

cc Mr Caravan

Mr Howell

GRO-C

27/5



EM

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From the Parliamentary Under

Secretary of State for Health (Lords)

23 May 1991

Dear Bill,

You may recall our exchange during Questions on 1 May about compensation for those blood transfusion recipients who had become infected with HIV. I enclose a copy of the Official Record of my reply to you in which I remarked (Official Report Col 750):

"However, in our view their case is no different in principle from that of other people who have suffered from medical accidents or the unintended side effects of treatment and for whom recourse through the courts is the answer."

This does not mean that everyone harmed through an accident would succeed in a claim for compensation through the courts. It would only be where the harm was caused through negligence rather than a genuine accident that a right to compensation arises and can be pursued through the courts.

I am sure that you will have recognised this to be the case but I thought I should write to remove any risk of misunderstanding.

Yours faithfully,

GRO-C

BARONESS HOOPER