

Witness Name: Andrew Michael March

Statement No: WITN1369064

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INFECTED BLOOD INQUIRY

EXHIBIT WITN1369073

GRO-C

18 April 2012

Martin Harvey
The Macfarlane Trust
Alliance House
FEEPOST LON729
12 Caxton Street
London
SW1H 0QS

Dear Martin,

Thank you for your letter of 16 April 2012 and for taking the time to write back so promptly.

I hesitate to write this reply letter because I don't really wish to end up in a correspondence wrangle resembling table tennis. However there are some points which I simply cannot leave unchallenged.

You are correct to say that the person who made the "great unwashed" slur is no longer on the MFT Board. However, it should perhaps be remembered that this former Trustee is not very far away – having sidled their way across the open plan office to become Chairman of a different legal entity in 2004. As for the full apology, I don't believe I was privy to this. If an apology was made in a public manner, then I have somehow failed to notice it.

When you mention the 28 negative responses, could I ask what form they have taken? Are you including any letters of complaint or objection, or are you only counting the official reply slips? I don't suppose you will be able to see the level of discontent on the MFT forum where there is a 'for or against' poll taking place?

I am surprised that you cannot see why people feel that there is a coercive element in the outgoing letter from Russell Mishcon. From what I am hearing, the view of the

community of care is that it is not difficult to see that from the way the letter is worded we cannot access the assessment of our charitable need without agreeing to a home visit. This is non-negotiable and has been landed on us without any consultation.

You won't be surprised that I have been able to identify a potential legal angle that can be made out here. The Macfarlane Trust is an emanation of the state. The main source of income comes from a public authority; the DoH. The MFT is involved in delivering services under arrangements with this government department, and even though it has charitable status, it can still be considered a public authority. In such a case, when consultation is undertaken, it should be done so fairly once it is embarked upon. Even if the MFT cannot comply with the obligations of a public authority, you should at least strive to comply with the legal framework that promotes equality and human rights – especially where the disabled are concerned.

My points at the end of the letter were not intended to be taken as options, but rather a list of requests. Either way, I cannot let your response to them go unchallenged. In particular, you seem to have your own peculiar definition of words like consultation, confidentiality and privacy.

I don't think it is fair to say that majority support for the MFT initiative is, at the end of the day, 'consultation' by another name. Consultation is a serious issue with legal implications. There is a notion in law that 'stakeholders' should be consulted by public bodies before decisions which affect their interests are taken. It would have been nice if the MFT had considered how the new measures in the letter might affect us before the letter went out and give us a chance to influence the formulation of this policy – rather than just having it thrust at us, ultimatum-style.

When I suggested distribution of the reserves on a *pro rata* basis, I simply meant dividing the reserve funds equally by the number of beneficiaries involved.

I hope the MacFarlane Trust will reconsider the proposed utilisation of the reserves and disburse them in a way that the beneficiaries deem fair.

Yours sincerely,

Andrew March

GRO-C