

9 October 2003



Mrs Colette Wintle

GRO-C

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Dear Mrs Wintle,

Thank you for your letter of 2 September to Rt Hon John Reid MP regarding the Department of Health's proposed financial assistance scheme for people infected with hepatitis C as a result of treatment with NHS blood or blood products. The Secretary of State has asked me to reply and I apologise for the delay in doing so.

I was sorry to read about your illness and the distress that this has caused over the years. We have great sympathy for those people who were inadvertently infected with blood borne viruses as a result of treatment with blood or blood products in the 1970s and 80s and acknowledge that this was a tragic and unfortunate event.

As you mention in your letter, the Secretary of State has recently announced his intention to provide financial assistance to those inadvertently infected with hepatitis C. At this time, the size of the awards and many other details are still under discussion but we expect to make a further announcement about the scheme in the next few weeks.

It is important to stress that despite the Department of Health's decision to make ex gratia payments, the position with regards to accepting liability has not changed. The payments are being made on compassionate grounds, and are not compensation. With this in mind, the payment cannot be expected to take account of loss of earnings or compare with punitive damages awarded by the courts in a number of other countries.

You have requested a meeting with the Secretary of State to discuss a public inquiry into this issue. However, the Government does not accept that any wrongful practices were employed and does not consider that a public inquiry is justified. Donor screening for hepatitis C was introduced in the UK in 1991 and the development of this test marked a major advance in microbiological technology, which could not have been implemented before this time. The Secretary of State does not therefore feel that a meeting is appropriate.

So that the Department is in a position to contact you when further details of the ex gratia payment scheme become available, I am adding your contact details to our 'Hepatitis C financial assistance scheme' mailing list. This will ensure that we are able to communicate with you directly and keep you up to date with developments.

Yours sincerely

GRO-C

David Reay
Blood Policy Team