



High smoking rates among Aboriginal community cause financial hardship

Melissa Sweet

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1.6 million elementary school children have ADHD, says report

About 1.6 million cases of attention deficit hyperactivity disorder (ADHD) have been diagnosed in American elementary school children, according to the Centers for Disease Control and Prevention (CDC).

In a new report the CDC said that about half of the children in whom the disorder was diagnosed had also been identified as having a learning disability. "This report serves as a snapshot of a condition that has important consequences for the development of school age children," said the CDC's acting director, David Fleming. "However, much more needs to be learned about ADHD and about the spectrum of impairments associated with ADHD."

The figures mean that 7% of US children aged 6 to 11 have the disorder. The results were obtained from national surveys conducted in 1997 and 1998, including interviews with family members of 8647 children between the ages of 6 and 11.

Rates of diagnosis of ADHD are twice as high in white children as in Hispanic and black children. Children with a diagnosis of learning disability alone were more likely than other children to live in a low income or single mother household, and children from families with health insurance were more likely to have a diagnosis of ADHD without a learning disability.

Scott Gottlieb *New York*

The CDC's report is available at www.cdc.gov/nchs

Psychiatric patient sues for cost of bringing up child

The NHS cannot be made to pay the cost of bringing up a child that a woman with brain damage claims she conceived while staying on a mixed sex psychiatric ward, a judge ruled at the High Court in London last week. But Mr Justice Cooke gave the 30 year old woman permission to appeal.



High smoking rates among Aboriginal community cause financial hardship

High smoking rates among indigenous Australians—up to 80% in some communities—are contributing to financial hardship, crime, and violence, a new report says.

It also says that cultural factors promote smoking among Aborigines and Torres Strait Islanders, and the report highlights neglect of the problem by governments and the public health sector.

The report was released just a week after new figures showing that Australia now has one of the developed world's lowest rates of smoking. In 2001 19.5% of Australians aged over 14 reported smoking regularly, compared with 21.5% in 1998.

The new report, by the National Aboriginal Community Controlled Health Organisation, says current figures on smoking among Aborigines were not available but that 1994 studies put the rate at 54%. In some communities 79% of men and 70% of women smoked. The report is the first of its type and is based on the results of focus groups in 13 communities, surveys of 76 health services, and a literature review.

Nearly all the focus groups said children typically started smoking at age 9 or 10, and sometimes as young as 6. The report highlights a lack of culturally appropriate tobacco control interventions.

Melissa Sweet *Sydney*

Tobacco, Time for Action can be obtained from the National Aboriginal Community Controlled Health Organisation's website: www.naccho.org.au/

The case breaks new ground as the first claim for the cost of substitute care by a mother who is completely unable to look after her child. The brain damaged woman brought the case through her 51 year old mother, who is caring for the 3 year old girl. The mother claims her child was fathered by another patient at a hospital in Canterbury, Kent.

East Kent Community NHS Trust denies liability and disputes her story about how she became pregnant.

The mother's counsel, Nicholas Yell, told the court that she was brain damaged by a

childhood illness that left her prone to mood swings, outbursts, and promiscuity. He said she should have been put on a single sex ward or more carefully supervised.

Mr Robert Francis QC, for the trust, said: "It is denied that her behaviour is appropriately described as promiscuity, and we say that she was appropriately supervised."

The judge said that if compensation were paid, the child's grandmother "would be gaining all the joys and benefits of bringing up the baby, free of expenses." Clare Dyer *legal correspondent, BMJ*

Uninsured Americans are more likely to die prematurely

Lack of health insurance is a risk factor for poor health. Americans who lack such insurance are in poorer general health, receive inadequate care, and are more likely to die prematurely than people with insurance.

This is the conclusion of a new report from the US Institute of Medicine. The report was prepared by the institute's committee on the consequences of uninsurance and is the second of six reports the committee is issuing. The first report appeared last October.

The committee examined the consequences of being uninsured for adult patients with a number of specific conditions: cancer, diabetes, HIV infections and AIDS, heart and kidney disease, mental illness, and traumatic injuries. The report says that overall "uninsured patients have consistently worse clinical outcomes than insured patients."

In patients with cancer, for example, the uninsured have a 50% greater chance of dying and die sooner than patients who have insurance—largely owing to delayed diagnosis. Even patients who experience traumatic injury are less likely to survive if they lack insurance.

Charles Marwick *Washington*

The report, *Care Without Coverage: Too Little, Too Late*, is accessible at www.national-academies.org

Israeli doctors warn against rubber bullets

Rubber bullets should not be considered a safe method of crowd control, Israeli doctors have argued after a review of the use of rubber bullets by Israeli police against Palestinians showed a high number of injuries and some deaths.

Rubber bullets were used for the first time by British forces in Northern Ireland in 1970. They were intended to inflict superficial, painful injuries, deterring

demonstrators from further action but avoiding the risk of serious injury and death associated with conventional bullets.

However, a retrospective study of 595 casualties admitted to hospitals in Israel during demonstrations by Israeli Arabs in October 2002 showed that rubber bullets result in severe injury and death in "a substantial number of people."

Analysis of medical records for 151 casualties with injuries proved to be caused by rubber bullets showed that 61% had blunt injuries and 39% had penetrating injuries. Two people died after penetrating ocular injuries into the brain and one died as a result of postoperative aspiration after a knee injury (*Lancet* 2002;359:1795-800).

Judy Siegel-Itzkovich *Jerusalem*

Blair says science needs strong funding and public support

Prime Minister Tony Blair says that science is vital to the prosperity of the United Kingdom and has urged strong funding and strong public support.

In a wide-ranging speech on science given to the Royal Society last week he said that the United Kingdom was held back by its traditional attitude to science.

"Britain has produced 44 Nobel laureates in the last 50 years, more than any country except the United States. But this statistic does conceal a problem we must acknowledge. Only eight of those laureates are in the last 20 years. We have relied for too long on tradition and sentiment to aid our scientists. We need strong funding and strong public support, not just the warm glow of our traditions," he said.

The prime minister said that with 1% of the world's population the United Kingdom funds 4.5% of the world's science, produces 8% of the scientific papers, and receives 9% of the citations.

He said that the country stood on the verge of further leaps forward in scientific endeavour and discovery, and that science was vital to the coun-

try's future prosperity, but warned of potential pitfalls. Science was posing hard questions of moral judgment and of practical concern, which, if addressed in the wrong way, could lead to prejudice against science—and that, he said, would be profoundly damaging.

Roger Dobson *Abergavenny*

The full speech is at www.number10.gov.uk/output/Page5044.asp

GMC member challenges decision against her

Jennifer Colman, the General Medical Council member forced to stand down from its professional conduct committee, has challenged the council's right to instigate an external review of her suitability to judge doctors' fitness to practice.

Speaking at a full GMC council meeting last week, Dr Colman accused the council of undermining democracy by forcing her to stand down from a committee she was elected to serve on and acting outside its legal powers by launching an external review of her behaviour.

"In the absence of rules, it's not open to council to invoke this mechanism. I say this mechanism is ultra vires. If you continue with this mechanism you will be in sticky water," Dr Colman told GMC chief executive Finlay Scott. "You think that I'm unsuitable. You don't like me—it's been a shame, a disgrace."

The GMC agreed to launch the independent review in February to iron out issues that have arisen since Dr Jennifer Colman's election in May 2000.

Dr Colman, who is a non-practising GP and barrister, stepped down from a disciplinary panel in June 2001 over allegations that she had made "biased remarks" and prejudged the outcome of the case. It emerged since her election that many doctors who voted for her did not know she had been struck off for serious professional misconduct in 1987 and later reinstated.

Katherine Burke *London*

US court finds antiabortionists guilty of violent threats

Fred Charatan *Florida*

A federal court in San Francisco has ruled that antiabortionists who distributed "Wanted" posters identifying doctors who performed abortions had illegally threatened the doctors.

The defendants, two anti-abortion organisations and a number of individuals, also listed doctors' names and addresses on a website they called "The Nuremberg Files." The names of doctors who had been killed were lined through in black; the names of wounded doctors were highlighted in grey (*BMJ* 1999; 318:214).

An earlier court ruling last year had upheld the rights of the antiabortion campaigners to run such a website (*BMJ* 2001:322;818), despite the fact that seven doctors who carried out abortions have been murdered in the United States in the past decade.

One of the most recent doctors to be murdered was Dr Barnett Slepian, who was shot at his home near Buffalo, New York, in October 1998. His alleged killer, antiabortion activist James Kopp, was arrested in France last April. A French court has approved his extradition to the United States to face murder charges, and Kopp said last week he will not fight the extradition.

The antiabortionists sought shelter under the First Amendment, which protects the right of free speech. They told the court that they were engaged in political advocacy, while the plaintiffs, four doctors and two health clinics, maintained that the speech

in question encouraged violence against abortion providers.

The 6-5 decision by the United States Court of Appeals for the Ninth Circuit reversed a decision by a panel of three judges of that court last year.

Most of the judges discounted the argument that the language used by the defendants was not overtly threatening. The use of the posters and the subsequent killings were, the majority said, sufficient to strip the defendants of First Amendment protection.

"While advocating violence is protected," Judge Pamela Ann Rymmer wrote for the majority, "threatening a person with violence is not." She said that another doctrine applied when specific people were named and made to fear for their safety.

Maria Vullo, the lead lawyer for the plaintiffs, said that the essence of the court's decision was its rejection of threatening speech. "It's really terrorism," she said about the speech.

Christopher Ferrara, who represented the defendants, said his clients would ask the US Supreme Court to review the decision. "This is a threat case without any identifiable threat," he said.

Dr Donald Palmisano, secretary-treasurer of the American Medical Association, said: "The AMA is gratified by the recent decision by the Ninth Circuit Court of Appeals to refuse to grant websites [that are] designed to incite violence ... protected status under the First Amendment." □



Alleged killer James Kopp is arrested by French police