

The Infected Blood Inquiry weekly summary

The
Haemophilia
Society

A summary of inquiry hearings: week of 11 July 2022

Andy Burnham, Health Secretary 2009-10, described his anger looking back at memos from civil servants urging him to 'hold the line' against reviewing financial support for those infected with hepatitis C. He said ministers were 'pressurised against helping people in a desperate situation' and felt the 'fear of financial exposure' had dominated civil servants' responses to the contaminated blood scandal for decades. Based on

proof of withheld diagnoses and falsified medical records, Mr Burnham believed the Department of Health (DoH) had been 'grossly negligent' and he called on the CPS to consider corporate manslaughter charges. Where things had gone wrong, he urged public bodies to 'tell the truth at the first opportunity'. DoH civil servant Rowena Jecock drafted some of the

first responses to the Archer Inquiry in 2009. Her list of 'points to remember' to ministers did not reflect any of the inquiry's concerns and still claimed the 'best available treatment' had been given at the time. Alan Milburn, Health Secretary 1999-03 said politicians often focused on their mandate and future change and didn't 'interrogate' the past effectively.

Inquiry focus: Compensation

Sir Robert Francis QC looked at the detail of his independent Infected Blood Compensation Study which was commissioned by the government and published in June 2022.

On what he called his 'utterly exceptional' recommendation for an interim payment of at least £100,000 for the surviving infected, he said it was justifiable because of their 'urgent need'. Sir Robert grappled with 'where to draw the line' in defining categories of loss and infection, sometimes using Common Law as a basis and where this did not reflect the seriousness of the situation, such as recompense for mental injury, he made stronger recommendations based on 'moral and just' grounds. Sir Robert said he wanted to recognise the impact of stigma as it was one of the 'real injuries' people had suffered. Later, inquiry chair, Sir Brian Langstaff said he was considering making an early recommendation calling for interim compensation payments and asked for feedback from core participants by 25 July.

Quotes of the week

'A lot of decisions that seem to have been taken about support ...have been around a wish to avoid accepting legal liability when actually what needed to be looked at was the moral case for looking after people.'
Sir Robert Francis QC

'The urgency of the need I identify for the eligible living infected is that many of them are worried about dying before they have any idea whether they are going to get compensation or not and being able to settle their affairs.'
Sir Robert on an interim compensation payment

'Our decision not to compensate people with hepatitis C stems from the well-established policy that compensation...is only paid when the NHS or individuals working in it are at fault.'
Alan Milburn in 2000

'Thank you for wishing the inquiry well - it may never have existed had you had your way.'
Sir Brian to Alan Milburn

'The Department of Health and the bodies for which it is responsible have been grossly negligent of the safety of the haemophilia community in this country.'
Andy Burnham