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The strange case of Roche versus Stanley Adams

IN February 1973, business executive Stanley Adams blew the whistle on illegal trading practices by his Swiss employers, the Basle-based drugs multinational Hoffmann-La Roche.

It was an act of conscience which had the horrendous consequences for Stanley Adams and his family recorded in his just-published book *Roche versus Adams* – the account of one man's fight against two gigantic organisations – Hoffmann-La Roche and the European Commission.

In his own words: "This is the story of what happened when I followed my conscience, and of where it led me. It is a story of intrigue and ruthlessness, of betrayal and imprisonment, a story of politics and politicians, and of justice and injustice".

Maltese-born Adams – who has since settled in Britain – is now 56. In the early 1970s he was promoted by Hoffmann-La Roche to the position of World Product Manager in Basle.

With his Swiss wife (who had also worked for Roche) and three daughters he moved into a comfortable new house, he owned a Jaguar car, and commanded a handsome salary.

But from his new position he became aware of business practices which increasingly alarmed him: a policy of price fixing and market sharing with Roche's competitors, and an "oppressive control" of the world-wide vitamin market.

Adams had his opportunity to try to curb such policies when Switzerland signed a Free Trade Agreement with the Common Market, part of which included anti-trust laws.

He approached the Com-

A special report for the *Swiss Observer*

compiled by Colin Farmer

missioner in charge of competition laws, who was grateful for Adams's help in building up the Commission's case.

Adams left Roche and put his life savings into an industrial pig farm in Latina, Italy, where he and his family were just getting settled into a new life.

In December 1974 they were crossing over the Italian/Swiss border for a family reunion on New Year's Eve when Adams was arrested, put into solitary confinement, and eventually tried for industrial espionage and treason.

He discovered much later that an official at the European Commission in Brussels had leaked his name back to Roche.

His wife, Marilène, unable to communicate with him, interrogated by Swiss authorities and told that her husband faced up to twenty years in prison if convicted, committed suicide. Not informed until two days later, Adams was also denied the right to attend her funeral.

When at last released on bail –

provided by the European Commission – Adams returned to Italy to try to forge some kind of future for himself and his three motherless daughters.

But suddenly the bank facilities previously arranged were not forthcoming. Among other things Adams was unpopular for interviews he had given disclosing the connection of Italian politicians with the dioxin scandal in Seveso.

In an impenetrable maze of bureaucracy Adams found himself, though solvent on paper, powerless to avert impending bankruptcy and foreclosure.

In 1979, this time on Christmas Eve, with some of his daughters' presents still to wrap, Stanley Adams was again arrested and imprisoned. At this point he very nearly despaired.

Despite consistent appeals to the EEC Commission, and despite the unanimous support of the European Parliament in urging the Commission to compensate Adams fully for what he

had suffered in their interest, a sum equal to only one-tenth of his debts was all that was forthcoming.

Penniless, separated from his children whom he could now no longer support, threatened by further litigation and the Italian authorities, Adams risked three more years' imprisonment by fleeing over the Italian/French border and eventually making his way to Britain.

Two years ago the British government announced that Adams and his three young daughters would be allowed to remain permanently in Britain, even though none of them qualified for settlement under current immigration regulations. The government said the decision had been made in view of the "exceptional" circumstances.

A fund has been launched in Britain – supported by leading academics and Members of Parliament – aimed at "relieving Stanley Adams in his present dire situation and at rectifying the in-



Stanley Adams – the man who shocked the Swiss

justice he has suffered”.

At 56, he does not expect to find employment again because of his controversial image, although *Roche versus Adams* is being published in 18 countries – including Switzerland.

Publication of the book coincides with the culmination this year of Adams' legal battles for compensation at the European Court of Justice and here in Switzerland.

One case against the European Commission alleges negligence and breach of confidentiality, another accuses the Commission and the Swiss government of failing to respect their free trade agreement, and a third case (against Roche) claims damages estimated at around £500,000.

Meanwhile, reports Adams in his book, his lawyer in Switzerland “has resigned his mandate in despair. He has been subjected to considerable harassment from the

Swiss authorities. He tells me that his chambers have been raided by the police, and he has been reprimanded by the Swiss Bar Association for unethical publicity. If it happens again he says he will lose his licence to practise as a lawyer. Finally, he has had enough”.

Adams has since been able to find another lawyer in Switzerland and has vowed: “I shall continue as best I am able, without funds, to fight. How, I do not know, but I will do it. The fiercer the pressures to keep silent, the more urgent the need... to speak out.

“It is better to die standing upright, than to live on your knees”.

Roche versus Adams is published by Jonathan Cape Ltd., London (price £8.95). It is obtainable in Switzerland at Sfr. 35.90.

‘Agonising dilemma’

THIS intriguing and moving account of an individual's fight for justice in a situation where national and international law have clashed violently, is both unique and extraordinary.

For the man who acted in accordance with his conscience and with no thought of personal gain it has had tragic consequences, not only for him but for his family, and certainly cries out to be resolved. Whether it will ever be resolved is a matter of real concern to Stanley Adams, and for anyone else coming after him who feels impelled to act in a similar way.

Unless the law is clarified, people in future will be disinclined to bring to public notice any irregularities or peculiar dealings they have observed in the conduct of companies which might affect people's health and financial well-being, wherever they might be. Big business has long tentacles and wields immense power in order to increase profits. Individuals will hardly risk being penalised for what they consider to be a moral gesture, and will prefer to retreat into the safety of silence.

The issue which gave rise to this intensely human story, the agonising dilemma in which Stanley Adams found himself and which drove him to seek refuge in this country, still remains to be dealt with. A final judgment deserves to be set plainly before the public so that it may have an opportunity to know that justice has been done and been seen to be done.

A man naturally wishes to clear his name and have the stigma of a prison sentence removed if that is possible, but without substantial help, he has little chance of achieving this and is left feeling deeply frustrated and helpless. That is what Stanley Adams wants to do – clear his name.

Lord Gardiner (formerly Lord Chancellor of Britain) in his introduction to *Roche versus Adams*

‘Never been a case’

AFTER having exhausted practically all possible legal means, Mr Adams has now decided to publicise his case as a book. This is his full right.

The book follows many newspaper, radio and television interviews the author has given in several countries over the last eight years. But with all due understanding, we feel that the book – starting with its title – reverses cause and effect in all too simple a manner. It tries to convey the idea that there was from the beginning and up to now a case “Roche versus Adams”.

In reality, there has never been such a case. After Roche had filed the charge which then led to the arrest of Mr Adams, the penal case took its own course without any active involvement of the company.

The company has also at no time ever attempted to frustrate Mr Adams in his efforts to create a new life for himself and for his three children. Roche sincerely regrets the tragic death of Marilène Adams, his wife, who had been a highly esteemed Roche employee before her marriage.

Mr Adams got caught in a conflict between national and international law when he decided to contact the EEC and thus initiated the unfortunate chain of events that followed.

Everything would have developed in a completely different way for himself and his family if only he had chosen to discuss his misgivings with the company itself. It is a pity that he did not do so.

– Hoffman-La Roche statement in reply.