

Mr James Scott Bowman, Phar19/460P

Charge

On 11 February 2020 the Health Practitioners Disciplinary Tribunal considered a charge laid by a Professional Conduct Committee against Mr James Scott Bowman, registered pharmacist of Paraparaumu (the Pharmacist).

The charge alleged the Pharmacist was convicted in the District Court of two offences which reflected adversely on his fitness to practise as a Pharmacist. He was convicted under the Crimes Act of:

- Common Assault; and
- Threatening Act

Background

Since 2007 the Pharmacist has lived on a semi-rural property. His neighbours were highly social, and often had gatherings at their home. The Pharmacist became concerned about noise from his neighbours. He raised noise issues initially with the neighbours, and when this did not resolve the issue, made numerous complaints to noise control. The matter was not resolved and continued for the next five years.

On 5 August 2017 the Pharmacist's neighbours were having a gathering at their home. At 11.30pm the Pharmacist's wife went to the neighbouring property to complain about the noise. Following this, the stereo was turned down. Noise control was also called but determined the level of noise to be appropriate and took no action.

Later that evening, around midnight, the Pharmacist went to his neighbours' home with a container of petrol and a box of matches. He threatened the occupants of the house, saying that he would burn the house down if they did not address the noise issue. The Pharmacist's neighbour confronted him and a struggle ensued as the neighbour and another man attempted to subdue the Pharmacist. He doused his neighbour in petrol. During the struggle, the other man, who had come to the assistance of the neighbour, was also covered from head to toe in petrol. The Pharmacist was restrained until the Police arrived. The Pharmacist was arrested and he expressed remorse to the Police for his actions.

The Pharmacist was convicted of two offences in relation to this incident.

Finding

The hearing proceeded on the basis of an agreed summary of facts and the Pharmacist accepted the charge.

The Tribunal found the charge was established and was in no doubt that his conduct failed to reflect the high standards expected of a registered health professional.

Penalty

The Tribunal censured the Pharmacist; placed conditions on the Pharmacist's practice; and ordered the Pharmacist to pay 35% of the costs which was a sum of \$11,169.33.

The full decision of the Tribunal can be viewed at: [Phar19/460P - Bowman](#)