

## **MMR parents win legal victory**

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Up to 100 families who allege that their children were damaged by the MMR vaccine are to receive legal aid to sue the drugs companies behind the controversial inoculation.

Following an intervention last week by Mr Justice Keith, the High Court judge presiding over the multi-million pound lawsuit launched against the manufacturers of the triple vaccine against measles, mumps and rubella, The Observer has learnt that the families are set to be granted aid to pursue their claims against the vaccine's manufacturers. Without the money, the families would not be able to continue their legal fight.

The families allege the vaccine was responsible for their children developing a range of conditions, including Crohn's disease, arthritis, epilepsy and encephalitis - an inflammation of the brain.

The news will alarm the government, which has recently been waging a hard-hitting PR campaign designed to deflect negative publicity surrounding the triple jab.

Health officials are worried that concerns about the safety of MMR have caused vaccination rates to plunge among children, sparking fears of a measles epidemic.

It is not expected that legal aid will be granted to parents who allege a link between the vaccine and regressive, atypical autism, a claim first aired by the controversial scientist, Dr Andrew Wakefield, and subsequently rejected by most medical experts.

The decision to grant legal aid would represent a significant U-turn on the part of the Legal Services Commission (LSC), which earlier this year pulled funding for some 1,300 families who were attempting to sue the MMR manufacturers, GlaxoSmithKline, Aventis Pasteur and Merck.

In March, the LSC ruled there was insufficient evidence for the families to have a reasonable prospect of success in court. Following the ruling, the drug companies' legal teams indicated they would press for costs if the parents continued with their claims. The majority of the parents dropped their legal challenge out of fear of bankrupting themselves.

At the time, the decision to pull legal aid was described by Keith as 'hardly an advertisement for access to justice'. He subsequently introduced a 'costs amnesty', which temporarily barred the drugs companies from seeking money

from the parents and gave them until 22 October to decide on whether to pursue their claims. The deadline was later extended until 21 December.

Now The Observer has learned that, last Monday, Keith wrote to the families' legal teams, extending the deadline again, until 28 February. As a result of the extension, it is expected the LSC will be writing to up to 100 families notifying them of its plans to reinstate their legal aid certificates within the next couple of months.

Families who claim their children have been damaged by the vaccine are likely to view the decision to reinstate their legal aid as a watershed in their ongoing battle against the drug companies, who vehemently deny their claims.

But the families believe their case has been bolstered by events in Japan, where a number of children have been awarded compensation after suffering severe neurological damage that the Japan courts said was a result of them receiving the MMR jab.

The prospect of further legal action against the drug companies in the UK next year looks likely. Some of the parents whose children have atypical autism and severe bowel problems, and who have lost their legal aid appeals, are now taking their cases to judicial review. They have pledged to pursue their claims in the European Court of Human Rights if the review finds against them.

Neither the LSC or the Department of Health was available for comment.

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Autism is 1 in 150 children today, 1 in 68 families! TAAP (The Autism Autoimmunity Project) is a non-profit charity dedicated to obtaining funding for independent research into the cause, treatment and prevention of autism and other autoimmune disorders. Please visit our new website at <http://www.TAAP.info> and "TAAP into the Truth!"