

Witness Name: Christopher Laurie "Kit" Malthouse

Statement No: WITN7713001

Exhibits: None

Dated: 04 July 2023

## **INFECTED BLOOD INQUIRY**

### **WRITTEN STATEMENT OF CHRISTOPHER LAURIE "KIT" MALTHOUSE**

I, Christopher Laurie "Kit" Malthouse, WILL SAY as follows: -

1. I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 05 June 2023.
2. My name is Christopher Laurie "Kit" Malthouse, and I was born on GRO-C GRO-C 1966. My address is C/O The Government Legal Department, 102 Petty France, Westminster, London SW1H 9GL. My political and personal background can be read at <https://www.gov.uk/government/people/kit-malthouse>.
3. I welcome the opportunity to assist Sir Brian Langstaff and his team with this inquiry into infected blood. I will endeavour to assist as much as I possibly can. It should be noted that it is unlikely I saw all documents which were copied to me in my roles; such documents are routinely circulated for information to civil servants in the relevant department in preparing briefing and tend only to be shown to Ministers as necessary. This is simply because of the sheer volume of paper involved.
4. I can confirm that I am not a member of, nor have I been involved in any committees, associations, parties, societies, groups, or organisations relevant to the Inquiry's Terms of Reference. I do not have any business or private interests which are relevant to the Inquiry's Terms of Reference.
5. I have not provided evidence or been involved in any other inquiries, investigations, criminal or civil litigation in relation to the human immunodeficiency virus ("HIV") and/or hepatitis B virus ("HBV") and/or hepatitis C virus ("HCV") infections.
6. I was promoted to Chancellor of the Duchy of Lancaster on 7 July 2022, the day the then Prime Minister announced his intention to resign, and held the

post until 6 September 2022, when I was appointed Secretary of State for Education.

7. I have been asked to describe my role as Chancellor of the Duchy of Lancaster in relation to the Government's decision-making in response to the First Interim Report of the Infected Blood Inquiry ("IBI"), the announcement on 17 August 2022 that interim compensation payments would be made, and the arrangements for their subsequent payment.
8. On 29<sup>th</sup> July, Sir Brian Langstaff wrote to the Rt Hon Michael Ellis MP, Minister for the Cabinet Office, who had been leading on this issue for the government, laying out his recommendations as to payment of compensation. In the letter he said:

*"I recommend that:*

*(1) An interim payment should be paid, without delay, to all those infected and all bereaved partners currently registered on UK infected blood support schemes, and those who register between now and the inception of any future scheme;*

*(2) The amount should be no less than £100,000, as recommended by Sir Robert Francis QC."*

9. It was shaping up to be an exceptionally busy summer with various, severe civil emergency and other issues to deal with as well as the backdrop of the Conservative leadership election and preparing for a new administration. Nevertheless, in discussion with my Special Advisers over the weekend that followed, and through them with No.10 Downing Street, we took the view that we should make fulfilling Sir Brian's recommendations a priority.
10. At the time the IBI was being dealt with by Minister for the Cabinet Office. I took the view he needed more political assistance to get it over the line. Prospective recipients were dying all too frequently, and I could see no good reason for delay; rather there was a moral imperative for speed. I decided therefore to assume the lead.
11. From the beginning of August, I held a series of meetings, formal with officials, (including Sue Gray, then second Permanent Secretary of the department) and informal with my Special Advisers and Private Office, to discuss the issues, various obstacles and what tactics would be required to achieve our objective.
12. We sought assistance from 10 Downing Street from the outset. The Prime

Minister was very supportive.

13. I think it would be fair to say that I exerted maximum pressure through the Cabinet Office. I made it clear that I wanted to make an announcement as soon as possible, including a specific and not too distant deadline by which all payments would be made.
14. I raised the issue and the need for speed with the Secretary of State for Health in a bilateral meeting on 3<sup>rd</sup> August, and it was agreed that our teams would work together at a senior level to resolve any obstacles to payment from a DHSC perspective.
15. On 5<sup>th</sup> August I convened a cross government meeting to deal with any problems or complexities and give a very firm steer to other departments. Sue Gray led for the Cabinet Office and happily everyone was keen to proceed as swiftly as possible.
16. Concerns were expressed at the meeting on several issues, the most important of which were:
  - (1) Whether it was appropriate for an outgoing administration to take the decision, and whether any decision taken would be maintained by the incoming administration.
  - (2) It was necessary to clarify the taxation and benefits status of any payments, in order that recipients of payments were not subject to additional tax liabilities, or deemed to be subject to less advantageous treatment in terms of their entitlements to benefits, particularly means-tested benefits.
  - (3) The issue of double recovery in the event of further compensation payments.
  - (4) The method of payment and a realistic deadline by which payment should be made.
  - (5) There were also issues about the complexity of identifying and then making payments to partners and bereaved family members.
  - (6) Obtaining HM Treasury approval in a timely manner.
17. Further work and legal advice was commissioned with a clear steer that the payment deadline should be the end of October 2022, and that I wished to make an announcement within a matter of days.
18. Throughout the days that followed my Special Advisers and Private Office kept me up to date with progress, and there were informal meetings with officials.

19. Following an intense period of work by officials in the Cabinet Office and other departments, including expediting obtaining the relevant clearances and approvals and we were in a position to make an announcement.
20. On 16<sup>th</sup> August the Minister for the Cabinet Office wrote to Sir Brian Langstaff informing him of our intention to accept his recommendations in full and make payments to those infected and bereaved partners by the end of October 2023.
21. On 17<sup>th</sup> August a public announcement was made, and I did the morning media round the same day explaining the government's decision.
22. On 5<sup>th</sup> September, when the House of Commons returned from recess, a written ministerial statement was laid in both Houses of Parliament.
23. On 6<sup>th</sup> September 2022 I ceased to be Chancellor of the Duchy of Lancaster and took up the office of Secretary of State for Education. Thereafter I had no further involvement.

**Statement of Truth**

I believe the facts

GRO-C

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

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