



**Royal
Pharmaceutical
Society
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Statement

For immediate release

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SOCIETY RENEWS CALLS FOR DECRIMINALISATION OF DISPENSING ERRORS

The Royal Pharmaceutical Society of Great Britain is today reiterating its call to have one-off dispensing errors decriminalised, following the sentencing of a pharmacist in the Old Bailey last week.

The Society's President, Steve Churton said: "Due to our regulatory responsibilities and the fact the Society will, in due course, be required to deal with this matter, the Society cannot comment on the specific facts of this case. That being said, we can wholly understand why many in the profession question how prosecuting this pharmacist could be deemed to be in the public interest."

Pharmacist Elizabeth Lee was handed a three-month jail term – suspended for 18 months – and 12 months' supervision for dispensing beta-blockers instead of steroids to a 72-year-old patient in August 2007. While the patient died three days after taking the drugs, the presiding judge stated that Mrs Lee bore no factual or legal responsibility for the patient's death, which a pathologist determined was due to the patient's underlying long-term illness.

Steve Churton said: "Many will question why the sentence imposed was so severe. There is no doubt that this prosecution will concern many pharmacists. If we are honest, all pharmacists will admit that they have made dispensing errors in their professional lives. On rare and tragic occasions such dispensing errors can cause serious damage to health or even death. This is why pharmacists take great care over their work and record and learn from their errors and near misses.

The Society firmly believes such dispensing errors should not be criminal offences and that they should be properly dealt with by the Regulator. Previous attempts by the Society to change this position have not brought about the desired effect. However, a further submission was recently sent to the MHRA as part of the MHRA seeking views on its concept paper on their proposals to review and consolidate medicines legislation. On the issue of decriminalisation of dispensing errors the Society said the following:

“This area largely impacts on pharmacy. The RPSGB requests that the MHRA review the Medicines Act 1968, and in particular Section 64, in the context of dispensing errors made by pharmacists. The Society’s Council considered this issue in December 2006 and fully supported the decriminalisation of dispensing errors and agreed that a change to the legislation which would have the effect of decriminalising errors, be sought.

While the RPSGB recognises that other organisations may use Section 64 of the Medicines Act 1968 to bring criminal prosecutions in serious crimes, such as counterfeiting, the RPSGB would urge a review of this section to exclude dispensing errors made by pharmacists. This is viewed as being a priority by the RPSGB, both from a regulatory and professional perspective.”

Steve Churton said: “This case also raises other issues, such as pharmacists trying to cope with working long hours without taking adequate breaks, and dealing with workplace pressures. The *Workplace Pressure* campaign was started by the Society because it had listened to the concerns of pharmacists and wanted to work with the profession to help find practical solutions to the pressures pharmacists face in their jobs.

“Pharmacists have a professional responsibility not to work in unsafe environments and, at the same time, employers have a responsibility not to put employees in unsatisfactory working environments. However, the profession as a whole has to address the problem of workplace pressure. This is not an issue that a single organisation can resolve on its own. The Society will therefore be holding a seminar at the end of April to bring together employers, employee associations, trade bodies, unions, researchers and individual pharmacists to look for a collective solution to the problem of pressures and workload in pharmacy.

“We all must work together to find solutions to the pressures that pharmacists face and to prevent patients suffering because of preventable errors. In the meantime, we will be seeking an urgent meeting with the Pharmacy Minister to address the issue of decriminalising dispensing errors”.

Ends

**For media enquiries please contact the
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