

File  
C1670

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Dr Rejman MED ISD  
Mr Powell SOL  
Mr Hagger MB1  
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From: J C Dobson HS1

Date: 16 October 1989

cc: Dr McInnes PS to CMO  
Mr Heppell Pr/off  
Mr Hart Pr/off  
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Mr James FA  
Miss Pease HS  
Mr Barton AIDS UNIT

#### HAEMOPHILIACS AND AIDS LITIGATION

There are growing signs that ministers are becoming increasingly uneasy at the current advice from officials that, on balance, the government should resist the claim of HIV-infected haemophiliacs and if necessary fight it out in court. For instance, MS(H) has on two occasions asked for briefing on articles in the Sunday Times, and, on the most recent occasion, has asked for "advice as to whether there is any case for changing the basis for funding the Macfarland Trust - if we can find any money for "topping up". MS(H) also "feels that the Department will lose on this whatever the outcome of the court case and would like to see what more can be done".

All this suggests that it would be timely to review where we are on the AIDS litigation front; to consider what options could be offered to ministers if they were minded to be more responsive to the haemophiliacs' case (eg an out-of-court settlement which did not require HIV-infected sufferers to demonstrate financial need); and to consider how any such relaxation could be presented in the most favourable way. If we could fit in a meeting later this week, that would enable us to give some indication of the possibilities in response to MS(H)'s latest request for advice. My people will be in touch to try to find a suitable time for a meeting.

I have assumed that the AIDS Unit do not need to be involved, but I will of course be delighted if they would like to be represented at the meeting.

GRO-C

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