

An Open Letter to Brian Deer Rebutting His Article— “Families duped by a sad smearmaster of MMR fabrication and hatred”

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Abstract

I published my essay *The Complainant* about Brian Deer’s role in the GMC fitness to practice hearing against Dr. Wakefield, Professor Murch and Professor Walker-Smith during a recess in the hearing. Following his name calling of me as a ‘dribbling idiot’, Deer posted an article about me on his website. The article was venomous and full of very personal insults. After some thought, I decided to reply with a rebuttal. Such attacks present complex problems for independent campaigners who consider that they are working on behalf of specific groups and do not have the support of institutions or publication and are unable to answer within an academic context. Some campaigners disagreed with my evaluation of this situation, feeling that the nature of Deer’s attack exposed his real nature and there was little need for a rebuttal. However, I think that campaigners should take every opportunity to answer publicly voiced criticisms even when they are as low and ignorant as those expressed by Deer. Otherwise allegations sink into the campaigning fabric to be repeated as gossip in the future. If I had to quote an authority for this view, though not for my very subjective style of rebuttal, it would be the late Serge Lang, who in his seminal book *Challenges* (Springer 1996) lays down with beautiful exactitude the process by which one answers attacks and propaganda.

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No one could possibly accuse Martin Walker of being a bad writer, without seeming an utter fool.
Emma Holister, on reading Brian Deer’s article

At the end of the August 2008 I wrote an essay titled *An Interest in Conflict*¹. The subject of the essay was conflicts of interest as they appeared to apply to the General Medical Council (GMC) and particularly to Dr. Kumar the present chair of the Panel - or jury - sitting to determine the GMC fitness-to-practice hearing of Dr. Wakefield, Professor Murch and Professor Walker-Smith. This essay mentioned, in passing, Brian Deer *The Sunday Times* journalist who played an important part in the initiation of these proceedings. Deer responded to my essay with much consternation, more or less immediately writing a piece for his website² (see **Appendix A**) that he worked on and corrected over the following week (see **Appendix B**).^{3,4}

Deer’s finished article was accompanied by an apparently authoritative legal letter⁵ sent to Alan Golding, the film-maker

who is working with the Cry Shame campaign that supports both Dr. Andrew Wakefield and the parents of vaccine damaged children (see **Appendix C**). This letter was similar to ones that Deer has written to others on various occasions.⁶ It threatened a defamation action specifically against Cry Shame members, Alan Golding, and myself. The following article is a rebuttal to the main points of Deer’s article. I have chosen to write this rebuttal by interspersing my comments in Deer’s text. For those readers of this rebuttal who know nothing about the ‘back-story’, there is what I consider an objective summary in **Appendix D**.

* * *

In order to answer the fulminating personal insults located at the start, at the end, and in the middle of Deer’s piece without getting bogged down in a *personal* exchange, I begin, before embarking on the Open Letter, with a simple statement of my opinion of Brian Deer: In my opinion, Brian Deer appears to be an extremely unpleasant person. If it is possible to separate the person from their output, his most, and perhaps only redeeming feature, as far as I am able to judge, is the professionalism with which he approaches his journalism.

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¹ Walker MJ. An Interest in Conflict? The “conflict of interest” policy of the General Medical Council and the fitness to practice hearing of Dr. Andrew Wakefield, Professor Walker-Smith and Professor Simon Murch. *Medical Veritas*, 2009 Apr;6(1):2067–76.

² Brian Deer, Reply to Fabrication. <http://briandeer.com/mmr/mli-information.htm>

³ Brian Deer, ‘Families duped by a sad smearmaster of MMR fabrication and hatred: Brian Deer responds to a sick campaign of denigration’ <http://briandeer.com/mmr/mli-information.htm>

⁴ I have to say that Deer’s voluminous attack came as a considerable surprise to me. Previously when I had published *The Complainant*, (available from, www.cryshame.com) an essay more specifically about Deer, he had responded only by calling me a ‘dribbling idiot’, both in an argument with parents on the pavement outside the GMC and inside the GMC press room when he was addressing a collection of journalists.

⁵ Warning letter under the pre-action protocol for defamation to Alan Golding, and others. From Brian Deer. **Appendix B**

⁶ For example to the campaigners and organisers of JABS, Jackie and John Fletcher.

Dear Brian,

This is an open letter to you, a response to your article about me, entitled: Families duped by a sad smearmaster of MMR fabrication and hatred: Brian Deer responds to a sick campaign of denigration.⁷

Your article begins:

With the collapse of the anti-MMR vaccine crusade in the UK, leaving its champion Andrew Wakefield facing charges of serious professional misconduct before the General Medical Council, there's not much left, apart from continuing public fear and a rump of embittered individuals.

An anti-MMR vaccine crusade in England is a fiction; there has never been an anti-MMR vaccine crusade in the UK. There has been a pro-MMR campaign hard fought by the NHS, the government and the vaccine manufacturers. Those parents and doctors who have criticised MMR and campaigned in support of Dr. Andrew Wakefield have done so on the basis of both scientific research and parental experience. Their case, at its simplest, has been that the combined MMR vaccination has produced *serious adverse reactions in a relatively small subgroup of children* who were evidently vulnerable to some aspect of the vaccine.

This sub-group – whose sickness was described by parents and confirmed by evaluation of histological samples and clinical assessments by a number of doctors, mainly at the Royal Free Hospital – suffered, in varying degrees, from inflammatory bowel disease and ‘regressive’ autism. Many of the parents of affected children linked the onset of these conditions with the receipt of their child’s MMR vaccination.⁸

If there are ‘embittered’ individuals – and I have never met any – they would be parents who had suffered the physical and emotional stress of caring for vaccine damaged children without a modicum of help from the NHS, the government, the majority of GPs and most consultants. However, these individuals could never be called a ‘rump’, they are part of the campaign that has grown up in Britain, the US and elsewhere attempting to highlight vaccine damage. I have spent some considerable time with parents of these vaccine-damaged children and I have been constantly amazed not only at their very lack of bitterness but also at the fortitude, love and commitment they have for their damaged children.

Some of the latter, 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.*

Most of this paragraph is not worthy of a rebuttal. However, the complete falsification that there are ‘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’, does need answering because it is offensive to the parents of vaccine-damaged children.

Perhaps we might begin by challenging your assertion that there are ‘literally only a handful’ of people involved. A literal handful of people would be something of a spectacle, but then we all know how hard it is to shake ourselves free from childhood literature such as **Tom Thumb**, **Gulliver’s Travels** and no doubt in your case Brian, **Baron Munchausen**. The most serious point, however, is that large numbers of people are challenging the government and the pharmaceutical companies on this issue as you are well aware. Inevitably, along with the denial of vaccine damage, comes the denial of support for the children and their parents. Anyone old enough to have been involved the many demonstrations of the 1970s will remember getting home after attending a demonstration of thousands, only to be informed by the media that there were only 250 people on the march. One petition circulated by Cry Shame gathered over 10,000 signatures within a few weeks. Quite a handful!

Another important question begged by your article is who these people are. If it is significant to you Brian, that some of the people involved have ‘no link to MMR’, you must clearly believe this to be unacceptable. So what is your link to the vaccine? An interesting question, don’t you think? Especially as you have pointed out that you have no children and had little interest in the vaccine question, until a few years ago.

The idea that ‘foreign’ activists have ‘insinuated themselves among affected British families’, is an argument mainly fostered by the pharmaceutical companies and the government. And predictably, it makes no sense. What are these British families ‘affected’ by? According to you and the prosecutors in the GMC case, these children are definitely not affected by vaccines and they are not discernibly ill in any other manner either. Some of them, it is true, seem to be affected by genetically pre-determined autism but, as you insist on telling us, this has nothing to do with vaccination.

How is it possible for someone to insinuate themselves among *British families* and ‘cause distress with false allegations’. And what are the false allegations? The insinuation part sounds like a cross between **Invasion of the Body Snatchers** and the tactics of entryism practiced by some Trotskyite groups, like the long collapsed Revolutionary Communist Party! A real hint as to the origins of the propaganda strategy that you use can be found if we look back at battles between employers and trade unionists in the 1960s and 1970s.

Denying British workers the right to genuine grievances, the government and the employers would commonly accuse trades unionists and militant activists of ‘insinuating’ themselves amongst the workforce and preaching militancy at great cost to

⁷ 7 September 2008

⁸ References to this literature can be found on the Cry Shame site at www.cryshame.com; in MMR Vaccine, Thimerosal and Regressive Autism: A review of the evidence for a link between vaccination and regressive autism. David Thrower, 2006; and the anecdotal accounts of parents in **Silenced Witness the Parents’ Story: the denial of vaccine damage by government, corporations and the media** written by the parents. Slingshot Publications, London. 2008.

the satisfied workers. Of course, the suggestion that the working class needed ‘insinuating’ agitators was always rubbish. They had real grievances, as do the thousands of parents of vaccine-damaged children.

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”...

I will try, as promised, to keep away from personal invective but I have to correct you, on some of this half paragraph. Working on the understanding that people are generally described in their professional life on the basis of what they are currently doing, I have to say I cannot really be termed a graphic artist. I haven’t done any graphic work now for almost 20 years. Anyone who wants to see my political poster work, produced between 1975 and 1990, can see this work in the Victoria and Albert Museum, the University of London Theatre Archive and the International Institute of Social History in Amsterdam.

In fact, you know full well, Brian, that I am currently a writer and the author of a number of books, articles and essays, mainly critical of the pharmaceutical monolith. I say ‘full well’ because when you were in trouble with the Wellcome Foundation in the early nineteen-nineties having written two critical articles about their drug AZT, and you were being attacked by Duncan Campbell and HealthWatch,⁹ you asked me to help you. I remember those days well, do you? You were being attacked on all sides. HealthWatch activists even visited *The Sunday Times* in an attempt to persuade Andrew Neill to sack you for writing your critical articles. With my help, you fought your case quite effectively and I wrote up your story in a chapter in my book **Dirty Medicine: Science, big business and the assault on natural health care**.¹⁰ From what I remember, you were more than happy with the result at the time and were as outraged as others when HealthWatch activists tried effectively to ban my book.

Of course, I realise that you have now changed your view of some aspects of Big Pharma. I knew that was the case the day that I picked up my phone to hear your angry voice berating me for having groundlessly criticised Wellcome in my book. This call came around the time you wrote your lengthy but anodyne feature in *The Sunday Times* on the Wellcome Foundation and its Trust. In your phone call, the first one I had from you since I worked with you on your chapter in **Dirty Medicine**, you accused me of writing terrible things about Wellcome, without giving them the right of reply. I recall you saying something like ‘you’re no better than the mafia, you just attack people without them being able to defend themselves’. I must admit that I was very confused and shocked by this call, but I did get the firm impression of someone trying to cover their past tracks, brushing the soft earth with a piece of driftwood. As you no

doubt know, the Wellcome Foundation no longer exists, having been taken over by Glaxo and now being an unnamed part of GlaxoSmithKline.

Since 1993, I have written books about people suffering from, and denigrated for, fighting back against the labels imposed on them when they had ME or Chronic Fatigue Syndrome.¹¹ In 2006, I published a book on behalf of women who suffered terrible adverse reactions from Hormone Replacement Therapy (HRT).¹² Most recently, I have been active in opposing, and written books and essays about, the campaign by pharmaceutical companies and chemical companies, the Labour government, and various science lobby groups to deny *all* environmental health damage.¹³

...although generally of little consequence, is a relentless peddler of smear and denigration, with a track record of latching onto the vulnerable.

Oh, alas, you poor, sad man, you appear unable to grasp the fact that, in this life, few individuals, if any, are ‘of consequence’ and unfortunately because of a strong bias towards materialism in contemporary developed societies, those who are said to be of consequence are in fact often those of least merit. It is because of this that every right-minded person, especially those of a socialist inclination, should fight to the death the designation of ‘useless eaters’ an appellation given to the common population by Henry Kissinger. It is because the poorest parts of the population fall prey to the culling mentality of the rich and powerful that we should do everything in our power to recognise the abilities, attributes and strengths of ‘ordinary people’. To be honest with you, Brian, your attitudes and that of other vaccine damage denialists, do smack a little of Kissingerism.

I’ll ignore your ‘a relentless peddler of smear and denigration’, despite liking its prosaic quality and wish I had had the opportunity and the wit to write it myself and address your ‘with a track record of latching onto the vulnerable’. This is an ambiguous phrase. Of course, everyone has a track record, that is, ‘a past’. And ‘latch on’ also has at least two meanings in contemporary English; it might mean to ‘attach oneself as an unwelcome companion’ or it can mean ‘the first act of a baby sucking on his or her mother’s breast’. While the first meaning is thoroughly insulting, the second describes a symbiotic act, one which is good for both the mother and the baby. I would like to think that you had the latter meaning in mind.

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.

Yes Brian – and the Pope believes in universal contraception and has shares in Durex. I ask you, why would I try to sell, to

⁹ This organisation has now been revamped and modernised by activists in the Science Media Centre and Sense About Science. It must be odd for Mr Deer to find himself now in bed with those who had previously tried to destroy him; or maybe not.

¹⁰ Walker MJ. **Dirty Medicine: Science, big business and the assault on natural health care**. Slingshot Publications. London 1993

¹¹ Walker MJ. **SKEWED: Psychiatric hegemony and the manufacture of mental illness in multiple chemical sensitivity, Gulf war syndrome, myalgic encephalomyelitis and chronic fatigue syndrome**. Slingshot Publications, London. 2003

¹² Walker MJ. **HRT Licensed to Kill and Maim: The unheard voices of women damaged by hormone replacement therapy**. Slingshot Publications, London. 2006.

¹³ Walker MJ. **Brave New World of Zero Risk: Covert strategy in British science policy**. Slingshot Publications, London, 2005.

those whom I have beguiled, self-published books? If I have beguiled people, I seem to have been singularly unfortunate in beguiling those who are poor and sick and therefore not in the market for buying me the occasional meal, never mind cartloads of self published books. Anyway, in the salon, gentleman's clubs and science society circles, in which your side appears to mix, it is an oft-stated truth that absolutely no one buys my books and I am deeply in debt as a consequence. Yes Brian, I have to admit it's true, I lie awake during endless nights wondering why my strategy isn't working; why don't the rich start campaigns when they get sick?

His recent attacks on me are pretty much to be expected from this man. He has a well-worn modus operandi.

I can only refer you, to pages 377-82, 387, 393-4, 402 and 406-7 of my book **Dirty Medicine**; after all my writing then was in defence of you, in fact flattering of you. At that time, you completely accepted my 'well-worn modus operandi', right down to your addition of corrections to the text.

*First, in an ill-written 60-page online diatribe,¹⁴ which affects the tone of discovered facts, he suggests—entirely falsely—that I've been supported by the Association of the British Pharmaceutical Industry [ABPI], with the implication that I'm concealing this misconduct. Among other things, he says: "In neither his **Sunday Times** article nor the **Dispatches** programme nor on his web site does Brian Deer make reference to a company called Medico-Legal Investigations Ltd (MLI). MLI is a private company, controlled and almost completely funded by the ABPI that has an agreed representation on its board. The company played a leading part in Deer's investigation, and helped prepare the case against Wakefield to go before the GMC."*

So Brian, we come to the meat of your piece, the nub of the matter. If I were a psychologist, I might see a terrible fear in you that somehow, someone, somewhere, might have been heard suggesting that you have been a paid lackey of the pharmaceutical companies over the last decade. But Brian, I really haven't written that nor have I intended to hurt your feelings. I wish you would read more carefully; any misconduct you may have practiced is not to do with you working with MLI, it is in not mentioning them in your **Sunday Times** article, or your **Dispatches** programme. I'm old fashioned enough to imagine that even journalists and their editors should pay attention to conflicts of interest. You see, Brian, it goes something like this - I'm not a journalist, thank God, but I'll do my best:

To gain an understanding of the role of a medical

research worker in a big hospital I sought out Frank Wells from Medico-Legal Investigations. Wells had once been a staffer at the Association of British Pharmaceutical Industries and, after leaving there, started MLI, a company that investigates doctors and medical researchers on behalf of the pharmaceutical industry. As well as campaigning for good research practice, MLI have often prepared cases for the GMC. Wells said research doctors, despite working in NHS hospitals, sometimes have contracts that restrict their work purely to research, 'In this case I believe that Dr. Smithson crossed the line into clinical work on a number of occasions. Having access to clinical work can introduce a bias into researcher's studies'.¹⁵

After all, Brian, as you say later in your article, MLI is a respectable company that prepares prosecutions for the GMC and just happens to be funded by the pharmaceutical industry. So why would you not want to publicise this source of help and information. I'm sure you realise that the conflict of interest issue is particularly important in this case because one of the main substantive, but unsubstantiated, charges against Dr. Wakefield is that he did not declare payments from the Legal Aid Board when reporting on research into children whose parents were involved in a legal action against pharmaceutical companies.¹⁶

*Second, in a further, 22-page, attack - primarily targeting Dr. Surendra Kumar, chair of the five-member GMC panel which is hearing the case against Wakefield - Walker goes further. Here he accuses me of a conspiracy with MLI to mislead readers of **The Sunday Times**: "As anyone who has been following the GMC hearing will know, the prosecution that is the GMC, fell hook, line and Murdoch owned **Sunday Times** sinker for Deer's story that had been concocted with the help of Medico-Legal Investigations."*

This essay, An Interest in Conflict?, does not 'primarily target' Dr. Surendra Kumar, in the way that you state, it simply puts Dr. Kumar's shareholding in GlaxoSmithKline (GSK), one of the biggest pharmaceutical companies in the world and a manufacturer of the MMR vaccine, in the context of the conflict-of-interest policy of the GMC. After all, Dr. Kumar is chair of the 'jury' in a case trying a man, Dr. Wakefield, who has seriously criticised a GSK vaccine. A finding in Dr. Wakefield's favour could well lead to a fall in GSK's share prices. If I held GSK shares, I don't think I would like Dr. Wakefield to be found not guilty at the GMC. But, perhaps, it is your opinion that this information should not be made public?

It is almost clear from this section of your attack upon me,

¹⁴ Mr. Deer is here referring to my essay The Complainant that is primarily about him, but also looks in some depth at the role of MLI. The essay can be downloaded from the www.cryshame.com site. Some changes have been made to this essay since Mr. Deer sent the legal letter to Alan Golding. It has always been my policy as a writer to make changes where I might have put myself in the path of any kind of legal action.

¹⁵ This is simply example it is not meant to suggest that Frank Wells, or anyone else at MLI, said anything of the sort to Brian Deer, or that Deer even met with this person.

¹⁶ Although in actuality, this was not the case. At the time of researching the 12 children who were cited in the **Lancet** paper, Dr. Wakefield knew nothing of their status in any legal proceedings. There is anyway a real debate going on inside and outside academia about whether acting as an expert witness (who often receives money to research their evidence) could be considered a conflict of interest.

taken together with your approach to your non-declaration of working with MLI and your odd views in defence of High Court Judge Sir Nigel Davis – the judge who turned down the appeal for legal aid in the case of parents claiming compensation for vaccine damage while his brother Crispin was a non-executive director of GlaxoSmithKline, that overall you do not accept any of the contemporary approaches to conflicts of interest. The parents of vaccine-damaged children, of course, inevitably feel that the disclosure of their belief in a link between MMR and their child's illness goes seriously against them and amounts to some kind of penalty when assessing conflicts of interest.

Given your approach to conflicts of interest and the relatively powerful position that you maintain 'inside the system', the parents feel, as I do, that, in your case, every possible avenue of these conflicting interests should be explored and exposed to the public light of day. In this context, I would take the opportunity to bring to the fore some of the information regarding conflict of interest disclosed already by the lawyer Clifford Miller.¹⁷

Miller asserts that you were hired at *The Sunday Times* to carry out your investigation into Dr. Wakefield by Paul Nuki who was a journalist at *The Sunday Times* from 1993 until 2007. Nuki is said to be one of Britain's leading consumer journalists, sometime Head of Newsroom investigations and 'Focus' at *The Sunday Times*. He left *The Sunday Times* to work for Doctor Foster Intelligence a private data and strategy organisation that partners the NHS. There he became editorial director of web services.

Paul Nuki is the son of George Nuki, who, in his various roles as a leading medic in the world of arthritis and osteoporosis until his retirement in 2002 had, and, even now has, considerable contact with pharmaceutical companies. Professor Nuki is now Emeritus Professor of Rheumatology, University of Edinburgh Osteoarticular Research Group.

Professor Nuki has been an editor of a web journal devoted to rheumatism that had unrestricted support from Novartis. And a board member of the U.K. Gout Society which receives an unrestricted educational grant from Merck, Sharp and DHme Ltd. Even after retirement, George Nuki is involved in organisations that are highly funded by vaccine manufacturers. In 2007 he was co-Chair of the OARSI World Congress on oosteoarthritis, supported by Merck, Pfizer, Novartis, Sanofi-Aventis and Servier. He has also served on the science advisory board of Savient, a major French and UK producer of vaccines.

But where he fits more startlingly into the British vaccine situation is as a member of the Committee for the Safety of Medicines for a period in the late 1980s, when the CSM was considering GlaxoSmithKline & French Laboratories' Pluserix MMR vaccine for safety approval. Despite the fact that Pluserix was taken off the market in 1992 after it was found, internationally, to have caused serious adverse reactions, most of the members of this committee continued to retain their good name. In fact, it was Professor Sir David Hull, a prominent member of this committee, who, in 1998, as chairman of the Joint Committee on Vaccination and Immunisation, started the attacks on Wa-

kefield's work in the *Lancet* paper by writing to the Royal Free about the ethical status of the work.

Clearly it could be the case that there was no collusion whatsoever between Professor Nuki and his well placed son on *The Sunday Times*, but it does appear highly coincidental, that Brian Deer, well known for his previous support for GlaxoSmithKline's vaccine programme found a commissioning editor in a man whose father was connected to various vaccine companies and had sat on the very committee that had mistakenly approved the safety of the Pluserix MMR vaccine.

The only problem for the parents, and myself for that matter, in reviewing and contextualizing this kind of information about you, Brian, is that we lack the power that any official enquiry would have. As a fair minded journalist, I am sure, however, that you would be in favour of a wide and generous review of all the information available on your work and conflicts of interest.

As for the GMC prosecution '*falling hook, line and Murdoch owned Sunday Times sinker*' for your story, I can't for the life of me think what you are getting in such a tizz about. Of course, the GMC prosecutors believed *The Sunday Times* story in all its detail. Why wouldn't they? *The Sunday Times* is a reputable newspaper, even if it is owned by Rupert Murdoch, and you are a professional journalist. I suggested that the prosecution '*had fallen*' only because some small discrepancies in the time-line of your story have recently been revealed in the GMC hearing. I'm sure you will agree some of the facts stated in your article are now open to question. Discrepancies like the suggestion that Dr. Wakefield's motivation for criticising MMR was that he had patented *a vaccine* (transfer factor) which was in direct competition to MMR. This one turned out not to be the case. Perhaps, this was a slip of the computer key? But, even if these small errors prove damaging to the prosecution case, I wouldn't blame you Brian. We all make 'mistakes', me included ... take another look at my flattering profile of you in **Dirty Medicine**.

To be honest, I've never been sure what constitutes a conspiracy. Surely, a journalist simply working with MLI to investigate the case of a doctor whom they thought had distorted research findings doesn't constitute a conspiracy, does it? Why mention 'conspiracy'? I simply said '*Deer's story that had been concocted with the help of Medico-Legal Investigations*'.

MLI seems to concur with my view. They were quite open about their involvement in their Internet newsletter of March 2004;¹⁸ they were also very flattering of you – perhaps you're right, they don't know you that well – when they said:¹⁹

The extraordinary tale of the problems found in the paper by Dr. Andrew Wakefield (as published in the *Lancet*) concerning MMR and autism were shared with MLI in strict confidence whilst Brian Deer's fine piece of investigative journalism was underway. *We were asked to advise on matters that were clearly quite alarming.* (author's italics)

¹⁷ Clifford Miller. Vaccines to Autism—The Taming of the British media <http://homepage.ntlworld.com/clifford.g.miller/probono.html>

¹⁸ *Medico-Legal Investigations Ltd. Newsletter* March 2004 Issue 10, an article entitled, MMR and MLI, MMR Sunday Times Investigation (22nd February 2004). <http://www.medicolegal-investigations.com/index.htm>

¹⁹ This piece was taken down soon after I reported it.

And you have said yourself, on at least two occasions since my essay was published, that you met up with at least three important members of the agency.

Here's more, in a third of his vile attacks, where the plain meaning of his words is that I'm not competent to carry out my work, and that I covertly connived with the drug industry in the preparation of charges against Wakefield: "As we know, despite the GMC's reluctance to state clearly with whom the complaint originated, it was first prepared and lodged by the medically-ignorant, down-at-heel pro-MMR hack Brian Deer, with the help of the Association of the British Pharmaceutical Industry private inquiry company Medico-Legal Investigations."

I would never, ever, suggest that you were incompetent, Brian. If you think that I would, you are being too hard on yourself; you are a disingenuous jerk, but you are not incompetent. You are a practised, professional journalist and a good writer. What's more, you have an amazing ability to stick to your primary agenda. I admire this as, on some important issues, I find my own views inevitably waver. However, you are not a medical journalist or a science writer; and I think it's fair to say that, just as I am, you are '*medically ignorant*'.

In fact, I think, in your case, I have to agree with Lord Dick Taverne and others in Sense About Science and at the Science Media Centre: You must be aware of their mission to ensure that non-scientists do not report on science?²⁰ Amazing — one law for Brian Deer and another for all of Britain's other journalists. You are, of course, a '*hack*' — a journalist producing dull or unoriginal work. But, that's the lot of most professional journalists tied to newspapers in contemporary Britain.

I have to say now, reading the above quote, it was silly of me to say you were '*down-at-heel*'. It was something I put in after observing the fact that you always wear trainers even with what must be your best suit. I have tried to take this out of my revised essays. Unfortunately, because you fail to reference your critique, I can't find the quote in my work.

*But truth isn't enough for the smearmaster Walker. He has conspiracy on his mind. This drives him. He desperately needs to place me in a worldview of intrigue, using a grubby witch-hunt style of implication: "Brian Deer disclosed in his main **Sunday Times** article about Dr. Wakefield after he had presumably spoken to him, that the then Minister for Health, John Reed [Walker means I had presumably spoken with the then-secretary of state for health, John Reid] had called for the case of Dr. Wakefield to be referred to the GMC... Reed's shunting of Dr. Wakefield's case into the GMC represents the most serious conflict of interest and manifest corruption." *By chance, I've never met or spoken with Reid. But, for Walker, we're in it together. It's a**

disgusting, gutter, style of character assassination. It's what you'd do if you were a malicious fool with no facts.

First let me apologise for the misspelling of John Reid's name and thank you, Brian, for pointing that out to me. Just to return the compliment, I suggest that you make some alteration to your statement, '*By chance, I've never met or spoken with Reid*'. Obviously give it some thought but I would say that; whereas, you might never meet or speak to someone by design, you can't actually *not* meet someone by chance. Just a little thing, but so often, Brian, it's the little things that are important.

As for my assuming that you had probably spoken to John Reid, I now realise that I made a mistake. Apparently, and conveniently for you, Mr. Reid made some kind of statement the day before your article was printed. Forgive me if I can't believe that it wasn't planned. It admitted that there had been some contact between **The Sunday Times** and Reid. Being a professional journalist, I can be certain that you would not have put such hot air in your article without first checking it with someone.

Nevertheless, the simple fact remains that you let the Minister use your article to get the Wakefield affair to the next stage: this being his prosecution by the GMC. It's just as well that there was some collusion between the Minister and **The Sunday Times**, for I don't suppose it would have sounded quite the same if you had written, in your usual inimitable third-person style: 'Brian Deer today urged that Brian Deer's investigation be sent as a complaint by Brian Deer to the GMC'.

The truth is rather different, and rather awkward for Walker, if he's seeking to soak families hit by autism. As would be the duty of any responsible investigative journalist, tackling a serious, complex issue such as MMR, my inquiries involved interviews with hundreds of sources, drawn from many relevant backgrounds and viewpoints. The first of these interviews was with Jackie Fletcher of the campaign group JABS. The second was with a mother, Rosemary Kessick. And another of these hundreds of interviews was with a doctor-lawyer called Jane Barrett, who works with MLI.

I know of these interviews, I, in turn, have spoken to those whom you interviewed, and I know that they have each been the substance of articles written by you over the last ten years or so. But if you are presenting these interviews as an argument for not making clear that you worked with MLI on your **Sunday Times** and **Dispatches** stories, then I can only say that you seem to have moved off the point. I have to state again, in the clearest terms, in both your 2004 journalistic ventures, you were targeting a doctor who had been seriously critical of a vaccine produced by GlaxoSmithKline, a company that is a major contributor to the ABPI. In my opinion, you should have sourced **any** contact, information, or help given to you by MLI, an organisation that is entirely funded by the ABPI and specialises in investigating doctors and others who threaten the competitiveness of pharmaceutical products.

²⁰ Martin J Walker, **Brave New World of Zero Risk: Covert strategy in British science policy**. www.slingshotpublications.com. See Part 3, Guiding the Media.

'The Guidelines on Science and Health Communication' was published in November 2001 by the Social Issues Research Centre.

Underlying Walker's thesis is the veiled implication that, somehow, I must be on the take. That's an old one.

Bri-an, Bri-an, come on, there you go again! Absurdly reducing things yourself, and then accusing me of having a too black-and-white view of the world. I don't know what you understand by 'being on the take', but, if I were allowed to voice my opinion without being riddled with insult and innuendo, I would go no further than suggesting that many journalists who write feature length articles for the Sunday papers have developed special interests. Sometimes, those special interests lead these journalists to be involved in stories that are fed to them by industry. In fact, this seems to be a common phenomenon amongst journalists today. And your own web site does offer the following part of an article by Glenn Frankel, which I cited in my essay, The Complainant, and the excerpt seems to have been posted by you without rebuttal or contradiction

*Last November (2003) a **Sunday Times** journalist who identified himself as Brian Lawrence paid a visit to [Rosemary] Kessick's home north of London. He spent nearly six hours questioning her about William's autism, Wakefield and the entire MMR controversy. Afterward, she said, she felt like she had been grilled like a witness under cross-examination. She said that Lawrence didn't seem to believe anything she told him.*

Her suspicion was not far off. 'Brian Lawrence' was actually Brian Deer, a prize-winning investigative journalist with a reputation for breaking stories about the pharmaceutical industry. Deer said he used a false name -- Lawrence is actually his middle name -- because he didn't want Kessick to check his web site and find out that one of his specialties was tracking down false claims of damage from vaccines.²¹

The most cogent message that shines through all of your journalism about MMR, or other contemporary vaccines for that matter, is that they are not responsible for adverse reactions of any kind. I do not believe this to be a tenable or credible position for any intelligent person. However, it is the argument of government MMR advocates, the ABPI, GSK, the science lobbies, and all those who have campaigned against Dr. Wakefield and his research findings. At worst, it is a piece of propaganda. At best, it's just a tawdry industry pitch used by pharmaceutical executives as they guard their backs and run off with the money.

In all your writing about vaccination, Brian, you completely eschew the idea of science and bluntly try to describe a social phenomenon in which neurotic parents with all but healthy children press their views upon doctors, who are willing, for their own glorification and in order to attack pharmaceutical companies, to experiment on these children.

We see in your writing just how far the mood in Britain has

changed from the time that *The Sunday Times* journalists carried out their beautiful investigation into Thalidomide.²² The paper was then utterly on the side of the patients whose lives had been devastated by the birth of severely damaged children. Now, in this more cynical age, nothing matters but the politics of industrial power. You, *The Sunday Times*, the Government and the GMC members evidently are all rooting for 'Big Pharma' and abusing the parents of vaccine-damaged children by denying them.

Walker isn't the first to try to poison my name. It's him who's conspiring with others. For examples, two individuals—a Mr. John Stone, and a Mr. Clifford Miller—have long festered over attempts to damage my reputation and livelihood ... One of Walker's recent attacks acknowledges Stone.

Hmm, interesting that, you have me on the very edge of my seat. I acknowledged John Stone; Wow!

The real tragedy, of course, is the plight of the vulnerable: the true victims of the MMR scandal. It goes without saying that Walker spews forth falsehood - extending to what he represents as "reports" of the GMC's hearings - with a view to inflaming beliefs that the doctors' regulator is corrupt, capricious, and incompetent. Then, his line goes, I'm hovering in the wings, with the drug industry, the government, and whoever else. Only a clown would believe this. Walker does. And no doubt he'll believe it until it refills his bank account: when, as he hopes, those he dupes with such miserable fantasies purchase his self-published book.

It's clear that you have a very poor opinion of me, Brian, but while I have ample chance to argue back against you, clowns do not; I do feel that your remark above is grossly unfair to clowns. I would be somewhat wary, if I were you, because they command considerable respect in the entertainments industry of which you are a part.

At the end of the day, I think we will have to amicably agree to disagree about our mutually divergent views on what I am doing and what I believe, and what you are doing and what you believe. You have to understand that, in my view, the cover-up of vaccine damage, which has entailed the denigration of thousands of parents and the complete, almost Romanian-style lack of medical care of hundreds of damaged children that has been and is being encouraged by the government, the medical establishment and the multinational pharmaceutical industry together with a number of journalists, is one of the most disgraceful incidents in British medical politics over the last century.

To my mind, it ranks in a degree of obscenity with the cover up over the advancing number of environmentally induced cases of cancer in our society and the decades-long attempts by industry to conceal the health damage caused by asbestos.

²¹ He introduced the article that contained the sentences with, 'On Sunday July 11 2004, Glenn Frankel, reported from London for the *Washington Post*, after interviewing some of the key players in the MMR scandal. His story ran from page A1, under the heading "Charismatic Doctor at Vortex of Vaccine Dispute".

²² Phillip Knightley, Harold Evans, Elaine Potter, Marjorie Wallace. **Suffer The Children: The Story of Thalidomide**. The Viking Press. New York USA. 1979.

In the case of MMR, there is a government still in power that indemnified one of the world's biggest pharmaceutical company, GSK, against all claims made by the parents or relatives of vaccine damaged children. When the adverse reactions occurred in their thousands, in the form of inflammatory bowel disease and regressive autism, seizures and brain damage, the government batted down the hatches and began one of the biggest propaganda campaigns ever mounted in Britain.

Finally, following on from the paragraphs above, I will answer your most important assertions – ones that are also used by Michael Fitzpatrick and other pharmaceutical company apologists on a number of occasions.

For more than a decade, *many parents of autistic children have been misled and exploited*, often by individuals who've profited greatly from this conduct. (first issue of Deer's article)

... insinuated themselves among affected British families *and are causing distress with false allegations*. (second issue of Deer's article)

For more than a decade, *countless parents of autistic children have been misled and exploited*, often by characters like him, who've hoped to profit *while spreading confusion among the griefstruck*. (second issue of Deer's article)

It is perhaps these statements and those that derive from them that show that your thoughts are not original. You say and have said before that my actions and words and those of others in Cry Shame, are damaging parents with autistic children by generating false beliefs about what has caused their autism and raising expectations about treatment.

Let me say, first of all, I can speak only as someone working with parents whose children, they believe, were damaged by MMR vaccination, parents who became involved in the legal case against the pharmaceutical companies and those who had visited the Royal Free Hospital where they were diagnosed with inflammatory bowel disease and then behavioural difficulties labeled as 'regressive autism'.

As you know, the government, in concert with the pharmaceutical companies, has decided to deny all vaccine damage attributed to the MMR vaccine. In order to do this, they have had to wipe out, conceal, and, or, make invisible the agony and the tragedy that some thousands of parents and their damaged children have suffered and are suffering. It does stand to reason doesn't it: Were the government or the industry to admit to even one serious MMR-related case of adverse reaction, which began with IBD and was followed by regressive autism, that the floodgates would be opened. Denial knows no intermediary stages; it has to be complete.

One of the drug company strategies in the perpetration of this denial is to claim that the parents themselves, Cry Shame campaigners, and Dr. Wakefield have claimed that *autism is caused by vaccines*, that is to say, *all autism is caused by MMR*. You, Dr. Fitzpatrick and pundits like Ben Goldacre know this is not true, either in substance or in reported origins. Neither Dr. Wakefield nor anyone supporting him has ever said, intended to

say, or even implied this.

However, it is from this 'misunderstanding' that you are able to insist that our case is damaging to the parents of children with autism. Perhaps, were the initial premise true, then perhaps, your assumption might be. It is pertinent to add here that it is this falsehood that has driven much denialist epidemiological research into Dr. Wakefield's description of the novel syndrome that affects a sub group of MMR vaccinated children. However, as we all know, large epidemiological studies can easily pass over relatively small groups linked by relatively rare and often undiagnosed phenomena like inflammatory bowel disease and scattered over wide geographic areas. In relation to this, we have always been of the opinion that only clinical studies with exactly the same parameters as those studied at the Royal Free Hospital could replicate or fail to replicate Dr. Wakefield's work – and no, the recent study by Hornig *et al.* did not do this. As for the causation of autism, outside this subgroup, neither the parents, nor campaigners like myself nor Dr. Wakefield have offered an opinion. We do not know what the major cause of autism is, although we do think that there is insufficient research being undertaken to look at environmental or non-genetic causes.

Those children whom we say suffered adverse reactions to MMR, including inflammatory bowel disease and regressive autism, were always only a 'small' sub set of MMR-vaccinated children, and they were almost entirely children whose parents 'self referred' them to the Royal Free Hospital. Thus, they were not guided there, goaded, pressured or pushed, by Dr. Wakefield or anyone else. In the same way, the 1,000 or so children whose parents took their cases to solicitors in order to take legal action against the drug companies, also found their own way there. These parents drew their own conclusions about the way in which MMR had affected their children and sought professionals to diagnose the condition and take legal action.

Your assertion that a small rump of dissatisfied parents and people without any connection to MMR have 'hurt' parents of children with autism with lies about the cause of autism is classic propaganda. It really is time, Brian, that you put up or shut up, preferably the latter. Where are these parents who have been so grievously injured by our claim that vaccine damage is being denied by the government and the pharmaceutical companies? Where are the parents who have been injured by our claim that a subset of children vaccinated between 1992 and 1998, developed IBD and then in some cases, regressive autism? Why do you keep calling in vain on these people with autistic children whom you claim have been terribly hurt by the exposure to cases of children damaged by MMR?

The parents of those vaccine-damaged children, who saw a relationship between their MMR vaccination and inflammatory bowel disease, presented with either serious constipation or incessant diarrhea and who then, having previously developed well, began to regress, losing speech and socialisation and experiencing terrible pain, would like you to stop saying that they have been misled or that they are being duped or damaged by the cause of Dr. Wakefield and Cry Shame. In essence, you are accusing these parents, at best, of misjudging their children's illnesses, which is as good as accusing them of being poor parents, or, at worst, you are accusing them of lying. Please believe me when I tell you that these parents utterly despise you and,

far from wanting the closure that you speak of, they are determined to fight the government and the pharmaceutical industry in defence of their damaged children.

As you have told your readers on numerous occasions, you don't have children and this fact alone leaves you in absolute ignorance of how hard and how long these parents will fight. They don't have the access to the press and other media that you have. They are also seriously disadvantaged in any battle with the pharmaceutical companies, the GMC or you because they have to endlessly care for children who are seriously ill and, in many cases, autistic. But these things are as nothing compared with their burning commitment to the cause of their children and their anger against you for your unwarranted and meddlesome intervention in their lives. There are a considerable number of these parents and they stand shoulder to shoulder with Dr. Wakefield, they are themselves the founders and members of Cry Shame; they are not 'a rump'.

The pharmaceutical companies are very powerful. Just look for a moment at the discrepancies in the law, between orthodox and alternative medicine in relation to adverse reactions. If an alternative practitioner is treating a patient with a diagnosed terminal illness and the patient dies while being treated with herbs or homeopathy, even if these treatments are not actually the cause of death, the practitioner can be investigated by the police and tried under criminal law, for manslaughter. The prosecution would be organised by the MHRA a government department completely funded by the pharmaceutical industry, and the case would not be reviewed by the crown prosecution service. And, if convicted, the therapist could go to prison. If, on the other hand, a pharmaceutical company kills or maims thousands – say, as with Vioxx[®] over 50,000 deaths – with a particular drug, the victims or relatives of victims have only the civil law to resort to. And, without legal aid or a rich benefactor, in Britain, this is not a viable course of action.

It is my personal belief that those damaged by MMR and all those damaged by other drugs will never get anywhere until they join together and force the government to bring about a massive diminution in the power of pharmaceutical companies. One of the most urgent aspects of this diminution should be the enactment of criminal statutes relating to the damaging and fatal effects of pharmaceutical products. Such offences listed in criminal law should be investigated by the police and those held responsible should be company executives and board directors.

It is also my hope that, one day, when we all escape from beneath this pharma-dominated society that has killed and damaged so many thousands, that the denial of adverse reactions to drugs and most specifically the denial of vaccine damage will become a criminal offense, without any time limitation, for which it's perpetrators receive long prison sentences. In my mind, the denial of MMR vaccine damage in children who are suffering the most terrible torment is a crime more severe than the most serious assault.

In her recent book, **The Secret History of the War on Cancer**, Devra Davis, Director of the Centre for Environmental Oncology at the University of Pittsburg Cancer Institute and Professor in the Department of Epidemiology, talks mainly about responsibility for the carcinogenic effect of ambient chemicals. She differs in her opinion from me in that she feels that legal actions against company executives and high placed

officials have not worked and will not work in the future. In her book, she suggests that there should be something like the South African Truth and Reconciliation Commission to deal with company bosses who have kept secret knowledge of carcinogens in the work place and the environment. She echoes my feelings, however, without mentioning pharmaceuticals, when she says:

We have seen repeatedly how some people in industry, whether tobacco, asbestos, benzene or vinyl chloride, understood risks long before the rest of us were able to learn about them. We know of many instances where insurance companies tracked health hazards for years, as claims mounted and reports of various ailments accumulated, without letting workers know the dangers they faced.

If persons in charge of major firms today learn that chemicals their workers are using will shorten their lives, and they fail to act on this knowledge, are these actions no less morally wrong than those of the white South African leaders, Nazi supremacists or Japanese imperialists (in the second world war).

I've been itching to address these more serious matters for months now, Brian, and your rabid attack on me has given me an opportunity.

I realise that some people will think that writing this rebuttal was a waste of my time and energy and that your rabid, venomous and apparently irrational attack on me does you and your case so much damage that there was no need for a rebuttal. However, years of campaigning have taught me that you should never let onlookers imagine that your critics are pushing at an open door, or, in this case, that I accept as correct or meaningful the slightest jot of your execrable scribbling.

APPENDIX A: First version of site article

MORE LIES NAILED

Reply to fabrication

In internet smears and letter-writing campaigns by individuals who've insinuated themselves among a number of British families affected by autism and other developmental disorders, it's alleged that my *Sunday Times* and Channel 4 investigation of Andrew Wakefield and the MMR crisis was supported by the pharmaceutical industry.

The clearest statement is by a graphic artist called Martin J Walker, who claims to be a "health campaigner". In fact, he is a relentless peddler of smear and innuendo, with a track record of latching onto vulnerable people, to whom he attempts to sell self-published books.

In a crude 60-page attack on me—following similar attacks on others who've written about MMR - he suggests that I've been supported by the Association of the British Pharmaceutical Industry [ABPI], and says, among other things:

"In neither his Sunday Times article nor the Dispatches programme nor on his web site does Brian Deer make reference to a company called Medico-Legal Investigations Ltd (MLI).

MLI is a private company, controlled and almost completely funded by the ABPI that has an agreed representation on its board. The company played a leading part in Deer's investigation, and helped prepare the case against Wakefield to go before the GMC."

This claim—extensively developed and embellished by Walker with characteristic concoction and snide innuendo—is an outright fabrication. Other than to be interviewed, MLI played no role whatsoever in my investigation, let alone a “leading part”, and, to my knowledge, played no part whatsoever in preparing the GMC case against Wakefield. The case was prepared by the GMC’s lawyers, Field Fisher Waterhouse.

As would be the duty of any responsible investigative journalist tackling such a serious, complex, issue as MMR, my investigation involved interviews with hundreds of sources, from many relevant backgrounds and viewpoints. The first interview was with Jackie Fletcher of the campaign group JABS. One of these hundreds of interviews was with a doctor-lawyer working with MLI, a reputable business with a track record of investigating misconduct by doctors, usually those faking medical research while employed by drug companies. MLI’s sometime chairman, Dr. Frank Wells, is co-author of a highly regarded book on this topic, published by the BMJ.

In my interview with MLI, we discussed the role of ethics committees and the EU clinical trials directive: both extremely technical subjects. This routine journalistic contact - a staple of professional reporting - has been declared by me, notably in legal papers served on Wakefield in 2005, in which my inquiries on medical ethics were noted:

“The Third Defendant additionally carried out numerous interviews and studied various publications concerned with the ethics of research, including discussions with the editors of The Lancet and the British Medical Journal, Department of Health sources, the chair of the RFH ethics committee, Dr. Evan Harris, MP for Oxford West and Abingdon, who maintains a special interest in medical ethics, Dr. Jane Barrett, a doctor and lawyer with Medico-Legal Investigations, RFH doctors, and others.”

In the same way that the Lancet’s editor, Richard Horton, issued a press notice following a meeting with me in February 2004, MLI was evidently so excited to be interviewed, a few weeks prior to this, that it trumpeted the fact on its website. Nowhere, in this very public reference to me, does it claim to have played any investigative role, or to have participated in any collaboration. Nor did it.

My investigations have been financially supported solely by *The Sunday Times*, Channel 4 Television, and by a payment to me from Wakefield.

It’s little surprise that sundry cranks and opportunists such as Walker have attached themselves to a high-profile health issue such as MMR. For more than a decade, many parents of autistic children have been misled and exploited, often by individuals who’ve profited greatly from this conduct. At a time when such parents need to find healing and closure after the traumatic stresses that many have experienced, Walker’s promotion of hatred and bitterness - in this instance by smearing me - is but a footnote to this shocking saga.

Brian Deer, September 2008

APPENDIX B: More Lies Nailed

Families duped by sad smearmaster of MMR fabrication and hatred. **Brian Deer responds to a sick campaign of denigration, 7 September 2008.**

With the collapse of the anti-MMR vaccine crusade in the UK, leaving its champion Andrew Wakefield facing charges of serious professional misconduct before the General Medical Council, there’s not much left, apart from continuing public fear and a rump of embittered individuals.

Some of the latter, 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.

His recent attacks on me are pretty much to be expected from this man. He has a well-worn *modus operandi*. First, in an ill-written 60-page online diatribe, which affects the tone of discovered facts, he suggests - entirely falsely - that I’ve been supported by the Association of the British Pharmaceutical Industry [ABPI], with the implication that I’m concealing this misconduct. Among other things, he says:

“In neither his Sunday Times article nor the Dispatches programme nor on his web site does Brian Deer make reference to a company called Medico-Legal Investigations Ltd (MLI). MLI is a private company, controlled and almost completely funded by the ABPI that has an agreed representation on its board. The company played a leading part in Deer's investigation, and helped prepare the case against Wakefield to go before the GMC.”

Second, in a further, 22-page, attack - primarily targeting Dr. Surendra Kumar, chair of the five-member GMC panel which is hearing the case against Wakefield - Walker goes further. Here he accuses me of a conspiracy with MLI to mislead readers of *The Sunday Times*:

“As anyone who has been following the GMC hearing will know, the prosecution that is the GMC, fell hook, line and Murdoch owned Sunday Times sinker for Deer's story that had been concocted with the help of Medico-Legal Investigations.”

Here’s more, in a third of his vile attacks, where the plain meaning of his words is that I’m not competent to carry out my work, and that I covertly connived with the drug industry in the preparation of charges against Wakefield:

“As we know, despite the GMC's reluctance to state clearly with whom the complaint originated, it was first prepared and lodged by the medically-ignorant, down-at-heel pro-MMR hack Brian Deer, with the help of the Association of the British

Pharmaceutical Industry private inquiry company Medico-Legal Investigations.”

These false, defamatory [and badly-written] allegations are obviously serious for a professional journalist such as myself, and are extensively developed and embellished by Walker with invention and snide innuendo. The truth is that, other than to be interviewed by me, MLI played no role at all in my investigation, let alone a “leading part”, as Walker alleges. It wasn’t involved in any way in the preparation of my stories. And, to my knowledge, MLI played no role whatsoever in preparing the GMC case against Wakefield.

But truth isn’t enough for the smearmaster Walker. He has conspiracy on his mind. This drives him. He desperately needs to place me in a worldview of intrigue, using a grubby witch-hunt style of implication:

“Brian Deer disclosed in his main Sunday Times article about Dr. Wakefield after he had presumably spoken to him, that the then Minister for Health, John Reid [Walker means I had presumably spoken with the then-secretary of state for health, John Reid] had called for the case of Dr. Wakefield to be referred to the GMC... Reid’s shunting of Dr. Wakefield’s case into the GMC represents the most serious conflict of interest and manifest corruption.”

By chance, I’ve never met or spoken with Reid. But, for Walker, we’re *in it together*. It’s a disgusting, gutter, style of character assassination. It’s what you’d do if you were a malicious fool with no facts.

The truth is rather different, and rather awkward for Walker, if he’s seeking to soak families hit by autism. As would be the duty of any responsible investigative journalist, tackling a serious, complex issue such as MMR, my inquiries involved interviews with hundreds of sources, drawn from many relevant backgrounds and viewpoints. The first of these interviews was with Jackie Fletcher of the campaign group JABS. The second was with a mother, Rosemary Kessick. And another of these hundreds of interviews was with a doctor-lawyer called Jane Barrett, who works with MLI.

Why MLI? Well, it’s a respectable business, with a track record of evaluating conduct. Usually it’s that of doctors faking medical research while employed by drug firms or health bodies. You’d think that Walker, if he cared about the integrity of medicine, would welcome the company’s objectives and achievements. MLI’s sometime chairman, Dr. Frank Wells, for example, is co-editor of a highly-regarded book, called “Fraud and Misconduct”. It’s published by the BMJ.

In my interview with Barrett, we discussed the role of ethics committees, and the EU clinical trials directive. This is routine research for journalists: a staple of professional reporting. We do this kind of stuff every day. Moreover, it wasn’t *hidden*, as Walker implies, but has been declared by me - for example in legal papers served on Wakefield in 2005:

“3.87. The Third Defendant additionally carried out numerous interviews and studied various publications concerned with the ethics of research, including discussions with the editors of The Lancet and the British Medical Journal, Department of Health sources, the chair of the RFH ethics committee, Dr. Evan Harris, MP for Oxford West and Abingdon, who maintains a special interest in medical ethics, Dr. Jane Barrett, a doctor and lawyer with Medico-Legal Investigations, RFH doc-

tors, and others.”

No doubt, MLI hoped for a Sunday Times name-check, as this might be good for its business. But, as it turned out, no interview material was used, or even relied upon in anything published. However, in much the same way that the Lancet’s editor, Richard Horton, issued a press notice following a meeting with me in 2004, MLI was evidently so excited to be interviewed at all that it trumpeted the fact on its website. Nowhere, in a far-from-conspiratorial online reference, does it claim to have investigated anything, or to have collaborated with me.

The truth is, it didn’t. Hard luck.

Underlying Walker’s thesis is the veiled implication that, somehow, I must be on the take. That’s an old one. Alas, my investigations have been supported solely by *The Sunday Times*, Channel 4, and by Wakefield himself. My dealings with the GMC, meanwhile, have been confined to the proper: the entirely professional supply of journalistic findings to a statutory regulator. My public duty. I’m not the complainant in the GMC’s case—as Walker, in his reference to Reid, is clearly aware. And I’d no knowledge of the detailed charges against Wakefield until they were read to him in July 2007. The case was prepared by the GMC’s lawyers, Field Fisher Waterhouse and specialist counsel, who never notified me of the charges, or at any time discussed them with me.

And, just to finish this off, here’s Walker’s tone, when, in his bid to stir families with autism to greater misery, he wants his abusive libels to sound high-flown:

“Brian remains isolated, a social pariah, who will undoubtedly be cast aside like a used condom when his benefit to the Department of Health and ABPI comes to an end.”

It’s little surprise that cranks and opportunists, such as this man, have attached themselves to the MMR issue. Nor is it surprising that they should run dirty tricks campaigns in bids to damage the reputations of honest people. Walker’s barn-door libels appear to be backed with no assets, but he’s stupid enough to have circulated letters promoting what he calls a “campaign against” me, for which he solicits help and money. This must ring alarm bells for prejudice and malice: meaning that those who unwisely publish his deceits must be wary of the catastrophic risk.

Walker isn’t the first to try to poison my name. It’s *him* who’s conspiring with others. For examples, two individuals—a Mr. John Stone, and a Mr. Clifford Miller—have long festered over attempts to damage my reputation and livelihood. Last year, they sought help from national newspaper journalists: who checked the facts, realized the allegations were false, and have had little to do with the peddlers ever since. I’ve sent both of these men warnings about their behaviour. One of Walker’s recent attacks acknowledges Stone.

To be fair to Walker, it isn’t just me who’s the target of his nasty activities. Take this slug of his garbage about people I’ve no links with—including a former MP and a judge called Davis—who, like me, are smeared without evidence of fact. They are plainly fitted-up, in terms credible only to a dribbling idiot, to make the alleged dark conspiracy feel complete:

“The science lobby groups funded by the drug companies and especially Lord Dick Taverne the founder of Sense About Science and previously a major PR handmaiden for the pharmaceutical industry had campaigned heavily to get legal aid

taken from the parents. After John Stone publicised the conflict of interest, Brian Deer accused him of being 'cruel' to the scions of the Davis family."

Pure invention.

The real tragedy, of course, is the plight of the vulnerable: the true victims of the MMR scandal. It goes without saying that Walker spews forth falsehood—extending to what he represents as “reports” of the GMC’s hearings—with a view to inflaming beliefs that the doctors’ regulator is corrupt, capricious, and incompetent. Then, his line goes, I’m hovering in the wings, with the drug industry, the government, and whoever else. Only a clown would believe this. Walker does. And no doubt he’ll believe it until it refills his bank account: when, as he hopes, those he dupes with such miserable fantasies purchase his self-published book.

So what’s new? Not a lot. It’s a mirroring behaviour. Walker looks at others, but sees only himself. For more than a decade, countless parents of autistic children have been misled and exploited, often by characters like him, who’ve hoped to profit while spreading confusion among the griefstruck. Wakefield himself pocketed more than £435,000, as my lengthy inquiries revealed. At a time when such parents need to find healing and closure, after the traumas that many have experienced, Walker’s promotion of hatred and bitterness is a sad footnote to this saga, which seems to go on without end.

APPENDIX C: Brian Deer

Warning under the pre-action protocol for defamation. To Alan Golding, and others.

Dear Alan,

I write to draw your attention to the following page, now published at my website.

You may or may not understand this, but you, your company Tantrwm, the ringleaders of “Cryshame”, and Mr Walker, have jointly and severally caused these grievous libels—and many more concerning me—to be published. You have no conceivable defence. I’m a professional journalist who has gone about his business over MMR in an open, honest and straightforward way. And yet now I’m defamed by you in these most shocking terms.

I will, in due course, review your website again. If I find these, or any other libels to similar effect, I reserve my right to issue proceedings against you, your company and your associates. In the light of this email—the clearest possible warning—I will make the case that you’ve continued to publish with disregard to the material’s truth or falsity, and, on those grounds, I will seek aggravated damages. I’ve had some recent experience of libel litigation, involving one Andrew Wakefield. It went on for two years before he capitulated, at a cost to his insurers approaching a million pounds. I wouldn’t embark lightly upon such a course, nor recommend it to anyone. In such circumstances, your family home, and indeed all of your assets, will be on the table to cover what will surely be a catastrophic legal bill. If you have defamation insurance, you should show this email to your insurer, or your policy may be voided. I

know nothing of you, and bear you no personal ill-will. However, you and your company are responsible for the website. The publication of these rank lies may be taken up elsewhere, and I’ve now little option but to defend my reputation. My reputation is my livelihood, and this is plainly what Mr. Walker seeks to damage. If you don’t understand the seriousness of this communication, I’d recommend that you take specialist legal advice. You may also wish to discuss it more personally with those you trust.

With best wishes,
Brian Deer

To: Golding, Alan. Office 8, Robertstown House Aberdate Business Park Robertstown Aberdare, Glamorgan CF44 8ER GB 07818403367.

APPENDIX D: The Bare Bones of the Story

Dr. Andrew Wakefield began working as a medical research worker in the gastrointestinal department at the Royal Free Hospital in the late 1980s having returned from Canada where he had worked as a bowel transplant surgeon. In order to pursue his work, that principally involved researching Crone’s disease at the hospital, Wakefield gathered a highly experienced clinical team. This team was in place by 1996, two of its central specialists were Dr. Walker-Smith and Dr. Simon Murch. Dr. Walker-Smith is now an Emeritus Professor and retired, Dr. Simon Murch is a Professor.

After 1992, following media publicity about Wakefield’s work into Crone’s disease at the Royal Free, a number of parents, from around the country whose children they said were suffering gastrointestinal problems consequent upon an MMR vaccination, got their children referred to the Royal Free Hospital for diagnosis, assessment and possible treatment. This process of referral continued between 1992 and 1998.

Concerned about these child cases, Dr. Wakefield wrote in 1993 to the NHS Director of Immunisation in the DH, Dr. David Salisbury, asking for a meeting about the imminent public health crisis involving MMR and this sub-set of affected children. It was five years before Salisbury granted Wakefield a meeting.

In 1998, Dr. Wakefield with eleven other authors involved in the work of the gastrointestinal department, published a peer reviewed paper in the *Lancet*. This paper, a case series review, suggested that the first 12 children consecutively referred to the Royal Free and examined there, for post vaccination gastrointestinal problems, had a preponderance of IBD in conjunction with behavioural difficulties resembling ‘regressive’ autism. Notes in the paper cite the parents as linking the onset of these difficulties in their children with their first or second MMR vaccination.

On the occasion of the papers publication in the *Lancet*, the Head of the department organised a press briefing. When a journalist asked a question about how the paper’s authors thought parents could now best deal with questions around the MMR vaccination, the question was passed to Dr. Wakefield. He suggested that until the research of the department had advanced, parents might feel safer using the single, rather than the combined vaccination.

At the same time as children began to arrive at the RFH department from around 1992, a large number of parents (ultimately around 1,000) began legal proceedings against three pharmaceutical companies for damage caused by MMR. In 1995 Dr. Wakefield became an expert witness in this case, retained by the solicitor on behalf of the parents making the claim.

In 2002, Wakefield's rolling contract not having been renewed at the Royal Free hospital and having become the subject of constant critical reports in all the media, Dr. Wakefield left Britain to work in North America.

In February 2004, *The Sunday Times* published an 'exposé' by Brian Deer that accused Dr. Wakefield of a series of 'crimes' and serious ethical irregularities. In this article the then Secretary of State for Health, Reid asserted that Dr. Wakefield should be reported to the General Medical Council. Within a week of the article being published, Brian Deer had complied with this instruction and handed a summary complaint in to the

GMC. Later that year Deer also reported in a Dispatches programme about Dr. Wakefield's work in North America.

Between 2004 and the time that the fitness to practice hearing opened in 2007, the GMC worked with a legal team to extend the charges that Deer's article suggested and to frame in the region of 80 charges against Wakefield and a slightly lesser number against Professor Murch and Professor Walker-Smith.

Although the great majority of the charges faced before the GMC relate to children seen at the Royal Free Hospital by the gastrointestinal team, only one parent has been called to give evidence, she was effectively tricked by the prosecution into appearing *for* the prosecution while imagining she was being called for the defence. All the recorded views of parents support the work and character of Dr. Wakefield, Professors Murch and Walker-Smith. Many of the parents have attended the hearing and larger numbers have demonstrated outside the GMC building in support of the doctors.