

Pharmaceutical Society of Northern Ireland

-v-

ARDEN HEALTH LIMITED

The Statutory Committee is asked to consider the exercise of our power pursuant to Section 80(1)(b) of the Medicines Act 1968 to disqualify Arden Health Limited. The sole director of Arden Health Limited is Maurice Oliver Currie, a registered person, whom the Society contended is unfit to be a pharmacist.

The Society's application in respect of Maurice Oliver Currie was determined by the Statutory Committee on 17th September 2015. The Committee found that Maurice Oliver Currie had been convicted of criminal offences and was guilty of misconduct such as would render him unfit to be a pharmacist. Mr. Currie was removed from the register.

In respect of the application for disqualification of Arden Health Limited the Committee had read the bundle of agreed documents. We also had the benefit of both written and oral submissions from counsel for the society.

Mr. Currie was present and represented by counsel and solicitor. Counsel for Mr. Currie confirmed his client admitted the facts alleged by the Society and made no objection to the Society's application for a direction to disqualify Arden Health Limited for the purposes of Part IV of the Medicines Act 1968.

The Committee is satisfied of the following facts:

1. The Company, Arden Health Limited, which was incorporated on 21 August 2002, carried on a retail pharmacy business, trading under the name Healthstar Pharmacy from premises at 112 Railway Street, Armagh and then at 141 Railway Street, Armagh.
2. Maurice Oliver Currie, a registered person, was the superintendent of the said Company having been appointed superintendent effective from 1st March 2005 and remaining in this position until 12th December 2013.

3. Maurice Oliver Currie was the sole Director of Arden Health Limited.
4. Maurice Oliver Currie was, at the relevant time, namely between 1st June 2009 and 31st December 2013, the sole shareholder of Arden Health Limited.
5. Mr. Currie has now sold the pharmacy part of the business but retains ownership of the Company.
6. As sole Director, Mr. Currie engaged in criminal activity relating to the illegal diversion, and supply, of controlled drugs susceptible to misuse. On 18th March 2015, at a Crown Court sitting in Newry, he pleaded guilty to and was convicted of 12 criminal offences.
7. The investigation by the MRG and the twelve criminal convictions provide irrefutable evidence of prolonged and systematic diversion of controlled drugs by Maurice Oliver Currie. During the 5 year period between 1st January 2009 and 31st December 2013, Mr. Currie ordered vast quantities of controlled drugs and caused, allowed or permitted these drugs to be unlawfully diverted in a wholly uncontrolled and unregulated manner.
8. The criminal offences were, and the misconduct was, instigated or connived at by the said Director, Maurice Oliver Currie. He was instrumental in the commission of the criminal offences and wholly responsible for the wholesale diversion of controlled drugs, ordered through the pharmacy business. He was also responsible for the misconduct and failings alleged.
9. The said Director, Maurice Oliver Currie, had, or with the exercise of reasonable care would have had, knowledge of the continuance of the said criminal offences and misconduct. The Committee is satisfied that Maurice Oliver Currie, as sole Director, was personally responsible for the criminal offences and the misconduct which we have found proved. The Committee is satisfied that the business was used as a cover to facilitate the commission of the offences of which Mr. Currie was convicted.
10. Mr. Currie not only failed to ensure that relevant legislation was complied with but deliberately flouted and ignored the company's legal obligations for a protracted period of at least five years.
11. As the superintendent pharmacist for the business, until 12th December 2013, Mr. Currie failed to properly discharge the functions of that role not simply through his own misconduct but also by the commission of criminal offences through his pharmacy business.

12. Mr. Currie remains connected to Arden Health Limited as sole shareholder. The nature of the business is categorised as '*Dispensing chemist in specialised stores*'.

By reason of the foregoing facts and convictions, of which we are fully satisfied, and the intrinsic links of Mr. Currie with the company the Statutory Committee has concluded that Arden Health Limited should be disqualified for the purposes of Part IV of the Medicines Act 1968.

As Chair of the Statutory Committee, I, Gillian McGaughey, confirm my agreement to the decision to direct the removal from the register of Arden Health Limited pursuant to Section 80(1) of the Medicines Act 1968.

Dated Thursday 17th September 2015



Signed:

Gillian McGaughey
Chair of the Statutory Committee