

To: 1. Miss *A. Towner* 218

From: Leonard Levy, CA OPU2

2. Mrs A James
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544 NC

Date: 21 August 1995

Copies:

PRIVATE OFFICE CORRESPONDENCE ABOUT THE MACFARLANE TRUST

1. I would be grateful for your advice on the attached correspondence from Douglas Hoyle MP and his constituent, Mr **GRO-A** [POH(3)4603/157]. Mr **GRO-A** suffers from haemophilia and says he contracted the HIV virus from infected blood. In his letter he complains that he cannot recover costs he paid to solicitors because he stopped his legal action against the Government for compensation before the Macfarlane (Special Payment) (No.2) Trust came into force.

2. As you know, the Trust was set up to end the litigation by haemophilia patients who had contracted HIV, and their dependants. Payments were made available to patients who were not pursuing litigation on the same terms as payments to patients who were. An exception was that the £2000 for persons not infected with HIV but at risk, eg wives, was only available to those who were pursuing litigation, ie had served a writ, before 13 December 1990.

3. Unfortunately, our policy files giving the reason for the distinction appear to have been destroyed. I would therefore be grateful for any light you could shed on the reason that the £2000 payment was not made available to non-litigants. Also, could you advise me if we can help with legal costs in action began but later abandoned?

4. The deadline for the Yellow Jacket to be returned is today, and I have advised Correspondence Section that it is going to be a little late. But I would still ask you to reply to me as soon as you can, please. Thank you in advance for your help.

GRO-C

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