

# bmj.com news roundup

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## Commission withdraws legal aid for parents suing over MMR vaccine

Hundreds of parents who claim that their children were damaged by the measles, mumps, and rubella (MMR) vaccine have been told that the legal aid funding they were counting on to take their compensation claims to court will be withdrawn from 29 September.

Lawyers estimate that the long running group action on behalf of more than 1000 claimants against three vaccine manufacturers has consumed between £5m (\$8m; €7m) and £10m in legal aid so far and could rack up another £4m in costs if it went to trial in the High Court.

A trial was due to start next April, but after a review of expert evidence the Legal Services Commission has decided that the case should not go ahead.

Clare Dyer *legal correspondent, BMJ*

## European court ruling means Germany will need more doctors

Hospitals in Germany expressed alarm last week after the European Court of Justice in Luxembourg ruled that the hours that doctors spent on call must be considered as part of normal working time. Medical organisations in other European countries were less alarmed, saying that they had already taken account of its likely effect, since the ruling merely confirmed an earlier judgment.

Although some German politicians think that the problem can be met by reorganising work patterns, the German Hospital Society, which represents more than 2000 hospitals, has estimated that another 27 000 doctors will be needed, at a cost to the government of about £1.75m (£1.23m; \$1.97m) a year.

The court's ruling earlier this month arose from a complaint by a junior doctor from Kiel, in Schleswig-Holstein. He protest-



## Exercise can cut risk of breast cancer

Even fairly modest levels of physical activity can decrease a woman's risk of breast cancer, a new study shows.

Dr Anne McTiernan, of the Fred Hutchinson Cancer Research Center in Seattle, and colleagues prospectively studied data from more than 74 000 women between the ages of 50 and 79 years who participated in the women's health initiative study from 1993 to 1998 (*JAMA* 2003;290:1331-6).

The researchers found 1780 cases of newly diagnosed breast cancer over a follow up period of 4.7 years. Women who said that they engaged in the equivalent of 1.25 to 2.5 hours a week of brisk walking had an 18% lower risk of breast cancer (relative risk 0.82 (0.68 to 0.97)) than inactive women. Women who engaged in the equivalent of 10 hours or more a week of brisk walking had a slightly greater risk reduction.

A separate study found that moderate exercise combined with dieting is about as effective as intense exercise in helping young women lose weight and improve their cardiovascular fitness (*JAMA* 2003;290:1323-30).

Scott Gottlieb *New York*

ed that although the court had ruled three years ago that time on call should be considered part of normal working hours, the German government had ignored the ruling and new working rules had not been installed.

Annette Tuffs *Heidelberg*

## GMC investigates pathologist who failed to notice infant's injuries

A Northern Ireland assistant state pathologist is to face investigation by the General Medical Council after the pathologist failed to notice several injuries in an adopted toddler who arrived dead at hospital.

Last week an independent review commissioned by North-

ern Ireland's health minister, Angela Smith, strongly criticised the Craigavon and Banbridge Community Trust, which had responsibility for overseeing the adoption.

The boy, David Filipache, and his twin brother, Samuel, were 11 months old when they were legally adopted in Romania by Geoffrey Briggs, a former missionary, and his wife in July 2000 and brought back to Northern Ireland.

David arrived dead at Craigavon Area Hospital in October 2000. Despite a post-mortem examination he was buried without any explanation of the cause of death. Samuel was brought to hospital 13 days later with a fractured skull, whereupon Mr Briggs admitted punching him because he had refused to take medicine. He was sentenced to two years for malicious wounding. After Mr

Briggs's conviction the coroner ordered David's body to be exhumed. An independent expert identified 16 fractures.

Owen Dyer *London*

## Red tape is stifling research, charity says

Patients with cancer are dying because bureaucracy is stifling research, the charity Cancer Research UK said last week. The charity said it now takes five times longer than in the early 1990s to get a breast or bowel cancer drug into trials.

Richard Sullivan, Cancer Research UK's head of clinical programmes, said that the number of regulations has increased 40-fold in the past decade. Speaking at the British Association festival of science at the University of Salford, he said that 44 new sets of regulations have been introduced in less than 10 years and that researchers must now consider 18 different pieces of legislation. Various medical associations have also pitched in with professional guidelines.

"We absolutely agree that research should be carried out in a proper regulatory framework," he said, "but because of complex, contradictory, and opaque regulations patients aren't being protected, they are being failed."

Owen Dyer *London*

## Privately run surgery centres for NHS patients proposed

The UK government announced last week that private companies have been invited to negotiate contracts to run 26 new treatment centres throughout England.

The 24 centres and two mobile units will perform non-urgent surgery (250 000 operations a year), including knee and hip replacements and cataract surgery, on NHS patients. They will add to more than 20 diagnostic and treatment centres, which are managed by the NHS