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Reverend Dr Ian Paisley MP MEP

Your ref: ND/889/95

GRO-C

Our ref: COR/641/95

¹⁴
/8 July 1995

Dear Ian,

Thank you for your letter of 30 June enclosing one from Mrs Ann McIlwrath about the possibility of compensation payable to patients with haemophilia who have been infected with hepatitis C.

Mrs McIlwrath also wrote to the Secretary of State and a reply was sent to her on 30 June 1995.

We have great sympathy with those patients who may have become infected with hepatitis C through blood transfusions or blood products.

Most haemophilia patients were infected with hepatitis C before blood products were treated to destroy viruses. These patients received the best treatment available in the light of medical knowledge at the time.

The Health Departments throughout the United Kingdom are considering a range of potential initiatives to improve the understanding, treatment and management of hepatitis C. This could include encouragement of research into the condition and guidance to the Health Service on best practice where there is a clinical consensus.

The Government does not accept, however, that there has been negligence and has no plans to make payments to such patients. On the more general issue of compensation, the Government has never accepted the case for a no fault scheme of compensation for medical accidents. It is unfair to others and still requires proof of causation which is often difficult to establish. Every individual case where a medical accident has occurred is a personal tragedy for both the individual concerned and their family. If the Health Service is proved negligent in a court, it accepts its liability to pay damages.

It is the Government's view that the most effective use of resources is to seek to improve the understanding, management and treatment of the condition. In this way the impact of the disease on individual patients and their families can be minimised.

The Department of Health (London) is supporting an initiative by the Haemophilia Society to undertake a study into the best way to support its members who are infected with the virus.

I hope that this will reassure you that the Government will do all it can to care for those affected.



GRO-C

MALCOLM MOSS
MINISTER FOR HEALTH AND SOCIAL SERVICES