

POST ONE FOR AGE OF AUTISM : The Verdict Thursday 28th January 2010

The Survival of the Most Corrupt

The expression often used by Mr. Herbert Spencer
of the Survival of the Most Corrupt
is more accurate, and is sometimes
equally convenient.

With apologies to Darwin and Mr Herbert Spencer

And so it came to be that Dr Kumar, the Chairman of the GMC Fitness to Practice Panel trying Dr Andrew Wakefield, Professor Simon Murch and Professor Walker-Smith sat without the flicker of a smile on his face, leaning on the long plastic topped table and read out the verdicts to the many charges. The Panel found that; most of the children in the *Lancet* paper had been experimented upon outside the inclusion dates of research ethical committee approval 172/96. That a number of the children had been subjected to aggressive procedures not sanctioned by any research ethics committee. That in most cases parental approval had not been lodged in the case files and that Dr Wakefield had "treated children with a 'callous disregard' for the distress and pain that he knew or ought to have known the children involved might suffer. This latter aside, although repeated by the media incessantly throughout Thursday night, actually referred to the taking of a small quantity of blood by a trained professional from 5 healthy children, whose parents were friends of the Wakefield's; a control sample for a study. This had nothing to do with the experimental procedures that were supposedly carried out by Dr Wakefield on the 12 children reviewed in the *Lancet* paper.

As the recitation of the crimes of Dr Wakefield came to an end, it appeared as if Dr Wakefield, had in the mid nineties, been some kind of inhuman Nazi experimenter practicing on children in the heart of England; an overlooked human vivisector who stalked a large North London hospital committing serious crimes with the two other criminals in his firm, invisible to his colleagues and unseen by the hospital administration.

Kumar didn't have an easy read of the verdict. Feelings ran high. The GMC were unable to keep order. Muttering began as Kumar's message became clear while he dodged through the verdict; the microphones working with loud clarity for the first time in two and a half years. Suddenly one parent exploded in a clutter of bags and clothing, a scarf and a jacket, she stood up, twisted round a blur of mustard, shouting as she made her way out of the hearing room. She evaded the the GMC security as they tried to manhandling her. After a short quiet with Kumar continuing, another parent, dressed attractively in purples, fury on her face, raged against him, repeating

'the children' over and again. GMC security did catch up with this diminutive parent and held her bruisingly in the lift on the way to expelling her from the premises.

The public gallery began to empty. Then after another five minutes of Kumar's sucrose voice, a freewheeling free-for-all pushed its way to the door. It was headed by a straighter than straight parent, one who usually appeared unable to be aggressive, he remonstrated with the Hearing, like a radical haranguing a rabble, every word in place, beautifully composed. He informed the panel that they were the only ones who had behaved unethically, not the doctors who had tried to care for their children.

Outside again, the parents drew together and began chanting their message or catching up with reporters, trying to squeeze the last juice from the media. Jim Moody, Dr Wakefield's friend and a lawyer a frequent visitor from the US during the hearing had that day delivered to the GMC an indictment of the prosecution's central witnesses in the hearing. I thought as I listened to him, he was far too articulate for a media able only to understand cacophony. Nevertheless they pretended to listen intently, pointing 57 varieties of recording technology in his direction. That night I could find not even rubble of his speech in the broadcast media.

At the end of the afternoon, in the gathering dusk of the Euston Road, a real treat, the presence of Andy and Carmel, this time completely in control, without the press snapping at their heels, walking fast like an escaping Bonny and Clyde but standing calmly saying exactly what needed to be said but answering no questions. Of course the media had their own way of portraying even this. Dr Wakefield became 'an unrepentant doctor', a man who wouldn't take his medicine! I personally was so pleased that neither Dr Wakefield or Professor Walker-Smith graced the hearing room with their presence showed proper contempt for the hearing.

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It is 10.30 am on the morning of Thursday 28th January, I'm sitting in the student canteen inside the University of London on Gower Street. This University is now and has been for the last hundred years, the hub of science research. The body of Jeremy Bentham, resides sitting in a glass and wood exhibition box. The library of the Wellcome Institute is just round the corner and because of its closeness to the Wellcome Trust, the University has been the recipient of funds from that body and its original pharmaceutical counterpart, The Wellcome Foundation, for a century. The university was used for the filming of Silent Witnesses one of the most popular forensic science detective programmes on British TV. The University College London, has centuries of science ground into it's very bricks; it was here that Francis Crick studied on the way to discovering the double helix of DNA.

Ten minutes' walk up the Euston Road stands the big glass building of the GMC where later in the day, the panel in the Wakefield, Murch and Walker-Smith case will announce its verdicts or 'findings on fact' as they fancifully call them. Here in the glass panelled hearing room, a different kind of science has been practiced for the last two and a half years; the science of deception.

We already know, and some of us have known for a long time, that all the defendants will be found guilty on almost all the charges. Although the hearing does not begin until 2.00pm, the cameras are already there in the early morning, like vultures on rocks. The camera men and reporters, hands stuffed in windcheaters talking in low voices, with constant nods of the head and shuffling of the feet, looking determinedly at the pavement. It's very cold in London and especially so on this part of the Euston Road that is like a canyon down which the wind whistles.

I was the first of Dr Wakefield's contingent to arrive. I got to the GMC building early because I always have a need to sink into the situation to feel that I can get the measure of atmosphere, to mull it over, long before the proceedings begin. I am here after following Dr Wakefield's case over five years and attending the hearing at every sitting over the last two and a half years.

Today I know will be one of those times that signify a dark night of the soul, for defendants, parents and campaigners alike. This afternoon the defendants will be knocked from their horses by rib smashing lance blows, on the ground they will lie dazed and have to figure whether it is right or even possible to remount and continue the battle. Parents will contemplate the bleak landscape of their children's illness without any treatment and with open skepticism from medical practitioners from whom they seek help. Activists and campaigners like myself will have to face the melancholic prospect of either continuing the campaign or slipping away to support apparently more equitable battles.

This particular battle is a post-modern struggle, one in which the most powerful forces, multinational companies, reshape the world hand in hand with governments. This is a struggle from which parents and citizens have been expunged. A blind struggle, in an age where all the ties between governments and citizens have been severed, where it is no longer possible for citizens to have any real effect on either the processes of industrial science or of national politics. At the same time that Dr Kumar is pulling his verdict out of the hat this afternoon, a quarter of a mile away near Parliament Square ex-prime minister Tony Blair will be excusing his role in the killing of 100,000 civilians in Iraq. Huge and the little crimes are spoken away with 'the people' unable even to dent the facade of apparent fairness.

Today at the GMC we all will have to suffer the slings and arrows of outrageous and organised fortune, the defendant will have to bend with the wind like trees on the beach cliffs and smart from the ignorance of the news media. Parents will have to pretend that they can cope, make themselves strong and hope that help will come from somewhere for their children; the prospect of no further clinical help is impossible to contemplate. Activists, scientists, politicians and campaigners - supporters of truth and science will have to steel themselves to the phlegm spat from the PCs of snakes like Brian Deer, stand still and take the belittling mountain of toxic words that he and his blancmange brained associates will heap belittlingly upon us.

Before I become too maudlin, however, I have to say that about one thing we can rest assured, history will prove us right, will turn in our favour. In fact this is a rule caste in iron, scorned as our truths are now, they will undoubtedly be recognised in the future; when the science is resurrected, and when the politics go through sea changes.

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It's now Friday morning and I have just gathered enough strength to begin my post for Age of Autism. Sometimes it's hard to write in the face of such an emotional maelstrom. Yesterday, the Chairman of the GMC Fitness to Practice Panel, Dr Kumar, a man who during the hearing refused to answer questions about his shareholding in GlaxoSmithKline, pronounced on behalf of the multinational drug companies and the British government that there was no such thing as vaccine damage and that any parents who claimed that their children had suffered such, would be treated with scorn and contempt.

Dr Kumar had been selected as Fitness to Practice Panel Chairman following the outing by campaigners of the GMC first choice, Professor Dennis McDevitt who had been a member of the original adverse reactions sub-committee of the Joint Committee on Vaccination and Immunology (JCVI) that had manipulated and disguised the reported adverse reactions of the unsafe MMR. In 1988, McDevitt had declared funding for a Research fellowship from Glaxo and Smith Kline and French (as the present day vaccine manufacturers GlaxoSmithKline were then named).

Dr Kumar, also, thought obviously not in so many words, proclaimed the complete confidence of the GMC in the medical authority of Brian Deer, the only man in the world to make a formal complaint against three of Europe's leading gastroenterologists. Brian Deer has carried out his campaign against Dr Wakefield from the pages of the Sunday Times, a paper managed and owned by James Murdoch a man who sits on the board of GlaxoSmithKline. Deer researched his case with the help of Medico-Legal Investigations a private enquiry company funded solely by The Association of the British Pharmaceutical Industry.

The panel gave their verdict after two and a half years partial scrutiny of the case, after legal aid for the parents claims to be heard in a real court, against vaccine manufacturers, was denied by High Court judge Sir Nigel Davis, whose brother, an executive board member of Elsevier the publishers, was on the Board of GlaxoSmithKline. During the hearing, some of the apparently most authoritative evidence, not about science, but about conflict of interest, was given by Dr Richard Horton the editor of the *Lancet* one of the most prestigious medical journals in the world. The *Lancet* is owned by Elsevier and Sir Crispin Davis is Dr Horton's line manager.

Since the beginning of this GMC charade, I have though that anyone who even entertained a verdict other than one of guilty for the three defendants, was setting themselves up for a fall.

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From 2.00 o'clock onwards, right into the late media evening, the last two and a half years of conflict over the MMR combined vaccine, was reduced to simplicity itself.

So simple did it all become that I found it almost impossible to believe that I was hearing about the same hearing in which the prosecution had produced two and a half years of evidence.

In his announcement of the verdict Kumar, reduced the whole of the panel's verdict to an assessment on Wakefield's 'care' for the twelve children written up in the 1998 case review study published in the *Lancet*. In order to introduce this paper and the resultant verdict to you in this post, I have to simplify the hearing and the evidence given during its two and a half years, I ask your forgiveness for this.

In 2004, six years after the *Lancet* paper was published and nine years after the children cited in the paper had been seen by clinicians, Brian Deer, the British government, the GMC and all their drug industry connected supporters made this case:

Dr Wakefield and colleagues had applied to the research ethics committee at the Royal Free Hospital to carry out research programme 172/96, this programme was to study children who had inflammatory bowel disease. Dr Wakefield had also agreed to a Legal Aid Board funded study of two groups of five children. Dr Wakefield had published the results of his research into 12 autistic children, under programme 172/96, in the *Lancet* in 1998. The paper showed clearly that Dr Wakefield and his colleagues had included children in this research for whom they did not have ethical committee approval. That children were given aggressive procedures for which the doctors did not have ethical committee approval. That experimental research had been carried out on these 'autistic' but otherwise healthy children, that did not have bowel disease, without ethical committee approval, nor even in some cases parental consent. The prosecution frequently tried to show that children who attended at the RFH, had been garnered by Dr Wakefield in an illicit manner. Taken the children to the RFH had, the prosecution said, been a way of parents hoping to rid themselves of the guilt at having autistic children. The objective of the 'research' upon which the paper was based, was to show that the MMR vaccination had created 'regressive' autism and the motive of Dr Wakefield who had engineered the paper and the involvement of the other 11 authors, was to aid the claim of the parents against the three pharmaceutical companies being sued.

Finally, the prosecution had said that Dr Wakefield played a part in the clinical treatment of the children despite the fact that his contract as a researcher forbade him to do so. Further the prosecution claimed that while Legal Aid Board money had been used to fund Dr Wakefield's work he had made no declaration of this conflict of interest in the publication of the study.

It was in light of this prosecution evidence that the panel made its findings on Thursday. The verdict re-iterated the charges originally framed by Brian Deer in the *Sunday Times* as if no defence evidence had been presented, in fact, as if neither the defendants nor their counsel had never been involved in the case.

The defence case had been straightforward and unlike the prosecution case, had seemed more or less unarguable. Around 1994, various parents whose children suffered from terrible bowel problems, and regressive autism, sometimes immediately after their MMR vaccination, began to approach the Royal Free Hospital, wishing the

country's gastrointestinal experts to examine them and give a diagnostic opinion. Throughout 1994 to 2002, such parents were always passed by Dr Wakefield to Professor Walker-Smith who involved Dr Simon Murch, in clinically reviewing these cases. Dr Wakefield's involvement in these cases had deepened when it began to become evident that many of the children were suffering from a new, or novel bowel illness. Dr Wakefield was, after all, the head of the Experimental Gastrointestinal Unit at the Royal Free Hospital.

In 1997, before any formal research trials were begun or carried out, Dr Wakefield with a number of other colleagues, began to assemble 'a case review paper', which involved recording the cases of 12 children who had arrived at the Royal Free consecutively in the preceding few years. Such a paper serves two purposes, it advertises the work of the department and can be used to argue for new funding, and it gives an early warning to other clinicians who might well come across similar cases. The resultant paper, was not the report of 'a trial' or 'a research project' of any kind, it was simply an account of the presentation of twelve children. Although Professor Walker-Smith did have ethical committee approval for the extraction of histological samples from child patients, research ethical committee approval is not needed for such a paper unless the children have been examined with such a paper in mind. No money was used or received from outside the National Health Service, for either the clinically necessary evaluation of the children or for the case review study. All twelve children were examined by clinicians and not Dr Wakefield who had nothing at all to do with their clinical examination, review, or agreed treatment. Most importantly, no research of any kind was carried out on the condition of these children prior to their clinical review by clinicians at the Royal Free Hospital. All the children were examined on the understanding that it was the clinicians duty to find a cause and to understand the painful and exceptional bowel trauma experienced by these children.

Claims by the prosecution that the clinical care of the children had been in the hands of Dr Wakefield, proved to be so 'off the wall', that the prosecution had to change the wording of some charges to read, 'Dr Wakefield caused procedures to take place'. How one causes a colonoscopy, as if it were an act of God, remains a mystery to me.

This case review paper, made absolutely no attempt to prove that vaccination caused autism. MMR vaccination was mentioned at one point in the paper, when the authors made it clear that some parents had drawn attention to the coincidence of MMR and their child's illness. The authors suggested that more research might be useful in this area. Nor was there any mention that MMR or any other vaccination caused autism, rather the paper described a possible link between Inflammatory Bowel Disease possibly affected by an unidentified environmental trigger and regressive autism in some children.

It became clear part way through the hearing that the prosecution had got everything wrong. They had rested their case entirely upon a study, for which ethical approval had been sought but which by the time of the publication of the *Lancet* case review study, had not actually taken place. Clearly, the GMC prosecution and the panel did not want to hear or admit to this huge error, contained originally in Brian Deer's toxic writing for the Sunday Times. Unable to concede to clarity of the defence

case, the prosecution continued head-banging as if it were a national sport. The false description of a research trial paid for by the Legal Aid Board that proved MMR created autism continued to be used to stir up great clouds of dust, misapprehension and confusion.

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It is perhaps important that we understand what really happened on Thursday, that we understand the language that was used and it's meaning. Following the verdict, most of the lay public will be thinking that the professional behaviour of the three doctors had been seriously scrutinised at great length and considerable cost, using significant analytical, intellectual energy.

However, this is not true description of what had happened. A truthful reflection on yesterday would go as follows. Towards the middle of the 1990s Dr Andrew Wakefield wrote to the Senior Medical functionaries in the National Health Service, warning that a public health crisis might occur if the government continued with it's MMR triple vaccine programme. This communication came roughly two years after the UK Chief Medical officer had withdrawn two MMR vaccines which contained Urabe mumps strain. Over the previous decade, in various countries this vaccine had been found to create serious adverse reactions in children. With the British government left holding only one brand of 'safe' MMR and having caused already perhaps thousands of diverse adverse reactions in the children who had received the vaccine, the government and the pharmaceutical industry was not about to listen to Dr Wakefield or anyone else who mentioned the words adverse reaction.

In 1998, Dr Wakefield along with eleven other authors published 'a case review' paper in the Lancet. The paper charted the details of 12 children who had sequentially arrived at the Royal Free Hospital in search of clinical treatment for serious bowel conditions. Dr Richard Horton of the Lancet, even today, maintains that the science of this paper was beyond reproach, although he gave evidence to the hearing that Dr Wakefield's non-declaration a conflict of interest in the journal of which he is editor was unforgivable.

From 1998 onwards, the government and the pharmaceutical companies organised a merciless campaign against Dr Wakefield. Brian Deer wrote a number of stories in the Sunday Times with the intention of discrediting expert witnesses in previous vaccine damage cases in the 1970s and 1980s. In 2003, legal aid was withdrawn from the claim being prepared by parents against three vaccine manufacturers. In 2004 the appeal on behalf of the parents was turned down. Immediately after this, Brian Deer published in the Sunday Times his first major attack on Dr Wakefield, a complete character assassination written with the help of the private enquiry agency Medico-legal Investigations, solely funded by The Association of British Pharmaceutical Industries. With the help of various people including the then Secretary of State for Health John Reid, Deer tendered his paperwork upon which he had based his skittish article, to the GMC and from then on it formed the basis of the developing Fitness to Practice Hearing against Dr Wakefield, Professor Murch and Professor Walker-Smith.

In 2007, the GMC began their trial of the three doctors that has continued over two and a half years and is yet to finish with the sentencing of the doctor in the period between April and July of this year. In the time between Brian Deer lodging his complaint with the GMC in 2004 and the verdict on fact on Thursday, a period of six years, the government has continued to introduce new and unsafe vaccinations damaging hundreds if not thousands of young people and children. This programme has culminated with the International fraud over swine flue vaccination, with which major pharmaceutical companies conned governments out of billions of pounds.

So, yesterday's verdict was not what it might appear, a reasonable judgement of a wise and considered tribunal. Rather the verdict was what the pharmaceutical companies hope would be a death blow, an end to the battle with a troublesome doctor. When Big Pharma and the corrupt New Labour government asked the question 'Who will rid me of this troublesome doctor', the GMC was the first to put its hand in the air.

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It's 11.30 pm on Thursday night, I have watched a number of news broadcasts, I think in the believe that sense would prevail on one channel and the truth would break through the screen. It didn't happen. Watching the news was a little like taking a bath in Walt Disney animations. Relentlessly, Wakefield was portrayed as a scaremonger, and worse as a criminal, a man who carried out damaging experiments on autistic children.

Even the parents tended to come across in news extracts as a confused entity because the media does not have time to explain that these people are parents of vaccine damaged children who have supported Dr Wakefield and his colleagues in their attempt to find a diagnosis for their children's illness. The media simplifies and distorts everything making it eminently clear who are the good guys and who are the bad guys yet brings you no evidence as to how they arrived at these opinions.

There is a peculiar sense in which all messages are broken, or twisted; nothing is continuous, deep or simply expressed; all statements are based on false premises.

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It seems important to say something about the media in Britain - at least as far as medicine is concerned, though it could easily be stretched to the invasion of Iraq - in the throws of corporate totalitarianism.

Having sat through the two and a half years of the hearing, I know that the media generally have only been ghosts in the machine, never present, never making a clear or analytical record of the proceedings. Turning up as they did like cattle on the

day of the verdict what could they report apart from the panel's corrupt verdict? But, inevitably the situation is far worse than this lapse in concentration as the headlines last night and this mornings papers testified.

Yesterday, early outside the GMC, I watched Brian Deer being interviewed by Sky News, he said things about the hearing which seemed to me to be a product of his own fevered imagination, things that bore not the slightest relation to any reality I had observed. After the interview was over, I approached the Sky journalist who had carried out the interview and asked him politely whether or not, when the interview was run that evening, an announcement would be made of the place of James Murdoch, one of the family owners of Sky, on the board of GlaxoSmith Kline the vaccine manufacturer.

'No', the journalist said, already turning away from me. 'We give a balanced account and there is no need for that kind of declaration'.

Obviously I had expected nothing more than this, but even so, I couldn't help but be astounded again, at how crooked the contemporary world is and at what shysters these people who call themselves journalists are.

I think that it is time that we turned 'secret ties to industry', from conflict of interest into corporate crime and made it a clearly defined criminal offence for any person to hold a position of authority or to be quoted on any material matter without citing either personal or organisational, contemporary or historical, links with corporations involved in the area under discussion.

I will end this report with a clear example of the criminal misinformation indulged in by the British press. Not having lived in the US, I have no idea of how the media deals with the matter of vaccines, but I fear that most North Americans can have no understanding of the unmitigated rottenness of the British Media, and without such an understanding they might find it hard to grasp how this tidal wave has crashed down upon Dr Wakefield.

A report appeared this morning in the Mirror newspaper, a vaguely Labour leading tabloid, quoting Dr Miriam Stoppard who is a septuagenarian columnist in the paper. Stoppard has campaigned against alternative medicine, in favour of Hormone Replacement Therapy and in favour of MMR, in everything from the most immature teen girl's magazines to the Mirror newspaper.

On Friday morning, previous writing of hers was repeated in the Mirror newspaper. Stoppard is just one of the many medical hacks that keep the wheels of vested interest turning inside the UK pharma-soaked media, but I think for reader world wide a brief look at the inanity on the morrow of the verdict against Andrew Wakefield, Professor Murch and Professor Walker-Smith might help readers outside the UK understand how the GMC is presently getting away with its lamentable corruption.

Miriam Stoppard writes an agony aunt column for the Daily Mirror Newspaper. She has a company, Miriam Stoppard Lifetime through which she sells her books and health products. After training as a doctor she began working for the

drug company Syntex and eventually becoming one of the companies a managing directors. In 1997, she married Sir Christopher Hogg, who until 2004 had been Chairman of GlaxoSmith Kline, the vaccine manufacturer.

Here are Miriam Stoppard's remarks on Dr Wakefield's work, read on Friday morning by thousands of Mirror readers.

Knowing the MMR was probably one of the most highly tested vaccinations ever, I was shocked by Andrew Wakefield's words in 1998. I looked at his paper and I found it was very badly researched with lots of holes. It certainly didn't constitute any kind of cause or relationship between the MMR vaccine and the appearance of autism. I was astonished it was even published. Shortly after, I wrote a big piece for the Mirror about how it was flawed and irresponsible. I tried to reassure parents it didn't show a connection between MMR and autism, the jab was safe and they should vaccinate their kids. However, a lot of the media came out and emphasised the autism connection and my attempts at reassurance were ineffective. Parents were driven towards single vaccines. But single vaccinations aren't licensed in this country so we don't even know if they're safe or effective. And while you're giving children single vaccinations, they're not protected against the other illnesses. So there is absolutely no reason, science or logic in using them. And the argument that the MMR overloads a baby's immune system is rubbish. It can take more than 10,000 doses of the MMR vaccination and not turn a hair. Wakefield and his bad research have an awful lot to answer for'.

Although it is hardly necessary, here is a brief rebuttal

MMR was probably one of the most highly tested vaccinations ever - *not true.*
I was shocked by Andrew Wakefield's words in 1998 - *which words.*
I looked at his paper and I found it was very badly researched with lots of holes - *evidence?*

It certainly didn't constitute any kind of cause or relationship between the MMR vaccine and the appearance of autism - *the paper didn't claim to show any causal link between MMR and autism - how did you read it and miss this?*
I was astonished it was even published - *Thank God your not the editor of a medical journal.*

Shortly after, I wrote a big piece for the Mirror about how it was flawed and irresponsible - *How much were you paid for this article. Did you declare any conflict of interest?*

I tried to reassure parents it didn't show a connection between MMR and autism, the jab was safe and they should vaccinate their kids - *The paper didn't claim to show any connection between MMR and autism, however to assure parents without any evidence to the contrary is a disgusting abdication of medical responsibility, do you still have your doctors practice certificate?*

Single vaccinations aren't licensed in this country, so we don't even know if they're safe or effective. And while you're giving children single vaccinations, they're not protected against the other illnesses. So there is absolutely no reason, science or logic in using them - *How is possible to pack so many mistakes into 3 sentences? Single*

vaccines were licensed at the time of the publication of the Lancet paper. We do know that they are safe and effective because in the case of measles they were used from 1976 onwards. In the case of mumps, the NHS advised against vaccination and in the case of Rubella, vaccination was suggested only for women likely to become pregnant. Interesting that you say that we shouldn't be using single vaccines. Is this the case for say, malaria, I mean if it doesn't also protect people against measles I think you must clearly be right!

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At the end of the day, we have to keep the parents at the forefront of our mind and we have to consider that everything that can be done, should be done to find some kind of safe haven for them. All our battles, whether they be political, scientific or cultural have to be directed towards getting diagnosis and treatment for the children, while at the same time mercilessly pursuing the criminals within the pharmaceutical industry and the government who now profess the new creed of vaccine damage denial.

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POST TWO FOR AGE OF AUTISM: After the Verdict 10th february 2010

The End of Science History

Last week, following the guilty verdict of the GMC Fitness to Practice Hearing in the case of Wakefield, Murch and Walker-Smith, the *Lancet* and one other journal expunged Wakefield's work from the academic record. A person's work is often their life and erasure of this work from the record under a determination of dishonesty, is very close to erasure of the subject's life. To erase scientific work from the history and progress of science, is perhaps the closest you can come to academic assassination; it is not, however, something new. It is perhaps a sign of the growing power of the chemical and pharmaceutical corporation that what was

Those who imagine that this liquidation of a person's work from the record is a novel technique invented solely for the use of pharmaceutical companies in relation to Dr Wakefield, should take a look at the shenanigans that surrounded the 1985 Australian Royal Commission on Agent Orange and dioxin on Australian personnel during the Vietnam War. [1] Agent Orange was a herbicide dropped by the US and their allies on forested areas of Vietnam so as to expose insurgent fighters and groups. Agent Orange contained dioxin in large quantities. Shortly after involvement in dropping Agent Orange in Vietnam, US and Australian troops and even the dogs used by the military showed serious adverse reaction to the chemical. The Vietnamese are still having to cope with familial genetic damage caused by Agent Orange forty years later.

The Australian Royal commission was from the start a 'get-up'. Two Swedish doctors, Lennart Hardell and Olaf Axelson, had some years before the commission managed to get dioxin-based herbicides banned in Sweden. Hardell gave evidence to the Royal Commission but he paid dearly for this privilege. The judge's final verdict that there was no evidence that exposure to Agent Orange, including TCDD (Dioxin), was a health hazard turned out to be an almost verbatim account of a Monsanto submission on the issue.

In the days following the verdict of the Royal Commission, Richard Doll, the 'great' epidemiologist, who unbeknown to his colleagues and fans had since the nineteen seventies been receiving \$1,000 a day (later raised to \$1,500) on a consultative basis for recommending the chemical products of Monsanto, [2] one of the companies manufacturing Agent Orange, wrote to Justice Evatt who had presided over the last part of the hearing. [3]. Doll's unsolicited letter to Evatt supported the Commission's conclusions. In the letter Doll stated:

'relating to 2,4-D and 2,4,5-T (the phenoxy herbicides in question) that there is no reason to suppose that they are carcinogenic in laboratory animals and that even TCDD (dioxin), which has been postulated to be a dangerous contaminant of the herbicides, is at the most, only weakly and inconsistently carcinogenic in animal experiments . . . I am sure, however, that it [your review] will be widely quoted and that it will come to be regarded as the definitive work of the subject. [4]

Doll's letter goes on to question the veracity and validity of the work by Dr Hardell and his colleagues, and without one word about science, epidemiology or methodology, its very legitimacy as scientific work.

'Your Review of Hardell's work, with the additional evidence obtained directly from him at interview, shows that many of his published statements were exaggerated or not supportable and that there were many opportunities for bias to have been introduced in the collection of his data. His conclusions cannot be sustained and in my opinion, *his work should no longer be cited as scientific evidence.*' (Author's italics). [5]

Within a few days of the Commission having given its ruling - that Agent Orange and dioxin were perfectly safe, an advert, disguised as a news feature, appeared in many of the world's leading newspapers. The main content of the advert was Doll's attack on Hardell and his suggestion that Hardell's work should 'no longer be cited as scientific evidence'.

This idea that Hardell's work is not scientific has followed him around for two decades, making him the subject of attack around different toxic industrial products from a series of organised groups and individuals. Doll never retracted this attempt to liquidate Hardell's science and his bank balance was undoubtedly enhanced with the lucre deposited by Monsanto.

The writer George Orwell is often quoted in relation to contemporary battles between governments, multinational corporations and citizens. In looking at

totalitarianism, Orwell seems to have had an intelligence for getting the details right, especially in his novel *Nineteen Eighty Four*. [6]

What strikes such a resonance, in the modern mind with Orwell's dystopian future, is the way in which information and language is separated from the material reality of society. In *Nineteen Eighty Four* the work of the central character, Winston Smith, involves changing newspaper reports where they do not coincide with the contemporary circumstances of the Party. Winston loves his work and reflects upon each change he makes in back copies of the *Times* as utilising all his journalistic skills to the maximum. While he is working Smith tells us about the philosophical principles that lie behind correcting the *Times*.

'As soon as all the corrections which happened to be necessary in any particular number of the *Times* had been assembled and collated, that number would be reprinted, the original copy destroyed and the corrected copy placed on the files in its stead. This process of continuous alteration was applied to not only newspapers, but to books, periodicals, pamphlets, posters, leaflets, film, sound-tracks, cartoons, photographs - to every kind of literature or documentation which might conceivably hold any political or ideological significance. Day by day and almost minute by minute the past was brought up to date. In this way, every prediction made by the Party could be shown by documentary evidence to have been correct; nor was any item of news, or any expression of opinion, which conflicted with the needs of the moment, every allowed to remain on record'.

The unfortunate fact is that progressive and patient-centred scientists are partially themselves to blame for the censorship and dirty tricks that are taking place in a number of scientific fields. Almost without thought, most scientists have happily pursued research for which money is seemingly available and have failed to involve themselves in the politics of science. Consequently, industry, especially the pharmaceutical industry, now has control of many aspects of science. It is becoming increasingly important that independent scientists form organisations to protect themselves from this onslaught of bias presently propagated by industrial science.

[1] Royal Commission on the Use and Effects of Chemical Agents on Australian Personnel in Vietnam, Sweden ISSN 02808471 1986.

[2] Doll, 1986 see PP/DOL, Sir Richard Doll (b. 1912) Epidemiologist. Wellcome Library for the History and Understanding of Medicine.

[3] Doll R. 1985. Letter from Richard Doll, Green College, December 4, 1985 to The Hon. Mr. Justice Phillip Evatt, DSC, LLB [ref: 40-X-016]

[4] Doll 1985. *ibid*

[5] Doll 1985. *ibid*

[6] George Orwell, *Nineteen Eighty-Four*. Penguin Modern Classics. 1987.

Dr Wakefield and the strange case of the Censorious phone call

THE THIRD POST AFTER THE VERDICT ON AOA: February 14th 2010

The Strange Case of the Censorious Phone Call.

I want to start this post with an apology. Writing my last piece about the liquidation of Dr Wakefield's science I was rushed. Not only was I still suffering from the trauma of the GMC verdict but I was also finishing a book. Rushed and traumatised, I wrote a very truncated post that left out one of the most important acts of attempted censorship in British science in the last decade. As it happens, the case of Arpad Pusztie does more than echo the case of Dr Wakefield; because of an apparently odd coincidence, it actually links to it.

I should warn readers that what follows is a very unsavoury tale best not read over breakfast, or any other meal for that matter.

In 2007 Dr Richard Horton and Sir Peter Lachmann found themselves on the same side battling for the prosecution in Dr Wakefield's GMC Fitness to Practice Hearing. Lachmann's evidence intriguing. In his original *Sunday Times* article Brian Deer had suggested that Dr Wakefield had taken out a patent on an alternative vaccine to MMR, intimating that, had he been able to damage MMR in his *Lancet* case review paper and future studies, he would have been able to make millions from the sales of his own vaccine. The prosecution pursued this fairy story with absurd alacrity throughout two and a half years of the hearing. It has re-emerged after the verdict as well, again propagated by Deer and his associates. However, not only was this story a complete forrigo, but the tall tale was actually dropped while Lachmann, the head honcho of British genetic modification, gave his evidence.

The patent that Dr Wakefield had taken out on behalf of the Royal Free Hospital, was for a particular type of Transfer Factor that he believed might conceivably be able to reverse the adverse reactions that some children might have suffered following MMR vaccination; in the event, it was given by a clinician to only one child with the involvement of the parents, and had no apparent success and so was not used further. Once again Deer, had turned an innocent and compassionate scientific idea into an untruthful fabrication which described Dr Wakefield as someone who thought he could take on single handed one of the biggest pharmaceutical companies in the world and produce a vaccine to rival MMR. For this was the prosecution case on this issue: first Wakefield would attack the leading vaccine manufacturers with concocted stories of adverse reactions to the MMR vaccine, then he would distribute his new vaccine, presumably on a global scale. Did the prosecution believe this? Did Miss Smith, the senior prosecutor, believe it? Could they? Would you?

Certainly they never put such a story to Sir Peter Lachmann because even he would have had to put them right about the fact that Transfer Factor wasn't 'a vaccine'

that would compete with MMR. So while Miss Smith took Lachmann through his evidence - she slaloming between very general comments about the possibility of using TF to inhibit various viruses and microbes - it was Lachmann who pointed out the fact that nowhere in any of the papers did it actually state that Dr Wakefield was using TF to inhibit measles virus - and more specifically as an untested and possibly dangerous treatment. Lachmann described the history of the therapeutic use of TF, telling the hearing that it had had mildly curative effects in some trials. However, inevitably, in Lachmann's opinion, Wakefield was completely misguided; the type of Transfer Factor he suggested would do no good to an autistic child, for this is what the subjects were according to Miss Smith, not children with inflammatory bowel disease but simply autistic.

Despite it being clear that Deer's description of TF as a vaccine that could rival MMR, wouldn't stand up, after Lachmann had given his evidence, the prosecution returned to this story and it has surfaced with repetitive daftness right up to the present day. Even on the matter of dangerous experimental substances and chances of serious adverse reactions, Lachmann did next to nothing for the prosecution. Miss Smith's stroll through Lachmann's evidence ended with this exchange:

Q As far as the Dr Fudenberg version, I hesitate to ask an eminent scientist to speculate, but are you able to give any assistance at all as to whether that might have side effects and what they might be?

A In general I would imagine it is very much like drinking goat's milk; I would not imagine it was any more dangerous than that. If they have stimulated these goats to make inflammatory cytokines in their colostrum, which is possible, then it might have the same possibility of improving or creating side effects due to immuno-potentiation that you can get from other forms of transfer factor. I would have thought it was fairly unlikely that you would have enough of anything in there to produce cytokine storms or anything of this description. The more probable is that it would have no particular effects at all.

Sir Peter Lachmann's low-key evidence that mildly ridiculed Dr Wakefield, like so much of the prosecution evidence, took what was essentially Brian Deer's random and inarticulate accusations no further.

In fact, so little effect did the evidence have that each of the defence counsel turned down the opportunity to cross examine Lachmann. At the time I felt this was to some extent a missed opportunity, at least, I thought, they should have asked him about the strange case of the threatening phone call. Or did defence counsel not know that Lachmann was slightly more than he seemed?

* * *

In February 1999 Hungarian-born Dr Arpad Pusztai, an established geneticist at the Rowatt Institute in Scotland, discovered that mice fed genetically modified potato

suffered stunted growth and depressed immune function. The time of his finding was unfortunately propitious. Two years earlier New Labour had a landslide victory at the polls and Tony Blair headed up a government packed with Liberal industrial interests that had turned parliament into something resembling a stock exchange.

The bio-industrialist Lord Sainsbury, a life time Liberal who had gifted around £6M to Blair's election war chest, was thanked for his contribution by a knighthood and given the position of science czar, head of the Department of Trade and Industry, and all matters scientific.

This was the period when the brilliant US journalist Greg Palast wrote his dream-shattering book *The Best Democracy Money Can Buy*, and coined the term Lobbygate to describe the scandal that he uncovered in the offices of Westminster. It was a time when Britain and everything in it was up for sale, auctioned off by elected and selected politicians and those YUPPIES in double breasted suits who might only a decade earlier have been called civil servants.

Lord Sainsbury and his trusted lieutenant Liberal peer Dick Taverne, both with an involved history with pharmaceutical and PR corporations, were hell-bent on introducing genetically engineered (GM) crops into Britain at Monsanto's behest. Accusations that he might have taken this tack because he was himself the owner of massive GM concerns worth millions of pounds, were laid to rest when he told the public that all his estates and Trusts were blinded for the duration of his time in ministerial office.

But of course it was hardly Dr Pusztai's fault that the results of 35 years hard work, hundreds of peer-reviewed papers and a commitment to honest scientific research, should produce such results at exactly the same time that the moneylenders had squatted the temple. Within weeks of his announcing the results of his research, Pusztai's career was terminated, and he became Public Enemy Number One. Having talked on Newsnight and the World in Action programme Pusztai was accused of breaking the rules of the Biotechnology and Biological Sciences Research Council (BBSRC) funding by breaking a gagging clause that prohibited scientists from becoming 'involved in political controversy on biotechnology and biological science'. Now as his life went rapidly down the tubes, he was, it was suggested, a second-rate research scientist, and, at age 68, past it: 'an old man who had muddled his results'. His grants were withdrawn, he lost his position at the Rowett and the 18-strong research team that he had assembled was dismantled.¹

Sainsbury, who since he assumed his position as head of Trade, Industry and Science had, amongst other covert operations, begun to put together what was later referred to by a *Guardian* correspondent as a GM 'rebuttal unit', was, even then, building a science fire brigade, ready to rush to the scene of any research finding that did not suite it's funders. After a rather shaky start using the amateur crisis management scientists at the Royal Society, the rebuttal unit settled in at the Royal Institution and became the Science Media Centre. In the early days, however, it was

¹ George Monbiot, *Silent Science, in Captive State: The corporate takeover of Britain*. Pan Books, London 2000.

just a loose collection of scientists briefed by one of Sainsbury's personal staffers at the Dti on how to fight off claims by those who 'got their science wrong'.

Pusztai was no push-over and although corporate and government interests tried to make him, in another word coined by Orwell in Nineteen Eighty Four, an 'unperson', he pursued his agreement with Dr Richard Horton of the *Lancet* to make ready his research paper for publication. Of course trying to stop a journal from publishing a paper is quite a different kettle of fish from taking a paper out of a journal once it had been published.

However, the rebuttal unit - some of the most decorated scientists in Britain - put their heads together and came up with what they saw as a good solution and in the Autumn of 1999, Dr Richard Horton revealed that a senior fellow of the Royal Society had threatened him with the loss of his job if he published Pusztai's research. The threat was carried out in the manner of all good thrillers, over the phone, probably with a white handkerchief over the handset, and although Horton, always the slippery gentleman, wouldn't name his antagonist, intrepid reporters from the *Guardian* newspaper took only a short time to deduce who had made the threat.

Chief amongst those in the Rebuttal cabal was Professor Lachmann, a vehement opponent of the precautionary principle whose extensive CV included at that time, a position on the scientific advisory board of the pharmaceutical giant SmithKlineBeecham (now GlaxoSmithKline), vaccine manufacturers that invested heavily in biotechnology. If you imagine that Lachmann's role in this unsavoury affair earned him a serious rebuke from his peers you imagine wrongly. In the Alice in Wonderland world of British science, the Neanderthals rule and the odd threat to a journal editor is seen only as robust science strategy.

In retrospect, the GMC Fitness to Practice Hearing looks increasingly like a fairground during a power cut glimpsed over the shoulder of a man on the run. Increasingly as well one's mind is blocked with a traffic jam of thoughts about how it might be possible to get some of its leading prosecuting actors into criminal court and then to Jail where they belong.

Rebuttal Post to Age of Autism after a slight criticism of my last piece

I'm glad that some of those who have posted in response to my last article have followed my reporting of the GMC hearing for the parents over the two and a half years. I reported almost every day apart, I think, for two or three. These reports are on the CryShame site at www.cryshame.com. But I'm a little disconcerted that some people don't think that I have addressed the evidence. Although my memory plays tricks on me on occasions, I would be very surprised if during these 300 pages of reporting, I hadn't commented on the 'evidence'.

There is no 'huge problem' with my present reporting as I will explain below. I also find myself having to contest remarks that evidence of corruption and conflict of interest is worthless 'general comment.'

The twelve children who were case reviewed in the Lancet in 1998, were all children who had arrived at the hospital after their distraught parents had found them to have sudden serious bowel problems accompanied on occasions by signs of regressive autism. Each of these children were examined clinically by a variety of doctors in the Royal Free Hospital - not by Dr Andrew Wakefield for he was a research medical and not a clinician.

There was inevitably a serious problem with the clinical examination of these twelve children and the tens of others who reported to the RFH at this time. Not even Professor Walker-Smith (also on trial with Dr Wakefield) one of the most respected and experienced paediatric gastroenterologists in Europe, could identify the clinical cause of the serious bowel problems in this group of young children.

Consequently, the doctors in the experimental gastroenterological unit of the RFH, of which Dr Wakefield was the head, did what good doctors all over the world do; they carried out a programme of tests to glean information upon which to base a diagnosis. All the parents agreed to these diagnostic tests, all the parents were in favour of the RFH trying to find a cause and therefore treatments for their children.

Some of the tests, like lumbar puncture, a standard procedure when looking for neurological problems with children who might have been affected by viruses, were only conducted on a couple of children. It was quickly realised that the clinical picture of these children did not involve meningitis, for example, a serious illness that had been precipitated by Urabe strain mumps vaccine taken off the market by the British government after it damaged a large number of children in Britain, Japan and Canada.

The whole case prosecuted by the GMC was that the twelve Lancet children were not being looked at clinically but were part of an organised research project that set out to prove MMR caused Autism. That these 'autistic' children were experimented upon. This assertion was an utter fabrication and none of the evidence given by anyone over two and a half years, supported it in any way. In fact I would go further than this, the GMC prosecution presented not one scintilla of evidence which suggested that the 12 Lancet children were the subjects of research.

Ironically, the Chair of the Panel when announcing the verdicts against Wakefield and others began the verdict for the charges based on each child by saying, that the examination of the child was carried out outside the dates given by the ethical committee for the research. Honestly, LOL, I could have rolled on the floor if the matter hadn't been so serious. To any even half way reasonable person this bizarre introductory remark would have been a clear indication that the 12 children were not actually a part of any research project. But no, in the Alice in Wonderland world of the GMC, this proved that the 12 children had been experimented on without ethical committee approval - whatever happened to the burden of proof residing with the prosecution?

I have written about trials and investigations of various kind over the last twenty five years, some of them have left me entranced by doubt while others have proved a slam dunk of such proportion that I had to wonder why the defence turned up in court. However, I have never, ever, observed any trial in which the prosecution failed to

present any credible evidence and yet the defendants were found guilty on every charge.

It is because of this last matter that I am now, after almost three years, casting round for words to describe this surreal situation. No 'huge problem', just mammoth disappointment and sadness for the parents of vaccine damaged children that have been made invisible by a concerted conspiracy of the powerful.

FOURTH POSTING ON AGE OF AUTISM: February 21st 2010

Counterfeit Law: And they think they have got away with it

Part of me isn't surprised by this apparent new development (the resignation of Dr Wakefield from Thoughtful House). The simple math of Thoughtful House's board suggests that there will be at least one or two people of calibre and integrity, who know that all the cranksite stuff about a witchhunt, sinister forces and all that shit, are just that: shit. Wakefield has been nailed, absolutely fairly, properly, but belatedly, with no hidden agendas or vested interests. Apart, that is, from the public interest.

Brian Deer February 18, posted on Respectful Insolence

Occasionally I look at how my reputation is faring on the internet. There, amongst pages about my writing and campaigning over the last thirty years, is Brian Deer's character assassination of me, *Liar for Hire*, (1) whenever I see this, I spend a few moments checking reality. I go back to the beginning and remind myself that it began with the parents: ordinary, able, loving and honest individuals whose lives and children were suddenly plunged into the maelstrom of inflammatory bowel disease, regressive autism and other forms of vaccine damage.

Despite the fact that many of these parents knew that their children's illnesses began following the MMR vaccination, in Britain some of the best healed professional people, as well as some of the seediest like Brian Deer, have closed ranks on them, denied vaccine damage and tried to erase both parents and children from the organic life of British society.

Worse still, some of these people, such as the GMC prosecuting counsel, have accused the parents *sotto voce* of a sly plot, a vendetta to enrich themselves by suing vaccine manufacturing pharmaceutical companies, either that or diagnosed in them a kind of Munchausen's syndrome by proxy, as a result of which they forced their children upon Dr Wakefield. In the midst of this moral crime wave, amongst academics, regulators and medical profiteers, amongst media, science and political personalities, Dr Wakefield emerged as a kind of hero; a lone voice that put his faith in science and scientific method, a good doctor whose reputation was dragged through the fake mud of a Hollywood film set.

The battle over the moral character of Dr Andrew Wakefield's has for the moment become a stumbling block on the road to recovery and treatment of the children adversely affected by vaccines. Inevitably the most difficult of decisions is now presented to parents: do they cold shoulder the advancing political reality and draw in their wings around the nest to protect their children or do they immerse themselves in politics and put the diagnosis and treatment of their damaged children on hold? - Perhaps there is a way to do both things simultaneously.

I would contend from my relatively privileged position, that the first strategy will walk us all into the snows of oblivion like blind beggars in a Bruegel's painting. The second strategy will set us on a path of energetic confrontation with our enemies, but every marginal victory will help the children. There is no doubt in my mind which battle needs to be won in order for us to reach back and tighten our grip on the hands of the damaged children. Now more than ever we have to win the political battle in the public arena.

* * *

My last two posts have been about corrupt detail of the GMC hearing; I have written them as part of my reality check. In times when even the strongest and most committed feel weakness like a nausea, travelling back can reassure us of the manipulation that has taken place. As a writer, of course, I am used to the details of my work getting lost in the slipstream of a struggle. As days go by, things that are important in context get jammed on the towpath and we find it difficult to keep the overall picture in view.

At the end of August 2008, I wrote an essay, (2) *In the Interests of Conflict*. In it I tried to bring-up the issues of conflict of interest to the heart of the GMC hearing and lay it at the feet of the Panel Chairman Dr Surendra Kumar. I consider conflict of interest massively important, because this is the hidden mechanism by which corporate science manipulates reality. This is the secret armoury of funding and public relations that hides in the bunkers beneath an apparently level playing field.

The whole battle against Dr Wakefield and the parents has been shot through with conflict of interest, some of which might be refuted, some of which might be made to appear trivial and some of which might be dismissed as coincidental. I believe, however, that my essay about the Panel Chairman, like some of John Stone's investigative work, raised irrefutable issues that should have brought the GMC hearing to a juddering halt.

* * *

In the late nineteen eighties, at roughly the same time that the MMR vaccine was introduced by the British government, Dr Andrew Wakefield took up a post at the Royal Free Hospital. He was a well-respected gastroenterologist charged with the task of heading a new department of experimental gastroenterology. One of the areas he was to research was the increase in Crohn's disease amongst young people. Wakefield, who had travelled from Canada where he had been researching bowel transplantation, would win awards for his work on the aetiology of Crohn's disease.

In 1992, the British government backhandedly admitted that two of the three types of MMRs they had introduced in the late 1980s had been dropped following serious adverse reactions created by the Urabe strain of mumps virus used. Thousands of children, principally in Canada, Japan and Britain, were made ill by this vaccine. However, in Japan and Canada parents of vaccine damaged children were quickly compensated. In Britain, a morally bankrupt Department of Health sided with the pharmaceutical industry to claim that the adverse reactions suffered by these children were so slight as to be of no consequences. (3)

By 1993, parents seeking help with one aspect of MMR's adverse reactions, a novel new condition of Inflammatory Bowel Disease (IBD) followed by regressive autism, began to attend the Royal Free Hospital. As these children began presenting there, Dr Wakefield contacted the DH to inform the head of vaccine and immunology Dr David Salisbury that he considered MMR could be creating a public health crisis and asked for a meeting. It took Salisbury almost six years to arrange such a meeting.

In 1992, the parents of MMR vaccine damaged children began preparing a legal claim against three pharmaceutical companies. By the end of the 1990s the number of parent claimants attached to this lawsuit had grown to around 2,500 and Dr Wakefield had been assigned by the claimants' lawyers to give expert evidence for the parents. In 1998 the Lancet published the case review paper and later that year Deer wrote the first of a series of articles character assassinating previous expert witnesses who had appeared for vaccine damaged claimants and casting doubt upon other cases of vaccine damage claimants.

In 2004 after a decade of organisation and legal finessing, , the first batch of claimants cases, were due to come before the High Court. However, in a move to support the pharmaceutical companies and deny thousands of parents their rights under civil law, legal aid was withdrawn from all the cases. Under a post-industrial New Labour government, a century of civil law enabling citizens to sue powerful interests was snatched from the people.

2004 was the fulcrum year, the year when the legitimate legal claims of citizens against three pharmaceutical companies were turned on their head and a zealous, immoral and criminal campaign was begun by the government and the pharmaceutical companies to wipe out all reports of vaccine damage and anyone who might stand as an expert on this issue. Only months after Deer's *Sunday Times* attack on Dr Wakefield, Dr Richard Horton whose line manager at Elsevier the Lancet's publisher was Sir Crispin Davis also a board member of GlaxoSmith Kline, published a pulp fiction paperback which lauded the *absolute* safety of MMR.

* * *

Immediately after Brian Deer's 2004 article in the *Sunday Times* and following the instructions of John Reid, the then Secretary of State for Health, Deer submitted his papers as a complaint against Dr Wakefield to the General Medical Council. The journey of Deer's speculative and shoddily researched article to the GMC prosecution is crammed with abuses of the legal process, I detail some of them below before I discuss what I believe to be the most important issue of conflict of interest.

Since 1988, there have been two ways in which cases arrive at a Fitness to Practice Hearing at the GMC. There is the official route, by which a complaint made by a patient or relative can be filtered by readers and preliminary hearings to arrive in front of a panel, and there is the unofficial route by which cases promoted by the Association of British Pharmaceutical Industries (ABPI) arrive. This second path, made available by the GMC to Big Pharma, gives control to the industry over cases involving doctors who might be carrying out research for the industry which results in unethical behaviour, or damage to trial subjects or patients, or finally those cases of doctors who might have embarked upon research or treatments which threatens the competitiveness of pharmaceutical products. These cases are researched, investigated and then legally formulated in conjunction with GMC lawyers by a private detective agency solely funded by the pharmaceutical industry named Medico-Legal Investigations (MLI). While cases prepared internally by the GMC have resulted in mixed findings over the last two decades, cases prepared by the pharmaceutical industry usually result in guilty verdicts.

Neither the GMC nor its hearings make statements about the origins of cases that are brought against doctors, unless of course this is evident from the presentation of the complainant in the hearing. In the Wakefield, Murch and Walker-Smith hearing, the GMC consistently denied that Brian Deer was the complainant in the case and claimed spuriously that the case against the doctors had been brought by the GMC itself. As the defence lawyers approached the case as if it were any 'normal' case, the hearing never approached the issue of who had investigated and assembled the information of the case. However, we know from a number of sources that in investigating his case against Dr Wakefield, Brian Deer was helped by MLI. In the past MLI have used complainant journalists to progress cases into the GMC.

GMC Fitness to Practice Hearings, are constructed to all intents and purposes, like criminal or civil trials that take place in jury trials. To some extent this sets them aside from the usual extra-legal tribunals, such as those that deal with issues like unfair dismissal. It is, however, the way in which the hearings differ from a proper trial that must concern us; these differences are startling. The first and perhaps most seminal difference is that while the judiciary in Britain is separated from the political executive, the GMC acting as the prosecuting authority pays for the employment of all parties, other than the defence, including the jury (Panel), in any hearing.

In a real criminal trial, which the Wakefield hearing tried to emulate, all the investigation prior to charges being brought are carried out by the police. Over time such investigations have become trammelled by rules and regulations, such as the judges rules in Britain and the Miranda ruling in the US.

It is interesting that although the GMC lawyers gathered a series of unproductive and dubious prosecution statements from a whole variety of people, they depended quite heavily for their information of the three defendants, not just upon their evidence but on written statements obtained under threat by Brian Deer and Dr Richard Horton. None of the defendants had access to lawyers when they were pressured into making these statements. All three doctors answered questions put to them by Deer, under the threat that the Sunday Times was about to break a story that would ruin them, with a sincere desire to help put together a complete story of the

work that had been done at the RFH. None of the doctors knew that what they said would be used against them in a legal hearing.

When it comes to the structure of the court, this tries to mimic a real court. There are defence counsel and prosecutors, there are defendants and a 'jury' called a Panel, there is a Legal Assessor to the Panel who tacitly takes the place of a judge in advising them. The difference between a real judge and the Legal Assessor is that one of the real judge's most skilful tasks is to advise the jury in public session on what weight should be placed on the evidence. In the GMC hearing the Legal Assessor had no such role; God knows how the Panel understood or contextualised the evidence they heard over two and a half years. It is clear by the ultimately shambolic verdict that the Panel failed or refused to grasp the most basically transparent defence evidence, upon which nearly all the verdicts rested, that 'the *Lancet* paper' was only a case review report and not a 'study' or 'trial' of any kind. Such defence evidence had to be agreed by the Panel because they had to allow the defence the benefit of the doubt on any unproven allegations.

In the proper court, not only are the jurors chosen from the population at random, but the counsel for either side are allowed peremptory challenges, to ascertain any kind of bias in the jurors that might apply specifically in relation to the case being heard. In Britain, this right to peremptory challenge has been completely eroded over the last decades, ending with the 1988 Criminal Justice Act. However, in an important case, involving for instance a police officer charged with causing a death, the judge will usually warn the jury of conflict of interest and ask anyone who has been a police officer or who had a relative who was a police officer or anyone who worked in a civilian capacity within a police station to declare this. Having concluded these tests, the jury themselves chose their foreman or woman in camera and this person helps the other jurors negotiate their verdicts and offers them to the court.

In the case of a GMC prosecution, the Panel consists of *professional jurors* paid per day by the GMC, the prosecuting authority. Any conflict of interest they might have had were reflected only in cursory notes about their roles outside the GMC, displayed on the GMC web site. In relation to the specific case, none of the Panel were asked about whether they agreed with mass vaccination, whether or not they or any of their relations had autistic children or for that matter what their employment was prior to offering themselves as Panel members. There was no elected foreperson of the jury because the GMC imposes a Panel Chair. Again, details of the Chair's interests are noted on the GMC's web site, with no particular sharpness or alacrity. The Panel Chairman and any other Panel members might take the advantage of making a declaration at any time during the hearing.

In the Wakefield, Murch, Walker-Smith hearing, the GMC first chose a Professor Dennis McDevitt as Panel Chairman, however, campaigners forced the GMC to make McDevitt stand down when they made public the fact that in 1988, McDevitt had been a member of the very JCVI committee that had agreed the safety of Pluserix MMR, manufactured by Smith Kline & French (now GlaxoSmithKline). In fact, following serious adverse reactions, this vaccine was belatedly withdrawn in 1992. A number of the children who suffered adverse reactions to Pluserix were claimants in the court case for which Dr Wakefield had been asked to give expert

witness evidence. Nor only this, but McDevitt had received research funding from both Glaxo and Smith Kline French before both companies joined to become GlaxoSmithKline the MMR vaccine manufacturers. Even the GMC was unable to get away with such a high level of duplicity and conflict of interest.

The question that preoccupied me during the first three months of the GMC Fitness to Practice Hearing was this: if the GMC had gone to these lengths to shoo-in the first clearly biased Chair of the Panel, having been found out, were they likely to just give up and enter a second 'clean' candidate for Panel Chair? I had serious doubts, so I began researching an essay to see if superficially Dr Kumar had any vested interests.

It should be understood that the Panel Chair in GMC hearings is the most influential member of the jury, the person most in need of neutral and independent thinking, a person, like all other jury members, who has to be free from any taint of bias or preconception about the guilt or innocence of the defendants. It goes without saying that the GMC, the prosecuting agency in this case, was duty bound to summon all its resources in testing all panel members in this hearing in great detail in order to discover and make public any possible conflicts of interests.

* * *

Anyone who took the trouble to go to the GMC web site and look at the declarations of possible panel members, could have ascertained that Dr Kumar was connected to the following organisations:

Principal General Practitioner. President, British International Doctors Association (formerly ODA). Interests: Medical Defense matters & Medico-politics. Member: General Practitioner's Committee (BMA), UK National Screening Committee (Dept of Health). Fellow: Royal College of GPs (FRCGP). Fellow BMA. Member Independent Review Panels of MHRA (Medicine & Health Care Regulatory Agency). Member of Clinical Executive Committee (CEC) of Halton & St Helens PCT. Member of Medical Protection Society.

The above list is as far as the GMC 'Conflict of Interest' policy takes us in the case of Dr Kumar. In fact, this list is woefully inadequate as one of Conflict of Interests and, in fact, discloses nothing specifically that might lead defence counsel to embark upon more detailed enquiries about Dr Kumar. However, I considered that this superficial review of Dr Kumar's involvement in the medical culture of the GMC, needed in such a sensitive case to be thoroughly investigated.

That Kumar's conflict of interests were not seriously probed or challenged was mainly the fault of the defence counsel, who throughout the case appeared to want to be polite and accommodating in relation to the prosecution. One can only assume that from the beginning of the case the defence lawyers denied the politics of the case and stuck doggedly to what they considered their 'legal' brief.

I have had considerable experience of defence lawyers in political cases, working as a Mackenzie friend throughout the 1970s and 1980s. The problems always begin with defence lawyers isolating the case from its social and political context. From the beginning, Dr Wakefield had considerable political support that should have been mobilized as a defence campaign which the lawyers kept informed. Instead,

Wakefield's solicitors and counsel swore Wakefield to secrecy and convinced him that the hearing was an easily winnable *legal* battle. Meanwhile, Brian Deer and the *Sunday Times*, the pharmaceutically controlled lobby groups, blog sites and tabloid newspapers continued a relentless campaign against him well beyond the legal detail of the hearing.

Perhaps more important than this, while the Chairman of the panel intoned that the hearing was nothing to do with vaccination, the government pressed on with its very public vaccine programme which made it appear that vaccination was a matter of life or death and anyone who stood in its way was possibly a murderer. Dr Wakefield's case was a political case and the lawyers should have seen this and refused to play ball without the most intense public investigation of such things as conflict of interest. As it was, the defence entered the hearing exuding bonhomie and acting as if the whole matter was just a terrible misunderstanding.

It was very noticeable that at the beginning of this hearing in 2007, there was no structured mechanism for introducing conflict of interest information, all of which should have been provided by the GMC and been the basis for challenges by defence council. Dr Kumar did make an almost mute point of telling the hearing, in general terms and quite hastily, that he had previously sat on committees that were part of the Medicines Control Agency (MCA). (4) It was also the case that at any point in the hearing when a named person known to Dr Kumar, or a particular place of work, cropped up, he told the hearing that he knew or had worked in the vicinity of this person or this location. (5)

In looking at what might be considered Dr Kumar's vested interests that might have been declared at the start of the Wakefield, Murch and Walker-Smith fitness to practice hearing, I have concentrated on four areas: Kumar's previous involvement with the GMC, his work on two committees of the MHRA, his work for the Department of Health, his work as Chairman of the British International Doctors Association (BIDA), and the previously declared information about shareholdings in GSK.

* * *

Between 1999 and 2005, it was recorded that Dr Kumar was a consistent activist within the GMC, the prosecuting authority in this case, and had, as he made clear in his list of posts and affiliations on the GMC site, prior to 2004 been a GMC council member and served on the following committees: the 'registration committee', the 'health committee', the 'professional conduct committee', and the 'racial equality and diversity committee'. As an Associate of the GMC since 2003, he has also been a panel member on 'fitness to practice' hearings.

We have to bear in mind that the Panel in these cases is the jury, a small group of individuals capable of bringing in a verdict of dishonesty, that stands to a doctor with as much authority as the finding in a criminal law trial. Clearly the jury should be absolutely untainted by any involvement with either the defendants, the prosecutors or the many central issues of the case. In this case we have to consider whether being so intimately involved with the GMC it is possible that Kumar might have been *au fait* with the GMC's position on the prosecution of Dr Wakefield. His

choice as Chairman was in effect no different from the Crown Prosecution Service, the English prosecuting authority, ensuring that one of its staff was on a jury in a criminal trial.

Since the late 1990s, Dr Kumar had been involved in two British medicines regulatory bodies, the Medicines Control Agency (MCA) and its main committee, the Committee on the Safety of Medicines (CSM). The MCA became the Medicines and Health Care Regulatory Agency (MHCRA) and in 2005 the CSM became the Commission on Human Medicines. Dr Kumar was definitely on the CSM in 1998 and this is the committee membership that he alluded to at the beginning of the hearing. (6) Members of this committee discussed the safety of drugs and vaccines.

Following the restructuring of the MCA after it became the Medicine and Health products Regulatory Agency (MHRA), Dr Kumar sat on two of this body's most influential committees. The Independent Review Panel for Advertising (IRPA) and the Independent Review Panel for Borderline Products (IRPBP). (7) Both the advertising of pharmaceutical products and the definition of what is a medicine are two of the hottest topics presently involving pharmaceutical companies in Britain and the first group is certainly relevant in relation to the advertising of MMR. Both the IRPA and the IRPBP has a policy of members declaring personal and non-personal interests. (8) During 2003, 2004 and 2005, and through 2006 into 2007, when the GMC hearing began, the MHRA records show that Dr Kumar held shares in GSK.

On hearing of the MHRA for the first time, it might seem to many people that it is a 'normal' government regulatory agency. Few people would guess that the MHRA, while being the most important regulatory body for medicines in Great Britain and the organisation which, for example, processes Yellow Cards that notify the DH of adverse reactions to drugs, is actually *a trading company completely subsidised by the pharmaceutical industry*.

The MHRA took over from the MCA in 2003. The MHRA is a Government Trading Fund that might just as well be called a business or a corporation. A Trading Fund is an almost entirely separate economic entity that earns money by the provision of services and, like any kind of company, it must balance the books at the end of each year. However, unlike a number of other Government Trading Funds, which provide services, earn money and accept fees from diverse 'beyond government' sources, the whole of the MHRA income is provided by one funding source; the pharmaceutical industry. Further, a percentage of staff and executives of the agency, have come into it from the pharmaceutical industry. It is therefore not surprising that, funded and partly staffed by the industry, its policies are shaped to please this sector. When considering conflict of interests, the workings of the MHRA have to be seen in light of the fact that the agency is completely beholden to the pharmaceutical industry.

Dr Kumar sits on the UK National Screening Committee that is chaired by the Chief Medical Officer for Scotland and advises Ministers and the National Health Service (NHS) in all four UK countries about all aspects of screening policy and implementation. Screening programmes are of immense importance to the contemporary drugs industry as the ongoing embittered battle over the Gardasil

vaccine against human papillomavirus (HPV) for pre-pubescent girls is showing.

The Department of Health (DH), a central aspect of the NHS has been at the very forefront of the battle against Dr Andrew Wakefield. Anyone seeking information about MMR from the DH web site was at the time of the start of the hearing directed through links to Brian Deer's web site and, apparently speaking for the New Labour government and the DH, Deer gives his version of the crimes of Dr Wakefield. The DH gives no links to other web sites of a similar kind and there is not the slightest attempt at balance. (9)

If at the time I wrote my essay *An Interest in Conflict*, you had gone to 'MMR the facts' via the NHS site and put Brian Deer in the search box, the site would have served you 50 items which mention Deer's work. The first item was this:

'MMR news: 14-Nov-04: Sunday Times: MMR scare doctor planned rival vaccine. Doctor whose work provoked a worldwide scare over MMR failed to reveal that he was developing his own commercial rival to the vaccine.' 'MMR scare doctor planned rival vaccine, Sunday Times - Brian Deer.' 'It has emerged that a patent was filed on behalf of Dr Andrew Wakefield for a measles vaccine and other products that would have stood a better chance of success if public confidence in MMR's safety was undermined. To read the full Brian Deer article in the Sunday Times, please visit Times Online'.

Now, the fact is, despite it being promulgated by the lobby groups, the *Sunday Times* and the government, this story promoted by the NHS is not true. Of all the allegations made by Brian Deer, this is one of the most apparently prejudicial while being completely untrue. The 'competitive vaccine' referred to was Transfer Factor, which Dr Wakefield experimented with in the hope that it might help children overcome *serious adverse reactions to measles and other vaccines*. The GMC enquiry was so little enamoured of this 'evidence' that it dismissed it almost entirely, concentrating instead on whether or not Dr Wakefield, or either of the other two defendants were acting ethically in prescribing Transfer Factor to one child who was recorded in the *Lancet* paper.

Looking briefly at another connection between the NHS, Brian Deer's web site and the GMC hearing, if you travelled to Brian Deer's web site through the NHS 'MMR News' you would have found an analysis of the *Lancet* paper by a Professor Trish Greenhalgh. This off-the-cuff analysis repeats almost word for word the prosecution case put by the GMC. The fable suggests that the *Lancet* paper case-series review, was in fact a badly conducted full blown research project organised to prove that MMR caused autism in vaccinated children.

Greenhalgh's explanation of the *Lancet* paper (10) is quite extraordinary in that it followed the line of Deer and the GMC rather than the paper itself. Greenhalgh's interview answers give a very clear view of how Dr Wakefield's detractors, from the beginning, tried to portray the *Lancet* paper as the record of a full-blown study, rather than a short 'case series review'. They also give us an insight into the case that the GMC began prosecuting and how this case was broadcast by the NHS and the DH.

So the happy coincidence of Dr Kumar's involvement at a relatively high level in the NHS, although it might be dismissed as purely co-incidental, would appear inevitably to prejudice his view of the *Lancet* study if we understand that the NHS and the DH was from the beginning promulgating the GMC's prosecution view of Dr Wakefield's work.

To show how far up the system the honesty paralysis went within the NHS, at the beginning of the GMC hearing, we might quote John Stone:

After the publication of Brian Deer's story the Chief Medical Officer, Sir Liam Donaldson remarked to the BBC Today Programme (23 February 2004 - three years before the GMC trial began): 'Now a darker side of this work has shown through, with the ethical conduct of the research and this is something that has to be looked at'. On the same day the Prime Minister said to ITV [commenting on Brian Deer's article]: 'I hope now that people see the situation is somewhat different from what they were led to believe'. (11)

Since 2002, Dr Kumar has been the National President of the British International Doctors Association (BIDA). Prior to that he was, from 1990-1996, the General Secretary of the organisation. BIDA was established in the United Kingdom with the objectives of promoting the interests of Ethnic Minority Doctors and Dentists working in the United Kingdom. However, what doesn't become clear on the BIDA web site, unless you look closely, is the fact that the organisation is funded not only with membership fees but also by pharmaceutical companies. BIDA's magazine is also subsidised by drug company advertising. This information is declared by Dr Kumar in his conflict of interest declaration for the MHRA but not for the GMC.

Not only is it the case that anyone adjudicating in the Wakefield fitness to practice hearing has had from the beginning the power to raise or lower the price of vaccine manufacturers shares, there is inevitably a question that has to be answered about the individuals' commitment to that company and how these shares were obtained, were they given as payment by the company or bought from them?

* * *

I can remember that morning clearly. We had returned to the hearing after one of those interminable delays and I was staying not far across the Euston Road in the Indian Student YMCA. I had a cheap down to earth room without anything resembling breakfast, and was not in any sense looking forward to yet another day in the hearing. Over the last break I had managed to finish the essay about the conflict of interests inherent in the hearing and particularly those of the Panel Chairman. I suppose that I was slightly apprehensive; on a previous occasion I had released an essay during a break, only to return to find Brian Deer raging against me outside the GMC building.

I went into the building, feeling as always somehow dwarfed by the architecture of post-modern humiliation, chatted to the funereally dressed young woman behind the polished granite desk, picket up my name tab on a red lanyard, stepped with experienced precision through the automatically opening glass half door turnstile to the lift. The lift was a place of concern for by this point you had passed

through the cordon sanitaire of the GMC foyer and could well come face to face with one of the prosecution team, or a panel member.

The third floor that morning seemed eerily quiet and it was from that point onwards that I began to suspect the worst. Sitting in the outer lounge I glanced through the *Daily Telegraph* and got a cardboard cup of green tea from the machine. I eventually slipped through the glass doors into the carpeted corridor and then into the four rows of chairs that constituted the public gallery. I sat down, got out my pen and notebook, placed my coat over the back of the chair and sat quietly waiting.

Usually when the defence lawyers and the defendants came in, they glanced in my direction, after all I had attended as many days of the hearing as they had and I was considered a familiar face. On that day, there was a long wait before anyone came into the hearing room and the lawyers particularly, although sometimes smiling slightly, kept their heads down. As the last members of the panel entered the room, the Legal Assessor, a neat piggy faced man, was still in animated conversation with Dr Wakefield's counsel. It was then that I knew that something was about to happen and that something might involve me; after all I was the only outsider there.

Everyone took their seats and the little man with the pink face pulled at his cuffs, looked into the still air in front of him and then launched into me.

A judge in real life, the Legal Assessor described my essay as an 'unhelpful intervention', adding, 'if this person thought that he was helping anyone he was mistaken'. Of course, in saying this, he entirely missed the point, I have no interest in 'helping anyone', just in speaking up for the parents and their vaccine damaged children and, the more abstract cause of 'justice'.

The assessor, however, employed by the GMC, was more pragmatically concerned than I was. One of his objections to my essay was:

If anybody thought that they were helping anyone, they were not because it has involved lawyers having to read and consider it, it will have involved unnecessary expense, unnecessary work and possibly even unnecessary concern.

Inevitably my mind rolled back over the junk journalism that Deer had produced during the hearing, including a long article that newly accused Dr Wakefield of fixing the results of his research. One of my worst crimes, it appeared, was that I had made the intervention with my essay '*at this point in the hearing*', that is, after a year of the prosecution's prevaricating, repetitious time wasting.

The best that can be said is that this was considerably unhelpful and entirely inappropriate at this stage in these proceedings.

He implied that, had I made my observation about Dr Kumar's conflict of interest at the beginning of the hearing, it would have been considered in a more kindly light.

The Assessor made the point that Dr Kumar had declared his conflicts of interests at the beginning of the hearing. Of course, neither the legal assessor or

anyone else involved, could have read from the transcript Dr Kumar's exact words when, during the hearing, he explained that he held shares in GSK, the vaccine manufacturer.

The Assessor went on to accuse me of a criminal act for which unfortunately his tribunal was unable to prosecute me.

Unfortunately, this is not a court of law and does not have the benefit of contempt law, otherwise I might give firmer advice to the Panel as on how to deal with such interventions. The Panel members who were shown this of course were concerned about the propriety of their position. It is an entirely unhelpful intervention.

For the rest of the day I caught Kumar leaning forward slightly and glancing side-stares at me, still the only person in the public gallery, as if he were reminding himself of my features. I wondered what he was thinking and was amazed at the seeming effrontery embodied in those glances.

As I was writing for CryShame, the parents' organisation at this time, the Chair of CryShame, Allison Edwards, following this cover-up by the Panel chairman and the Legal Assessor, supported my attempts to get the GMC to make a clear statement about their conflict of interest policy. After an exchange of correspondence, the GMC admitted that they didn't actually have such a policy.

Brian Deer, clearly primed by someone to reply to my relatively academic finding of Dr Kumar's GSK shares, responded with a vitriolic personal attack:

Some of the latter (parents), in their pain, have now turned nasty: with me as a target for their hatreds. Although almost literally a handful of people, and some with no link to MMR or autism at all, they've insinuated themselves among affected British families and are causing distress with false allegations. Among these is a claim that my *Sunday Times* and Channel 4 investigation - which nailed the scare and helped to restore public confidence - was covertly supported by the drug industry.

A string of recent outings for this sickening falsehood are authored by a 61-year-old graphic artist called Martin Walker, who apparently lives in Spain, but last year surfaced at the mammoth hearings of the GMC in London. He claims to be a "health activist", and, although generally of little consequence, is a relentless peddler of smear and denigration, with a track record of latching onto the vulnerable. These he beguiles - like he's their new best friend - and then, if past form is a predictor for the future, attempts to sell them self-published books. (12)

* * *

Returning finally to myself and my 'reputation', I feel that Deer's execrable writing above hopefully does him more damage than it does my reputation and it goes without saying that, though I value my reputation quite highly, it is dust in the wind

compared to the monumental reappraisal that the parents of vaccine damaged children have had to effect in their lives since they were struck by this manufactured tragedy.

What astounds me now more than anything has nothing to do with any sense of personal hurt, but the sustainability of the gross lies told by Deer and his criminal contemporaries in the government and corporations. Since the verdict against Dr Wakefield, Professor Murch and Professor Walker-Smith, Deer has affected the most odious and duplicitous persona, hailing himself as the promoter of the parents' cause and expressing empathy with them after their painful victimisation by Dr Wakefield.

That political forces in Britain are able to air brush out a whole society of vaccine damaged children and their parents while censuring the academic history of a man who speaks out for them, is quite extraordinary. I spend days now wondering how we might reassert the presence of the parents and their children, making public the crimes of those centrally involved. (13) Were it not for the fact that I know this struggle is for the future of science, justice and the chimera that we call democracy, I would be tempted to move on.

Recently on television I watched an interview with an Italian anti-mafia judge and marvelled, not for the first time, at the moral strength of such people. The British legal community is so desperately lacking in individuals of moral standing that no one has stepped forward to challenge the corruption with which the pharmaceutical mafia and the corporate State are mocking science, justice and the parents of vaccine damaged children. In the case of Dr Wakefield, the GMC has brought the legal and regulatory process into utter disrepute, raising the age-old question of *Quis custodiet ipsos custodes?* Who guards the guards?

Endnotes

(1) <http://briandeer.com/mmr/mli-information.htm>.

(2) All my essays over the period of the Wakefield case were published in *Medical Veritas*, Volume 6, Issue 1, April 2009.

(3) <http://www.wesupportandywakefield.com/documents/The%20Urabe%20Farrago.pdf>

(4) As related below, in 2003, the Medicines Control Agency (MCA) became the Medicines and Healthcare products Regulation Agency (MHRA).

(5) This practice coincides with a note about spontaneous declaration that I was sent by the GMC after making an enquiry about their policy:

There are, however, occasions relating to Fitness to Practise hearings when a conflict, or potential conflict, of interest may arise and which would not be recorded in the Register of Interest. This would include occasions where the doctor appearing before the panel, or a witness, was known to one of the panelists or where one of the panelists had prior knowledge of the events that led to the doctor's appearance before the panel. You will appreciate it is impossible to list such conflicts in the Register of Interests. The procedure on those occasions is that panelists are required to declare those interests as soon as they are aware of them. Panelists are usually able to declare such interests in advance of the start of the hearing but there are instances where conflicts only become apparent during the course of a hearing e.g. as the evidence is adduced or when a witness is called.

(6) 1998 Summary of the Meeting of the Committee on Safety of Medicines held on 11th February 1998.

(7) The Medicines (Advertising and Monitoring of Advertising) Amendment Regulations 1999, SI No. 267, came into force on 5 April 1999 and completed the implementation of Directive 92/28/EEC. Regulation 13 and the Schedule contain a procedure for a review of the Health Minister's preliminary decision on whether an advertisement complies with the Medicines (Advertising) Regulations 1994, as amended ("the Regulations"). The Health Ministers proposed that the review would be undertaken by an Independent Review Panel.

(8) 2005, Independent Review Panel for Advertising: Declaration of members current personal and non-personal interests.
<http://www.mhra.gov.uk/Committees/Medicinesadvisorybodies/IndependentReviewPanelforAdvertising/AnnualReport/index.htm>

(9) <http://www.dh.gov.uk/en/Publichealth/Healthprotection/Immunisation/index.htm>to.... MMR Explained ... to... <http://www.mmrthefacts.nhs.uk/>

(10) <http://www.mmrthefacts.nhs.uk/search.php?keywords=Wakefield>
[MMR news]: Analysis of the 1998 *Lancet* Wakefield paper
Professor Trisha Greenhalgh explains why the Wakefield 1998 *Lancet* paper should never have been published on scientific grounds.

(11) Cited by John Stone in his bmj response: <http://www.bmj.com/cgi/eletters/328/7438/528#56300>

(12) The majority of Deer's attack on me and my rebuttal are published in Medical Veritas.

(13) One way everyone can help is by buying copies of the first two *Silenced Witnesses* books in which the parents tell the stories of their vaccine damaged children.