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Australian Health Practitioner Regulation Agency

Pharmacist cautioned following investigation into criminal offences

13 May 2015

The Queensland Civil and Administrative Tribunal has cautioned pharmacist Malcolm Coghill following an investigation by the former Pharmacists Board of Queensland into criminal offences.

The matter dates back to September 2009 when Mr Coghill was convicted of fraud under the Workers' Compensation and Rehabilitation Act 2003 (WCRA).

The offences occurred while he was working as a registered pharmacist, and was the sole director and shareholder of a company that owned three medical centres and two pharmacies on the Gold Coast. When the company's WorkCover insurance policy lapsed, Mr Coghill failed to take out a new policy or lodge any employer statements with WorkCover.

Mr Coghill also made a false statement to a WorkCover officer investigating the company's compliance, and despite a notification from WorkCover, Mr Coghill continued to operate the company without paying the relevant insurance premiums.

The former board investigated the matter and decided to start disciplinary proceedings against Mr Coghill, on the grounds that the conviction related to his conduct as a practitioner.

The board's decision was made under the Health Practitioners (Disciplinary Proceedings) Act 1999 (Qld) which was in place before the National Law was introduced in July 2010.

In October 2010, Mr Coghill elected to have the matter determined by the tribunal, rather than through a disciplinary committee as the former board had proposed.

In December 2011, the Pharmacy Board of Australia referred the matter to the tribunal alleging that the convictions related to Mr Coghill's practise as a pharmacist, and amounted to unsatisfactory professional conduct.

The tribunal determined that the WCRA was related to the practice of pharmacy but did not find this amounted to unsatisfactory professional conduct.

The tribunal cautioned Mr Coghill, and advised to make sure that he, and any entities related to him, comply with legislation relating to the practice of pharmacy.

The reasons for the decision are on the [AustLII website](#).

For more information

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