

Jane Hutt AM
Minister for Health and Social Services



Llywodraeth Cynulliad Cymru
Welsh Assembly Government
Cardiff Bay
Cardiff
CF99 1NA

Our ref: JH/01002/02

Di D R Lloyd AM
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

COPY

26 April 2002

Dea Dai,

Thank you for your letter dated 28 March 2002 concerning the compensation for Haemophiliacs infected with Hepatitis C.

I appreciate your concerns and deeply regret that so many people with Haemophilia were infected with the Hepatitis C. I have great sympathy for anyone who has suffered harm as a result of their NHS treatment.

I am aware that the Scottish Minister has decided to set up an expert group to look at the issue of establishing a system to offer financial and other support to those who have been harmed by NHS treatment. The Scottish Executive has informed officials that preliminary findings of the first stage of the feasibility study, where the NHS is unlikely to be found liable, are due in July. Preliminary findings of the second stage of the feasibility study, where the NHS is likely to be found at fault or negligent, are due in December of this year. I will, of course, look carefully at their findings and the Scottish Executive decision on this issue.

Welsh Assembly Government policy remains that compensation or other financial help to patients is only paid when the NHS or individuals working in it are at fault. The underlying principles are clear cut and independently established under common law. They apply to personal injury cases in general – not just those arising from health care. In general there is no 'no fault compensation.' The fact is that the technology to make blood products free from Hepatitis C, in sufficient quantities to treat all Haemophiliacs in the UK, was simply not available prior to 1985.



Yours,

GRO-C: Jane
Hutt