Witness Name: John Devine
Statement No.: WITN4871001
Exhibits: **Nil**
Dated: 29 January 2021

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF JOHN DEVINE

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 21 December 2020.

I, John Devine, will say as follows: -

Section 1. Introduction

1. My name is John Devine. My date of birth is GRO-C 1967 and my address is known to the Inquiry. I worked as a sales representative in the building trade for 14 years before recently being made redundant. Before this I ran my own window cleaning business. I have recently been offered a new job and I am due to be starting soon. I am twice divorced and I live alone. I have three children and four grandchildren.

2. I intend to speak about my infection with hepatitis C ("HCV"). In particular, the nature of my illness, the treatment I received and how the illness impacted on me and my second marriage.

Section 2. How Infected

3. I was born and brought up in the GRO-C area of west Scotland, near Glasgow. I grew up on a housing estate with my Mum, Dad and my brother. Around 1977 or 1978, when I was aged 10 or 11, I was injured in an accident on a landfill site near our housing estate. I recall that I had not yet started high/senior school when the injury happened.

4. My mates and I used to play on a landfill site around a mile away from our estate. We used to walk through the countryside, across a number of fields, before arriving at the site where we would look for bits and bobs that we could sell for 50p or so. On this particular occasion I was at the landfill site with a couple of other lads my age. Whilst mucking around, I put my foot through a small sash window. My foot went straight through the pane of glass and it completely severed my right Achilles tendon.

5. As soon as I put my foot through the glass, I knew I was in trouble. I thought I had lost my foot as it was barely hanging on. The bleeding was severe and I couldn't walk. Fortunately, another older boy, Peter McGachy, was on the landfill site at the time with some other lads.. He was around 13 or 14 at the time. I knew him as he lived nearby on the estate. All the kids on the estate knew each other back then, and I went to school with his younger sister.

6. Peter carried me home, across the fields and past farm yards all the way back to the tenements, where we lived. I was handed over to my Mum at the door, and I think she wrapped my foot loosely in a towel. I was conscious. We didn't have a house phone at the time but there was a payphone at either end of the estate, so someone, I think it was my Dad, went round to one of the phone boxes a few streets away and called for an ambulance.

7. When the ambulance arrived I was taken straight to Greenock Royal Infirmary. It took over an hour and a half, possibly two hours, for me to

get to A&E after the accident. I remember very clearly that I had lost a lot of blood.

8. Upon arriving at Greenock Royal Infirmary, my parents and I were told that I had completely severed my right Achilles tendon. At that age, around 10 or 11, I was not told about any other injuries or the injury in detail. This would have been explained to my parents, not me. My leg was stitched up and I was put in a full length plaster up to the top of my thigh by my groin.

9. I was in this plaster cast for 6 weeks before I returned to Greenock Royal Infirmary. The plaster was taken off and the 32 stitches were removed. I thought I would not need the plaster anymore, but this was replaced with a half plaster cast for a further 6 weeks.

10. After the plaster finally came off for good, some 12 weeks after the accident, I had physiotherapy and tried to return to normal. I was still trying to play football on the estate with the plaster on, and I was desperate to get back to playing with my mates. However my foot has never been the same since the injury. It is especially bad in really cold weather.

11. I left GRO-C aged 15 to join a travelling circus. The family who owned the circus took me under their wing as I was the same age as their children. The circus was the biggest travelling show in Europe. I started off running the props and helping out, working my way up to eventually become an escapologist. As a recognised artist I started to earn more money.

12. I was away for 9 or 10 months every year during the travelling season. I returned to GRO-C maybe once or twice a year during circus downtime. After 4 or 5 years with the circus, I left and settled in GRO-C, Norfolk.

13. I married my first wife in 1997, and we separated in 2010. I married for a second time in 2013. Throughout all of this period, I did not

experience any noticeable health problems. I was active, busy and seemingly healthy. I volunteered on the lifeboats for 5 to 6 years and I was involved in setting up youth football policies and fundraising. I helped to raise money for a new clubhouse with six full-size dressing rooms and I was instrumental in founding a local girl's football team. I also ran the Sheffield half marathon around 2014 or 2015, before my HCV diagnosis.

14. Around 2015, my then-wife had gone for a 'well woman' check-up and she had booked me in for a 'well man' check-up as well without me knowing. Before attending the well man clinic I had never had a blood test in my life, to my knowledge. After having my bloods tested at the clinic, the hospital phoned me 8 hours later to say that I should not drink alcohol for 3 weeks and I should come back to be tested again. I was confused by this as I had never been a big drinker at all. My wife and I would go out for a drink once every 2 months, and I would always drive if we ever went for a meal. Only very occasionally would I drink to excess.

15. I returned to the well man clinic 3 weeks later for another test and this time, just 4 hours later, I received a call telling me that I should see my GP as soon as possible. The clinic did not offer any explanation why and I began to worry. It knocked me sideways as I couldn't understand why I was being referred.

16. I saw my local GP 2 or 3 days later where it was explained to me that I had a fatty liver. I have always been a fussy eater, and I never ate vegetables apart from potatoes. My doctor and I were equally amazed to discover that my cholesterol was fine as were all the other test results. The only apparent issue was my fatty liver. At the time I didn't understand what this meant. I just assumed that it was caused by too many fried breakfasts.

17. I was then referred to the outpatients haematology department at Peterborough City Hospital. I was seen by Dr Ninkovich at the

haematology department where I was given the diagnosis that I was HCV positive. Dr Ninkovich sat me and my wife down and told us the diagnosis face-to-face. At the time, I had heard of hepatitis but I knew very little about it.

18. When I was told of my diagnosis, Dr Ninkovich asked me if I had ever taken intravenous drugs, if I had ever been promiscuous and if I had ever had a blood transfusion. I intimated that I had a bad foot injury when I was 11 and I had lost a lot of blood, and it was accepted then that it would have been likely that I had received a blood transfusion.

19. For the avoidance of any doubt, I have never taken intravenous drugs. I come from a particularly anti-drugs family, regardless of the environment I grew up in. We were a GRO-C household and were very anti-drugs. I have however in my life smoked 'pot' but i do not believe this to be abnormal, in fact it is very common but that is it. I wish to emphasise the point that I have never used so called hard drugs let alone with needles.

20. Dr Ninkovich sent me for an ultrasound scan and I also had an endoscopy. The results of these scans showed cirrhosis of the liver. This was explained as being caused by my HCV being undiagnosed for over 30 years, during which time this damage to my liver would have occurred.

21. I started treatment for my HCV within 6 months after being diagnosed. I was told that I couldn't receive the treatment straight away as it was very expensive. I believe it cost in the region of £105,000 to £115,000. I recall that Peterborough City Hospital had to apply to the government for permission to buy the medication.

22. This application was approved and I started a 12-week course of tablets. I cannot remember the name of the medication, though I had to take 4 or 5 tablets in the morning and the same in the evening. I was not monitored or tested during the course of treatment.

23. After completing the 12-week course of treatment, I was tested at Peterborough City Hospital haematology department. The results showed that the HCV was 'undetectable'. The treatment had been successful.

24. I still go to the hepatology department at Peterborough City Hospital every 6 months for an ultrasound on my liver. My latest ultrasound showed that my liver would not get any better. I was told that the cirrhosis is so advanced that it has permanently damaged my liver. It was explained to me that a liver's condition is marked on a scale of 1-79. A healthy person's liver scores 7 or 8, and an alcoholic's around 15 to 20. I was told that my liver score was 39/40, double that of a heavy drinker, as a result of my HCV infection over such a long period.

25. I also have an endoscopy every 3 years, and I believe I will need to do so for the rest of my life. I fear that later on in life something will go pop and I will need a liver transplant, and I am aware how difficult it is to find a suitable match.

Section 3. Other Infections

26. To my knowledge I have had no infections other than HCV.

Section 4. Consent

27. I believe that I consented to all tests and treatment for my HCV infection.

Section 5. Impact

28. Throughout the majority of my adult life, I had no inclination that I was HCV positive. I did not experience any obvious health problems until my diagnosis in 2015. I was always fit, active and seemingly healthy.

The HCV did not affect my everyday life, and on reflection it did not make me feel any different to normal.

29. I recall that I used to feel itchy skin when the sun came out. At the time, I simply put this down to having grown up on the west coast of Scotland, where the sun very rarely shines. On reflection, perhaps this was caused by the HCV. I have always been a busy person, and I only ever sleep for 4 and a half hours a night.

30. My infection with HCV has caused irreparable damage to my liver. I was infected with HCV for around 38 years before being diagnosed. If I had not gone to the well man check-up, I would not have known about my infection. It was accepted by the specialists that the damage caused to my liver was in keeping with long-term HCV infection.

31. When I was told of my diagnosis, my life changed completely. From the very day of my diagnosis, GRO-C

GRO-C

32. My wife knew that I had never cheated on her. I have never been unfaithful, and I have only ever slept with my four long-term partners throughout my life. I have also never taken intravenous drugs. It is clear to me that the only possible explanation for my infection with HCV was a blood transfusion received at Greenock Royal Infirmary after severing my right Achilles tendon in 1978.

33. My wife and I continued to share a happy relationship, though it became clearly that GRO-C had put a strain on our marriage. One weekend 3 or 4 years after my HCV diagnosis, I had been to Scotland on my own to visit family. When I returned to the family home, my wife had prepared divorce papers and left them on the

table. I had no idea that she wanted a divorce. I never saw that coming, neither apparently did any of our friendship group.

34. After our divorce, I lost my marital home in GRO-C Lincolnshire. It was a 4 bedroom house and I had just spent over £30,000 on a new kitchen. As soon as the kitchen was finished she filed for a divorce. I received £15,000 from the house that I believe was worth £320,000.

35. From age 17 to my early 20s, I was a regular blood donor. I donated at least once a year at a mobile unit in Cathcart Square, Greenock, when they used to provide tea and biscuits. This was all after my accident and the blood transfusion. I now have to consider and live with the fact that I may have unknowingly infected people. No one has ever spoken to me about it.

36. I was still working as a sales rep when I was diagnosed and during my treatment. I spoke to my boss after my diagnosis, but I did not disclose what exactly my infection was. I thought it was only fair that he should know that I was undergoing some quite serious treatment. He was very sympathetic and said if I ever needed to go to an appointment I should just phone him and it was fine. I could not fault the company or my boss.

37. I can honestly say that I did not experience any side-effects from the treatment. I was given lots of leaflets about the potential side-effects but I do not remember it ever affecting me.

38. Nobody ever knew apart from my wife and sister in law her confidant, about my HCV infection. I felt embarrassed by it. If anyone ever asks me, I just say that I was born with a liver deficiency. I have not even told my own children. I am worried about losing the closeness of my family and friends if they ever knew about it. I believe there is a stigma associated with hepatitis, though I managed to avoid this by keeping it quiet.

39. Before my infection with HCV, I was happy and confident. I was always a go-getter, and if I wanted something, I would work hard to achieve it. I now question whether it was all worth it. I didn't know whether I had 6 years or 6 months to live. It inhibited my naturally ambitious and optimistic character.

40. I had it all before my diagnosis. From that point, my life went downhill, and it was without question the principal cause in the breakup of my marriage. I went bankrupt in 2010/11 (before being diagnosed), having owed just short of a quarter of a million pounds following the breakup with my first marriage. I worked my way back up and paid it all back. I have been clear of bankruptcy for 4 or 5 years.

41. I am back again now, more like my old self. I live near to my family and I am happy. I am a totally different person since I moved back nearer to my children and grandchildren. My grandchildren especially have given me a boost.

Section 6. Treatment/Care/Support

42. I have not experienced any difficulties in receiving treatment in consequence of my infection with HCV. I have not had an appointment with the hepatology department for over a year but this is due to Covid-19.

43. I have never been offered counselling or psychological support. It would have been nice for someone to educate me a bit more on HCV so I knew what I was dealing with. I am not tech savvy or computer literate, so I was always reliant on advice from doctors and nurses. I have had to deal with this largely by myself as I have not told my close family.

Section 7. Financial Assistance

44. Catherine Berry, the nurse who I see every 6 months at the hepatology department at Peterborough City Hospital, told me about the Skipton Fund. I think this was soon after my diagnosis with HCV. Catherine Berry told me how to apply and we got all the forms and information together.

45. I applied for my medical records from Greenock Royal Infirmary, but I was told that they had been destroyed. It was explained to me that this was in line with their policy because more than 30 years had elapsed since I left the GRO-C area.

46. I do remember getting some records from my GP which I submitted with my Skipton Fund application, though I cannot remember what they contained. I believe they referred to the injury I had at the time of the accident.

47. I applied to the Skipton Fund not long after my diagnosis, around 2015/16. I received a letter soon afterwards saying they had refused my application on the basis that I was unable to prove that I had a blood transfusion.

48. I appealed against this decision, this time submitting a letter from Peter McGachy. I found Peter, the neighbour who carried me home after my injury, via social media. Peter provided a letter to the Skipton Fund, explaining what happened on the day of the accident and how I had severed my Achilles tendon. He remembered my blood loss and how long it took to get me home from the landfill site to raise the alarm and then on to the hospital.

49. The Skipton Fund appeal panel considered my case but again refused it. I was informed that the appeal had failed because there was no evidence of me ever having had a blood transfusion.

50. I was disheartened after this final rejection, but I just accepted it. I didn't lose anything as I didn't have it. I never applied in hope, I

pursued it under the advice of my nurse. There is no other possible way that I could have contracted HCV, but the Skipton Fund did not recognise this. I disposed of any copies of papers that I had submitted, as I didn't see the point of keeping them.

Section 8. Other Issues

51. My diagnosis with HCV all came as a huge surprise to me; I don't know where to start. It has been explained to me how the blood supply came to be infected, and I think it is fully wrong. They were dicing with peoples' lives.

52. I recently learnt that my auntie on my mother's side, Celia McIlroy, died from HCV which she got from a blood transfusion during/after childbirth in the 1970s at Greenock Royal Infirmary. I only found out about this in the last couple of years when I was catching up with family members in Scotland. I was shocked at the similarities with my case when I was told how she died.

53. In the modern world we live in, I think it is sad how my records were not saved by putting them on a floppy disc or saving on a computer. They should have kept them electronically. Any chance of getting financial support has been taken away from me because my medical records were destroyed. I think this is unjust and unfair.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed GRO-C

Dated 29/01/2021