

**ROYAL PHARMACEUTICAL SOCIETY OF GREAT BRITAIN
STATUTORY COMMITTEE**

PRACTICE DIRECTION 01/06-the holding of inquiries in circumstances in which delay is alleged

On 28 September 2006, the Chairman of the Statutory Committee (Lord Fraser of Carmyllie QC) issued the following Practice Direction:

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- 1. Where allegations have been notified to the Society by the Pharmaceutical Fraud Team at the Counter Fraud Service (“the CFS”) or any authority responsible for the licensing of medicines or the regulation of healthcare professionals (“the authority”), and the Society is notified on a date which is more than four years after the latest date on which the allegations first came to the attention of the CFS or authority, the Statutory Committee will not hold an inquiry into the case.**
- 2. Where the Society is made aware of convictions received by a registrant, and the date on which the Society is made so aware, is more than four years from the date on which such convictions were received by that registrant, the Statutory Committee will not *usually* hold an inquiry into the case.**
- 3. Where the Society is made aware of allegations of misconduct, and the date on which the Society is made so aware is more than four years from the date on which the allegations first came to light, the Statutory Committee will not *usually* hold an inquiry into the case.**
- 4. Notwithstanding paragraphs 2 and 3 above, there may be exceptional circumstances in which the public interest, or the interests of the profession, require that an inquiry should be held. In cases of this kind, the Chairman will consider any written representations from the parties as to whether or not to order that an inquiry should be held, before making his decision.**
- 5. Where it is claimed that the Society, in respect of its handling of a case *after* being made aware of an allegation of misconduct, has itself caused delay, the Statutory Committee will decide whether to hold or to continue with an inquiry on a case by case basis, in accordance with the prevailing case law and after considering any representations from the parties.**

Notes:

1. This direction will apply with immediate effect.

David Gomez
Secretary to the Statutory Committee