

10 August 2009

**RE: "How The Judicial Review Of The CFS/ME NICE Guidelines Was Lost"  
By John Sayer  
Health Advocate**



**Hi Jane & All On One Click**

Thanks for putting us in the picture about events surrounding the recent application for Judicial Review of the NICE Guideline on 'CFS/ME'.

The first shock which, as you have pointed out, "failed to be placed in the public domain", was the granting of a Wasted Costs Order against the firm acting for the Fraser/Short team.

It should be noted (and I haven't seen this mentioned anywhere else on the internet so far) that no such order was sought or granted against those representing the Interested Party - which in itself tells us something.

That the Fraser/Short application was in some disarray is not only confirmed by the £50,000 'fine' in the form of a [Wasted Costs Order](#), but also by information contained in the "Statement from Professor Malcolm Hooper" of 29 July, published on the internet, that the Claimants have made a complaint to the Legal Complaints Service and Bar Council Standards Board against their own solicitor and barrister in relation to their pursuit of the case.

It does seem peculiar that the Fraser/Short application was launched 'in secret', despite OneClick's public announcement of intention to apply for permission to seek a Judicial Review, especially, as you point out, when OneClick had invited the UK charities and their associates "to step up to the plate and take on this case".

Personally, I cannot see any reason for this apparent secrecy other than that suggested in "[How The JR Was Lost](#)". (Certainly, no explanation is given in "A response to misleading information on the internet", a statement of 5 August ascribed to Prof Hooper, also published on the internet.)

It also seems strange that there was no appeal by the Fraser/Short team for contributions to match public funding, as was the case with the OneClick application, and that the M.E. community is therefore being kept in the dark as to who part-financed this other application. This, as well as the aforementioned 'secrecy' also gives rise to speculation and rumour - not to mention grounds for misgivings - within the M.E. community.

In a nutshell, I would like to express my thanks to OneClick/'BB', [Saunders Law Partnership](#) and [Malcolm Kendrick](#) for all your efforts in trying to secure a Judicial Review of the NICE Guideline. I'm satisfied that my financial contribution, as small as it was from someone on benefits, was well invested.

BW

**John Sayer**  
**Health Advocate**

\*\*\*\*\*

**Related Links:**

\* [The Antics Of Professor Malcolm Hooper, The Gibson Report](#)

The One Click Group

\* [How The Judicial Review Of The CFS/ME NICE Guidelines Was Lost](#)

Jane Bryant, The One Click Group

\* [One Click Information Release - CFS/ME NICE Guidelines Judicial Review](#)

Information Release, The One Click Group

\*\*\*\*\*