NHS Direct underused by ethnic minorities

NHS Direct, the telephone healthcare service operated by nurses in England and Wales, is used less by ethnic minorities, people aged over 65, and disadvantaged groups than by the general population, a new report about the service in England has said. "Yet these groups had "as much need as others and perhaps an even greater one."

The report, published this week by the National Audit Office, says that the service is nevertheless operating safely and effectively. Its report details only 29 cases of adverse events in the past three years—less than one in every 290 000 calls.

The impact of the service has also reduced demand on healthcare services that are provided outside normal working hours—by GPs, for example. The report says that one GP cooperative providing out of hours services had seen an 18% fall in the number of calls received, when callers were transferred to NHS Direct first.

The service was underperforming in some areas, however. Although few callers received an engaged signal, only 64% of callers managed to speak to a nurse within five minutes. The target set by the government was 90%.

Alex Vass BMJ

UK judges reverse decision on cloned embryos

A High Court ruling that threatened to wreck UK government controls over cloning for research was overturned by the court of appeal last week.

Three appeal court judges, headed by the master of the rolls, Lord Phillips, reversed a ruling last November by Mr Justice Crane that the Human Fertilisation and Embryology Act 1990 did not cover embryos created by cloning, but only those created by fertilisation.

Cloning was still in the future when the act was passed and the statute defines an embryo as "a live human embryo where fertilisation is complete." But the judges said that following the Human Rights Act 1998, it was now possible to "strain" the language of a statute to achieve parliament's purpose if this was necessary.

An embryo produced by cell nuclear replacement—the process used to produce Dolly the sheep—was of the same genus as one produced by fertilisation, said Lord Phillips. Had parliament anticipated the production of embryos by this method, it would have wanted the act to regulate it.

Clare Dyer legal correspondent, BMJ

Advertisement criticising film for promoting tobacco is censored

An advertisement, attacking the film In the Bedroom for indirectly promoting Marlboro cigarettes, has been banned by Variety, one of Hollywood's most influential magazines.

The advertisement from the campaigning group Smoke Free Movies, based in San Francisco, points out that Sissy Spacek, who plays the lead role in the film, not only chain smokes, but broods over a Marlboro pack and specifically asks a grocer for "Marlboro Lights.

"Is this sloppy writing, sophomoric symbolism, corruption or cluelessness?" the advertisement asks. Further on, it says: "Tobacco company files show they've offered hundreds of thousands of dollars to place their brands in movies." Although the industry told Congress in 1989 that it had halted the practice, on-screen smoking by screen actors has kept climbing, it adds.

Variety magazine, which has previously carried advertisements from Smoke Free Movies, has refused this particular advertisement, saying that its content "can be construed as specifically detrimental to a single entertainment property."

Annabel Ferriman BMJ

WHO to revise its method for ranking health systems

The World Health Organization has postponed until 2003 a high profile report, originally due out this year, that compares the performance of health systems around the world.

The delay, announced last week in Geneva at the WHO's executive board meeting, amounts to an admission that the UN agency needs to improve its methods for comparing countries. Its first attempt to rank health systems, in 2000 (BMJ 2000;320:1687), provoked an outcry.

The original ranking, in the World Health Report 2000, was based on indicators of each nation's "healthy life expectancy," the "responsiveness" of the health system to patients' expectations, and the fairness of the system for financing health care.

France came first, Britain was ranked 18th, behind Greece and Portugal, and the United States trailed in at 37th.

But critics of the 2000 report said the data on which the rankings were based were scant. Where data were missing altogether, they were extrapolated from other countries' data. Some measures relied on value judgments and were taken from small, unrepresentative samples, the critics argued.

Responding to criticisms that its process in 2000 was secretive, the WHO is also posting all relevant documents and debates on its website (www.who.int/health-systems-performance/).

Phyllida Brown Exeter

Scotland produces plan to tackle binge drinking

An action plan has been drawn up to tackle Scotland's culture of binge drinking, which is being blamed for damaging the country's future.

Alcohol problems are estimated to cost Scotland £1bn ($1.4bn; €1.6bn) a year through reduced productivity and the costs of crime, damage to property, and injury and illness. The latest figures show that one in three men and one in seven women in Scotland are exceeding recommended drinking levels.

Most worrying is the increasing use of alcohol among young people—more teenagers aged 12-15 years are reporting drinking at greater amounts than 10 years ago.

The action plan produced by
the Scottish Executive recognises that it will take a long time to change the drinking culture in Scotland. It proposes a series of measures, including a £1.5m national campaign to raise awareness of the problem, better education in schools, and a new guide for parents to help them talk to their children about alcohol. It also recommends increased funding of local alcohol action teams and improved training of bar staff to encourage sensible drinking.

Bryan Christie Edinburgh

The action plan is available at www.scotland.gov.uk/health/alcoholproblems

Tobacco companies say regulations are unconstitutional

Canada’s three largest tobacco companies have begun a legal fight to defeat the country’s tobacco act and regulations, which the World Health Organization says are being used as a model in some 40 other countries worldwide.

The companies, JTI-Macdonald, Imperial Tobacco Canada, and Rothmans, Benson and Hedges, asked the Quebec Superior Court in Montreal to declare unconstitutional the 1997 Tobacco Act and two subsequent regulations, saying that they violated the companies’ right to freedom of expression under Canada’s Charter of Rights and Freedoms.

The legislation bans tobacco advertising on broadcasts, billboards, street kiosks, bus panels, and shop displays and imposes restrictions on promotion in mailings and magazines. It also forces companies to display on cigarette packages health warnings that include graphic photos of diseased mouths, lungs, and other organs. A complete ban on tobacco companies’ sponsorship of sporting and other events will come into effect in 2003.

In opening arguments at the trial, which is expected to last until late this year, Simon Potter, a lawyer engaged by the tobacco companies, said the tobacco act amounts to an effective ban on advertising, which the Supreme Court of Canada said in 1995 was not justified.

David Spurgeon Quebec

NICE may fail to stop “postcode prescribing,” MPs told

Official efforts to reduce “postcode prescribing” could backfire, because health authorities are being made to fund certain treatments at the expense of others, a parliamentary inquiry has heard.

Medical and legal experts told the Commons health select committee last week that the National Institute for Clinical Excellence (NICE) could—contrary to its aims—make prescribing more inconsistent by skewing healthcare priorities.

Ike Iheanacho, representing the Drug and Therapeutics Bulletin, warned that cash strapped health authorities may have to downgrade care in important areas to channel money into interventions approved by NICE.

“Health authorities will have to cut their cloth to fit,” said Mr Iheanacho, the journal’s deputy editor. “If the cost of implementing a whole batch of NICE guidance means they don’t have enough money left and if [they] all end up cutting different things, it’s hard to see how that will stop postcode prescribing.”

NICE has been put in an “invidious position,” because it was expected to prepare teams of guidance almost as soon as it was created, said Dr Martin Duerden, a part time GP and medicines policy adviser at University College London Hospitals NHS Trust.

Dr Duerden told MPs that the resulting backlog, or “NICE blight,” had caused delays in local healthcare decisions, and inconsistencies in the guidance had confused prescribers.

“It’s created many problems for healthcare organisations and they’re trying to hold back, till they get information [from NICE], before they can make strategic decisions,” said Dr Duerden. “In many respects it’s worse than it was before.”

Katherine Burke London

Doctor reprimanded for giving antiretroviral drug to baby who was raped

Pat Sidley Johannesburg

A second senior public hospital doctor has been reprimanded for supplying the antiretroviral drug zidovudine to a rape victim. When given within two days of the rape, this drug can stop the virus replicating.

What scandalised commentators was that the much publicised rape, in Kimberley in the Northern Cape province, was of a 9 month old baby. She was given the drug as part of extensive treatment after being gang raped by several men.

Dozens of babies in South Africa have been raped, and the crime is on the increase. People speculate that the increase is due to a myth believed by some men that sex with a young virgin will cure AIDS.

The doctor concerned was reprimanded by health department officials, who pointed out that giving antiretroviral drugs in cases of rape is not department policy.

Zidovudine is on the essential drugs list, but only for use by hospital staff who are injured while dealing with contaminated blood.

This incident, together with the government’s confusing policy on the supply of antiretrovirals to prevent transmission of the virus in pregnancy, has prompted doctors to act. The South African government remains locked in a legal battle with a group that lobbies for AIDS treatment, the Treatment Action Campaign. It fought and lost a court battle with the campaign over the provision of antiretroviral drugs for HIV positive pregnant women.

The government is to appeal the decision of the High Court, which ordered the government to set up a service offering treatment to all women who test positive and are pregnant and who wish to avoid passing the virus to their unborn babies. Its appeal is based on fears that the finding could unleash claims for all manner of treatment not available from the state and that the court’s perceived interference in policy matters was inappropriate.

But pending the appeal, which could take several months or longer, the campaign is to ask the court to enforce the order.

The case arose from the fact that the health department is running a limited experimental programme that provides a few women with nevirapine to prevent transmission of HIV to babies. At present, there are only 18 official test sites, two per province, which are allowed to provide it.

The drug has been offered free by its manufacturer, Boehringer Ingelheim. If the drug was widely available, up to 20 000 babies’ lives a year could be saved. The Treatment Action Campaign’s court case is in the name of a paediatrician employed by the state and hundreds of his colleagues.

A baby—one of dozens who have been raped in South Africa—is treated by a Johannesburg hospital nurse