

SC2679192.02

Thursday 14 November 1991  
Written Answer  
Monday 17 February 1992

PQ 267/1991/92  
Han Ref: Vol  
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**HIV: BLOOD TRANSFUSIONS**

P72 Sir Michael McNair-Wilson (C. Newbury):

To ask the Secretary of State for Health, what is the total number of people who received National Health Service transfusions of blood contaminated with the HIV virus; how many have subsequently been diagnosed HIV positive; and how many have died.

**MR WALDEGRAVE**

Pursuant to the reply of 14 November 1991 at column 656; I have decided that the special provision already made for those with haemophilia and HIV is to be extended to those who have been infected with HIV as a result of National Health Service blood transfusion or tissue transfer in the United Kingdom. The payments will also apply to any of their spouses, partners and children to whom their infection may have been passed on. The rates of payment are shown in the table. Similar help will be available throughout the UK.

The Government have never accepted the argument for a general scheme of no fault compensation for medical accidents, as such a scheme would be unworkable and unfair. That remains our position.

We made special provision for those with haemophilia and HIV because of their very special circumstances. It has been argued that this special provision should be extended to include those who have become infected with HIV through blood or tissue transfer within the UK. I have considered very carefully all the circumstances and the arguments which have been put to us. I have concluded that it would be right to recognise that this group, who share the tragedy of those with haemophilia in becoming infected with HIV through medical treatment within the UK, is also a very special case.

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The circumstances of each infected transfusion or tissue recipient will need to be considered individually to establish that their treatment in the UK was the source of their infection.

A small expert panel is being set up to consider cases where necessary. I am pleased that Mr Benet Hytner QC has agreed to chair this panel and I shall shortly appoint two medical assessors to assist in this work. Further detailed work needs to be done on the machinery for handling individual claims for these payments; but payments will be made as soon as possible.

Parliamentary authority for making these payments will be sought through Supply Estimates and the confirming Appropriation Act. On the basis of the reported cases the estimated cost could be £12 million. However, I cannot be certain about the cost, as numbers of valid claims are not known.

I share the great sympathy which is universally felt for the blood and tissue recipients who have tragically become infected through their treatment. Money cannot compensate for this but I hope that the provision we are making will provide some measure of financial security for those affected and their families.

[TABLE ATTACHED]

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**TABLE**

The amounts of payments to be made to the HIV infected NHS blood and tissue transfer recipients are:

	£
- Infant	41,500 each
- Single Adult	43,500 each
- Married Adult without dependant children	52,000 each
- Infected person with dependant children	60,500 each

and to the infected spouses and/or children of the above:

Adult infected spouse or partner of the blood or tissue recipient	23,500 each
Infected child who is married	23,500 each
Unmarried infected child	21,500 each

These are the amounts already paid to people with HIV and haemophilia.