Murderer loses attempt to keep his medical records secret

A double murderer lost his High Court bid to keep details of his medical records secret in the United Kingdom last week.

Michael Stone, who murdered Lin Russell and her 6 year old daughter Megan on a country lane in Kent 10 years ago, argued that his personal medical information should be edited out of the report of the inquiry into his care and treatment before it was published. He claimed publication would breach his right to privacy under article 8 of the European Convention on Human Rights, and his right to confidentiality under the Data Protection Act.

But at the High Court in London, Mr Justice Davis agreed with the South East Coast Strategic Health Authority, Kent County Council, and Kent Probation Board, which commissioned the report, that it should be published in full.

He said that the public interest in publishing the report, produced in 2000 by a panel headed by Robert Francis QC, outweighed Mr Stone's right to privacy, and the Data Protection Act did not apply to the case.

Clare Dyer *legal correspondent, BMJ*

Inquiry launched into cases of rape on mental health wards

A review has been launched into allegations that mental health patients in England and Wales have been subjected to sexual abuse, including rape, while being cared for on hospital wards.

Altogether 122 incidents of sexual abuse were reported to the National Patient Safety Agency by mental health staff between November 2003 and the end of September 2005. These included 19 rapes and 20 cases of consensual sex as well as incidents of sexual advances, touching, and exposure. In 11 cases of rape the perpetrator is alleged to have

been a member of staff.

The incidents are highlighted in a report from the safety watchdog, which has analysed almost 45 000 mental health incidents reported to its national reporting and learning system.

Although only about 0.3% of incidents related to sexual safety, Louis Appleby, the national director for mental health, has said that he will be asking every mental health trust to review their procedures for protecting the sexual safety of patients.

Zosia Kmietowicz *London*

The report, *With Safety in Mind: Patient Safety in Mental Health Services*, is at www.npsa.nhs.uk/health.

Prisoners take on government over HIV/AIDS treatment

South African prisoners with HIV/AIDS are going back to court in a bid to force the South African government, the health minister, and various parts of the Correctional Services Department to give effect to a court order compelling them to provide antiretroviral treatment for inmates who have AIDS.

The prisoners contend that the government had a constitutional obligation to care for the health of prisoners and was breaking its own operational plan to provide care, including antiretroviral drugs, for prisoners with HIV/AIDS.

The government had argued that it was providing care and questioned whether or not the case was in the public interest. It had also asked the judge, Thumba Pillay, to withdraw from the case as his daughter was working for the AIDS Law Project, one of the groups supporting the prisoners.

Judge Pillay did not withdraw, and ordered the government to provide the treatment immediately. Despite this, the government is not complying with the order. It is appealing against the judgment because the judge refused to withdraw. The appeal has the effect, in South African law, of suspending the judgment.

Pat Sidley *Johannesburg*

WHO cannot reach displaced people in Lebanon and Gaza

Owen Dyer *London* and John Zarocostas *Geneva*

Civilians, hospitals, and infrastructure vital to public health have not been spared by any of the parties to the escalating conflict in the Middle East, according to reports from international aid agencies.

As the *BMJ* went to press, casualties stood at approximately 50 dead in the Gaza Strip, most of them reportedly Hamas militants. Israel had 24 dead, half of them civilians, and almost all of the 220 dead in Lebanon were reported to be civilians.

Roads, bridges, and the power grid have been extensively targeted by Israeli airstrikes in Lebanon and Gaza, while in Israel, several medical facilities have been hit in an indiscriminate rain of unguided rocket fire, including a hospital in Nahariya.

In Lebanon, international relief agencies have intensified efforts to ensure essential humanitarian aid reaches civilians caught up in the fighting.

By Tuesday, the United Nations had sent in advance teams to evaluate needs and coordinate relief efforts. But the situation was so precarious that the UN itself had decided to evacuate non-essential staff from the area in conflict.

In light of the heightened insecurity "it is not possible to transfer casualties to hospitals or medical supplies to areas where the population has relocated," a

dispatch from the World Health Organization's regional office said. The first week of conflict in Lebanon is estimated to have displaced about 400 000 people.

WHO's dispatch concludes that, according to Lebanese health authorities, "access to medical supplies from primary healthcare centres and hospitals is cut off because of the existing security situation."

Although Lebanon has "sufficient" medical supplies available there are no means to transport them to locations in need. Cuts in power supplies were also affecting operations in both public and private hospitals, said WHO.

With all five major crossings of the Litani river broken by Israeli aircraft, the south of Lebanon was practically cut off. Shops were already running low on food, according to several reports, possibly as a result of the Lebanese habit of stocking up at the outset of fighting.

Although Israel has extensively bombed the airport and the port of Beirut, a foreign ministry spokeswoman denied that Israeli forces were trying to impose a blockade on the country.

With the situation spiralling out of control and the number killed or injured rising fast, international agencies were in full swing activating contingency plans.

Mariam Shihabiyah salvages some belongings from her apartment in the bombed area of southern Beirut, Lebanon