

and indeed, Australia has not submitted a report since 1988. Individuals can make a complaint in writing to the Human Rights Committee under the Optional Protocol to ICCPR, which Australia consented to in 1991, and the Committee can investigate.

There is not sufficient space in this article to detail the numerous problems

with any enforcement of findings by the Human Rights Committee. Suffice to say that on a practical level, the findings rely more on "media shame" than legal enforceability. But this is all the more reason why Australia, as it steps out of the colonial shadow, should enshrine the rights of its citizens in a constitutional document. The

description and protection of our fundamental rights should be definitively stated and approved via our sovereign political process. ■

Simon McGregor is APLA's Policy Officer.

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APLA Exchange

Australian Vaccination Network seeks lawyer

The Australian Vaccination Network Inc (AVN) seeks a lawyer to take action on behalf of their members against the Federal Government for false and misleading conduct and for being in breach of the Trade Practices Act, s52 in respect to vaccination. They are also seeking someone to mount a constitutional challenge on the basis that legislation introduced by the government linking vaccination compliance with government entitlements in unconstitutional and contravenes s51 of the Constitution.

The AVN are looking for a solicitor willing to work on a pro-bono basis. The AVN are an organisation composed of parents, health professionals and others concerned about freedom of choice for all health issues.

Phone **Meryl Dorey**, President, AVN, on **phone** 02 6687 1699 or **fax** 02 6687 2032 or **email** meryl@avn.com.au

Arachnoiditis

We are acting for a woman who has been diagnosed with having Arachnoiditis, a chronic pain syndrome which may have been caused or aggravated by lumbar surgery and two myelogram procedures. The chemicals inserted into the spine during these myelograms may have aggravated the condition. We are particularly interested in hearing from anyone who has knowledge of the condition or of the risks involved with the myelogram procedure.

We would be pleased if you would contact **Sara Loughnan**, Bill Cooper & Associates, PO Box 472, Mackay, 4740, **phone** 07 4951 3422 or **Fax** 07 4951 3022.

Land Contamination

I would be pleased if any member could advise me of a plaintiffs/ objective expert to link poisonous toxins (DDT, DDE, arsenic, organochlorates, organophosphates) with illness and disease, either existing or potential, occasioned to residents of houses, the land of which contains cattle-tick dip sites.

Please contact **Robert Walker**, Barrister, Ground Floor, Wentworth Chambers, 180 Phillip Street, Sydney, **phone** 02 9233 3011 or **fax** 02 9232 8435.

Cerebral Palsy

Any practitioners who can assist with information or expert referrals regarding the causation of cerebral palsy, particularly due to oxygen deprivation during delivery or due to respiratory distress following birth, are asked to please contact:

Julie Wrathmall at Biggs & Biggs, GPO Box 1388, Brisbane 4000

Phone 07 3331 1950, **Fax** 07 3221 0329 or **email** biggs@gil.com.au

Whooping Cough

We have been instructed by our client to pursue a claim for medical negligence on behalf of his son. His son was born in 1987. As a result of recommendations by his doctors, the son was immunised against whooping cough. The immunisation occurred on three occasions. (Possibly as a result of the immunisation) their son developed uncontrollable epilepsy.

Subsequent treatment of the epilepsy has been incorrect and as a result their son is severely disabled. Evidence suggests that our client's did not give informed consent to the vaccination. In addition the Doctor administering the vaccination was advised on the second and third occasion their son had had adverse reactions to the vaccination. He proceeded to administer the third vaccination in any event and immediately following that vaccination their son had his first fit and was subsequently diagnosed with uncontrollable epilepsy.

If anyone has any information or knows of similar instances please contact

Kyle Kimball at Kimball Wood, PO Box 923, Mooloolaba Qld 4557, **phone** 07 5477 7222 or **fax** 07 5477 7090.

Enforcement procedures in the UK

We act for a woman who was injured whilst on a cruise ship. We have a judgement for \$25,000 plus costs against Charter Travel Co Ltd. Unfortunately that company ceased operating in Australia a few weeks before judgment and although represented by insurers, the insurance company's solicitors (Norton Smith & Co) have now withdrawn. We are unable to enforce the judgment. The defendant company we understand is still operating in London and we are seeking someone who may be able to assist with enforcement procedures in London on a conditional basis.

Members who have encountered similar claims or may be able to assist please contact

Bert Adams of S Barton Adams & Co, Solicitors, Level 5, 104 Bathurst Street, Sydney. **Phone** 02 9264 8153 or **Fax** 02 9264 8228.

APLA Exchange gives APLA members a chance to share information on special issues or products relevant to their litigation. If you would like to submit a request to **APLA Exchange**, contact **Jane Staley** at APLA on **phone** 02 9415 4233.