takes effect or once any appeal is concluded.

Particulars of Allegation

You, a registered pharmacist:

1. On 22 April 2022, you were convicted at Poole Magistrates' Court of the following offences:

1.1. On 31 May 2021 at Bournemouth persistently made use of a public electronic communications network for the purpose of causing annoyance, inconvenience, or needless anxiety to another, contrary to section 127(2)(c) and (3) of the Communications Act 2003;

1.2. On 31 May 2021 at Bournemouth assaulted PC 2828 Lea, an emergency worker, namely Police Constable, acting in the exercise of his functions as such a worker, contrary to section 39 of the Criminal Justice Act 1988 and section 1 of the Assaults on Emergency Workers (Offences) Act 2018;

1.3. [No evidence offered].

2. On 16 September 2022, you were convicted at Poole Magistrates' Court of the following offence:

2.1. On 18 July 2021 at Bournemouth you used towards threatening, abusive or insulting words or behaviour with intent to cause that person to believe that immediate unlawful violence would be used against him by any person, or to provoke the immediate use of unlawful violence by him whereby that person was likely to believe that such violence would be used, or it was likely that such violence would be provoked, contrary to section 4(1) and (4) of the Public Order Act 1986. [Admitted]

And that by reason of the matters outlined above, your fitness to practise is impaired:

a) [no evidence offered];

b) in relation to matters 1.1, 1.2. and/or 2.1, by reason of your convictions.

Documentation

- The Council's Hearing Bundle (57 pages)
- The Council's Bundle with correspondence with the police (28 pages)
- The Council's Statement of Case and Skeleton Argument dated 2 July 2026
- The Registrant's Bundle (112 pages)

Witnesses

- The Registrant gave evidence at the grounds and impairment stage

Determination

1. This is the written determination of the Fitness to Practise Committee at the General Pharmaceutical Council ('the Council').
2. The matter concerns Paul Martin Gadsden ('the Registrant') who is registered with the Council as a Pharmacist, registration number 2053298. He registered as a pharmacist on 13 September 2001.
3. 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").
4. 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.
5. The Committee also has regard to the guidance contained in the Council's '*Good decision making: Fitness to practise hearings and outcomes guidance*' (March 2024).
6. 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. Outcome – the Committee considers what, if any, outcome should be applied if the registrant's fitness to practise is found to be impaired.

Service of Notice of Hearing

7. A letter dated 12 June 2026 from the Council headed '*Notice of GPhC Principal Hearing*' was sent to the Registrant. This had been sent by post to the Registrant's registered address and also by email to the Registrant's registered email address on the same date in compliance with Rule 3 of the Rules. No issue was taken by either party with service. The Committee accepted the advice of the Legal Adviser. The Committee was satisfied that the Registrant had been given no less than 28 days' notice of the hearing. The Committee was satisfied that there had been good service of the Notice and that it contained all the required information in accordance with Rules 3 and 16.

The Council's Application to offer no Evidence

8. Ms Smith, on behalf of the Council, made an application to offer no evidence in relation to Particular 1.3 and the allegation of misconduct in relation to Particular 1.3. She submitted the Investigating Committee had referred the Allegation to the Fitness to Practise Committee. Particular 1.3 related to an allegation of wilfully obstructing a police officer in the execution of his duty. Ms Smith stated that this offence had been disposed of at court by way of a conditional discharge. Ms Smith referred the Committee to Article 51(e) of the Order which states:

“51.—(1) A person’s fitness to practise is to be regarded as “impaired” for the purposes of this Order only by reason of-

(e) a conviction in the British Islands for a criminal offence;”
9. Ms Smith submitted that a conditional discharge did not fall to be considered as a conviction and therefore this matter had been pleaded as misconduct. As such the Council was required to call live evidence about the alleged conduct. Ms Smith referred the Committee to the Council’s bundle of correspondence with the police. She confirmed that attempts had been made to call the relevant police officers to give evidence however, neither police officer was available to attend this hearing, or indeed the earlier Principal Hearing which had been scheduled for March 2026.
10. Miss Smith submitted that it would be disproportionate to delay matters further in order to try and secure their attendance. She submitted that Particulars 1.1, 1.2 and 2 were serious. She submitted that Particular 1.3 related to similar alleged conduct to that relevant to Particulars 1.1 and 1.2.
11. Ms Smith referred the Committee to the case of *PSA v NMC & X* [2018] EWHC 70 (Admin) (paras 55-57) which stated that regulators in fitness to practise proceedings should be able to offer no evidence in appropriate cases, though this should be rare. She submitted that if this course of action were to be taken, the regulator is required to open the case fully and to furnish the Committee with sufficient knowledge of the facts to enable it to make a decision as to whether offering no evidence is appropriate or whether it should refuse and require the regulator to seek further evidence. The Committee needed to be in a position where it could adequately scrutinise the regulator’s application and consider whether the regulator’s proposal to offer no evidence undermined the protection of the public or the upholding of public confidence in the profession.
12. Ms Smith submitted that there was sufficient material before the Committee for it to assess the remaining aspects of the case and whether Particular 1.3 added anything to the case. She submitted there was no risk of under prosecution and the Council’s application should be allowed.
13. The Registrant agreed with the Council’s application. He noted the police had not attended to give evidence and stated that they had lied to the court.

Decision on The Council's Application to Offer No Evidence

14. The Committee accepted the advice of the Legal Adviser. It took into account the submissions of both parties and noted the application was agreed. The Committee also carefully considered the documents provided and the caselaw it had been referred to. The Committee was mindful that its primary function is to ensure that the public is protected and that public confidence in the profession is upheld.
15. The Committee considered carefully the documents that had been provided by the Council and in particular, the correspondence that had taken place between the relevant police officers and the Council. Emails had passed between the parties since November 2025. It was clear from the information provided that the relevant police officers were not available, for various reasons, to give evidence at the Principal Hearing either when it had initially been listed in March 2026 or today.
16. The Committee took into account that Particulars 1.1, 1.2 and 2.1 were pleaded as convictions and the alleged conduct within those was similar to that alleged in relation to Particular 1.3. The Council had made reasonable efforts to secure the attendance of witnesses relevant to Particular 1.3 but had been unable to do so.
17. The Committee noted that this case related to alleged convictions from 2022 and there would be a further delay of an unspecified time to try and secure the attendance of the police officers. Furthermore, the Committee was satisfied that the allegations relating to the remaining convictions were serious. The Committee concluded that it was both in the Registrant's interest and in the public interest that this case is not delayed any further. The remaining convictions are serious and an additional allegation of misconduct would not materially affect the seriousness of the case overall.
18. The Committee concluded that the regulatory objective of protecting the public and maintaining public confidence in the profession would not be undermined if the Council's application was allowed. There was no risk of under prosecution as the remaining matters were serious. Indeed, delaying matters further would be disproportionate and would not be in the wider public interest. Accordingly, the Committee granted the Council's application to offer no evidence on Particular 1.3 or on misconduct. Particular 1.3 did not proceed any further.

The Registrant's Response to the Particulars of the Allegation

19. The Registrant admitted Particular 2.1 of the Allegation. Accordingly, the Committee found Particular 2.1 proved under Rule 31(6) of the Rules. The Committee went on to hear submissions regarding the remaining disputed Particulars.

Background

20. On 24 September 2022, the Registrant sent a 'Something to Declare' Form to the Council notifying the Council of his convictions on 22 April 2022 and 16 September 2022 at Poole Magistrates Court.

21. On 22 April 2022, at Poole Magistrates Court, the Registrant pleaded guilty to the following charges:

"1. On 31/05/2021 at BOURNEMOUTH persistently made use of a public electronic communications network for the purpose of causing annoyance, inconvenience or needless anxiety to another

Contrary to section 127(2)(c) and (3) of the Communications Act 2003

2. On 31/05/2021 at BOURNEMOUTH assaulted PC 2828 LEA, an emergency worker, namely POLICE CONSTABLE, acting in the exercise of his functions as such a worker."

22. In relation to the first offence, the Registrant was fined £500, ordered to pay a surcharge to fund victim services of £55 and also ordered to pay costs of £310.
23. In relation to the second offence, the Registrant was fined £50.
24. The Police Report summary stated the following in relation to the circumstances leading to the convictions of 22 April 2022:

"The Defendant had was [sic] repeatedly calling police on 999 to report 4-6 eggs smashed on his kitchen floor. The Defedant [sic] was told this was not an emergency and that officers would be round when they could, however, he kept calling and calling on 999. As these calls continued he became verbally abusive to staff in the control room and made homophobic comments to them. Staff were becoming upset by his calls and constant abuse. In total Paul made approximately 30 calls to police and continued to do so until police arrival.

The defendant was arrested for misuse of the 999 system. At his home address.

On conveyance to the police car, the defendant became increasingly agitated and was shouting and swearing the in street [sic]. He was advised to stop which he refused [redacted] GADSDEN had clearly been drinking and was acting in a disorderly manner in a quiet road whilst people were trying to sleep.

Then whilst in the holding cell, he was verbally aggressive to police officers and then kicked a officers. [sic]

.....

The footage shows officers arrived at scene, they knock at the door and are met by an irate male. He spins around and walks quickly into his house through to the kitchen. He is promptly arrested for the offence. Suspect then starts to shout at officers and is taken to the police car.

He is verbally abusive in the road and is then [redacted]

He is then conveyed to bournemouth Custody and is obstructive in the car dock and then once in the holding cell starts to shout and is abusive again and he then kicks PC 2828. He is then further arrested....."

25. On 16 September 2022, after a trial the Registrant was found guilty of the following offence:

"On 18/07/2021 at 47 CHRISTCHURCH ROAD, BOURNEMOUTH, UK BH1 3PA you used towards [redacted] threatening, abusive or insulting words or behaviour with intent to cause that person to believe that immediate unlawful violence would be used against him by any person, or to provoke the immediate use of lawful violence by him whereby that person was likely to believe that such violence would be used, or it was likely that such violence would be provoked"

26. The Registrant was fined £1,153, ordered to pay compensation of £200, ordered to pay a victim surcharge of £115 and pay the costs of the Crown Prosecution Service of £650.

27. The Police Report summary relating to the conviction of 16 September 2022 stated the following:

"On SUNDAY 18th JULY 2021 at approximately 16:00pm police received a call from a staff at TABLE TABLE, LYNTON COURT, CHRISTCHURCH ROAD, BOURNEMOUTH stating that there was a disturbance involving a taxi driver and a group of people.

When police arrived, [redacted] came forward and stated that he [redacted] had been assaulted by the defendant, GADSDEN. [Redacted] Then going into [redacted] taxi, grabbing a charger cable from within the taxi and aggressively approaching [redacted] before striking him multiple times with the cable. Hitting [redacted] hands as he put them up to defend himself. [Redacted] also stated that the defendant had then said that he was going to kill him saying, "IM GOING TO KILL YOU, I'M GOING TO STRANGLE YOUR NECK" whilst trying to get the charger cable over his head.

The assault was witnessed by [redacted] who was sat in the taxi at the time and knows the defendant through a friend.

The assault was also witnessed by off-duty Thames Valley Police Officer [redacted] who has intervened as the situation escalated. [Redacted]

The defendant had left the scene prior to police arrival however, his details were given to police as they had been used to book the taxi. Upon checks on the police systems, the defendant was identified following his name, address and telephone number providing a match.

That the defendant then attended a voluntary attendance interview."

28. The explanation given by the Registrant to the police during his interview was summarised as follows:

“GADSDEN stated that he had been at LYNTON COURT and had ordered a taxi to collect him and his group. However, when two taxis turned up he said that he was annoyed. He added by saying that whilst his friend [redacted] was trying to get into the back of the taxi with some bags, the taxi driver has moved off. He admitted being annoyed and said to the driver “YOU ALMOST KILLED HIM”. He then stated that the taxi driver then refused to leave with him and [redacted] and have physically grabbed his left arm while asking them to leave. GADSDEN confirmed that no severe force was used and that the taxi driver just grabbed him whilst he was sat in the passenger seat. GADSDEN then stated that he could not remember anything more specific about what had happened, but confirms that he then later left by getting on a bus.

When pressed further about this, he did not provide any further information. He only added that the taxi driver was aggressive towards him and was shouting him [sic] rather than him shouting at the taxi driver which had been alleged.”

Submissions on Facts on Particulars 1.1 and 1.2

29. On behalf of the Council, Ms Smith relied upon the Certificates of Conviction provided and certified by an Officer of Poole Magistrates Court in relation to Particulars 1.1 and 1.2. She submitted that under Rule 24(4) of the Rules, these were admissible as conclusive proof of the convictions and the findings of fact on which they were based. She further submitted the Registrant had not indicated that he was not the person mentioned in the convictions and there was therefore no evidence to rebut the convictions.
30. The Registrant denied Particulars 1.1 and 1.2. He made the following submissions about what had happened.
31. The Registrant confirmed that he had called the police on 31 May 2021 and said this was because his lodger, AC, had caused him to be worried about his own safety. He referred the Committee to press articles about AC which indicated that AC had convictions, including violent attacks for which he was jailed. He stated that AC had thrown eggs around his kitchen and that the police had lied at court saying that only four eggs had been thrown. The Registrant referred to pictures showing there had been a dozen eggs on his kitchen floor. The Registrant also stated that his ex-wife had been on the phone during the incident from America so had overheard the incident, but had not been able to attend court. The Registrant stated that his solicitor had told him to plead guilty.
32. The Registrant also stated that he did not ring the police 30 times. He stated he had called 6-10 times. He stated the police operator had not been listening to him. He stated that the police, instead of carrying out proper diligence and researching what he had told them about AC, had done nothing, even though they had all the

information on record. The Registrant stated that he later found out, after AC left his property, that AC was an alcoholic. He stated that AC had smashed up the Registrant's bedroom door with his bare hands, smashed the glass in the Registrant's front door, hidden alcohol everywhere and broken the Registrant's washing machine. The Registrant stated that he had been extremely frightened of AC and he had told the police this but *"they did not want to know"*. He stated that New Forest Council had been aware of AC's background but had not informed him of it before he accepted AC as a lodger. He stated that he believed the violence caused by AC to his doors could have been caused to him. He stated that the police should have *"dragged [AC] out of the house, not me"* and that they should have protected the Registrant. Instead, he said that they had assaulted him. The Registrant stated he did not touch the police at all. He stated *"the police tortured me. Where is the justice in all of that?.... I did call the police, I should not have been convicted. I could not afford to appeal."*

Decision on Facts

33. The Committee took into account the submissions made by both parties and all the documents it had been provided. The Committee accepted the advice of the Legal Adviser.
34. Particulars 1.1 and 1.2 each related to an allegation of conviction each dated 22 April 2022. The circumstances that led to these happened on 31 May 2021.
35. The Committee had been provided with a certified Memorandum of an Entry in the Register of the Dorset Magistrates Court dated 28 May 2024 in relation to each of the convictions at Poole Magistrates Court as set out at Particulars 1.1 and 1.2. Rule 24(4) of the Rules states:

"Where a person concerned has been convicted of a criminal offence in the British Islands (and has not successfully appealed against the conviction) a copy of a certificate of conviction certified by a competent officer of the court is admissible as conclusive proof of that conviction and the findings on which it was based."

36. Rule 24(5) of the Rules states:

"The only evidence which may be adduced by the person concerned in rebuttal of a conviction certified or extracted in accordance with paragraph (4) is evidence for the purpose of proving that the person concerned is not the person referred to in the certificate or extract."

37. It was clear to the Committee that the Registrant did not accept the convictions and disputed the version of events as recorded in the Police Report summary. He had given the Committee his own version of events from which it was apparent he was

dealing with a difficult and challenging lodger who had caused him some anxiety and at times fear.

38. However, the Registrant had not appealed the convictions and nor did he claim that they did not relate to him. The Committee therefore had no power to go behind those convictions and was bound by the findings of fact made by Poole Magistrates Court.
39. Accordingly, under Rule 24(4) the Committee found the fact of each of the convictions proved in relation to both Particulars 1.1 and 1.2.
40. The Committee went on to consider whether the ground of Conviction is established and if so, whether the Registrant's Fitness to Practise is currently impaired.

The Registrant's Application for the Committee to recuse itself and for the Council's Case Presenter to be removed from the case

41. At the start of the second day of the hearing, 14 July 2026, the Registrant made an application for the Committee to recuse itself on the basis that most of the Committee were *"not white British"* and that the Committee was *"racially unbalanced"*. He submitted there would be bias against him and this had an obvious impact on him.
42. The Chair of the Committee explained again that the Committee was independent from the Council. The Registrant asked if the Committee was also independent from the police. The Chair confirmed the Committee had nothing to do with the police and was independent of the police too. The Registrant then stated that he withdrew his application and did not apply for the Committee to recuse itself.
43. The Registrant then applied for the Case Presenter to be removed from the case as he considered she has been *"deliberately irritating..... she is ignoring what happened, why is she ignoring evidence in the bundle and what could have been done to my head?"* He reiterated that he could have been injured by AC and the Registrant had felt threatened by him. He submitted that the only thing he had done wrong was to be rude to the police officer. The Registrant submitted the Case Presenter had not assimilated his information and stated: *"Is it permissible for someone to whack you over the head"*. The Registrant submitted the Case Presenter had been too slow speaking when presenting her case and that she had been incompetent.
44. Ms Smith, on behalf of the Council, reminded the Committee that the Council decides who to appoint as a case presenter, that she had her own Code of Conduct to adhere to and she had been competent in dealing with the case. She stated that there would be no change of case presenter and if the Committee had concerns, these could be raised by the Committee. She confirmed that she would not be

stepping away from the case and would continue to represent the Council. She indicated that she had not intended to be deliberately slow or obtuse but had been ensuring everyone was able to follow her submissions and the documents she had been referring to. Ms Smith indicated she would speed up her submissions if required. She confirmed that it was not the case that she had not seen the Registrant's documents or not taken account of the material he relied upon. She confirmed she had read all of the documents he had provided.

45. On hearing the advice given by the Legal Adviser, the Registrant commented "*the law is an ass and not listening to common sense. Hannah is biased against me, regardless of how the courts convicted me or the police behaved, she has taken nothing into account.*" He urged the Committee to consider all the facts.
46. The Committee accepted the advice of the Legal Adviser. It carefully considered the submissions of both parties and the caselaw to which it had been referred.
47. The Registrant had initially made an application for the Committee to recuse itself on the basis that it was racially biased. He then withdrew that application when it was stressed to him again that the Committee is independent of the GPhC and the police.
48. The Committee took into account the case of Porter v Magill [2002] 2 AC 357 in which it was stated:

"...the question is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased."
49. The Committee was satisfied that a fair minded and informed observer, having considered the facts, would not conclude that there was a real possibility that the Committee was biased. This was an independent Committee with no prior knowledge of either the Registrant or the issues involved in this case. It had no connection with the police. It was a professional Committee making decisions within the legal and regulatory framework it was required to adhere to. Accordingly, the Committee was satisfied, notwithstanding the withdrawal of the Registrant's application, that it did not need to recuse itself.
50. The Committee then considered the Registrant's application for the Case Presenter to be removed from this case on the basis that she was incompetent and not taking into account the Registrant's evidence. The Committee noted it had no power to remove a case presenter from a case, as it was a matter for the Council to decide who it wished to instruct to represent it in regulatory proceedings and present a case on its behalf. In any event, the Committee had no concerns about the manner in which the Case Presenter was presenting the case for the Council or about her competency, and accordingly, the Committee saw no reason to raise any issues about this.

Summary of Evidence

The Registrant's Evidence

51. The Committee heard evidence from the Registrant. He referred the Committee to various documents and photographs in the bundle he had provided as well as to the references he had obtained, which he read out to the Committee. The Registrant provided brief details of his career history and referred to the many pharmacies he had worked in over the years.
52. PRIVATE
53. The Registrant accepted that there were rules, and the convictions meant that the Committee was "*sabotaged*". He stated that he had been severely punished, was very embarrassed and had paid thousands of pounds due to the unfortunate circumstances around his conviction.
54. In relation to Particular 1.1, the Registrant again referred to his lodger, AC, who he said had been recommended to him by New Forest Council. The Registrant stated that as he was a "*decent Christian*", he had "*given [AC] a roof over his head, when there were things behind the scenes I didn't know which New Forest should have told me.*" The Registrant spoke at length about AC being an alcoholic, hiding alcohol bottles around the Registrant's house, threatening the Registrant, having no respect for the Registrant's home and damaging the Registrant's belongings and property. He made reference to AC being a very intimidating individual in that "*he put his hands around my neck, his fingers in my eyes.... he was really tall, intimidating.... he attacked me.*" The Registrant stated that this attack had taken place some weeks before 31 May 2021. He stated AC was "*abusive, unpleasant, didn't stick to any house rules, he was going in and out, argued with me. It was frightful.....he kept going on and on and showing disrespect. I was talking to my ex-wife that evening, he yelled at me, smashed eggs all over the floor. The police lied about the number of eggs on the floor, they said four eggs, but there were six eggs. The police are corrupt, they don't have total integrity, they can distort evidence.....*"
55. The Registrant stated that he had called the police, but did not make 30 calls. He stated he had made between 6 to 10 calls but the operators kept putting the receiver down on him. He said that the police would not listen. The Registrant stated that AC "*was on the police books*" as he had been charged. The Registrant considered the police should have rescued him from AC. The Registrant stated that he was sorry he had been rude to the operator and he regretted his actions, but stated that he had been utterly exasperated as "*the operator would not listen to common sense*". He stated that he was dragged out of his house by the police, who had assaulted him, and damaged his wrist so that he could no longer feel anything anymore in it. The Registrant stated "*I wanted the whole thing to go away, I wanted to get on with a normal life, this happened five to six years ago. I was put in a police station. [AC] was left in my house, he could have destroyed it.....*" The Registrant referred to the police severely injuring him and stated: "*....the police should have known [AC] was a*

psychopath, I was terrified after the incident, [AC] broke the door on my house... He was very strong and could have killed me..... the police left someone totally dangerous in my house, they assaulted me, dragged me to the station. My solicitor advised me to plead guilty which I did, not realising it would put me in this ghastly position. I couldn't afford representation for today - I was quoted £20,000. I should not have shouted at the police officer and been so rude but I rang six times and was not listened to."

56. In relation to Particular 1.2, the Registrant stated he did not assault the police constable and asserted the police constable had assaulted the Registrant. He stated: *"I stepped towards him, there was no contact with him. He assaulted me, injured my wrist. I didn't follow it up, but should have done. He should not have tortured me by putting the handcuffs on me"* with force.
57. In relation to Particular 2.1, the Registrant stated: *"There was all sorts of conflicting evidence about where people were sitting. Two taxis came when I booked a van. The taxi driver didn't understand English well. We got into two taxis.....[B] is a very frail gentleman he was a very vulnerable patient. He tried to get in the car, the taxi driver was not paying attention at all. He didn't check and [B] almost got run over. I shouted at the taxi driver. He assaulted me, he pulled me out of the car, that's when I picked up the cable. I regret yelling at him but he was being really irritating. He refused to take us home."*
58. The Registrant stated that he regretted shouting at the taxi driver as much as he did. He said that the taxi driver didn't apologise, he didn't take them to where they wanted to go. The Registrant stated: *"I walked away, and felt ashamed of shouting at him"*. The Registrant said that he had spoken to a policeman about the incident and the policeman had told him *"...don't worry about it, he could have arrested me but oh no, they decided to do it later."*
59. The Registrant stated: *"These were two annoying incidents that happened quickly. If [AC] had not attacked me and if the taxi driver did his job properly, it wouldn't have happened. I have got convictions, I'm not proud of it, I have paid the penalties and the fine. I don't deserve to be punished anymore. This has been going on for 5-6 years. The GPhC have tortured me..... Boots and Tesco won't employ me so I've had even more punishment left, right and centre due to this."*
60. During cross-examination, the Registrant denied that he had given two differing accounts of the incident relating to Particular 1.1. He stated he had pleaded guilty on the advice of his solicitor and said *"If I knew all this would happen, I would have pleaded not guilty..... I was found guilty but I was not guilty."* He accepted he had used homophobic language when speaking to the emergency phone operator and said *"Yes, I am ashamed about that and lost my temper."*
61. Concerning the incident set out in Particular 1.2, the Registrant accepted that the police officers attending the incident on 31 May 2021 had been wearing body cameras which the Registrant had been shown during his police interview. He maintained that the police *"had lied"* and also said *"I was annoyed with them for not arresting [AC]."* He accepted that he had not known on 31 May 2021 that AC was awaiting trial but stated *"they [police] should have done. He had been violent to me"*

previously, tried to poke my eyes out. I was very frightened of him. New Forest Council failed to do their checks. If they did, I would never have been in the position I was in to call the police..... I landed in the police station because of the stupidity of the police."

62. When asked about the incident in Particular 2.1 and the cable involved, the Registrant stated: *"I waved it around my head. I did not hit the taxi driver. He attacked me, he assaulted me pulling me out of the taxi. I waved the cable at the taxi driver and said don't you hit me. He was much younger than me."* The Registrant denied trying to loop the cable around the taxi driver's neck and said *"that was an absolute lie"*. He also denied telling the taxi driver he would kill him. The Registrant stated: *"I was attacked by the taxi driver, yes. I am the victim in all of this. I shouldn't have overreacted so much to the taxi driver. The police officer said don't worry about it. I was the victim on 31 May 2026 too. [AC] threatened me and the police pulled me out of the house..... I'm sorry I lost my temper with you all. This is a complete nightmare. I'm normally a completely calm person. Can't Ms Smith understand that?"*
63. In response to questions from the Committee, the Registrant stated that he did not seek the police officer out after the incident with the taxi driver, but had bumped into him walking down the road. He stated: *"I felt contrite, I should not have shouted at the taxi driver. So I felt a bit awful, but I should never have been convicted. I said I shouldn't have shouted at the taxi driver. The taxi driver should have taken us. I was duly contrite. I am not actually a bad person. I just get stressed at times..... I thought I might be arrested [by the police] or have an encounter.... They don't do their job properly. I did lose my temper. Another off-duty police officer was there, she observed some of it and gave her version. I didn't think it was a criminal [offence] but possibly a breach of the peace. I was trying to protect [B] who is a vulnerable individual. I am a caring pharmacist...."*
64. The Registrant was asked if he had apologised to anyone to which he stated that he had not had the opportunity to speak to the police operator. He stated: *"I am not proud of remonstrating with the police..... PC Lea should be apologising to me. You can see my injuries in the photos. He assaulted me."* In relation to apologising to the taxi driver, the Registrant stated: *"I've not seen the taxi driver. He was quite obstructive in court. He purported to speak English but couldn't in court. The police rigged his evidence. He said I hit him. I didn't. He got £200 out of me. I have paid hundreds. I wish to God I hadn't gone out with [B] that day. You try to look after people and this is what happens to you. I want to keep a low profile in future."*
65. The Registrant was asked how he was now managing with people causing him stress. He stated that when he was in the pharmacy, he would *"count to 10, go in the consulting room, then come back..."*. He mentioned that pharmacists have a duty to keep calm when dealing with patients and said that he did not generally have any problems with patients. He referred to having *"perfectly lovely times in pharmacies. I work well under pressure in pharmacies..... I deal perfectly well with stress. I am a good pharmacist, I know my stuff, I do my CPD assiduously. I do it on time. I am knowledgeable and will research if I don't know something."* When asked how he would deal with stress outside the pharmacy, the Registrant stated: *"After all this carry on, I would walk away. Don't get into an argument. I've been asked some*

irritating questions but I can't walk away here. Normally I am a normal, laid-back jolly person. My blood pressure is high due to you guys stressing me out. I don't get stressed in pharmacies. I have learnt a massive, massive lesson. I am duly penitent. I will take a deep breath, count to 20. I have talked to [a pharmacist colleague] about being calmer like he is. I will be calm in future. I am duly contrite.... I could go to 'Listening Friends' [for support]. I don't normally have a temper problem in the pharmacy. It has only been these two occasions from 5 years ago.... I have a good GP as well. My surgery is excellent.... I've got a good relationship with my GP...."

66. When asked how he would respond if placed in a similar situation again, the Registrant stated he would *"have to go to the Police Complaints procedure instead of bashing away at a lower level."* In relation to written reflections, the Registrant stated *"I have done so much work on this..... I've done more than enough reflections about those two incidents. If I wasn't decent, I would never have had [AC] in my house and all this would not have happened...."* The Registrant confirmed that he had not done any written reflections as he was getting all his paperwork together but said *"It's been on my mind and I've been reflecting 24 hours a day. No human should have to put up with this. I know I've done wrong and I don't deserve to be punished."*
67. The Registrant was asked about the public perception of pharmacists having convictions. He stated that if members of the public had the full story, *"they would understand. I did not attack the police. A member of the public would not be pleased I am not the kind of person to attack the police. Members of the public would not be too impressed but would look at all the circumstances. This all happened a long time ago. I think I've been punished enough. What I've done is not brilliant but far less bad than other pharmacists who steal and do drugs and get 3-4 months suspension."*
68. In relation to the perception of members of the profession, the Registrant pointed out that he was being supported during the hearing by a member of the profession who was sympathetic. He stated that members of the profession should read the full facts. He stated that the convictions had been *"broadcast"* in the local papers and *"I've not had loads of people bang on the door saying you're a convict. I accept it is not good for the profession..... I should be allowed to carry on with my profession."* The Registrant said that he felt *"absolutely ghastly"* about the convictions and that they *"haunted"* him. He said *"...it flashes through my mind all the time. It is very distressing. I wouldn't wish this on anyone else. I would tell any other pharmacist to count to 30 and walk away. Sometimes what do you do? The law does not work properly for justice. People get misconvicted....."* The Registrant referred to his age and said that he didn't want to get involved again due to the impact on his health.
69. In relation to not repeating the conduct, the Registrant stated: *"I can only swear on the Holy Bible. I pray to God to keep me calm at all times. I care for the public, I go out of my way to help people..... I love my patients. This is our whole life, whether they come from the poorest background. I have done psychiatric pharmacy too. This has been absolutely, totally stressful and traumatic. I shouldn't have shouted at the operator but I still maintain the police should have done their due diligence. I certainly should not have shouted at the taxi driver. I was caring for [B]."*

Submissions on Ground of Conviction

70. On behalf of the Council, Ms Smith referred the Committee to the case of *Achina v General Pharmaceutical Council* [2021] WL 00767466 in which it was confirmed that it is not permissible within disciplinary proceedings for a practitioner to relitigate the facts of a conviction. She submitted that where the Registrant had asked the Committee to treat him as a victim, whether in relation to the telephone calls or the assault concerning the police constable or the taxi driver, it was wholly inappropriate for the Committee to accept the Registrant's position which amounted to him being not guilty of the offences for which he had been convicted. Ms Smith submitted that the court decision in *Achina v GPhC* was that Rule 24 of the Rules treats as conclusive proof not only the bare facts of the conviction but also the broader factual matrix on which the person has been sentenced. She reminded the Committee that as the Registrant's convictions had been dealt with in the Magistrates Court, no sentencing remarks were recorded and the Committee had been provided with the Case Summary within the police reports. She submitted it was not appropriate for the Committee to accept the Registrant's submissions that he was a victim of the police. She reminded the Committee that the Registrant had been convicted of assaulting a police officer on his guilty plea. She submitted that whilst the Registrant was referring to being a victim of an attack by the taxi driver and saying he was acting in self-defence, this demonstrated his belief that he was innocent. She submitted that the Committee should not accept the Registrant's evidence on these matters as they went behind the factual matrix of the convictions.
71. Ms Smith submitted that the Council accepted the Registrant's state of mind was relevant in relation to the telephone calls he had made on 31 May 2021. She submitted this may not be a defence but there were matters that explained his anxiety and the Committee was entitled to take those into account whilst noting what was set out in the Case Summary. She submitted however, there was no explanation as to why the Registrant had used homophobic language with the call handler and accordingly, she urged the Committee to take caution in terms of what explanations were accepted from the Registrant.
72. Ms Smith further submitted that the Registrant was asking the Committee to treat him as innocent of his convictions. She submitted there were matters that he had referred to concerning AC which he had only become aware of well after 31 May 2021. She invited the Committee to reject those matters as not relevant. She accepted that the impact that this case has had on the Registrant was relevant and accepted that it had taken time to reach resolution. However, she submitted that the Committee also needed to consider the impact on public confidence in the profession. She submitted that where the Registrant's accounts were inconsistent with his guilty plea, they should be disregarded.
73. In response, the Registrant stated "*I accept the rules are that these are convictions, they will have to be rewritten.*" He submitted the case of *Achina* could not be compared to his case as it related to theft of drugs whereby a Ghanaian pharmacist had been stealing medications and sending them to a family member in Ghana. He

submitted this was different from his own position. The Registrant also asserted that an osteopath was not the same as a pharmacist. The Registrant referred to a number of cases concerning the police which he submitted demonstrated that *“Dorset police are not all truthful or honourable”*.

Decision on Ground of Conviction

74. The Committee considered carefully the Registrant’s evidence, the submissions of both parties and the documents provided. It accepted the advice of the Legal Adviser. The Committee also took into account the guidance given to the meaning of ‘fitness to practise’ in the Council’s publication *‘Good decision-making: Fitness to practise hearings and outcomes guidance’* (March 2024). Paragraph 2.12 states:

“A pharmacy professional is ‘fit to practise’ when they have the skills, knowledge, character, behaviour and health needed to work as a pharmacist...safely and effectively. In practical terms, this means maintaining appropriate standards of competence, demonstrating good character, and also adhering to the principles of good practice set out in our various standards, guidance and advice.”

75. The Committee noted the case of *Achina v General Pharmaceutical Council* in which Lane J had stated the following:

“82. In Wray v General Osteopathic Council [2020] EWHC 3409 (QB), Collins Rice J heard the appeal of an osteopath, who had been found guilty by a Committee of the General Osteopathic Council of unacceptable professional conduct. The osteopath had been given a conditional discharge by the Magistrates, following a guilty plea for having an offensive weapon. Section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 provides that on expiry a conviction “shall be deemed not to be a conviction for any purpose”. The osteopath’s conditional discharge had expired after six months.

83. For this reason, Collins Rice J held that she was not dealing with “a conviction case”, which would proceed on the basis that “the facts of conviction need not be proven” (paragraph 29). Counsel for the respondent, however, submitted that, nevertheless, the principles applicable to conviction cases should apply:-

“31. Mr Wray expressly invited the PCC to go behind his plea. He said it was a mistake, explained how it happened, and recounted his unsuccessful efforts to undo it via an appeal. There is no sign in the PCC decision, nor in what exists of the transcript, that they took any notice. Mr Faux says that is just as it should be.

32. It is certainly so in conviction cases. The authorities have consistently held that where statutory provision is made for disciplinary bodies to attach professional consequences to a criminal conviction, the effect of the statute has been to preclude the practitioner from denying the truth of any facts necessarily implied in

the conviction. In such cases, the decision of the disciplinary body is properly based on the fact of the conviction, and the practitioner cannot go behind it and endeavour to show that he was innocent of the charge and should have been acquitted (Kirk v The Royal College of Veterinary Surgeons 2004 WLUK 267, paragraph 6; General Medical Council v Spackman [1943] AC 627, 634–635). That includes cases where conviction is based on a guilty plea (Royal College of Veterinary Surgeons v Samuel). Additional evidence about the underlying facts on which the conviction is based may be adduced and relied on in relation to the disciplinary consequences, provided the facts are not inconsistent with the finding that the practitioner was guilty of the offence. What the practitioner cannot do is to relitigate the conviction as to the facts.

33. That is why regulatory regimes, including the one in this case, make special provision for conviction cases. It is both unnecessary and undesirable to re-try a criminal case – unnecessary where the facts have already been pleaded and established to the criminal standard, and undesirable because of the public interest in the finality of criminal procedure. The only issue left for a disciplinary body is the relevance of conviction and sentence to the professional standing of the participant.

34. But this was not a conviction case. Mr Faux says that the same consequences nevertheless flow from a guilty plea in its own right. I was not shown any authority to that effect. On the one hand, it might be said (and Mr Faux did say) that similar public policy considerations are in play. It might be wrong, for example, if a practitioner could take the benefits of an early guilty plea in criminal proceedings, knowing that he had an imperfect answer to a criminal charge, but was then able to resile from that and put a regulatory body (and witnesses) to the trouble of relitigating the facts to which he pleaded. The Privy Council in the Samuel (conviction) case doubted whether, on one of the charges to which the practitioner had pleaded guilty, the prosecution would have been able to prove the necessary intention in the end, but it did not go as far as finding the contrary.”

84. These important policy considerations in my view inform the way in which the court should approach the final nine words of rule 24(4). In framing those words, the legislature is, I find, treating as conclusive, not only the “bare” facts to be found in the Certificate of Conviction, but also the broader factual matrix on which the convicted person has been sentenced. One finds that factual matrix in the sentencing remarks of the judge.”

76. The Committee had already found the facts of the convictions proved. Particular 2.1 had been proved on the Registrant’s admission. In relation to this and indeed the disputed Particulars, the Committee had been provided with the certified

Memorandum of an Entry in the Register of the Dorset Magistrates Court dated 28 May 2024 in relation to each of the three convictions at Poole Magistrates Court.

77. The Committee accepted the legal position as set out in the case of *Achina v General Pharmaceutical Council*. Whilst the facts of that case were different and the reference to the case of *Wray v General Osteopathic Council* related to a different profession, the legal principles set out applied to all conviction cases in regulatory proceedings. The Registrant had, in his evidence, sought to go behind the convictions and offer explanations as to his innocence notwithstanding his guilty pleas and the fact that he had been convicted. He had effectively sought to reopen the factual basis of convictions by advancing a different account of the underlying events. This directly contradicted Rule 24(4) of the Rules which is set out above. The Committee could not go behind the facts of the convictions and was satisfied that the certified Memoranda of Convictions were admissible as conclusive proof of each of the convictions and the findings of fact upon which they were based. The Registrant, in his evidence, had sought to relitigate those facts in this hearing despite having pleaded guilty to them and not subsequently appealing them. The Committee accepted that it was bound by both *Achina v General Pharmaceutical Council* and Rule 24(4) of the Rules. As such it could not, and would not, go behind the broader factual matrix on which the Registrant had been convicted and sentenced. As such it could not accept the Registrant's evidence professing his innocence of those convictions.
78. Accordingly, the Committee concluded the ground of conviction was established.
79. Having found the Particulars of the Allegation proved, the Committee went on to consider whether the Registrant's fitness to practise is currently impaired by reason of his convictions.

Submissions on Impairment

80. On behalf of the Council, Ms Smith submitted that the Registrant's conduct had breached Standard 6 of the Council's '*Standards for Pharmacy Professionals*' ('May 2017') ("the Standards") and submitted the Registrant had not behaved in a professional manner at all times and this was essential to maintain public trust and confidence in the profession. She also referred the Committee to Rule 5(2)(a), (b) and (c) of the Rules. She submitted the Registrant had behaved in ways that were harmful to others although none of his behaviour had been in pharmacies. She submitted that the risk of repetition also carried the risk of his behaviour reappearing in practice.
81. Ms Smith accepted on behalf of the Council that the penalties imposed by the Magistrates Court had been at the lower end but reminded the Committee that considerations in regulatory proceedings were different. She submitted the Registrant had brought the profession into disrepute and breached fundamental principles of the pharmacy profession. She submitted that the Registrant's responses and attitude provided limited assurance that his conduct was unlikely to be repeated and as such his fitness to practise was currently impaired both personally and in the wider public interest.

82. The Registrant, in his submissions, repeated much of what he had said in his evidence. He submitted he was not being listened to by the Case Presenter. He stated that he was contrite and submitted he was not a risk to the public. The Registrant apologised *"for being rude to the guy on the phone, but I was completely exasperated. People should take more care"*. He submitted the taxi driver *"did not stick to his contract, he did not drive safely just like we have to dispense safely."*
83. In relation to Standard 6 of the Standards, the Registrant stated *"We are not all saints. We can't be perfect 110% of the time or we'd be the Pope wouldn't we....."*. The Registrant reminded the Committee that these incidents had taken place five years ago. He submitted that the case had *"dragged on due to the ineptitude of the GPhC....."* He submitted that to compare him to a *"Ghanian stealing heroin"* was a ludicrous comparison. He referred to the impact of the hearing on him and his health and stated that it has *"stressed me out all day. You people are putting me under stress. It is scandalous you are treating pharmacists in this way. We pay your wages. We have to be nice to patients and you should be nice to pharmacists..... I've expressed apology. I am perfectly fine to practise now. I am fit and raring to go..... the public need me. It is not in the public interest for me not to practise..... I get shot down by Achina v GPhC. It is awful, it really is. I've shown you what [AC] did, what the taxi driver did. He was totally incompetent and the police did nothing. The police tried to pin the race card on me but I'm not racist. He should have been prosecuted. In Ms Smith's opinion, she agrees with that. I have done my best, slogged my guts out. If I'm struck off, it will be an injustice. You struck me off for years due to all this carry on. I've said I'm sorry, I've shown insight. What am I meant to do? Fall on my sword and die? It's not on."* The Registrant submitted his fitness to practise was not impaired.
84. After the Legal Adviser had given his advice to the Committee, the Registrant again repeated his earlier comments about the police and stated he had been assaulted by the police. He stated: *"I'm sorry I was convicted, I should have just locked myself in my bedroom..... You need to take this into account. I was absolutely furious with the taxi driver at the time and I am contrite..... Is there a God up there?..... I have had enough, don't need the pressure. I have shown insight. You're not mind readers. How do you know what's in my mind? Why was this not sorted out in 2022? Total inefficiency and ineptitude, the GPhC is totally incompetent and not fit to practise. I know I haven't been perfect but I don't deserve to be punished anymore."* He submitted the Committee *"...could just say yes Paul, you're fine, get on and enjoy your life."*

Decision on Impairment

85. The Committee took into account all the evidence it had heard, the documents provided, the submissions made and the caselaw to which it had been referred. The Committee accepted the advice of the Legal Adviser.

86. The Committee first assessed the Registrant's evidence as well as his demeanour during the hearing. The Committee acknowledged that being subject to regulatory proceedings could be stressful for registrants generally and it was particularly mindful that this case had been ongoing since September 2022 when the Registrant had self-declared his convictions. The Committee took into account the pressures that registrants are generally under when giving evidence in regulatory hearings and the adverse effect this can have on a person's demeanour.
87. Whilst the Registrant clearly felt aggrieved by these regulatory proceedings, he was unnecessarily confrontational and aggressive throughout the hearing, constantly interrupting others and being particularly disrespectful to the Council's Case Presenter. He did not accept the facts set out in the police report case summaries and frequently lost his temper during the hearing when those facts were referred to, or submissions were made which did not support his position. He shouted at the Case Presenter several times, as well as at the Committee as he asserted he was not being listened to. He accepted limited accountability for his behaviour which had led to the convictions. The Registrant's evidence focused primarily on himself as the victim and in the main, he sought to blame everyone else for what had happened. His demeanour throughout the hearing was indicative of a more deep-seated attitudinal issue towards the purpose of regulatory proceedings and the role of his regulator. This was part of the context within which the Committee assessed the Registrant's evidence when considering whether his fitness to practise was currently impaired.
88. The Committee then considered whether the Registrant had breached any of the Council's Standards. The Registrant had been convicted of three offences. The Committee had no doubt that in relation to each of those, he had breached Standard 6 of the Standards for the following reasons:

Standard 6: Pharmacy professionals must behave in a professional manner.

- The Registrant had failed to be polite and considerate when speaking to the emergency call operators or to the taxi driver. Regardless of how he felt about their conduct, as a pharmacy professional he was required to behave professionally not only in his work environment but also in his personal life.
- The Registrant had failed to show empathy and compassion towards the call operator, the police officer and the taxi driver. The Registrant had become irritated and exasperated because his call to the emergency services had not been prioritised. The police officer had been acting in the line of duty. The taxi driver appeared to have refused to take the Registrant home after the Registrant shouted at him, and instead of remaining calm and understanding the position the taxi driver felt he was in, the Registrant used threatening, abusive or insulting words towards him causing the taxi driver to believe unlawful violence would be used against him.

- The Registrant had failed to treat people with respect in that he had used homophobic language with the emergency call operator, he had assaulted a police officer in the exercise of his duty and he had shouted threatening, abusive or insulting words at the taxi driver. The Registrant had failed to behave appropriately at all times as would be expected from a pharmacy professional.
89. Having found that the Particulars of the Allegation amounted to the ground of Conviction, the Committee considered whether the Registrant's fitness to practise is currently impaired by reason of the convictions. The Committee took into account Rule 24(11) of the Rules and bore in mind that the Standards may be taken into account when considering impairment but that a breach of the Standards does not automatically result in a finding of impairment.
90. The Committee first considered Rule 5(2) of the Rules and whether the convictions showed that the Registrant's 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*
 - (d) means that the integrity of the Registrant can no longer be relied upon.*
91. The Committee understands that the purpose of fitness to practise proceedings is not to punish the practitioner for past misdoings but to protect the public against the acts and omissions of those who are not fit to practise, as well as to maintain public confidence in the profession and to uphold professional standards.
92. The Committee took into account the references provided. They were positive and referred to the Registrant as:
- ".....a person of good standing..... holding high standards of professionalism",*
- ".....an excellent pharmacist.... Very experienced and so clued up in his job. His knowledge is exceptional..... He has a heart of gold..... the most knowledgeable and caring pharmacist I know...."*
- "....never late for his duties and performed his role with utmost efficiency a capable, honest and diligent person.... well versed with pharmacy clinical and legal processes and likes to ensure that any pharmacy he works for he carries out his duties to a very high standard... a kind and thoughtful man...."*
93. The Committee noted that none of the authors of the references had confirmed they were aware of the convictions or the Allegation in these proceedings. It had not been provided with the original emails from all of the authors as two of the references had been copied into emails sent by the Registrant to the Council. The Committee took into account the content of the references but found that they were of limited assistance in the assessment of the Registrant's insight.
94. The Committee was satisfied that Rules 5(2)(a), (b) and (c) were engaged in this case for the following reasons:

- The Committee accepted that there had been no risk to patients as the Registrant's convictions had not taken place during the course of his work. However, the Registrant's convictions had breached Rule 5(2)(a) because his conduct had placed members of the public at risk. He had behaved in a manner which had been harmful to others. He had used homophobic language on the phone with the emergency operator and had persistently called the emergency services causing distress to the call handlers. He had assaulted a police officer. He had used threatening, abusive or insulting words towards the taxi driver and had been swinging a mobile phone cable around, attempted to hit the taxi driver with it and had tried to place it over the taxi driver's head shouting "*I'm going to kill you, I'm going to kill you, I'm going to strangle your neck*".
 - The Registrant's conduct had breached Rule 5(2)(b) because a pharmacist having convictions for causing annoyance, inconvenience or needless anxiety to emergency call operators who were carrying out a public service, particularly using homophobic language towards them, did bring the pharmacy profession into disrepute. Furthermore, convictions for assaulting a police officer in the line of duty, and using threatening, abusive and insulting language or behaviour also brought the profession of pharmacy into disrepute.
 - In relation to Rule 5(2)(c), the Registrant's conduct had breached the fundamental principles of the profession of pharmacy. He had failed to promote and maintain proper professional standards and conduct for members of the profession by breaching Standard 6 in failing to act in a professional manner on three separate occasions. The Registrant had failed to protect, promote and maintain the health, safety and wellbeing of the public due to his conduct which had been harmful to third parties. He had thereby failed to maintain public confidence in the pharmacy profession.
95. In relation to Rule 5(2)(d), the Council did not rely on this and the Committee was satisfied that as there were no allegations relating to integrity or honesty, Rule 5(2)(d) was not engaged.
96. The Committee then considered whether:
- the conduct which led to the complaints is able to be addressed
 - the conduct which led to the complaints has been addressed
 - the conduct which led to the complaints is likely to be repeated
 - a finding of impairment is needed to declare and uphold proper standards of behaviour and/or maintain public confidence in the profession.
97. The Committee carefully considered all the circumstances of this case. The Registrant had been convicted of three separate offences which had some similarity in nature. They were based on the language he had used, an assault on a police officer and acting in a threatening or abusive manner. The Committee was satisfied

that such convictions could be addressed with sufficient insight and remediation so that the risk of any repetition is reduced.

98. The Committee took into account the Registrant's conduct before, during and after the convictions as well as his conduct during these regulatory proceedings.
99. The Committee first considered whether the Registrant had expressed genuine remorse and regret. The Registrant repeatedly referred to each of the convictions as arising due to the stress he was under and the fear and vulnerability he had felt for himself and for his friend [B]. The Registrant considered he had been severely punished, and made reference to his trauma and was embarrassed due to the convictions. He had some recognition that his conduct had been partly wrong.
100. However, throughout his evidence, whilst he mentioned feeling "*contrite*", he also continually blamed others for making him behave the way that he had. He focused on the impact of the events on himself and did not address in any detail the impact that his actions may have had on others. He stated that he was sorry he was convicted, that he accepted that he should not have shouted at either the emergency services phone handlers or the taxi driver, but he expressed no remorse or regret concerning assaulting the police officer. Instead, he continued to maintain the police officer had assaulted him.
101. The Committee took into account the challenging circumstances the Registrant had found himself in with AC as his lodger and the medical evidence from the Registrant's GP which indicated that dealing with this situation had placed stress on him. It accepted these had impacted on his conduct in May 2021.
102. The Registrant apologised several times for shouting at the taxi driver and said he felt ashamed of himself. He also said that he regretted the use of his language with the emergency call handlers and was ashamed of that. He said he was not proud of remonstrating with the police but showed little contrition towards the police officer he had assaulted. Throughout his evidence, when the Registrant expressed any sentiment of remorse, regret or apology, this was immediately followed by "*but....*" and he then sought to justify his behaviour. As the Registrant continued to present himself as the victim in all three instances that had led to the convictions, and shifted the blame on to others for his convictions, the Committee found that his expressions of regret and remorse were not genuine.
103. The Committee then considered what, if any remediation the Registrant had demonstrated. He had paid off the fines and penalties imposed on him by the Poole Magistrates Court. There had been no further incidents since the events in 2021.
104. The Registrant spoke about reflecting extensively on these convictions "*24/7*" but did not talk in any detail about what he had reflected on beyond the impact the convictions had had on him personally. He had not provided the Committee with any written reflections to expand on what he may have learnt from his convictions. Moreover, the Registrant did not demonstrate any real understanding of the issues underlying his conduct or of the consequences of his behaviour on members of the public. Instead, he was of the view that members of the public, and indeed

pharmacy colleagues who had knowledge of the full facts of the case would understand his position. He did accept *"it is not good for the profession"*.

105. The Registrant assured the Committee that his conduct would not be repeated and that he would *"count to 10... count to 20... count to 30"* if he found himself in stressful situations again to calm himself down. He also stated he had colleagues he could talk to, a good GP to support him and he would turn to "Listening Friends", a support service for pharmacists if he needed it. However, throughout this Principal Hearing the Registrant frequently lost his temper and took out his frustration by shouting and interrupting others involved in the hearing. Although he apologised to the Committee for losing his temper, he continued to do so, even after his apology. The Committee concluded that the Registrant had not demonstrated that his conduct was unlikely to be repeated but instead had done the opposite by exhibiting he was unable to adequately control his anger in stressful situations.
106. The Committee concluded that as the Registrant had been unable to accept responsibility for his convictions, he had not really understood the triggers for his behaviour. Until he acknowledged and fully accepted his convictions, it was difficult for him to properly address and remediate them. He had demonstrated a remarkable lack of self-awareness in the way that he had conducted himself in these proceedings. Taking all of these factors into account, the Committee concluded that the Registrant had demonstrated limited insight into his convictions and it could not be assured that there was a low risk of repetition of his conduct if he were placed in a stressful situation again. Whilst such conduct may be unlikely to be repeated in a criminal context, the Committee could not be assured that it would not reappear in a work setting given the manner in which the Registrant had conducted himself during the course of the hearing, which was a professional setting. The Committee concluded that the Registrant has not currently adequately remediated his conduct or demonstrated sufficient insight into his triggers and motivations. He has not fully addressed the underlying issues relating to his convictions and accordingly he still presents a risk, or potential risk, of harm to members of the public.
107. For all of these reasons, the Committee concluded that the Registrant's fitness to practise is currently impaired on the personal component.
108. The Committee then considered whether a finding of impairment is required in the wider public interest. The Committee had no doubt that members of the public would be very concerned to learn that a pharmacist had three convictions which were serious in nature, relating to the use of inappropriate communications with emergency call handlers, assaulting a police officer and using threatening, abusive or insulting words or behaviour with a person causing them to believe immediate unlawful violence would be used against them. This was conduct which undermined public trust and confidence in the pharmacy profession and did not uphold proper standards of conduct expected of members of the profession. The Committee concluded that a finding of impairment is also required in the wider public interest in order to maintain public trust and confidence in the pharmacy profession and to make it clear to other pharmacy professionals that such conduct does not meet the standards expected of them and is likely to have regulatory consequences.

109. The Committee concluded that the Registrant's fitness to practise is currently impaired on public protection and wider public interest grounds. Accordingly, the Committee went on to consider the issue of outcome.

Decision on Outcome

110. Having found impairment, the Committee considered 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 the least restrictive, take no action, to the most restrictive, Removal from the Register, in order to identify the appropriate and proportionate outcome that meets the circumstances of the case.
111. The purpose of the outcome is not to be punitive, though an outcome may in fact have a punitive effect. The purpose of the outcome 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.
112. The Committee again had regard to the Council's *'Good decision making: Fitness to practise hearings and outcomes guidance'* (March 2024) to inform its decision and the *'Good decision-making: Conditions bank and guidance'* (July 2023).
113. The Committee accepted the advice of the Legal Adviser.
114. The Committee took into account the submissions made by both parties, the evidence it had heard, the documents and the character references. It also took into account the caselaw it had been referred to.
115. Ms Smith, on behalf of the Council, indicated what she considered could be aggravating and mitigating factors. In this case, she submitted that due to the nature and facts of the convictions, in the absence of meaningful remediation, insight and remorse, a suspension was the minimum outcome that should be imposed. She referred to the Committee's decision on impairment, particularly its concern that the Registrant had deep seated attitudinal concerns. She submitted the Committee may wish to consider whether there was any possibility of the Registrant's conduct being remediated given what had gone before.
116. Ms Smith submitted that the Committee had also concluded that the Registrant's remorse was not genuine. In those circumstances, she submitted that the Committee may wish to consider whether a suspension was a sufficient outcome, if there was no chance of the Registrant remediating his conduct. She submitted the Committee may consider in those circumstances, that a removal is more appropriate.
117. In relation to the period of suspension, Ms Smith submitted that a suspension of 6-9 months may be appropriate but it should also take into account the timescale necessary to allow the Registrant to reflect and remediate. She submitted the Committee may consider a suspension of 6-9 months is not sufficient and that it should be longer.

118. Ms Smith also reminded the Committee that a denial of conduct should not be treated as a lack of insight. She submitted that caselaw confirmed that a registrant can still demonstrate insight and remediation even if he/she does not accept the facts of the conviction, although this may be more difficult to show where a person has denied the conduct that led to the conviction. However, she submitted there had to be an acceptance of the actual convictions, even if the underlying conduct was disputed.
119. The Registrant accepted he had breached Standard 6. He stated that he was ashamed and duly penitent. He stated that he held high standards in pharmacy and had served patients impeccably. He stated he had not received any “horrendous” complaints from patients. He reminded the Committee that none of his behaviour had taken place in pharmacies and assured the Committee that he would not lose his temper in practice. He stated that he was ashamed of losing his temper during the hearing which had been due to him being “under so much stress” but he also said *“That’s why I lost my temper with you lot. You just did not listen to one thing I said..... That’s why I got annoyed. And you just deliberately went on and on and on, winding me up and not listening.”* The Registrant stated that he deeply regretted shouting at the taxi driver.
120. The Registrant reminded the Committee that he had self-reported the convictions. He stated they would not have happened *“if I hadn’t looked after [B]..... if I hadn’t called the police, I wouldn’t be having this hearing now, as I would have been killed by [AC]. You need to take that on board.”*
121. The Registrant stated that he accepted the convictions stand and “that’s that”. He stated that he did lunge towards the police officer, but he maintained that he had been assaulted by the police although he accepted that the Committee was *“contorted to find that I assaulted him”*. The Registrant submitted that the penalties imposed on him by the Magistrates Court were not “low” and he submitted his solicitor in those proceedings had told him that *“fines would be OK for the GPhC”*. The Registrant submitted that if his solicitor had given him proper advice, he would have appealed the convictions.
122. The Registrant stated: *“I am not going to ever go through the hell I have gone through”*. He provided some details about his personal life and how this had impacted on him. He submitted that it had been a coincidence that these convictions had happened a few months apart. He stated that by July 2021, he had removed AC from his property and had been in the process of selling his house. He had decided with some friends to have a final party in the garden at his house and this is what had led to him ordering a van to take them all to his home. Instead, two taxis had turned up, leading to a dispute and confrontation, which had led to the conviction in September 2022. He apologised, saying *“I accept and I apologise profusely again for losing my temper with that taxi driver. But it should be noted, and it must be noted that I was assaulted by the taxi driver.”* He also again stated that he had been assaulted by the police and by AC which was all part of the evidence too.

123. The Registrant stated: *"Nobody has the right to say my insight is limited. I didn't realise that hearings are so horrendously complicated and take so long. I have had headaches every day. This is not normal for me. I'm normally the most affable person..... I am a capable pharmacist who unlike [Ms Smith] saves people's lives.... I'm committed to the profession of pharmacy..... Believe you me, I do have remorse. I am very, very sorry. I swear to Almighty God that I won't behave in this stupid way again. I have not been involved with the police again. I know I have not behaved perfectly but I am sorry."*
124. In relation to mitigating factors, the Registrant repeated much of what he had said earlier in evidence about the challenges he had faced with AC. He stated he would be *"happy to take a warning.... I don't have a deep-seated attitudinal problem. I believe in standards and I do believe in discipline. I am prepared to take a warning. You say I have not done reflection. I have reflected every single day. I wake up at night with PTSD worrying about AC attacking me and about committees. I will call 'Listening Friends'. I will go on a course over the next 3 months. I have produced good testimonials. If I am suspended for 9-12 months, I might as well leave the profession. Things have changed so much, I will be ruined. I will be [gave his age]. I can still work I am capable of doing so."*
125. The Registrant accepted he was *"wrong"* being rude to the operator and should not have shouted at the taxi driver but maintained he had been assaulted himself by both the police and the taxi driver. He advised the Committee that he had joined the Salvation Army *"to do good work for the public"* and he referred to the activities he was doing regularly in relation to this including *"worship every Sunday and during the week"*. The Registrant stated that all those who had provided character references had been aware of the allegations. He submitted his conduct had not placed members of the public at risk. He accepted *"I shouldn't have reacted so badly"*. He submitted he had expressed remorse and that he had been under *"tonnes of stress. I wish to God that none of this had ever happened. I am contrite. I am not blaming everyone for the way I behaved..... Remediation - nobody advised me to submit reflections to you which I would have done with pleasure. I hope you will accept I have reflected. I could have done things differently. I would never shout at anyone in the pharmacy, I am a professional pharmacist. I do understand the underlying issues. I am more than happy to submit a letter of apology to the gentleman in question. I have never undergone anything so stressful in my life as this committee. I am sorry for shouting at you again. I have had no support and no legal advice. I was quoted £20,000. I had a massive disadvantage from the word go. Never had to go through this before. I pray I never have to do it again. It has been a nightmare."*
126. The Registrant submitted his fitness to practise was not impaired on a personal component. He said he would provide reflections. He accepted the public would be concerned to learn he had three convictions that were serious in nature. He stated: *"Life is not perfect, I'm not perfect but I don't deserve to be penalised unnecessarily. I am perfectly safe with the public. I work safely with pharmacists, there is a pharmacist here [supporting him] who I have worked with. I put myself at your*

mercy. I have not behaved impeccably but this has gone on far too long. A massive suspension is not in the interests of the public. A strike off is not in the public interest. I have dedicated 25 years of my life. Please draw a line under this and let me move on. Amen."

127. The Committee noted Sir Anthony Clarke MR stated in the case of Meadow v The General Medical Council [2006] EWCA Civ 1390 as follows:

"23.the purpose of [fitness to practise proceedings] is not to punish the practitioner for past misdoings but to protect the public against the acts and omissions of those who are not fit to practise."

128. The Committee first considered what, if any, aggravating and mitigating factors there may be.

129. The Committee identified the following aggravating factors:

- a. The Registrant's conduct had been repeated as he had received three convictions. Two of the convictions arose from incidences that had taken place on the same day and were connected. The third conviction arose due to an incident that had occurred just under two months later.
- b. The Registrant has shown limited insight into his convictions as had been demonstrated by his loss of temper throughout the course of the Principal Hearing. The Registrant had not shown genuine remorse or regret.
- c. Whilst the Registrant had made some apologies in his evidence, they were all premised on the basis that he blamed others for causing him to lose his temper.
- d. The Registrant's convictions had been harmful in nature as they included homophobic abuse to a call handler, kicking out at a police officer and threatening and violent behaviour towards a taxi driver whilst shouting threats to kill and strangle him.

130. The Committee identified the following mitigating features:

- a. The Registrant had made some admissions in that he admitted Particular 2.1.
- b. The Registrant had been experiencing challenging personal circumstances particularly in relation to his lodger, which had placed him under stress in May 2021. He had also suffered a bereavement prior to the time of the third conviction. This had impacted on his judgment.
- c. The Registrant had self-reported his convictions to the Council.
- d. The Registrant had provided some character references. Whilst these did not confirm the Registrant had disclosed the allegations to them, they all spoke highly of his work as a pharmacist.
- e. No concerns have been raised about the Registrant's clinical practice as a pharmacist over 25 years. There are no previous regulatory findings against him and he had a previously long unblemished career.

- f. During the hearing, the Registrant had expressed some remorse and embarrassment. He indicated he would act differently in future.
 - g. The events leading to the convictions had taken place five years ago.
 - h. There has been no further criminal conduct since the convictions.
131. The Committee considered that the time involved in bringing this case to a conclusion was a relevant factor. There had been an inordinate delay in the progression of this case by the regulator, which the Committee accepted had increased the stress on the Registrant. The Committee had not been provided with reasons as to why the case had taken so long to conclude but this was a factor that went in the Registrant's favour.
132. However, a corresponding factor was that the Registrant had already had a period of 4 years since the convictions to remediate his conduct and there had been little evidence that he had done so. His disruptive and rude behaviour during the hearing indicated a more deep-seated attitudinal concern which the Committee had to consider carefully. He had been unable to control his emotions and frequently lost his temper throughout the 3 day hearing, which was the very pertinent underlying issue that had led to each of the convictions. In light of this and the substantial time for remediation to take place that has already passed since the convictions, the Committee gave very serious consideration as to whether the Registrant was actually capable of remedying his behaviour.
133. The Committee first considered whether it was appropriate to take no action in this case as it was open to the Committee to decide to take no action even if impairment had been found. In this case the Committee had identified that there was a risk, or potential risk of harm to members of the public, as there was a risk of repetition of the Registrant's conduct. Accordingly, the Committee concluded that taking no action would not address the risks in this case.
134. The Committee then considered whether to issue a Warning. There was no doubt that the convictions in this case were serious. The Registrant had caused harm to emergency call operators by using homophobic language and causing them annoyance and anxiety, he had assaulted a police officer and he had used unacceptable behaviour and language with the taxi driver. The Committee took into account that the Registrant's insight was limited and during this hearing the Registrant had repeatedly demonstrated his inability to manage his aggression. The Committee concluded that a Warning was insufficient to address the seriousness of the convictions or the risks it had identified.
135. The Committee next considered the imposition of Conditions on the Registrant's practice. Such an order would allow the Registrant to practise albeit with restrictions. The Committee was required to determine whether a Conditions Order would be appropriate given the concerns identified regarding the convictions, whether conditions would protect the public from any future risk or potential risk of harm, and whether they would be sufficient to mark the seriousness of the convictions. The Committee has to be satisfied that Conditions are workable, measurable, realistic and proportionate to the concerns identified.

136. The Committee concluded that as the concerns in this case were not clinical, health-related, educational or otherwise capable of management through supervision, restriction or retraining, conditions were not an appropriate outcome. The convictions were serious, they related to the Registrant's behaviour outside of practice and the Committee considered they were attitudinal in nature. It had found that there was a potential risk of repetition, particularly given the Registrant's behaviour during this hearing. The Committee concluded that conditions would not adequately protect the public from the risks the Committee had identified or meet the public interest.
137. The Committee next considered whether a suspension would be an appropriate and proportionate outcome. The Committee noted the Council's guidance which indicates that suspension may be appropriate where:
- "The Committee considers that a warning or conditions are not sufficient to deal with any risk to patient safety or to protect the public, or would undermine public confidence.*
- When it is necessary to highlight to the profession and to the public that the conduct of the professional is unacceptable and unbefitting a member of the pharmacy profession. Also when public confidence in the profession demands no lesser sanction."*
138. The Committee gave very serious consideration as to whether a suspension would be sufficient in this case. There was no doubt that the convictions in this case were serious. They had led to harm to third parties and had brought the profession into disrepute. The Registrant had breached fundamental principles of the pharmacy profession and continued to show limited insight into his convictions. In addition to this, the Committee's main concern was that the Registrant had already had a period of 4 years to properly reflect on his convictions and remediate them. He was still blaming others for his behaviour. Furthermore, 4 years later, during this regulatory hearing, he had demonstrated the same type of aggressive and confrontational behaviour towards the Committee and the Case Presenter which had led to his convictions. Whilst he assured the Committee his behaviour would not be repeated, it was clear to the Committee that the behaviours leading to his convictions were still very much evident.
139. At this stage, the Committee did not consider the Registrant could be trusted to regulate his emotions or his temper. The Registrant had exhibited an astonishingly disrespectful disdain for the regulatory process and those who were working within it acting independently in the public interest. The Committee therefore gave considerable thought as to whether he was fit to continue to be a member of the profession. The Committee considered whether his behaviour was fundamentally incompatible with being a registered pharmacy professional. The Committee was mindful of the legal advice it had received in that its function did not include disciplinary retaliation for poor behaviour during the hearing.
140. The Committee balanced its view about the Registrant's behaviour during the hearing with the fact that the Registrant had shown some insight, albeit very limited, and that he had been going through difficult personal circumstances in or around

May - July 2021. It took into account that he had apologised during the hearing to the emergency call operators and, with some reservations attached, to the taxi driver. He had had a previously long unblemished career of 25 years as a pharmacist and no concerns had been raised about his clinical work as was confirmed in the character references provided. It appeared from his evidence that he had done some reflecting on his conduct although there was clearly much more for him to do. The Committee also noted the long delay in concluding these regulatory proceedings which would no doubt have increased his stress and anxiety. The Committee also noted that when making submissions on outcome, the Registrant appeared to be a slightly calmer than he had been during the rest of the hearing and more apologetic for his conduct particularly towards the Committee. This may have been because he had had the opportunity to read the Committee's findings about his unacceptable behaviour during the hearing.

141. The Committee, after much deliberation, concluded that, due to the mitigation in this case, the Registrant should be allowed a final opportunity to address the concerns and risks it had identified. The convictions were serious but with proper structured remediation, it was possible the Registrant could address the conduct that had led to the convictions, and thereby demonstrate that his attitude and the concerns are not irredeemably deep-seated. The Committee concluded that a Suspension Order is currently the minimum necessary to protect the public by preventing the Registrant from practising for a period of time. It would address the risks the Committee had identified. A Suspension Order would also maintain and uphold proper standards of conduct, maintain public confidence in the profession and the regulator, and mark the serious nature of the convictions.
142. The Committee made it clear to the Registrant that it had seriously considered whether he should be removed from the register altogether. However, on balance it concluded that, at this stage, due to the mitigation provided, removal would be a disproportionate outcome. It was satisfied that the Registrant should be allowed a period of time to reflect on the Committee's findings and address the concerns it had raised.
143. The Committee was satisfied that a period of 6 months would be a sufficient period for the Registrant to take steps to remediate his conduct. This was, of course, in addition to the 4 years that had already passed, but the Registrant now had the benefit of the Committee's decision which may assist him to focus on the relevant issues. The Committee considered that if the Registrant is unable to address the concerns raised within the next 6 months, it is unlikely that he is capable of doing so within a longer period, given the nature of them.
144. For all the reasons given above, the Committee concluded that a Suspension Order of 6 months is the appropriate and proportionate outcome in this case. That Suspension Order must be reviewed before it expires.
145. The Committee took into account that the Suspension Order will prevent the Registrant from working as a pharmacist and may cause him financial hardship. He had indicated in his oral evidence that he had other sources of income which may alleviate some of this. In any event, the Committee determined that the need to

protect the public and the public interest outweighed the Registrant's interests in this regard. In any event, it would also still be possible for him to obtain some kind of alternative employment during the period of the suspension order if he wished to do so.

146. The Committee therefore directs the Registrar to suspend the name of **PAUL MARTIN GADSDEN** (registration number 2053298) from the Register for a period of 6 months from the date that this order comes into effect.

Review Hearing

147. This decision will be reviewed by the Committee before the Suspension Order expires. Whilst this Committee cannot bind the decisions of a future Committee, a future Committee may be assisted by the following:
- Evidence of steps the Registrant has taken to address the issues identified by the Committee, particularly in relation to his anger management and emotional regulation, together with written Reflections in relation to these.
 - References from any recent voluntary or paid work the Registrant has undertaken.
 - Any testimonials the Registrant may wish to submit.
148. The Committee emphasises that it is for the Registrant to decide what, if any, evidence he wishes to place before a review hearing and it will be for the committee on that occasion to assess the impact such evidence may have on its assessment of his fitness to practise.

Decision on Interim Measures

149. The Suspension Order that the Committee has imposed does not come into effect immediately. It comes into effect at the conclusion of an appeal period if there is no appeal lodged, or if there is an appeal, at the conclusion of the appeal proceedings.
150. On behalf of the Council, an application was made for an Interim Measure of Suspension to cover the appeal period and the period of any subsequent appeal proceedings. The application was based on the findings of the Committee set out above particularly with regard to the future risk of harm to the public.
151. The Registrant in response to the application stated he was not currently insured and could not work anyway. He stated: *"Nobody has listened to a word I have said. You think a 6 month suspension is good for the public?.... Doesn't make me any cleverer. Doesn't make me any better as a pharmacist. Stopping me functioning for six months, it's just you, you know, absolutely vindictive after what I've gone through for the last several years.... The torture, the stress, the agony, the stopping me sleeping, the lack of sleep, the injurious effect to my health..... I don't know how you people can actually do your jobs every day during things like this. Well, you can unmake your decision and jolly well sort it out. I have had no lawyer to help me...."*

152. The Committee again took into account the '*Good decision making: Fitness to practise hearings and outcomes guidance*'. The Committee granted the Interim Measure on the basis that it had already decided a Suspension Order is necessary for the protection of the public and that it is otherwise in the public interest. The Committee relied on its earlier findings, in particular the Registrant's lack of sufficient insight and remediation. It had regard to the potential future risk of harm to the public and the potential risk of repetition of the conduct leading to the convictions. The Committee was satisfied that an Interim Measure of Suspension is appropriate and proportionate for the reasons previously given for imposing a suspension. The Interim Measure will therefore be of Suspension. This takes effect immediately and covers the period during which the Registrant may appeal against the Committee's decisions and the period of any appeal proceedings that may then follow.
153. That concludes this determination.