

In brief

Inhaled insulin fails to convince watchdog: The German equivalent of England and Wales's National Institute for Health and Clinical Excellence has pointed out the lack of evidence showing that inhaled insulin (Exubera) has advantages over short acting human insulin or insulin analogues administered subcutaneously. There are indications that inhaled insulin can cause severe hypoglycaemia more often than other insulin products, it says. See www.iqwig.de.

Number of Dutch cases of euthanasia rises: Euthanasia and assisted suicide reported by doctors in the Netherlands rose in 2005, for the third year running, to 1933 cases, an increase of 2.5%. Three doctors were judged to have breached the legal guidelines. See www.toetsingscommissies euthanasie.nl.

Cornwall goes public on HIV outbreak: Public health officials have warned of a cluster of HIV cases in the town of St Ives, in Cornwall, southwest England, after 10 men and women became infected, some after encounters as many as eight years ago. A local heterosexual man is at the centre of the scare.

Clean fuels could save lives: Cleaner fuels and better ventilated stoves for cooking in poor countries could sharply reduce the estimated 1.5 million deaths worldwide a year from kitchen smoke. The World Health Organization's report, *Fuel for Life*, says that fuels such as liquid propane or biogas especially could reduce deaths. See www.who.int.

NHS launches breast screening films: The NHS Breast Screening Programme has funded four films—in Mirpuri (Urdu), Sylheti (Bengali), Cantonese (Chinese), and Mandarin (Chinese)—to help women decide whether or not to attend for breast screening. Community organisations and people working within the NHS can order a DVD containing all four films, free of charge, from the Department of Health publications order line (08701 555 455).

Belgium to tighten drug advertising laws

Rory Watson *Brussels*

The Belgian government is drawing up legislation to strengthen existing controls on advertising drugs and cures for specific illnesses, after a high profile row broke out between a consumer organisation and a public health foundation.

It is illegal in Belgium to advertise drugs for which the costs are reimbursed by one of the social security system's insurers. The advertising of drugs that are not refundable is permitted, but a special committee must first approve such advertising.

The law is unclear, however, when an advertisement refers only to an illness and not to a drug. Rudy Demotte, the Netherlands' social affairs and public health minister, has now decided to end the confusion by insisting that in future the committee has the power to scrutinise all public health advertising and information campaigns.

The new restrictions are the direct result of strong criticism from Test Achats, a leading Belgian consumer organisation, of a televised information cam-



The disease awareness campaign about athlete's foot (above) run by Hodie Vivere has been criticised by a consumer group for advertising by the back door

paign early last year. This warned the public of the dangers of athlete's foot and advised anyone with symptoms to see their doctor, without specifying possible treatment.

The campaign was run by Hodie Vivere, a non-profit making public health foundation of doctors who wanted to inform people about the illness. But Test Achats claimed that in effect the campaign constituted advertising by the back door for the drug terbinafine (Lamisil, produced by Novartis). Terbinafine is refundable and in 2002 was used to treat almost 80% of cases of athlete's

foot. As a result, Test Achats made formal complaints to the consumer protection ministry.

A spokesman for Hodie Vivere insisted that it had had no contact with Novartis; that it was only concerned with the public health message; and that it was up to doctors to decide which of three drugs to prescribe. It brought a court action against Test Achats, accusing it of impugning its scientific reputation. It lost its case this month, however, when a Brussels judge ruled that the consumer group had been within its rights in criticising the televised campaign. □

GMC must consider case against paediatricians who suspected parents of fabricating child's illness

Clare Dyer *legal correspondent, BMJ*

A couple suspected of fabricating their daughter's illness and threatened with having her taken into care have won a High Court ruling that the General Medical Council must reconsider their complaint against the two paediatricians who raised the concerns.

The girl, now 15 years old, was eventually diagnosed with chronic fatigue syndrome. The local council agreed to withdraw the care proceedings and was ordered to pay the family's costs after an independent expert appointed by the court and the doctor treating the girl made the diagnosis.

Her father, named only as Mr

F to protect his daughter's identity, lodged a complaint with the GMC against the paediatricians, who were named in the High Court judgment as Dr A and Dr B.

Mr F's complaint included an allegation that the doctors had changed their minds and accepted that chronic fatigue syndrome was the correct diagnosis but had not immediately informed the local authority or the court hearing the case.

The charges were drawn up and the case went to the GMC's preliminary proceedings committee (PPC), but, in July 2004, that committee decided not to refer

the case to the professional conduct committee and threw it out.

Mr F sought a judicial review, arguing that the allegations were sufficient, if proved, to support a finding of serious professional misconduct. The GMC was willing to send the case back to the PPC, but the two doctors intervened as interested parties to oppose the application.

Mr Justice Sullivan ruled that the committee had failed to deal with the allegations and should have made further inquiries. He said that the charges as formulated had raised a specific allegation that the doctors had engaged in deceitful conduct, which had to be dealt with in the committee's reasoning, and sent the case back to the committee.

A spokesman for the GMC said, "We note the decision handed down by Mr Justice Sullivan. The case will be referred back to the PPC for consideration." □