

Diana Johnson MP

Hull North's Voice in Parliament
Labour MP for Hull North

The Rt. Hon. John Bercow MP
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Monday 29th January 2018

Dear Mr Speaker,

I am writing to apply for the following Urgent Question:

To ask the Secretary of State for the Cabinet Office, to make a statement on progress establishing the inquiry into the contaminated blood scandal.

It has been over six-and-a-half months since the Government first committed to an inquiry into this tragedy. Despite many calls for urgent action – including a request by the Co-Chair of the APPG on Haemophilia and Contaminated Blood and myself to appoint an inquiry Chair by November – those affected by this appalling tragedy are still waiting for the inquiry to be set up. Whilst some welcome progress has been made, I regret that this has since stalled. I raised a number of concerns about this at the Christmas Adjournment Debate on Thursday 21st December 2017 and I also raised a Point of Order to express concerns about the delay on Thursday 18th January 2018, but I am making this application because the Cabinet Office has yet to provide me with satisfactory information about their progress since I raised these very public concerns. I believe that the new Secretary of State for the Cabinet Office should come to the House to urgently explain the Government's position.

I have four grounds for making this application.

Firstly, I believe that the progress in setting up this inquiry has been far too slow, and key Government-imposed deadlines on the setting-up of the inquiry have now been missed. The Government could have acted faster if they had moved more quickly to transfer responsibility from the Department of Health, but instead campaigners spent the Summer months fighting to get them to transfer sponsorship for the inquiry. They were not able to achieve this until 3rd November 2017, following a significant intervention from the Rt. Rev. James Jones KBE, the former Chair of the Hillsborough Independent Panel, when the then- Secretary of

State for the Cabinet Office finally released a Written Ministerial Statement (HCWS222) confirming that responsibility had been transferred.

When the inquiry was transferred to the Cabinet Office in November 2017, the APPG and campaigners were hopeful that this delay could quickly be made up for and that the Chair could be appointed that month. We were heartened by the fact that in the Written Ministerial Statement, the Secretary of State said that "a further announcement will follow before the end of the year on the setting up of the inquiry." There was a widespread understanding that this would mean the appointment of the Chair before the Christmas Recess. Indeed, at a meeting with campaigners on Thursday 7th December, I understand from attendees that he confirmed this, and stated that he was looking to appoint an inquiry Chair by Christmas.

Whilst the Prime Minister subsequently made a Written Ministerial Statement on the final day before Christmas Recess (HCWS388, 21st December 2017), to the surprise of many it fell short of announcing the appointment of an inquiry Chair. It was simply confirmed that the Chair will be a judge, and that "we will make a further statement on who that judge will be in the New Year." No clarity has been provided on exactly when this statement will be made beyond this – the wording of the statement is such that it could come imminently; or it may not come for some months into the New Year.

Those affected by this appalling injustice have waited decades for an inquiry, and many are still dying today due to the medical conditions they have contracted. The affected community are deeply unhappy that despite promises made by the Government, they are having to wait even longer for an inquiry Chair to be appointed, with little clarity on when a further announcement will come. The newly-appointed Secretary of State for the Cabinet Office should now come to the House and explain the Government's plans. He must explain why there has been a delay, and set out a precise timetable for the setting-up of the inquiry.

Secondly, ahead of appointing the Chair, the APPG has requested a number of prior commitments from the Government on the operation of the inquiry. Both APPG members, and our affected constituents, are still waiting for these commitments to be responded to. In particular, the APPG has consistently asked that the inquiry receive the funding necessary to put "Families First", operating a public-facing and engaging inquiry Secretariat with the appropriate resources to engage closely with those affected. We also asked that the inquiry hear oral evidence across five regional hubs across the UK, and that provisions be made to ensure the inquiry's

conclusions are arrived at independently, without interference from implicated parties. We further requested that those affected be consulted on the draft Terms of Reference before they are agreed by the Secretary of State and Chair.

In a statement submitted to the Prime Minister on Tuesday 3rd October 2017, the APPG Co-Chair and I formally put these requests to the Government. On Wednesday 8th November, I wrote to the then- Secretary of State at the Cabinet Office again reiterating these points. Neither this letter, nor the APPG's submission of 3rd October, have received any formal reply addressing the issues raised. Nor have I been given any indication of whether a reply will be forthcoming, or whether it will come before or after the appointment of the Chair.

In consequence, there is a concerning risk that the Chair could be appointed before the Government commits to an inquiry that truly puts "Families First." Whilst Prime Minister's Written Statement of 21st December 2017 suggests "there will be further consultation" on "draft Terms of Reference", it does not refer to any of the other above requests which I have made. In light of this, I would respectfully ask that you grant this Urgent Question so that the Secretary of State is pressed on these issue on the floor of the House.

Thirdly, whilst it is welcome that the Government has confirmed that a judge will be appointed to Chair the inquiry, as I explained in my speech on 21st December 2017, it is essential that this Chair commits to a "Families First" inquiry. Previous inquiries – including the 2009-2015 Penrose inquiry into contaminated blood; the ongoing child abuse inquiry; and the more recent Grenfell inquiry – have encountered problems with inquiry Judges as Chairs. It is essential that these mistakes are not repeated, and that the Judge brings, alongside their necessary legal and forensic expertise, an ability to understand the community they are working with.

Finally, I am concerned that the unexpected resignation of the Rt. Hon Damian Green MP as Minister for the Cabinet Office on 20th December 2017 risks has contributed to the stall in the setting-up of the inquiry. Before he resigned, the Minister was in the process of holding a number of personal face-to-face meetings with those affected by the scandal to discuss the setting-up of the inquiry. I understand he held two meetings on Thursday 7th December, and further meetings were held the following week, including one with myself and the Co-Chair of the APPG Sir Peter Bottomley MP on Tuesday 12th December.

His successor, the Rt. Hon. David Lidington MP, was of course not party to these face-to-face meetings, and whilst his predecessor was able to discuss his intentions

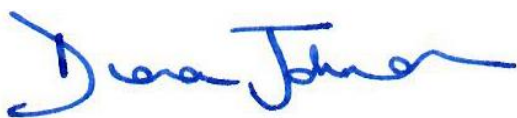
with those affected, the new Secretary of State's intentions in the crucial weeks and months ahead has not yet been made clear – neither to the House, nor to those affected by this tragedy. In addition, I also understand from press reports that the Director-General of the Cabinet Office's Proprietary and Ethics Team, Sue Gray, has now left to become Permanent Secretary of Northern Ireland's finance department. Ms Gray has played a key role in the contaminated blood inquiry and had responsibility for analysing responses to the Government's consultation on the contaminated blood inquiry. Her departure reinforces the concern that key personnel, who have built up an understanding of this scandal, will no longer be involved in the inquiry process.

In the past you have been extremely generous in the Parliamentary time you have allowed to be devoted to this issue, but in light of the above issues I feel that the Government must once again be called to answer an Urgent Question on the floor of the House of Commons.

Those impacted by this scandal are still waiting for the justice they deserve. They appreciate that there will only be one chance to get this right, and to secure an inquiry that gives them the answers they have been denied for so many decades. Should you accept this application, I am certain that as in all cases when this issue is raised in the House, Hon. Members on both sides of the House will participate fully in the debate on behalf of their affected constituents.

Thank you for your consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Diana Johnson', with a stylized, cursive script.

Diana Johnson MP
Labour Member of Parliament for Hull North and Co-Chair of the All-Party
Parliamentary Group on Haemophilia and Contaminated Blood