

BMA gives thumbs down to regulatory body

The British Medical Association has voted “no confidence” in the General Medical Council, the government-appointed body that regulates medicine in the UK. The historic vote came during the BMA’s recent annual meeting, during which doctors reaffirmed their support for self-regulation but voted by an 80% margin that they had no confidence in the GMC “as presently constituted and functioning.” They demanded “urgent reforms of its structure and functions in consultation with the profession.”

British politicians have recently been calling for an end to self-regulation after several high-profile disciplinary cases. One involved a GP, Harold Shipman, who was found guilty of multiple murders earlier this year. Another case, decided July 20, saw gynecologist Richard Neale found guilty in 34 of 35 charges involving more than a dozen patients. Most of the charges involved

incompetence and neglect, but he was also found guilty of doctoring his resumé. The British-trained Neale has a Canadian connection — he was struck off the register in British Columbia and Ontario for incompetence before returning to the UK in 1985. (On July 26, the GMC decided to revoke his licence for 5 years.)

The BMA move came a few weeks after the GMC president, Sir Donald Irvine, said that recent problems had “shaken the foundations of medicine” and that it was time for the GMC to shift its emphasis from protecting doctors to protecting patients.

A BMA spokesperson told *CMAJ* that the GMC “is not adequately protecting doctors or patients. Doctors have taken a battering recently and the GMC hasn’t been active [in responding].”

In particular, there is now a 2-year delay in hearing complaints against doc-

tors, which the spokesperson said is unfair for both patients and doctors. “The GMC is not open about what it’s doing — it says it is preparing some reforms but we have no idea what they are.”

Irvine responded to the BMA vote by saying that the GMC has accelerated the “radical overhaul” of its structures and procedures. A GMC spokesperson said the council has had “many discussions with senior members of the BMA and we have consulted them all the way.”

Last month, Parliament granted the GMC’s request for new powers that will allow it to increase its membership so that there will be more people available to sit on disciplinary committees; 160 physicians are currently awaiting a hearing. The GMC has turned its members’ dining room into an ad hoc second courtroom and will soon be able to hear 3 cases at a time. — *Caroline Richmond*, London, England

A smoke signal from Florida

The size of an award set by a Florida court in a suit against tobacco companies may be mind-boggling — at US\$145 billion it is bigger than Canada’s federal budget — but many lessons from the case can be applied here, an antismoking lawyer says.

David Sweanor, senior legal council with the Non-Smokers’ Rights Association, says the Florida case hinged on the informed-consent issue and Canadian courts have already taken “very strong” stands on it. “Most physicians are familiar with informed consent and this case was about the fact that the companies did not give smokers all the information that was available. What they didn’t want them to know, for example, was that ‘light’ cigarettes are a scam.”

The Florida suit, on behalf of 700 000 sick smokers in the state, lasted 2 years, but the 6-member jury took only 5 hours to set the award. Although the smokers are unlikely to see little if any of the money because of the lengthy appeal process, Sweanor said the award is still a watershed event because of its size.

Although no trials are imminent, several class actions and individual proceedings are being pursued against tobacco companies in Canada. “Naturally, any awards here won’t be anywhere near as large as that one,” Sweanor said. — *Patrick Sullivan*, CMAJ



MD Management’s rapid growth continues

The amount of money under administration at MD Management is expected to surpass the \$15-billion mark by the end of August. The Investment Funds Institute of Canada says MD Management is now the country’s 15th-largest mutual fund company. (It ranks 11th in size if all the funds it administers are included). MD Management Vice-President Ron Banner says the 31% growth in funds under administration since Dec. 31, 1998, places MD Management in the top quartile of growth among Canada’s 70 mutual fund companies. The company, the largest of its type in the world, passed the \$1-billion mark in assets under administration in 1985. This latest fund total means that the company has been growing by an average of almost \$1 billion a year since then.