



**Royal
Pharmaceutical
Society**
of Great Britain

1 Lambeth High Street, London SE1 7JN

Tel: 020 7572 2335

Fax: 020 7572 2503

Statement

22nd June 2010

RPSGB REACTS TO CPS GUIDELINES ON DISPENSING ERRORS

Reacting to guidance issued by the Crown Prosecution Service (CPS) on prosecuting Medicines Act offences where a dispensing error has occurred, President of the Royal Pharmaceutical Society of Great Britain, Steve Churton said:

“The publication of these Guidance Notes is an important step towards protecting pharmacists from prosecution for single dispensing errors, and improving patient safety through the development of a learning culture.

“The guidance includes a number of important public interest factors that CPS staff should take into account when considering whether to prosecute. Greater clarity is needed on how these factors will be considered, and the consistency with which they will be applied, but the guidance is moving in the right direction.

“We are pleased to note that the Director of Public Prosecutions has said: “Prosecutors have to apply the Full Code Test in the Code for Crown Prosecutors when making their decisions; this includes the evidential and the public interest stages. When the evidential stage of the Full Code Test is met, prosecutors must go on to consider the public interest stage and should weigh up the following points included in the Legal Guidance: The culpability of those involved in the dispensing error; for example, was it simply an error or is there evidence of recklessness or intent.”

The Guidance also informs CPS staff that the sections of the Medicines Act relating to single dispensing errors are likely to change in the near future.

“The RPSGB is continuing to press for immediate amendment to the Medicines Act to commence the process of decriminalisation. We are confident that by working together with Government, to deliver on the Secretary of State’s commitment to decriminalise dispensing errors within the first year of Parliament, real and lasting change can be achieved for pharmacists” added Mr Churton.

Ends

**For media enquiries please contact the
Royal Pharmaceutical Society’s media team on 020 7572 2476**