

GER 21 / ACC 9

## Department of Health

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Your reference

Our reference

Date 26 February 1991

Dear Mr Donald

Thank you for your letter of 18 December to William Waldegrave concerning compensation for people who have contracted the AIDS virus as a result of blood transfusions. I have been asked to reply. I am sorry that you have not received an earlier response.

The Secretary of State has the greatest sympathy for those who have become HIV positive through blood transfusions. As you know, a settlement offer for HIV infected haemophiliacs and their families was announced in the House on 11 December. Opinion in the House and in all parts of the country has recognised that the tragic combination of circumstances of those with haemophilia and HIV are exceptional, and justify the special provision which has been made.

The Government has carefully considered the arguments for extending payments to people other than haemophiliacs who have been infected with HIV as a result of NHS treatment. Its view remains that people who were infected with HIV as a result of blood or blood component transfusion are no different in principle from other groups of patients harmed as an unfortunate side effect of NHS treatment.

Any special provision for those transfused could itself create inequity and attract criticism. Difficult questions would arise whether to distinguish between those transfused in the UK and those transfused abroad; between those abroad for a UK company and those on holiday. The validation of claims would also not be as straight forward as for haemophiliacs whose medical history is well known. Some of those transfused might not be able to establish their entitlement and this would make them feel aggrieved.

More widely, it would be difficult to maintain a distinction between blood component transfusion cases and the recipients of skin grafts or organ transplants who have been infected with HIV or people with other transfusion transmitted diseases or people who have suffered catastrophic side effects of other medical treatment.

Brian G Donald Esq

26 February 1991

I am sorry if this is a disappointing reply but I hope it explains why the Government have no plans to extend the special financial help for haemophiliacs to those infected through blood transfusions.

Yours sincerely

GRO-C

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