

291.2 Cases

R v Tahir 2013 EWCA Crim 1866 D was convicted of using a false instrument with intent (x2). D was a doctor who, in 2002, joined a GP's partnership. In 2011 he was expelled from the partnership after a breakdown of relations. In 2012, his former practice was alerted by a pharmacist at Boots to a prescription which had been presented the day before. It was for 180 tablets which were a central nervous system stimulant. 30 tablets were dispensed, with the balance ordered in. It had been written on a pad belonging to one of D's former partners, Dr B, and purportedly signed in his name, and made out to a patient at the practice. The partners at the practice recognized D's handwriting. It was then discovered that a similar prescription had been presented on the previous day, again from Dr B's pad. The prescription was made out to a different patient at the practice. No tablets were dispensed as they needed to be ordered. The 30 tablets obtained were worth £200, but the full amount would have been worth £2,000. His house was searched and Dr B's pad was found, along with a quantity of the tablets. His mobile phone contained details of two patients whose names were on the forged prescriptions. D was of previous good character with good character references. Held. There was a grave breach of trust. He stole the pad and forged the prescriptions. Deterrent sentences need to be imposed in this sort of context. There is no doubt that the Judge was right to impose an immediate custodial sentence. Due to the collateral punishment to D (the loss of his medical career), **10 months** not 15.