



## SCOTTISH EXECUTIVE

Minister for Health & Community Care  
**Susan Deacon MSP**

St Andrew's House  
Regent Road  
Edinburgh EH1 3DG



Lord Hunt  
Department of Health  
Richmond House  
79 Whitehall  
LONDON  
SW1A 3NS

Telephone: 0131-556 8400  
scottish.ministers@scotland.gov.uk

Date: 13 April 2000

— Dear Philip,

### HEPATITIS C AND BLOOD TRANSFUSIONS - LITIGATION

I understand that the Department of Health are currently considering proposals by the National Blood Authority to settle claims being brought under the Consumer Protection Act 1987 by 113 people, who have been infected through the transfusion of blood contaminated with the Hepatitis C virus. My purpose in writing to you is to express concern that any decision in England is bound to result in pressure to settle in similar terms in Scotland, and to ask you if we can therefore develop a common approach.

Although I understand that the cases in England have been brought against the NBA, Scottish Ministers have been named in 13 similar individual litigation claims so far, with another 38 naming the Scottish Blood Transfusion Service and Hospital Trusts. The Scottish Executive will be directly affected by the implications of decisions in the English cases.

Officials from the Scottish Executive Health Department have asked Department of Health officials for more information about the basis of the advice to settle. I should be extremely grateful if you would involve me in consideration leading to your decisions on this issue. I think a meeting between us would be very useful, once our officials have had a chance for further discussion. Please let me know what you think.

A copy of this letter goes to Jane Hutt at the National Assembly for Wales, George Howarth at the Northern Ireland Office, and to John Reid, the Secretary of State for Scotland.

*Susan Deacon*

GRO-C

SUSAN DEACON

CMA01704