



PUBLIC PETITION NO.

PE01493

Name of petitioner

Peter John Gordon

Petition title

A Sunshine Act for Scotland

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to introduce a Sunshine Act for Scotland, creating a searchable record of all payments (including payments in kind) to NHS Scotland healthcare workers from Industry and Commerce.

Action taken to resolve issues of concern before submitting the petition

Concerns about the over-prescribing of antipsychotic drugs in the elderly led me to consider possible explanations for this behaviour by doctors. I was also aware of a powerful marketing campaign including a series of national meetings led by key opinion leaders promoting the use of another drug, Memantine, for the management of behavioural and psychological issues in dementia. This led me to examine the current systems in place to make clear any potential conflicts of interest.

Two years of enquiry with my local NHS regarding any register of outside interests were eventually answered to reveal that no such register had ever existed.

This led me to write to all 22 of Scotland's NHS Boards under Freedom of Information legislation and the results show that many of the Boards have no policy in place and in those that do the information recorded is very patchy and generally not available to the public.

The FOI returns can be viewed at:

https://www.whatdotheyknow.com/user/peter_j_gordon/requests

I have prepared a summary database: due to the heterogeneity of the returns this is a rough guide at best:

<https://docs.google.com/spreadsheet/ccc?key=0ApF86-MCSbZzdGIVd2ZPYWhyN1ZUbkliNIFpTGxtMFE#gid=0>

Petition background information

In January 2013 I wrote to the Scottish Government seeking clarification of regulations in this area. I received a reply which directed me to A Common Understanding 2012 – Working Together For patients: Guidance on Joint-Working between NHS-Scotland and the Pharmaceutical Industry. This document specifically excludes research, procurement and sponsorship. The reader is directed to NHS Circular MEL (1994) 48

Standards of Business Conduct For NHS Staff (which is now nearly 20 years old and written before devolution) and to the ABPI Code of Practice for the Pharmaceutical Industry: <http://www.abpi.org.uk/our-work/library/guidelines/Pages/code-2012.aspx>

The ABPI Code has been roundly criticised: Guidance on collaboration with drug industry offers little in the way of ethics or transparency. BMJ2012;344:e2910 <http://www.bmj.com/content/344/bmj.e2910>

Lancet withdraws its support of document on collaboration between doctors and drug industry. BMJ2013;346:f770 <http://www.bmj.com/content/346/bmj.f770>

The technique of pharmaceutical companies using Key Opinion Leaders (KOL) is well recognised: Drug marketing: Key opinion leaders: independent experts or drug representatives in disguise? BMJ2008;336:1402 <http://www.bmj.com/content/336/7658/1402>

Guidelines have become an integral part of medical practice but it is not always clear what influences might lie behind their formation: Three quarters of guideline panellists have ties to the drug industry. BMJ2013;347:f4998 <http://www.bmj.com/content/347/bmj.f4998>

The United States of America have just enacted a Sunshine Act: <http://www.ama-assn.org/ama/pub/advocacy/topics/sunshine-act-and-physician-financial-transparency-reports.page>

As I understand it both Australia and France are in the process of developing a Sunshine Act.

Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/sunshineact>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

NO

How many signatures have you collected so far?

0

Closing date for collecting signatures online

N/A

Comments to stimulate online discussion