

Thalidomide victims guaranteed care for the rest of their lives under Australian-first court settlement

By court reporter Sarah Farnsworth

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Thalidomide victims in Australia and New Zealand will get \$89 million in compensation after a class action against the distributor of the drug.

PHOTO: Thalidomide survivors Lynette Rowe (second from left) and Monica McGhie (second from right) were in the court for the announcement of the size of the payout. (AAP: Julian Smith)

MAP: Melbourne 3000

In an Australian first, about 100 Thalidomide victims will get compensation and will be provided with care for the rest of their lives.

Monica McGhie, a 50-year-old Perth woman who was born without limbs, says the settlement will change her life.

"Life has been a daily struggle," she said.

"This settlement will not take that hardship away but it means I can look to the future with more confidence, knowing I can afford the support and care I need.

"I never thought this day would come."

The drug was marketed in Australia by the Distillers Company which is owned by UK firm Diageo.

Ian Wright, a spokesman for Diageo, says a fair settlement has been reached.

"We hope this settlement will bring some relief to the people who have been affected and we hope it will allow them to approach the rest of their lives with some degree of hope

We hope it will allow them to approach the rest of their lives with some degree of hope and more comfort.

Ian Wright, spokesman for Diageo, parent company of Distillers.

and more comfort," he said.

Lawyer Peter Gordon praised Diageo's handling of the case.

"Diageo did not itself distribute thalidomide in Australia but it has done the right thing by negotiating the settlement," he said.

"(The victory) is an enduring tribute to the courage of Lynette Rowe (and others) that they were prepared to commence proceedings against some of the biggest companies in the world and challenge the medical and legal orthodoxy which has endured and inured for 50 years and say no that's wrong."

Lawyer Michael Magazanik says it is not often that badly injured people can achieve justice 50 years after they were wronged.

"This is a tremendous result," he said.

The case against Grunenthal was not settled and will now be abandoned.



PHOTO: Ms McGhie's lawyer called her one of the most remarkable people he has ever met.

"We think time's running out on Grunenthal and before too long its sorry secrets and embarrassing and shameful conduct in relation to the drug is exposed," Mr Magazanik said.

Melbourne woman Lynette Rowe, who was the public face of the lawsuit, was in court today.

Her claim was settled last year but the terms of the deal remain confidential.

She was born with no arms or legs after her mother took the drug to treat morning sickness and anxiety during her pregnancy.

It took 50 years for the Rowe family to win recognition of the role the drug played in Ms Rowe's disabilities and to win compensation.

The drug was originally prescribed in the late 1950s as a sedative for pregnant women.

AUDIO: Michael Magazanki discusses the Thalidomide case. (The World Today)

Later it was sold over the counter without a prescription.

The babies of these women were born with severe physical deformities.

Some have no limbs, they have damage to the nervous system, kidney and heart problems and have a reduced life expectancy.

The class action accused Grunenthal of negligence for allowing the drug to be sold without proper testing and for failing to withdraw the drug from the market when the risks were revealed.

It is estimated there were about 10,000 Thalidomide victims around the world.

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