

GRO-A

London

GRO-A

5th June 2009

Ref. WC050609

Mr William Connon
Head of Blood Policy Unit
Department of Health
Room 530
5th Floor, Wellington House
133-155 Waterloo Road
London, SE1 8UG

Dear Mr Connon,

Government Response to Lord Archer's Independent Inquiry Report

You will be aware that Lord Archer of Sandwell produced the report of his Inquiry into NHS-supplied contaminated blood and blood products on 24th February this year, and that on May 20th the Government finally produced its response.

It is hard to believe, when reading the response, that anyone in Government has actually opened Lord Archer's comprehensive report. The response from Government is a shameful insult, both to Lord Archer, his panel and the affected community. Widows, dependant children and Hepatitis C victims have all but been completely disregarded by the Government.

In particular, I am unhappy with the proposals in relation to the Macfarlane Trust. I take exception with the Government's intention to increase the funding available to the Macfarlane and Eileen Trusts in order to allow them to move to a system of annual payments of circa £12,800 (or £17,600 if you take the MFT's revised figure). This is no longer the answer for this kind of charitable trust. This proposal is diametrically opposed to the regaining of financial independence for beneficiaries described in the Archer Report. The proposal misses entirely the essence of Recommendation 6, where it is stated that payments should be at least the equivalent of those payable under the Scheme which applies at any time in Ireland.

I have been informed that the Chief Executive of the Macfarlane Trust has stated that the Trustees of the MFT would be in breach of trust if they were to refuse the additional government funding in the proposal. This leaves a small number of the

Macfarlane Trust beneficiaries, such as myself, with the impossible situation where I am being forced to take receipt of this pittance of a funding proposal against my will.

For legal reasons, I therefore wish to formally state that being forced to take receipt of the new funding and proposed increase to MFT disbursements (post 20th May 2009), in no way implies an acceptance of the terms of the Government's proposals. I should remind you that in the law, an 'acceptance' must be positive, and can be neither assumed, nor silent (as *tacit consent* no longer applies). I am being given no choice in the matter - other than to block all MFT payments into my bank account to actively reject the funding. Blocking all monies from the MFT into my account would be detrimental to my well-being since I need the disbursements as they are at the current level.

My campaigning for full equality with Ireland - including the tribunal element - will continue and I would also like to point out that being forced to go along with the proposed increase in the MFT funding will in no way preclude my access to legal remedies and my desire to pursue matters regarding contaminated blood and blood products in the courts.

I do not consent to, nor accept, the Government's proposed increase of Macfarlane Trust post-20.05.09 funding .

Yours sincerely,

GRO-A

MFT Registrant 1143

Cc. Michelmores LLP, Exeter.
Cc. Secretary of State for Health. DOH.