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Ben Harrison
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By Email

Victoria Brock
General Counsel to IBCA
By Email

30 March 2026

Stuart Mclean v The Infected Blood Compensation Authority

To the legal representatives acting for the parties.

I am writing this letter simultaneously to both parties with the request that, absent any good reason not to do so, it be shown to the judge hearing the above case.

My understanding is that the issue in this claim concerns the correct construction of Level 3 Hepatitis in Schedule 1 to the Infected Blood Compensation Scheme Regulations 2025. This was an issue which was raised by a number of Core Participants to the Inquiry, about which I expressed my own views in the Additional Report on Compensation of July 2025.

Ultimately the correct construction is a matter for determination by the court. However, although the case before the court is brought by one individual, acting personally, a definitive ruling by the court as to the correct construction is likely to affect other applicants for compensation. It is bound to have a wide impact. It is for this reason that I invited leading counsel to the Inquiry (Jenni Richards KC) to set out in a written submission the basis for the view which I had formed, in the hope that it might be of assistance to the court in reaching the right decision. This is attached.

Infected Blood Inquiry

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I am aware that, though the Inquiry itself will shortly come formally to an end, Jenni Richards KC would be happy to assist the court orally, pro bono, if the court thought it would be helpful for her to do so.

Yours,

A handwritten signature in blue ink that reads "Brian J Langstaff". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Sir Brian Langstaff
Chair of the Infected Blood Inquiry

Attached: Submission on behalf of the Chair of the Infected Blood Inquiry

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