

PS(PH)

From: Richard Gutowski

Date: 9 March 2004

PO1037390 -The Rt. Hon. The Lord Owen CH

1. At our meeting yesterday, you agreed to reply to the letter from Lord Owen about the hepatitis C payment scheme and the review of internal papers between 1973 and 1985. This case is now some months old.
2. I explained that the letter has been back and forth, between the blood team and MS(H) several times following several requests for additional briefing about the background to the review. Unfortunately, the delay was compounded because the case was "lost in the system" for a month.
3. As discussed, I attach a draft for your consideration.

R.M Gutowski
Room: 633B SKH
Ext: **GRO-C**

Lavette
PO1037390

The Rt. Hon. The Lord Owen CH

Thank you for your letter of 7 October to John Reid about the hepatitis C payment scheme and the review of internal papers between 1973 and 1985. I understand that your office have been in touch on numerous occasion. Please accept my apologies for the long delay in replying.

I was pleased to see your comments on the financial assistance scheme for people infected with hepatitis C as a result of being given blood or blood products by the NHS. The decision to make ex-gratia payments was taken by the Secretary of State for Health on compassionate grounds.

On 23 January 2004, the Secretary of State for Health, John Reid announced important details about the scheme's eligibility criteria (who is able to make a claim) and payment structure (how much claimants will receive). Dr Reid also made a full Ministerial Statement to the House of Commons on 26 January 2004. Copies of these statements are enclosed.

In summary, the key elements of the scheme are as follows –

- Every person who was alive on the 29 August 2003 and whose hepatitis C infection is found to be attributable to NHS treatment with blood or blood products received before September 1991 will be eligible for the scheme.
- The scheme will apply equally to residents of England, Scotland, Wales, Northern Ireland and to ex-patriots, and will not differentiate between people depending on the source or location of their infection.
- Payments to eligible claimants will comprise an initial lump sum payment of £20,000 on validation of their application, followed by an additional £25,000 if they develop cirrhosis, liver cancer or if they require a liver transplant.

More specific and detailed information is included in the press statement. At this stage, the application form and level of evidence required to substantiate a claim are still to be finalised. As mentioned in the statement this is not likely to be until April.

I am aware that an informal review of internal papers was commissioned by Yvette Cooper in 2002. I have been advised that the review is being undertaken by the Department of Health to clarify the facts surrounding the drive for UK self sufficiency in blood products in the 1970s and 1980s. The review is based on papers available from the time. The review does not address why papers from your Private Office at the time may have been destroyed.

A draft report has been prepared, however there are a number of outstanding issues that need to be addressed before the report can be finalised. I am aware that it has been some time since the review was first commissioned. I have asked officials to commission further work so that we can complete the report as quickly as possible. We will of course, let you know when the report has been completed.

MELANIE JOHNSON