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Meeting on self-sufficiency in blood products

1 July 2002, House of Commons

Present: PS(PH)
Lord Morris
Michael Connarty MP
Mary Agnew (note)

Apologies: Lord Owen

Background

1. The meeting discussed Lord Owen's claim that the Department of Health had failed to honour his mid-1970s pledge to Parliament to make the UK self-sufficient in plasma products. The meeting was instigated by Yvette Cooper, the former PS(PH), following a number of statements in the media by Lord Owen (and by Lord Morris quoting Lord Owen) which used this claim to support the case for compensation for haemophiliacs with hepatitis C and for a public inquiry. The argument is that UK self-sufficiency in plasma products would have led to fewer people with haemophilia becoming infected with HIV and hepatitis C.

Lord Owen's pledge

2. Lord Morris expressed concerns that it looked like the policy on plasma products had been altered without notifying Parliament and that this had meant the products had come from the USA where blood had been taken from, for example, drug addicts. He relayed Lord Owen's concerns that papers from his Private Office had been destroyed and mentioned that Lord Owen possessed some papers and was considering sending them to the ombudsman.
3. Hazel Blears explained that on the basis of an initial paper trawl, it did not look like there had been any misappropriation of funds. Rather there had been an exponential growth in the use of clotting factors and the aim of UK self-sufficiency was therefore a moving target which the original allocation had been unable to keep pace with. There had been no misappropriation of the funds, but they had proved insufficient. Moreover, following concerns about the possible transmission of vCJD, there had been safety arguments for sourcing from the USA.
4. Ministers had agreed to recruit someone from within the Department of Health to undertake a comprehensive trawl of the papers. As there was a large volume, this was expected to take some 4-5 months.
5. Lord Morris argued that Lord Owen had been enunciating a principle and that if funding had been insufficient, more money should have been found. Moreover, Lord Owen had not been advised that the costs could escalate.

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6. Michael Connarty pointed out that the second part of the pledge was about not purchasing blood products from countries where donors were paid. PS(PH) pointed out that it would not have been possible to get enough products if this had been adhered to, but also noted that she had seen no record of any pledge to this effect. Michael Connarty noted that other European countries had achieved self-sufficiency. PS(PH) commented that the rationale for this had not been about quality but about saving money and not being held to ransom by suppliers.
7. PS(PH) explained that she needed to get more information on the context in which earlier decisions have been made and that she would be happy to meet with Lord Owen to discuss this further once the official conducting the review had reported the findings to her.

Compensation

8. Lord Morris advised that the Haemophilia Society's concern was not litigious, but that they were keen to get a settlement and had been in touch with the expert group in Scotland. Affected families could not see the rationale for treating haemophiliacs who had been infected with hepatitis C differently from those infected with HIV. Often it was the same families affected by both blood-borne diseases. Michael Connarty echoed this, reminding the Minister that the Manor House Group were more militant and impatient with the Government.
9. Hazel Blears advised that officials were looking at the compensation proposals recently submitted by the Society, costed at around £0.5 billion a year. HIV was an exceptional case as the prognosis was initially thought to be terrible. Ordinarily, there had to be negligence before compensation was payable. Lord Morris and Michael Connarty pointed to the social stigma attached to Hepatitis C, and the level of suffering involved in dying from liver cirrhosis.
10. Lord Morris and Michael Connarty also questioned the link between 'compensation' and negligence, pointing to counter examples such as the Japanese prisoner of war scheme where the moral case was the overriding rationale. PS(PH) agreed to look at the detail of the vaccine damage payment scheme to see if there are any relevant parallels.
11. Michael Connarty advised that he was still waiting to meet with the Treasury to discuss progress on funding for recombinant treatment and also to raise the issue of compensation. There was also lots of interest in the Scottish press. Lord Morris emphasised the devolution-related inequities that meant that a person from north Wales could get 'safer' treatment at a Manchester treatment centre than a local person.
12. PS(PH) acknowledged these concerns and reiterated that officials were currently looking at the detail of the Society's proposals.