

Outrage over cruel loophole in Government's £100,000 compensation scheme for victims of contaminated blood scandal that excludes 'thousands' who died

Hundreds of families affected by the tainted blood scandal won't get compensation because of a cruel loophole, it can be revealed today.

All surviving victims and their bereaved partners are entitled to a £100,000 pay-out.

But MailOnline has learned that for the bereaved parents and children to qualify for the one-off sum, their loved ones must have died within a strict three-month period last year.

Outraged families called the arbitrary cut-off a 'betrayal', with one accusing officials of just 'waiting for them to die' to avoid a pay-out.

Thousands of patients with haemophilia and other bleeding disorders were infected with HIV and hepatitis C in the 1970s and 80s after getting a contaminated medical product. Some even unwittingly infected their romantic partners.

GRO-A

Tainted donations came from US prisoners, sex workers and drug addicts, who were paid to give their blood to the manufacturers of the product.

It is considered the worst treatment scandal in NHS history, with around 2,400 killed as a result.

A multi-million inquiry tasked with investigating what went wrong, and if more could have been done in the aftermath, is still ongoing.

However, in August last year the Government offered a £100,000 interim compensation fee to survivors, as well as the partners of those who died, in recognition of their suffering.

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At the time ministers claimed the payment represented a step 'to help right a historic wrong'.

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But parents who lost their children and those whose parents died were not eligible.

This decision was based on historic eligibility criteria for previous support packages offered to victims.

However, this website can reveal ministers did make one exception.

Both of these groups could technically get the payment if the infected person died in a strict three-month window between July 2022 and October 2022, according to an internal Government document written in September.

With many of those infected having died years before, campaigners called the move 'a massive betrayal' that will only compound feelings of grief and unfairness.

Jason Evans, founder of the campaign group Factor8, which advocates for victims of the scandal and their families, told MailOnline: 'Hundreds of bereaved families will be excluded, maybe even thousands.

'It's a massive betrayal.

'The sense of unfairness people felt will be massively compounded.'

A timeline of the contaminated blood scandal which began in the early-1970s

1972: NHS starts importing large batches of Factor VIII products from United States to help clot blood of haemophiliacs.

1974: Some researchers warn that Factor VIII could be contaminated and spreading hepatitis.

Late-1970s: Patients continue to be given Factor VIII, with much of the plasma used to make the product coming from donors such as prison inmates, drug addicts and prostitutes.

1983: Governments in both the UK and the United States are told that Aids has been spread through blood products.

Mid-1980s: By now the blood products such as Factor VIII, were being heat-treated to kill viruses, but thousands of patients had already been infected.

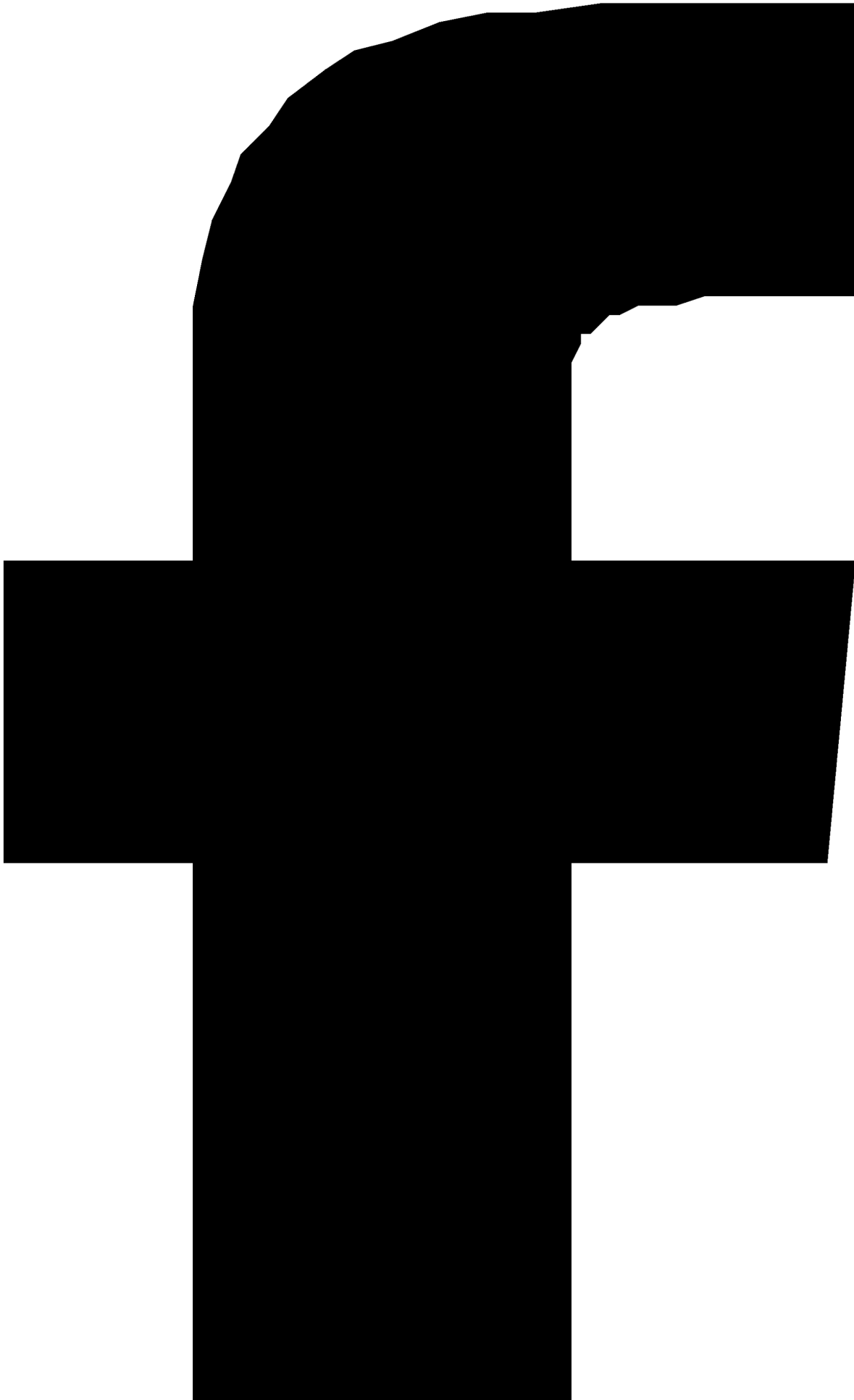
1991: Blood products imported from US are withdrawn from use. The government awards ex-gratia payments to haemophiliac victims threatening to sue.

2007: Privately-funded inquiry into scandal set up by Lord Archer of Sandwell but it does not get official status and relies on donations.

2008: Penrose Inquiry launched, but victims claim the seven-year investigation was a 'whitewash'.

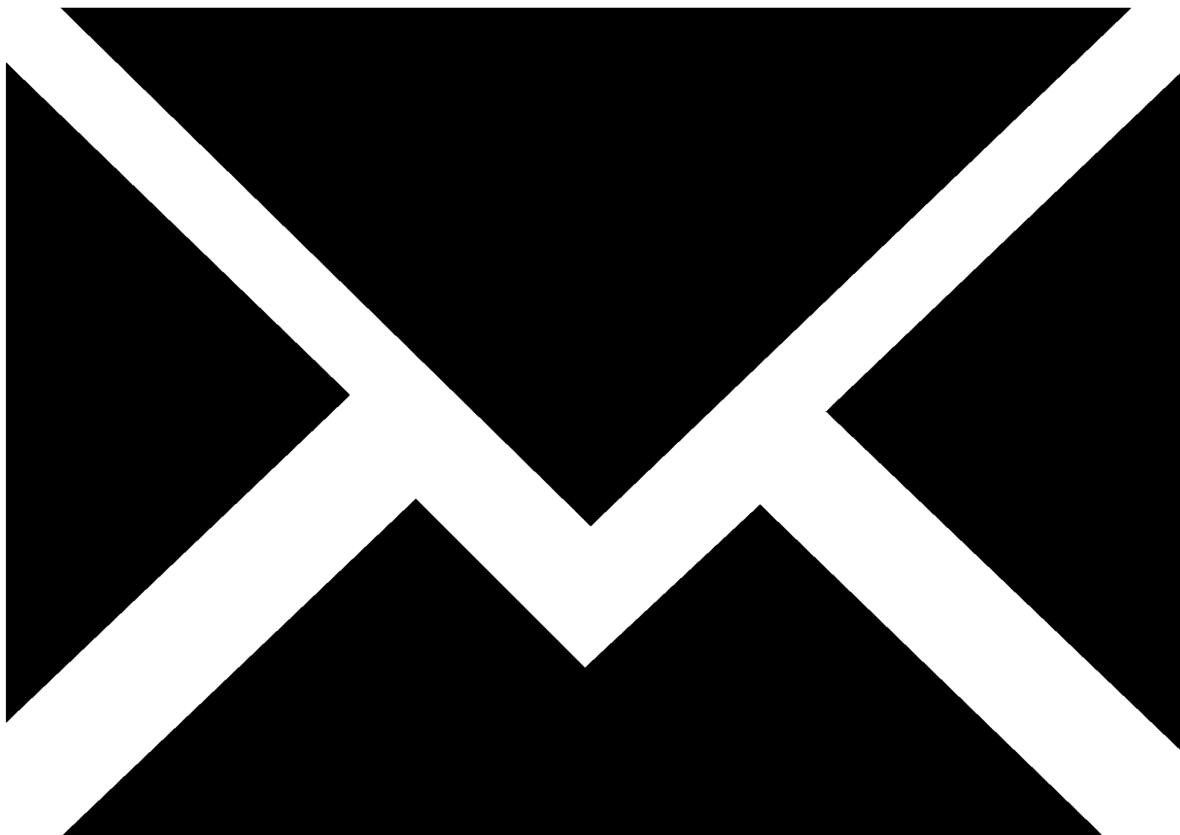
2017: Independent inquiry into contaminated blood scandal announced by Prime Minister Theresa May.

April, 2019: Infected Blood Inquiry starts hearing evidence.



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Mr Evans's father, Jonathan, died in 1993 after getting infected with a tainted blood product.

He said that, in his opinion, the only reason the Government would restrict eligibility criteria this way was to save money.

'It's total cost minimisation, rather than looking at what's fair,' he told MailOnline.

'They are looking at where they would like to draw a ringfence around costs as much as possible. That's the only justification that makes sense to me.'

Mr Evans added that this has created a perverse situation, where some victims' lives are judged as being worth more than others. Some families have already received their £100,000 payout, as part of the £400million scheme.

'The fact they are willing to compensate a small number of estates show that they understand it makes sense,' Mr Evans said.

'But the point of contention is why are these estates worth compensation, but all the others aren't?'

He said that some of families rendered ineligible for the compensation were some of those worst affected by the scandal.

'These are the where the HIV progressed quickly, a time before treatment, the height of AIDS stigma...having funerals in secret, lying about what their loved ones had died of,' he said.

About 30,000 people were infected with HIV and/or hepatitis C with blood products called Factor VIII or IX.

Most victims had haemophilia – a rare blood-clotting disorder – and relied on regular injections of the products to survive.

They were unaware Factor VIII was obtained from people who were paid to donate.

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One those infected was Lee Turton, who died in 1992 aged just-10-years-old,after contracting HIV from contaminated blood products in the 80s.

Lee's mother Denise Turton told MailOnline the Government's callous ringfencing of the compensation — which she is not entitled to — made her 'angry'.

'We're all suffering, our mental health has suffered over what's happened over the years,' she said.

'We're just treated with disdain.

'Our children's lives are worthless.'

She added that she wanted to ask ministers why her son was seemingly worth less than other victims.

'Why can't they pay the compensation to his estate? He had the same infections as all the others,' she said.

'A lot of parents aren't here to see this now, and maybe that's a good thing.'

Mrs Turton, now in her 60s and based in Cornwall, added the difference even the interim compensation could make to their lives couldn't be underestimated.

'It would relieve a lot of our suffering,' she said.

'My husband has now [GRO-A] and it would mean we would not have to fight so much and not have to worry about everything all the time.'

[GRO-A], from Scotland, is another person left with no support by the Government's arbitrary cutoff.

GRO-A

Ms [GRO-A] has PTSD from watching her father, Randolph, slowly die from complications resulting from a hepatitis C infection he got from an infected product in the 80s.

'It was like watching him be tortured to death,' she said.

'It was so awful, like a living nightmare.'

Her father, a talented jazz musician, was left in so much pain from his condition that he attempted suicide multiple times to end his suffering.

She was forced to become his carer full time in 2014 before his eventual death in 2018 at 79, a death that does not fit within the Government's three-month window for 2022.

But for Ms **GRO-A** the agony of those years is still fresh in her memory.

'I've had to walk-in and find my father dead after a suicide attempt and dial 999 for an ambulance,' she said.

GRO-A

'I had to live with guilt of keeping someone alive so that they could suffer. I felt like a prisoner and a jailor.'

Ms **GRO-A** said the decision to only offer compensation to a fraction of parents and children who lost someone to the infected blood scandal was disgraceful.

'Going through all of that, going through this inquiry, to then be told by the Government that you don't deserve compensation because of a date?', she said.

'It's absolutely appalling.'

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She added that she feared ministers would adopt this 'segregation of suffering' towards other compensation for estates in the future when the inquiry issues its final recommendations.

GRO-A

Ms **GRO-A** who described herself as now 'living on the breadline' after not working to be her father's carer, said the £100,000 compensation would represent a recognition of what her, her father, and her family went through.

'I would be able start to recover from the trauma' she said.

'It would be a sense of recognition of the ordeal.'

The final report into the infected blood scandal from the long-running public inquiry is due in the autumn of this year.

But in a second set of recommendations released in April this year, Sir Brian said interim compensation payments should be expanded to the children and parents of those who died, and quickly.

'I am also recommending further interim compensation payments to recognise the deaths of people who have so far gone unrecognised, as I believe this is necessary to alleviate immediate suffering,' he said.

'It is a fact that around 380 children with bleeding disorders were infected with HIV. Some of them died in childhood. But their parents have never received compensation.

'Children who were orphaned as a result of infections transmitted by blood transfusions and blood products and have never had their losses recognised. It is time to put this right.'

Responding in the days after this recommendation was published the Government's paymaster general, Jeremy Quin, said ministers would need to consider the 'complexity' of further compensation.



However, he added that work was being done on Sir Brian's recommendations and announcements would be made in 'due course'.

No updates on the scheme have been released since.

A UK Government spokesperson said: 'The Government accepts the moral case for compensation and work is ongoing at pace across the UK Government and in consultation with the Devolved Administrations to consider the recommendations put forward in the Inquiry's second interim report.'

'Interim compensation payments of £100,000 were paid to the infected and bereaved partner beneficiaries of the UK infected blood support schemes, in accordance with the recommendations made by Sir Brian Langstaff, Chair of the Infected Blood Inquiry, in his first interim report.

'Our intention remains to pay those small number of estates referred to in the extract and work is ongoing to facilitate this.'