

Doctor accused of killing patients "for enjoyment"

Clare Dyer *legal correspondent, BMJ*

A British GP whose murder trial began this week killed 15 women patients for the enjoyment of exercising the power of life or death, the prosecution alleged at Preston crown court.

Dr Harold Shipman, aged 53, who practised in Hyde, Greater Manchester, denies murdering the women, mainly in their 60s or 70s, and forging the will of one of them, 81 year old Kathleen Grundy.

Opening the trial, which could last until the end of February, Richard Henriques QC, for the prosecution, told the jury: "The defendant killed those 15 patients because, in the submission of the prosecution, he enjoyed doing so. He was exercising the ultimate power of controlling life and death and repeated the act so often he must have found the drama of taking life to his taste."

The QC said that there were a number of similarities in each death "which cumulatively present a compelling case against the defendant." He said that the deaths were caused by morphine or diamorphine administered to the patients, none of whom was terminally ill.

In several cases Dr Shipman had falsified records to create a false medical history consistent with the false cause of death that he had attributed to the patient, Mr Henriques added.

He told the jury that in a significant number of cases the GP had assured relatives that no postmortem examination was necessary and had told them that the patient had requested a home visit, when records showed no such request had been made.

Mr Henriques said that Dr Shipman had forged a will in which Mrs Grundy purported to leave him her £400 000 estate. The doctor had stated the cause of her death as old age, but she had been active and energetic, and when her body was exhumed substantial amounts of morphine were found.

The will and a follow up letter had been produced on a typewriter found by police at Dr Shipman's surgery, said the QC. □

Three jailed in bribery and prescription fraud scandal

Xavier Bosch *Barcelona*

A doctor and two drug company managers have been jailed in a bribery and prescription fraud scandal in Spain.

Luis Bahamonde-Falcón, manager of the pharmaceutical firm Kendall Institute, Barcelona, was found guilty of attempting to bribe numerous doctors to prescribe two of the company's drugs, Inkamil (ciprofloxacin) and Kenesil (nimodipine).

He was also found guilty of instructing another manager, Agustín Mancheño-Llorente, the company's agent in Madrid, to pay doctors their conference expenses and cash to carry out bogus follow up studies on the effects of these two drugs. Madrid's provincial court last month sentenced both men to two years in jail.

Dr Rafael García-Bobadilla, aged 66, a primary care doctor, was sent to prison for four years for accepting bribes of at least £875 from Mr Mancheño-Llorente and for prescription fraud.

Dr García-Bobadilla and Mr Mancheño-Llorente together falsified at least 224 prescriptions. Dr García-Bobadilla wrote out prescriptions for Inkamil and Kenesil, in the name of patients who were pensioners (and therefore entitled to free drugs) but gave them to other patients who were not so entitled. The fraud cost the

Spanish health system an estimated £8750.

Dr García-Bobadilla, who practised in Madrid, was also struck off the medical register for seven years. During the trial, Mr Mancheño-Llorente said that his task in Madrid was basically "to pay doctors" in order "to increase the sales of Kendall products." He added that the company, to justify the payments, asked the doctors to perform "fabricated studies of pharmacological follow up," which, according to Mr Mancheño-Llorente, was just a "more elegant" way of paying them. No such studies were done, the court was told.

The case was uncovered by inspectors of the national health service. The inspectors noticed that the doctor was prescribing an abnormally large amount of these drugs and decided to pass the case on to the court after they discovered that the prescriptions were all in the names of pensioners who had never asked for these products or gone to collect them.

The Kendall scandal started in 1996 when it was found that a suspicious relationship existed between 99 doctors and the company. Inspectors who were on the track of Dr García-Bobadilla found a list at the company's office with the names of 99 doctors who had agreed to receive "undue incentives." □

Health department backs flexible working for NHS in England

Douglas Carnall *BMJ*

The chief executive of the NHS Executive, Sir Alan Langlands, told health service managers in England last week that they must adopt flexible, "family friendly" working practices.

Sir Alan was launching a consultation document, *Improving Working Lives*, which spells out the Department of Health's £1m (\$1.6m) initiative to spearhead practical change.

"The consequences of failure are already with us," said Sir Alan. "If we could hold on to just 1% of the nurses who have left we would have 3000 extra nurses in the service, and if we cut NHS sick leave by just 1% we would save £140m each year."

More than 70% of NHS expenditure is on staff costs, and more than 90% of NHS staff are women, so family friendly mea-

sures such as creches and after school clubs are important.

Sir Alan emphasised, however, that this was not just about women with families. "We need to cater for the needs and aspirations of every member of staff, including those coming to terms with a disability, those who wish to embark on new educational ambitions, and those winding down before retirement," he said.

He called for comments on the department's statement *A Draft Working Lives Standard*, which outlines what NHS organisations need to do to enable staff to balance work with their other responsibilities. □

Improving Working Lives is available from the Department of Health, PO Box 777, London SE1 6XH.

Poll results



To coincide with the *BMJ's* theme issue, Embracing Patient Partnership (18 September), we surveyed website visitors about who should make treatment decisions. Over 850 people responded to our questionnaire, which ran from 17 September to 4 October. The results are shown in the table below.

	Doctor decides	Doctor and patient decide together	Patient decides
As a patient, which consulting style do you prefer?	56	737	54
Which consulting style predominates today?	503	298	43
Which consulting style do you think will predominate in 10 years' time?	75	546	223