STATUTORY COMMITTEE OF THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND

In the matter of: Hayley Louise McIntyre (6066)

Location: The offices of the Pharmaceutical Society NI, 73 University Street, Belfast, BT7 1HL.

Date: 25 November 2025

Committee: Mr Mark Scott (Deputy Chair), Mrs Allison Hume (Lay), Dr Briegeen Girvin (Registrant)

Persons Present and Capacity: Mr Dennis Hamill, Barrister, instructed by Mr Ian Black, Solicitor (Pharmaceutical Society NI), Ms Laura Hughes, Registrar of the Pharmaceutical Society NI, Mr Dean Mooney BL, instructed by Mr Padraig MacDermott of MacDermott, McGurk & Partners Solicitors

PRELIMINARY

1. The Statutory Committee ('the Committee') met on the 25 November 2025, to consider allegations relating to a conviction in respect of Ms Hayley Louise McIntyre, a registered pharmacist (the Registrant), made by the Pharmaceutical Society of Northern Ireland ('the Society').

2. The Registrant was represented at the hearing by Mr Dean Mooney BL, instructed by Mr Padraig MacDermott, Solicitor of MacDermott, McGurk & Partners Solicitors.

3. The hearing followed the procedure set out at regulation 34 of The Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (NI) 2012 ('the Regulations').

4. In the course of the hearing, the Committee admitted in evidence the following documents.

   - Exhibit A : Joint Agreed Statement of Facts.

- Exhibit B : Society's Evidence Bundle.
- Exhibit C : References submitted by the Registrant.
- Exhibit D : Society's Statement of Case.
- Exhibit E : Registrant's Response.
- Exhibit F : Covering emails from two of Referees.

PRELIMINARY LEGAL ARGUMENTS

5. There were no preliminary legal arguments.

ALLEGATIONS

6. The particulars of the alleged conviction from which it is alleged that impairment of fitness to practise arises are set out as follows, namely;

    - *On 4 October 2024, at the Crown Court at Londonderry you were convicted of: Dishonestly making a representation on a Universal Credit Declaration on 14 March 2019, with a view to obtaining Universal Credit for yourself or another that you knew to be false namely that the information you had given was correct and complete, whereas, in fact, the information given by you was not correct and complete because you did not report that you had undeclared capital contrary to Section 105A(1) of the Social Security Administration (Northern Ireland) Act 1992.*

    - *You were sentenced to a custodial sentence to be imprisoned for 1 year 6 months suspended for 3 years.*

FACTS

7. The facts were agreed as follows:

a. *On 7 July 2015, the Registrant's name is first registered on the Society's register of pharmacists.*

b. *On 18 April 2018, a property situated at* [redacted] *is transferred into the Registrant's sole name.*

c. *On 14 March 2019, the Registrant whilst a practising pharmacist, represented on a Universal Credit application that she had housing costs and lives in a property she owns-* [redacted] *declaring that she had capital £300.*

d. *The Registrant represented that the information she had given in her application was correct and complete.*

e. *The Registrant did not report that she had undeclared capital.*

f. *The Department for Communities calculated that the total capital value of* [redacted] *for the purpose of Universal Credit entitlement is £21,000. This amount is in excess of the upper statutory limit for Universal Credit entitlement of £16,000.*

g. *The Department for Communities on 28 March 2023 determined that the Registrant had received an overpayment of Universal Credit between 7 March 2019 and 6 March 2023 in the amount of £52,036.26.*

h. *On 29 July 2024, the Registrant was arraigned and pleaded guilty at the Crown Court sitting at Londonderry Courthouse on the count that she had with a view to obtaining Universal Credit for herself or another, dishonestly made a representation on a Universal Credit declaration, that she knew to be false, namely that the information which she had given was correct and complete, whereas in fact, the information given by her was not correct and complete because she did not report that she had undeclared capital contrary to Section 105A (1) of the Social Security Administration (Northern Ireland) Act 1992.*

i. At the Crown Court sitting at Londonderry Courthouse on 4 October 2024, the Registrant received a custodial sentence of 1 year 6 months suspended for 3 years.

j. On 11 October 2024, the Registrant made a self-declaration to the Society by email following her conviction.

k. On 6 November 2024, Confiscation Order proceedings under Section 156 of the Proceeds of Crime Act 2002 were withdrawn due to the overpayment having been repaid.

l. The Registrant is the person referred to in the certificate of conviction.

m. The Registrant has not appealed the sentence which she received from the Crown Court.

DECISION ON FACTS

8. By reason of the admission of the allegations and the admission of the facts the Committee found the facts proved.

DECISION ON IMPAIRMENT

9. The Committee had regard to the submission of the parties and all of the documentary evidence.

10. Mr Hamill submitted on behalf of the Society that the appropriate gateway for impairment was on the ground of conviction. He said that the case was essentially one where the public interest was engaged, and in particular the need to maintain public confidence in the profession. He further submitted that a conviction for a dishonesty offence was inherently serious. Mr Hamill averred that the Registrant had breached fundamental tenets of the profession and specifically standards relating to honesty. He further averred that the conviction called into question the Registrant's integrity. He referred the Committee to the case of

Wingate & Evans v SRA [2018] EWCA Civ 366 and said the privilege of being a professional brings additional responsibility to adhere to the relevant standards and code of conduct. Mr Hamill highlighted the relevance of paragraphs 2.26-2.32 of The Society's Indicative Sanctions Guidance which relate to cases involving dishonesty. He concluded by saying that the Registrant's conduct was a gross departure from the expected standards and public confidence had been harmed.

11. Mr Mooney told the Committee that the Registrant accepts that her fitness to practise is impaired. He contended that once the allegations against her came to light, it was difficult to see how she could have conducted herself in a more proper manner. He referred the Committee to a Probation Service report which concluded that the Registrant had expressed high levels of remorse, referred to evidence of insight and concluded that the risk of reoffending was low. Mr Mooney highlighted that the Registrant had repaid the money in full. He further highlighted that she had done so on a voluntary basis without the need for a confiscation order. He contended that this was real and tangible evidence of remediation. He referred the Committee to the testimonial evidence and said that it demonstrated how the Registrant conducts herself in her professional life.

12. Mr Mooney also highlighted that there were no competence issues in respect of the Registrant, and this was not a case concerning patient safety or risk to the public. He also said the Registrant has continued to work to a high standard as evidenced by the comments of her referees, and he reminded the Committee that the offending behaviour occurred in 2019. He said the Registrant has never had any complaints or regulatory concerns other than the case being considered by the Committee.

13. The Committee asked Mr Mooney what evidence addressed the Registrant's remorse. Mr Mooney referenced the Probation Service report and specifically a comment that the Registrant *'understands this will impact on every aspect of her life*'. He also referenced the Registrant's own actions. He said she had made early admissions in both the criminal and regulatory proceedings. He further said she had made a timely self-referral to the Society.

14. A reflective account was submitted by the Registrant's legal representatives prior to the Committee deliberating on impairment. It was a one-page typed statement from the Registrant. It detailed that her actions were dishonest, she recognised they fell below the expected standards and she acknowledged that patients expect pharmacists to act with integrity at all times. The Registrant referred to personal and financial pressures at the time of her offending but stated these were not excuses. She referred to the incident as being out of character. She said that she sold the relevant house in order to pay back the money in full. She also said that she deeply regretted her actions. She referred to her enjoyment of her job and how she values the role she has in supporting patients.

15. The Committee considered relevant case law, and in particular the following:

    1. In GMC v Meadow [2006] EWCA CIV1319 the Court of Appeal said,

       'The purpose of FTP procedures 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. The (Panel) thus looks forward not back. However, in order to form a view as to the fitness of a person to practise today, it is evident that it will have to take account of the way in which the person concerned has acted or failed to act in the past.'

    2. In CHRE v NMC & Grant [2011] EWHC 927 the Court confirmed the test to be applied was a current, forward looking one, confirming the question that the committee has to ask itself and determine was:

       'Is this registrant's current fitness to practise impaired?'

    3. Further, in Cohen v GMC [2008] EWHC5821 Admin the Court said:

       'As assessment of current fitness to practise will nevertheless involve consideration of past misconduct and of any steps taken subsequently by the practitioner to remedy it;', and

'It must be highly relevant in determining if a doctor's fitness to practise is impaired that first his or her conduct which led to the charge is easily remediable, second that it has been remedied and third that it is highly unlikely to be repeated.'

4. With regard to the public interest, in Yeong v GMC [2009] EWHC 1923 Admin, it was noted that there will be occasions where impairment of fitness to practise must be found as a matter of public policy, to uphold confidence in the profession, where to make no such finding would have an adverse impact on public confidence in the profession and the regulator.

16. The Committee considered the provisions of Regulation 4(2) of the Regulations. It provides mandatory criteria that the Committee must have regard to when considering whether or not a person's fitness to practise is in fact currently impaired. Regulation 4(2) states;

'In relation to evidence about the conduct or behaviour of the registered person which might cast doubt on whether the requirements as to fitness to practise are met in relation to the registered person, the statutory committee must have regard to whether or not that conduct or 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 as defined in the standards, or
d. Shows that the integrity of the registered person can no longer be relied upon.'

17. The Committee considered the Registrant's offending behaviour to be a serious matter. The Committee had no doubt that the Registrant's conviction has brought the profession of pharmacy into disrepute. Further, she has breached fundamental principles of the profession of pharmacy as defined in the Code: Professional Standards of Conduct, Ethics and Performance for Pharmacists in Northern Ireland (the 'Standards'). Principle 3 requires the Registrant to act with professionalism and integrity at all times. The Registrant has breached Standard

3.1.1 in that she did not adhere to acceptable standards of personal conduct outside of her work environment. She also breached Standard 3.1.3 by not providing information which was accurate. She also breached standard 3.1.7 in that she completed a document containing false and or misleading information and or omitting relevant information. The Committee is satisfied that the conduct giving rise to the conviction shows that the integrity of the Registrant can no longer be relied upon.

18. The Committee also had regard to the Registrant having received a suspended custodial sentence. The Committee noted that the Registrant was convicted in respect of an offence which expressly involved dishonesty. She made a false representation by confirming that information she had given was correct and complete when she had in fact undeclared capital relevant to her entitlement to Universal Credit.

19. The Committee was mindful that no patients had come to harm or potential harm and therefore Regulation 4(2)(a) above is not relevant in respect of the Registrant.

20. It is well established that actions involving dishonesty are hard to remediate and that is relevant in this case. The Committee noted the Registrant has repaid the relevant money in full, and she did so shortly after her conviction. It further noted that this was voluntary rather than subsequent to confiscation proceedings.

21. In respect to insight, the Committee considered that the Registrant's actions evidence some insight. She accepted her failure to disclose a financial interest in the [redacted] property when interviewed by the Department for Communities. She made an early admission in respect of the subsequent criminal proceedings, and she admitted the facts in respect of these proceedings. The Registrant has also, through her legal representative, told the Committee that she accepts her fitness to practise is impaired on public interest grounds. The Committee had regard to the content of the Probation Service report which referenced the Registrant's expression of *'high levels of remorse and regret and [she] understands this will impact on every aspect of her life'*. The report also detailed the Registrant was assessed as presenting a low likelihood of reoffending.

It further detailed *‘there is evidence of insight and remorse for perpetrated behaviour’*.

22. In respect of remorse, the Committee had regard to the Registrant’s reflective account. The Committee concluded the said account contained some reflection albeit with limited detail and depth. As the Registrant had not herself given oral evidence, her account had not been subject to cross examination or questions from the Committee. The Committee was therefore unable to test the authenticity and sincerity of the stated remorse, beyond observing its consistency with the Registrant’s actions.

23. The Committee paid attention to the testimonial evidence and in particular the references submitted by Ms McGill and Mr Lenagh. Whilst the Committee noted that both references spoke positively of the Registrant in her clinical role as an employee, no comment was made with regard to the offending behaviour. The Registrant’s legal representative told the Committee this was because the Registrant had specifically requested her referees not to mention her criminal conduct. He said the Registrant did not want them ‘*to save her skin’* but to provide a true reflection on how she conducts her professional duties. Whilst the Committee accepted this explanation, nonetheless, there was no testimonial evidence which spoke to the Registrant’s remorse, or how or why, her integrity had been compromised in the past.

24. The Committee also considered the obvious public interest concerns. In the Committee’s view, a serious conviction for dishonesty in these circumstances required a finding of current impairment in order to uphold public confidence in the profession, including the Society as its regulator, and to uphold professional standards. With regard to the personal element of impairment, the Committee concluded that there was evidence of some remediation and developing insight and remorse. The Registrant is clearly on a journey and has taken significant steps towards addressing impairment. However, remediating dishonest conduct is inherently difficult and the Committee has been provided with limited information as to why the Registrant behaved the way that she did. The Registrant has impugned her integrity and has not provided a reflective account with sufficient depth and detail so as to reassure the Committee that there would be no risk of

repetition in the future. However, the Committee considered the risk of repetition to be low, owing to the Registrant's remedial actions and the insight that she has evidenced.

25. The Committee determined that the Registrant's fitness to practise is currently impaired on both the personal and public components.

SANCTION

26. Mr Hamill said dishonesty was a very significant matter and the public would be appalled by the Registrant's conviction. He said the Society considered that the appropriate sanction should be at the upper end of the range available. He said the offending involved a significant amount of money and appeared to be for personal gain. He further said her dishonest actions were of a nature which would destroy trust instantly. Mr Hamill referred to the insufficient explanation provided by the Registrant for her actions and he said a risk of repetition could not be discounted. He said whilst the Registrant has made admissions and co-operated with the Society, she hasn't completed the journey she is on, and there remain questions as to how far she has travelled.

27. Mr Mooney said the Committee should consider to what extent public confidence has been eroded given the Registrant has paid the money back in full and there has been no loss to the public purse; the incident occurred outside of work; there have been, and remain, no concerns about her competence; the Committee has already concluded she has some insight and remorse; and she has evidenced significant remediation. Mr Mooney also highlighted the Registrant has accepted her actions undermine public confidence and at no time has she made an effort to undermine the severity of her conviction. He said it is accepted that a sanction at the higher end is required, but he said the Registrant's conviction is not fundamentally incompatible with registration given her insight, remorse and the steps taken to remediate.

28. The Committee considered the Pharmaceutical Society NI, Indicative Sanctions Guidance published in January 2019 with effect from the 27th March 2019, "(The Guidance)". In considering what sanction to impose, if any, the Committee had

regard to the principle of proportionality, and of the need to balance the public interest against the Registrant's own interests.

29. The Committee acknowledged that the purpose of a sanction is not to be punitive, but to uphold the public interest and any sanction should impose no greater restriction upon the Registrant than is absolutely necessary to achieve its objectives. When considering proportionality, and the public interest, the Committee noted that it is entitled to give greater weight to the public interest, and to the need to maintain public confidence in the profession, than to the consequences to the Registrant of the imposition of a sanction. The Committee also noted that the public interest in this case includes maintaining public confidence in the profession of pharmacists and maintaining proper standards of behaviour. It does not include issues of public protection.

30. The Committee first considered the seriousness of the Registrant's actions and had regard to the mitigating and aggravating circumstances section of the Guidance at sections 2.10 to 2.16.

31. The Committee looked at the mitigating factors and noted;

- The Registrant had pleaded guilty to the criminal charges at the earliest opportunity;
- The Registrant had made admission before the Committee;
- The Registrant had co-operated with the Society and had self-referred following her conviction; and
- The Registrant had voluntarily repaid the full amount of overpaid Universal Credit.

32. The Committee looked at the aggravating factors and noted;
    - The conviction related to dishonesty;
    - The conviction related to deliberate actions on the part of the Registrant; and
    - The Registrant's actions entailed a degree of planning and premeditation.

33. The Committee had specific regard to sections 2.26-2.32 of the Guidance. The Committee was of the view that the Registrant's actions involved behaviour which could destroy trust instantly. It also considers that the sum of money involved was a significant amount.

34. The Committee also had regard to the Registrant otherwise being of good character. She had a hitherto unblemished career and as detailed above, there were no patient safety issues and no questions regarding her competence. To the contrary, the available testimonial evidence suggested that the Registrant was a valued employee.

35. The Committee acknowledged the need to have regard to the full range of sanctions available to it, starting with the lowest, and in respect of each sanction decide whether it is appropriate to this case. If not, then the Committee would consider the next sanction, until it decides which sanction is appropriate.

36. First, the Committee considered whether it was appropriate to take no action. The Committee thought this would be wholly inappropriate on the basis that it would fail to mark the seriousness of the conviction.

37. The Committee next considered whether a warning was appropriate. In the Committee's view, given the Registrant's actions could not be described as a minor breach of the relevant standards, and also considering the damage to public confidence in the profession, a warning would not be appropriate.

38. The Committee next considered whether conditions of practice would be appropriate. In the Committee's view, it would not be possible to devise conditions which would appropriately address the concerns in this case, and in any event, conditions would not be sufficient to mark the seriousness of the conviction.

39. The Committee considered that a lengthy suspension may be appropriate on the basis that it would highlight to the profession, and the public, that actions such as the Registrant's are unacceptable and unbefitting of a member of the pharmacy profession. The Committee also considered that removal may be an appropriate sanction based on the serious nature of the conviction, the dishonesty element, the undermining of professional standards, and the significant damage to public

confidence. In the Committee’s view this case was finely balanced between the maximum suspension period of 12 months and removal from the Register.

40. The Committee reminded itself that the Registrant has developed some insight, she has taken significant steps to remediate her actions, and she has expressed and demonstrated remorse. It also reminded itself that whilst there is a risk of repetition, the Committee has determined the risk to be low. The Registrant has engaged meaningfully with the fitness to practise process, and she has made admissions in a timely manner. It further reminded itself that she is otherwise of good character and there is an absence of any other issues of concern. The Committee was mindful that the criminal behaviour occurred over 6 years ago, and she has continued to work, with her supervisors describing her work in a positive manner.

41. The Committee gave careful consideration as to whether on the facts of this case, the Registrant’s actions ought to be considered fundamentally incompatible with registration. The Committee determined that owing to the positive matters set out in the preceding paragraph, the Registrant had narrowly avoided being removed from the Register. The Committee was satisfied that a long suspension with a review before its expiry would uphold the public interest. In the Committee’s view, only a 12-month suspension would demonstrate how finely balanced the decision was. The Committee was satisfied that a suspension of this duration was proportionate.

42. In determining that suspension with review was appropriate, the Committee had regard to the case of PSA v GDC & Patel [2024] EWHC 243 (Admin). Whilst it noted the suspended sentence would still be live at the expiry of 12 months, in the Committee’s view, in all the circumstances of this case, and for the reasons set out above, removal would be disproportionate. The Committee was mindful that a period of suspension would impact the Registrant both personally and financially but took the view that no lesser sanction would adequately mark the seriousness of her actions and uphold the public interest.

43. The Committee considered that any subsequent review hearing would be assisted by evidence of further reflection by the Registrant on her past actions giving rise to

her conviction, in particular the circumstances and decision-making involved and how she would act differently if similar circumstances arose in the future.

INTERIM MEASURE

44. A period of 28 days is allowed for a Registrant to lodge an appeal with the High Court. The decision of the Committee is not imposed until this period of appeal has formally ended or, where an appeal is brought, the date on which the appeal is fully disposed of. If the Committee considers that it is in the public interest to do so, it has the power to impose '*interim measures'* until the appeal period is over or, if an appeal is successfully lodged, until the appeal has been fully disposed of. Given that the Committee imposed the sanction of Suspension the Committee had to consider whether it should impose an interim measure in this case.

45. The Committee heard an application from the Society in favour of imposing an interim measure to cover the appeal period. Mr Mooney indicated that the Registrant had a neutral view and did not consent nor object to the imposition of such measures. In light of the nature of the findings in this case the Committee considered the imposition of an Interim Measure was appropriate and necessary in order to uphold the public interest. The Registrant will therefore be suspended forthwith and for the duration of the 28-day appeal period (28 days beginning with and including the date on which the written notice of the reasons for the decision was sent), or if an appeal is brought, up to the date when that appeal is fully disposed of.

COSTS

46. No costs application was made by the Society.

Mark Scott
Deputy Chair of the Statutory Committee
25 November 2025