

**"Fw: Lord Archer Inquiry Meeting - Action Points"**

Document Type:	Formal
File Title:	Private Office : M(PH) - Blood
File Reference:	YMH/053 Vol 10
Filed by:	Morven Smith/POLICY/DOH/GB on 03/03/2009 at 18:17
Created by:	Morven Smith on 03/03/2009 at 18:17

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**Morven
Smith/POLICY/DOH/GB**
03/03/2009 18:17

To: Marc McGonagle/OIS/DOH
cc
bcc
Subject: Fw: Lord Archer Inquiry Meeting - Action Points

Dear Marc,

I thought that these Action Points from the meeting MS(PH) had yesterday with Ailsa, Rowena, David H and Liz might be useful.

I've also attached a breakdown of the info we have received from policy - I worked this up for MS(PH) let me know if you want the annexes.

Morven



Lord Archer Inquiry requests from policy.doc

Morven Smith

Assistant Private Secretary
Minister of State for Public Health
Department of Health
Richmond House
GRO-C

****MS(PH)'s box closes at 2pm Monday to Wednesday and 12midday on Thursday.
Please note MS(PH) does not have a box on Friday.****

----- Forwarded by Morven Smith/POLICY/DOH/GB on 03/03/2009 18:16 -----

Morven
Smith/POLICY/DOH/GB
02/03/2009 17:33

To Ailsa Wight/PH6/DOH/GB, Rowena Jecock/PH6/DOH/GB,
Elizabeth Woodeson/CQEG/DOH/GB, David
Harper/HPIHSD/DOH/GB
cc Sarah Kirby/OIS/DOH(GRO-C), Penelope
Irving/OIS/DOH(GRO-C), Freya Lock/MPI-
PPB/DOH/GB(GRO-C), Patrick
Hennessy/POLICY/DOH/GB(GRO-C)
Subject Lord Archer Inquiry Meeting - Action Points

Dear All,

Thank you for meeting with MS(PH) about Lord Archer's Report into the contamination of blood and blood products in the 1970s and 1980s.

I have detailed below the action points that emerged from the meeting. I have also checked with SofS's office and they have now officially received a copy of Lord Archer's Report.

Action Points:

- Hugh Taylor & David Harper to go through withheld and partially withheld documents and give MS(PH) a 'blow-by-blow' account. They will also explain how the 30-year rule applies.
- The Blood Team to report back on the following questions:
 - Why did it take DH more than ten years to react to concerns ('73 to '85)?
 - When did we know something was wrong? Why didn't we act?
 - Why did it take England longer than Northern Ireland and Scotland?
 - Have Ministers apologised or expressed sorrow in the past?
 - How is the ROI scheme going? why did they decide to accept liability?
 - Who claims what for the schemes and what else they claim or can claim?
- The Blood Team to report back on other actions:
 - A timeline and summary analysis of the self Sufficiency in Blood Products report.
 - A time line regarding the securing safety of supply.
 - A reassessment of the argument not to have a public inquiry.
 - A draft Written Ministerial Statement as initial response to Report.
 - A real case study (with identifiers removed) to show how the funding patients receive from each scheme assists them and what might need to be added.
 - An idea of what money would be reasonable to give to MFT, ET and Skipton Fund. MS(PH) has grave concerns about the long term implications of a final settlement figure for these schemes.
 - Review of the three schemes and the anomalies with a working plan to address the anomalies in the next financial year.

- A report back on how discussions are progressing with the schemes regarding financial needs. MS(PH) wants to ensure that these patients receive fair recompense for their escalating healthcare costs. She would like to know how best to support these patients who were affected by contaminated blood and blood products. Recipients have said that they prefer the Skipton Fund model of lump sum payments.

- To check that the DWP and HMRC are sorted in terms of support to these patients.

- To check with the British Association of Insurers as to these patients access to insurance.

- To review the documents withheld or partially withheld under the commercial section of the FOI Act including writing to the companies to see if they have objections to release.

• Additional Points:

- MS(PH) will talk to SofS about this issue tomorrow. She will show him the Chronology and the explanation of the withheld and partially withheld documents. She will also talk to him about the need to express sorrow and the possible additional money needed for the three schemes.

- MS(PH) believes that a WMS would be a good way to respond initially. An apology or expression of sorrow is important.

- MS(PH) made it clear that as she is expected to put on the public record that she is satisfied as to the reasons behind the withheld or partially withheld documents she (and SofS) need to know the exact reasons for these documents being withheld.

- The Blood Team are taking forward discussions around the financing of the three schemes.

- MS(PH) will meet with David Harper and Hugh Taylor to go through the withheld and partially withheld documents.

- In relation to 'free prescriptions', MS(PH) made it clear that we need to wait until the outcome of Professor Gilmore's review is known.

Again, MS(PH) is very grateful to the team for all their hard work.

Thank you,

Morven Smith

Assistant Private Secretary
Minister of State for Public Health
Department of Health
Richmond House

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