

## **MEDIA WATCH with Mary Aspinwall, R.S Hom, P.C. Hom.**

### **Doctor No! A paradigm shifts?**

The old adage that “Doctor knows best” has taken something of a hammering of late, with doctors’ actions coming under increasing public and governmental scrutiny.

The most dramatic example of how putting total trust in a medical professional can seriously damage your health unfolded at the recent trial of Dr Harold Shipman. He was found guilty of the murders of 15 elderly women in his care, using lethal heroin injections. It was revealed in January that, although he will not face any further charges, he might actually have killed as many as 297 patients during his 24-year career as a lone GP. In the midst of public outrage, Britain’s Health Secretary, Alan Milburn, pledged to close the loophole allowing Harold Shipman to draw his health service salary despite the murders. The killings are also likely to lead to legal changes for all doctors in relation to their powers to sign death certificates and to handle drugs.

The issue of vaccination has also been the subject of much media debate over the past year or so, with over 150 articles appearing in the Examiner alone. It is a measure of the public’s distrust that one quarter of children resident in Ireland are currently not vaccinated against measles. Of all the vaccines MMR(combined Measles Mumps Rubella) has had some of the worst press due to evidence of a link between the jab and the soaring levels of autism.

Dr Andrew Wakefield of London Royal Free Hospital and his team of researchers recently presented their findings to the US Congress as part of a debate on autism. They said there was now compelling evidence linking autism with MMR. Autism support groups welcomed the evidence as ‘hugely significant’.

Meanwhile the Oireachtas continues to hear evidence on MMR and in October 2000 one of the world’s leading vaccination experts (Dr Bronwyn Hancock, Head of the Australian Vaccine Information Service) warned the Irish Government to be very cautious about the continuing use of the controversial vaccine.

Asked if he would be making recommendations to Health Minister Michéal Martin about the future use of the MMR vaccine, Deputy O’Keeffe said: “It will all depend what comes out at the oral hearings - we cannot prejudge what course of action we will be taking... “.

Questions relating to the ethics of vaccination trials were raised by a report, issued in November, that revealed tests were carried out by drug company Wellcome at the request of the Eastern Health Board on children in care. The children were used as guinea pigs for the vaccine trials because the Board was concerned about adverse reactions to the three in one vaccine (DPT – combined Diphtheria Pertussin Tetanus).

More recently it is the Polio vaccine that has been grabbing headlines. Brussels issued warnings 14 months ago that British blood donor whose plasma had been used in the manufacture of a batch of oral polio vaccine had since been diagnosed as suffering from the new variant form of Creutzfeldt Jacob Disease. Despite these warnings as late as December 2000 doses from the suspect batch were still being administered to tens of thousands of Irish children. Minister Micheál Martin reassurance to parents that there was ‘absolutely no risk’ that their children would not catch the human version of Mad Cow Disease from the vaccine were treated with derision by many.

Public unease about the medical professions treatment of the dead has also been much in evidence this year. In January pathologist Dr Dick van Velzen was banned from ever working in Britain again. Whilst based at Britain’s Alder Hey hospital he had systematically stripped internal organs from hundreds of dead children, leaving their bodies as little more than shells. Years later, many parents were trying to come to terms with the fact that their child’s body had not been buried intact as they had believed. One father told how he had discovered that most of his four-year-old son’s organs (including his heart, brain, lungs and testes) had been removed without his knowledge or consent.

Commenting on the parallel controversy engulfing Irish hospitals the Examiner’s editorial captured the horror many felt following the revelations:

“It can take a lifetime for parents to come to terms with the devastating grief caused by the loss of a baby. To learn that organs were stripped from their tiny bodies and stored on laboratory shelves must be an emotional experience beyond imagining.”

British media reports detailed a series of cases where hospitals had also sold organs to research firms

who in turn donated the money they paid back to the hospitals for improvements in their medical facilities. The practice echoed earlier reports of the sale of aborted fetuses to cosmetics firms.

***My sense is that what we are now witnessing is a major paradigm shift in the public's belief system. Trust in a medical practitioner now has to be earned rather than given unquestioningly.***

This feeling was further confirmed by two reports. Fred Brock writing in the New York Times this February under the heading "Talking Back to Doctors Is Good Medicine" gave the medical profession this warning:

"Doctors who are dismissive toward the elderly and their problems had better brace themselves, because the baby boomers are on the verge of becoming the latest crop of older patients."

And in The Times (January 2001) even the great and the good came out in favour of my hypothesis! The Lord Chief Justice called last night for a less deferential approach by courts to the medical profession and an end to the assumption that 'doctor knows best'.

Public confidence in doctors had been dented by a series of well-publicised scandals, Lord Woolf, said. In the past courts had been excessively deferential to the medical profession but this "automatic assumption of beneficence" had been dented, he added.

"It is unwise to place any profession or any other body providing services to the public on a pedestal where their actions cannot be subject to close scrutiny," he told his London audience. Lord Woolf called for courts to take a more robust view of negligence by the medical profession ...

"The behaviour of those involved in betrays a lack of appreciation of the limits of their responsibility." Whilst Lord Woolf accepted that they were not motivated by personal gain, he felt they had lost sight of their power and authority. They acted as though they were able to take any action they thought desirable, irrespective of the views of others.

"The over-deferential approach is captured by the phrase 'doctor knows best'. The contemporary approach is a more critical one. It could be said that doctor knows best if he acts reasonably and logically and gets his facts right."

Lord Woolf said the deterioration in confidence by the public and judges alike was evidenced by an increase of more than 30 per cent in the number of complaints to the General Medical Council.

"The number has risen from some 3,000 last year to a predicted 4,300 this year. The future of the GMC has itself been called into question."

Other factors had made judges less deferential: the difficulties people had in bringing successful claims; an increasing awareness of patient's rights; the closer scrutiny of doctors by courts in places such as Canada and Australia and the scale of medical negligence litigation which was a "disaster area".

This indicated that the health service was not giving sufficient priority to avoiding medical mishaps and treating patients justly when mishaps occurred, he said.

(My thanks to Kate Soudant for sending me the New York Times article and to Helen de Vesey for drawing my attention to The Times.)

## **Wake up call for VHI.**

BUPA Ireland has launched a product that will also allow patients to reclaim at least half of the cost of alternative medicine bills for acupuncture, homeopathy, chiropractic and osteopathy costs. BUPA launched their comprehensive health care insurance package, which will include cover for a wide range of prevention and health screening initiatives. ... There is also a £700 home birth grant. After three years on the Irish scene, BUPA claims a market share in excess of 10%. According to

chairman Dr Margaret Downes, it has a net growth of at least 1,200 people per week. Challenging VHI's monopoly in an expanding market since 1997, BUPA claims more than 170,000 members on its books of which it estimates up to 45% are former VHI members.

When asked why *they* did not pay a contribution towards homeopathic treatment VHI replied that their medical consultants had advised against doing so. Perhaps they should consider the wise judge's words regarding Doctor knowing best... particularly in the light of the fact that they may not be unprejudiced observers on this issue!

## **Examiner asks IMB to use common sense**

"While it may be considered necessary to set up a special arm of the Irish Medicines Board to govern the whole area of alternative medicine there are fears that a rigorous process of product authorisation, plus a prescription only sales regime, will give large multi national pharmaceuticals greater dominance of the market. It is vital that future decisions be informed by common sense. The inclusion of alternative health practitioners on the IMB committee marks a significant step towards protecting the freedom of choice of thousands of consumers." (The Examiner Editorial, January 2001)

## **Promoting homeopathy**

As the Society's PRO, there are two ways I can work. One is to be purely reactive responding to enquiries and possible misinformation whenever I am called on to do so. The other is to be pro-active: producing articles and presenting them to various media for publication or broadcast.

Currently, much of what is written in the media in relation to Homeopathy concerns how the public can use it to treat themselves for first aid injuries and minor ailments. Such information is very useful and may lead the public to consider visiting a Homeopath to get treatment for chronic conditions.

I see my task as two-fold. I want to promote Homeopathy, but I also want to promote Homeopaths. I would personally like to see the media focus more on what homeopaths do and perhaps less on self-help features.

Here is a nice example. It appeared at the end of an Examiner article on exam nerves.

Many alternative techniques, like aromatherapy can be helpful to relieve stress. And it can be self-help. A few drops of lavender in a bath can aid sleep. Homeopathy can be very helpful too.

Frances Bowe helped a theology student whose stress made her blank in exams.

"I gave her a preparation called Athusa and she said it wiped away her problem," says Frances. "She came first in her final exam." She is also helping a bright leaving certificate student whose mock results were disappointingly bad because of her sense of panic.

"Rescue Remedy is very good," she says. "The students must calm down and take control for themselves. Perhaps by being by themselves. Nobody can do it for you."

As Frances points out, with good study skills most students calm down after the first day.

You may also have noticed that magazines such as Here's Health often feature real life cases. Here someone who has been successfully treated by alternative means volunteers to tell their story in the hope that others may be treated successfully. The media is happy as they have a great human-interest story and the practice of seeking alternative help is encouraged.

### ***Ethical issues relating to publishing homeopathic cases in the media***

By the time you read this, the new code of ethics may have been accepted by the EGM in Galway. If it has, publishing such cases may be considered to be in breach of the code. If the code has already been accepted amendments are possible.

My feeling is that such cases *should* be *actively* presented to the media provided the following rules are strictly adhered to:

#### ***Both the client and homeopath have rights***

No pressure should be put on clients to give permission for their case to be published

Clients and homeopaths can opt to be either named or anonymous

The patient should be given the opportunity of reading the text in full prior to any publication  
Written agreement to publication should always be obtained from clients

*To avoid any danger of misrepresentation each individual article should make clear that:*

The client was treated, not the disease

Prescribed remedy 'x' is only one of hundreds of possible choices for condition 'y'

The nature of the prescription given was holistic

Serious or chronic conditions should always be treated by a qualified Homeopath

No claim is being made in relation to the ability to cure a particular condition

Ideally I would like to set up a bank of short, well presented cases where clients are prepared to go on record.

Let me know what you think...

### Send your thoughts and media contributions to:

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For the next issue I plan to take a long look at The Irish Times archives on [www.ireland.ie](http://www.ireland.ie) )

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