

THE HAEMOPHILIA SOCIETY

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President: Lord Morris of Manchester
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Lord Morris of Manchester
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23 June 1999

Dear Lord Morris

I write in response to the written answer given by the Parliamentary Under Secretary of State, Baroness Hayman, to your question of 24 May about the previous Government's rationale for providing financial assistance to people with haemophilia infected with HIV through their NHS treatment. You had asked where it was officially stated that the Conservative Government's reasons for making the HIV settlement were the social stigma of HIV and the danger of infecting partners.

The Haemophilia Society is extremely concerned at the answer given by Baroness Hayman to your question, as in our view it does not represent an accurate explanation of the previous Government's thinking. Given the importance of this matter, I have consulted the Society's current chairman Chris Hodgson and our previous chairman Alan Tanner, who was very closely involved in negotiating the HIV settlement. The Society's view is that the Conservative Government's decision in 1987 to introduce a special payments scheme for people with haemophilia infected with HIV via contaminated blood was far more to do with the pressure of legal actions then being pursued, the large number of deaths from AIDS within the haemophilia community, the high profile of HIV in the media and all party pressure from within Parliament, not least from among its own supporters.

The Government at that time did not explain its reasons for not including Hepatitis C in the original financial assistance scheme established for the haemophilia community. One reason for not including HCV could have been that the virus was not formally identified as hepatitis C until 1989, previously being referred to as 'non-A, non-B hepatitis, and a test for it was only introduced in 1991. However, this had changed by 1991 when Government made a further ex gratia payment of £42 million to avoid litigation and then required individuals to sign a waiver covering both HIV and hepatitis C. That waiver is surely evidence that the last Government saw the potential for an equally strong case being argued for recompense for people with haemophilia who had been infected with Hepatitis C in the same way as those infected with HIV via contaminated blood products.

As you know, the feelings of injustice and anger in the haemophilia community are very strong on this issue. To our members this waiver suggests the Government at that time appreciated the seriousness of Hepatitis C, but was more concerned to deny liability and distance itself from responsibility than to ensure a fair and humane response to patients who had suffered a devastating infection via their NHS treatment. The effect of the waiver is to seek to deny people with haemophilia and Hepatitis C the chance of recompense for that virus. Perhaps the greatest disappointment is to find the current Labour Government seeking to justify today the unjust stance adopted by its predecessor with regard to Hepatitis C.

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I hope you will continue to pursue these arguments, and be assured that the Society is committed to fighting this campaign for as long as it takes to secure justice for our members.

Yours sincerely

GRO-C

Karin Pappenheim
Chief Executive

Cc Chris Hodgson