

# Blood stains French image of justice

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Paul Webster in Paris

**F**RENCH haemophiliacs infected with the HIV-virus denounced as inadequate yesterday's sentencing of three health officials who allowed the distribution of HIV-contaminated blood that resulted in the deaths of more than 250 people.

Compared to many French political scandals swept under the carpet over the past 50 years, the trial of four state-employed doctors — one of whom was acquitted — could be considered a partial victory for neglected justice in a country where excessive protection has often been given to officials.

But many victims of the blood scandal, and many members of the public, believe the sentences too light and the scope of the trial too limited because it excluded government politicians.

The man who headed France's national blood transfusion centre in the 1980s when the contaminated blood was used, Michel Garretta, was sentenced to four years in prison.

He is believed to be in the US. His wife, in a brief appearance outside their home in Brookline, Massachusetts, said: "He was always aware of the charges in France and he is prepared to face them." However she would not confirm where he was.

Garretta's deputy, Jean-Pierre Allain — subsequently director of the East Anglian regional blood centre — was sentenced to four years in jail, two of them suspended.

Allain said yesterday that he was "amazed by the judgment" and would immediately appeal. He repeated that he was a scapegoat for the failure of a whole system in the mid-1980s.

A third doctor, Jacques Roux, a former director of public health, was given a four-year suspended sentence, and the fourth was acquitted. The court heard that, under budget pressure, Garretta and other officials chose not to buy US technology to neutralise the virus by heating the blood, nor did they use a US screening test, preferring to await the development of a French alternative.

Relatives and victims reacted angrily when the sentences were announced in the packed courtroom yesterday. GRO-A whose 17-year-old son is infected with the virus, shouted: "Do you consider four years just recompense for the life of my son?"

GRO-A one of the plaintiffs and himself HIV-positive, said he would be appealing against the sentences.

"I was the first haemophiliac to file a legal complaint for poisoning on this matter," he said. "The correct charge should be poisoning, not fraud, and I will appeal to have the case heard again in another court."

Across the street from the Palace of Justice, demonstrators paraded with photographs of the doctors and senior politicians marked with a bloody red hand. They called for more prosecutions. During the seven-week trial, the prime minister of the time, Laurent Fabius, and two former ministers were called to give evidence, but many people believe that they, too, should face charges.

The cost to government popularity of the trial has been so high, and the lack of courage among leftwing politicians so blatantly exposed, that no administration may ever again risk exposing its faults.

"There is something rotten in France," a bereaved father said as he left the trial, still mourning his young son, one of 256 people who have died because of a commercial transaction of astonishing cynicism. About £2 million of contaminated blood had to be used quickly or thrown away and more than 1,500 haemophiliacs received transfusions, unaware that many would contract Aids.

The question of shared responsibility at government level hangs dangerously over the whole of the Socialist Party.

In the 12 years since François Mitterrand was elected president, the party's self-righteousness has been exposed by a series of affairs over financial corruption, but the blood scandal has gone much deeper. Georgina Dufoix, the junior health minister in 1984 when high-level cover was given to Garretta to get rid of contaminated blood, summed up her own attitude as "responsibility but not culpability".

In other words, she was only technically at fault for not sounding the alarm when warned by the Americans that blood had to be heated. Even this technical fault diminished further up the hierarchy with Mr Fabius, and his health minister, Edmond Hervé, both displaying an air of surprised innocence when questioned.

Efforts by lawyers to bring Mr Fabius, Ms Dufoix and Mr Hervé to trial failed in parliament last week, when a committee refused to convene the sole court that can try ministers.

But Mr Fabius is now the Socialist Party's first secretary and his refusal to admit his government's share of guilt will serve his movement badly during the March general elections.