

② LETTER TO LORD WARNER (HEALTH)

16th February 2004

GRO-C

TEL (GRO-C)

- RE MIS-INFORMATION PRESENTED BY LORD WARNER HAEMOPHILIA /HEPATITIS C DEBATE

Dear Lord Warner,

I refer you to the recent debate on haemophilia and hepatitis C and your words as recorded in Hansard, (see attachment).

I am enclosing a copy of an e-mail received from Canada's main campaigner on haemophilia and blood borne viruses who now advises on blood safety. He e-mailed me to put you in the picture with regard to Canada's hepatitis C, "no liability", pay-out for haemophiliacs as you are repeatedly getting your facts wrong.

I also enclose two pages from the recently published book "A Case Of Bad Blood", by my Irish campaign contacts Rosemary Daly and Paul Cunningham. Please check your facts against the information underlined. You should be aware that the Eire settlement was a "no-liability" settlement and the haemophilia hepatitis C pay-out was not affected by any criminal cases or public inquiry. Haemophiliacs had their own specific inquiry in Eire, the Lindsay Tribunal, which did not have a remit to deal with matters of a criminal nature.

I would hope that you would now have the decency to apologise in writing for misleading haemophiliacs, the general public, and your fellow politicians, particularly Lord Morris of Manchester. I will be sending him a copy of my documents. I am also sending you some information from a firm of Dublin solicitors to assist you with the correct information on the Eire settlement in order that you can respond to Lord Morris with regard to the actual facts, and not what you imagine to be the facts.

Unless the government recognises its responsibility to recompense haemophiliacs on a parity with Eire, haemophiliacs will now be taking their case to Europe. This will be on the grounds of discrimination against haemophiliacs when comparing like settlements such as that in Eire with England, Scotland, Wales, and Northern Ireland, as the latter proposed settlement and that already established as a precedent in Eire, are based on the principle of "no-liability" and are seen to be "moral", "compassionate", pay-outs, which are not based on the outcome of any criminal proceedings or public inquiry. The Eire government thought it only fair to pay out at a similar level to that which would have been awarded in civil cases in recognition of the suffering to haemophiliacs, despite the Eire government not accepting liability. Campaign groups are calling on members to reject the governments current offer

Can you now explain why a haemophiliac's life here in England is worth only one tenth of that of a haemophiliac in Eire, and why the suffering of widows/partners/carers are not recognised, and are in fact excluded from any financial payment, unlike those in Eire? I hope that now the Department of Health has the correct facts on both the Canadian and Eire settlement that they will carry out their moral obligations and pay haemophiliacs here a settlement on a parity with that in Eire which included widows. Malcolmson Law would I am sure be happy to let you

know the finite details of the Eire settlement so that you could ensure haemophiliacs in England are not discriminated against and are treated as equals with their peers in Eire.

In the run up to an election, I am sure Labour needs all the brownie points it can get and it wouldn't look good to be seen to be discriminating against a group of very sick and vulnerable people who were infected with multiple viruses through no fault of their own.

You must know that campaigners have now acquired three decades of confidential government documents on this issue. We know all about who knew what and when, and the deplorable state of BPL which was deemed unsafe by the Inspectorate, (1981). We know all about which U.S. prisons were used for plasma collection by U.S. companies to make factor concentrates, and even the names of individual infected prisoners who donated blood to make factor VIII exported to the UK. We even know details of which prisoner re-sharpened needles using sandpaper to be re-used to collect plasma. That is why we now have legal cases in the U.S. against the American plasma companies on a no-win, no fee basis which I set up two years ago. Isn't it about time the government acknowledged the fact that unsafe treatment was licensed to be used here despite a written warning to the Department of Health as far back as 1975 not to use "high-risk" plasma from U.S. prisons because of the "50 to 90%" hepatitis risk.

As you know because of the risk of v CJD in our own plasma, this was banned from use in 1998. I am sure that if the general public were made fully aware of safety violations past and indeed present with regard to imported American plasma there would be a huge crisis of confidence in the system.

As you have probably gathered supporters of haemophiliacs are not going away even if their loved ones die, so do the right thing and support haemophiliacs financially on the same terms as the Eire government, and stop prolonging the suffering of those who should at least have some reasonable level of financial security in their final years.

I look forward to your prompt reply.

Yours sincerely

Carol Grayson (Haemophilia Action UK)

PS Don't try to put any waiver in the hepatitis C settlement, haemophiliacs were tricked last time and they are too long in the tooth to fall for such a trick this time.

Cc Tony Blair
John Reid
Lord Morris of Manchester
Jim Cousins
Press various