

Witness Name: Elizabeth Helen Carroll
Statement No.: WITN3078009
Exhibits: WITN3078010 - WITN3078031
Dated: 21 September 2020

THE INFECTED BLOOD INQUIRY

EXHIBIT WITN3078022

Burke, Kirstyn

From: Liz Carroll
Sent: 02 March 2015 07:07
To: Bernard Manson; Alan Burgess; [GRO-D] [GRO-D] [GRO-D]
[GRO-D] [GRO-D] [GRO-D] Kate Khair; [GRO-D]
[GRO-D] Simon Mower; William Payne
Cc: Liz Carroll
Subject: Re: Private and confidential, Haemophilia Society Board, Macfarlane Trust

Dear trustees

I fully appreciate not everyone agrees with the decision made to retract the statement, however more than one person with a legal background has told us this is the only sensible course of action. Anybody who understands the trusts will know why this has happened and those who don't won't be interested in a short time.

The advice was that it would be irresponsible as a board to put the future of the charity at risk, which we would have done.

This also reduces the risk to me personally. I will always be able to explain I did the wrong thing for the right reasons.

This has and will for the next week be incredibly difficult but the rest of the letter stands and the Minister will know why this step has had to happen.

I also wanted to say I know you have been incredibly brave Alan and we all thank you for that. However [GRO-D] was never asked to speak at the APPG meeting and has always been open about how he feels about the charities and trusts at Alliance house.

I feel very privileged to have a board who can disagree in private but speak with one voice in public. It is a rare thing and one of the things that has got me through the last week. We will get through this and the right outcome will prevail.

I'm off to Brussels to learn about inhibitors today.... We will keep trying to do the right thing for all our members and I know we have all learnt from this awful situation.

Thank you all for your support
Liz

Sent from Samsung Mobile

----- Original message -----

From: Bernard Manson
Date: 27/02/2015 23:40 (GMT+00:00)
To: Alan Burgess; [GRO-D] [GRO-D] [GRO-D] [GRO-D] [GRO-D]
[GRO-D] [GRO-D] Kate Khair; [GRO-D] Simon Mower, William Payne
Cc: Liz Carroll
Subject: Private and confidential, Haemophilia Society Board, Macfarlane Trust

Trustees,

Liz has spoken with our barrister and exchanged emails twice today. The upshot is that we had unequivocal advice that we should make a clear statement that we now accept that Jan did not say what was quoted, and that we

apologise. If we did not do this and they pursued us legally then the Society, and Liz personally, would be hugely at risk. No court could be relied on to believe the evidence of a single witness however credible against the testimony of two witnesses, however tarnished.

I met with Liz today, and after discussion and agreement I instructed her to follow the legal advice.

I take responsibility for bypassing the board in taking this decision. I explain below why I did this. There will be an opportunity to discuss the underlying issue and my taking this decision on my own at our next board meeting; meanwhile I will be available to discuss this by phone or by email.

We were under legal pressure with a 48-hour deadline. If we had wanted to follow any course of action other than that recommended we would have to consult the lawyer again and wait for the response and potentially discuss that. It was therefore not practical to have an effective board discussion (even by conference call) in the time available.

I believe that the mood of the board has generally been to accept that we had got into a mess and needed to get out of it at minimum "cost" - including factors other than financial.

A minority of trustees have strongly argued that we and Liz should fight this as a matter of principle. My position is that while it is deeply annoying to be made to apologise where we feel we have done no wrong, this in itself is trivial compared with the underlying issues around the reform of the trusts, and that we should concentrate on working with the APPG in this and not be sidetracked into expending our resources on a quarrel with individuals. I would add that Alistair Burt called Liz today to express his support and also to urge her to make the apology requested so as to close this matter.

There is clearly anger in the board against Roger and Jan, and fear that if we admit "guilt" we will face further pressure. The letter we have sent therefore makes our publishing an apology contingent on this being "full and final settlement" - ie no further legal action. On a point of logic, as our aim is to avoid the cost, pressure, and uncertainty of a court appearance, it would be foolish of us to make any admission of "guilt" without such an assurance – this at least strengthens our bargaining position.

Some trustees have also suggested that if we stood firm, Roger would not press legal action. I am sympathetic to this view, but as a charity trustee I cannot risk exposing the charity to litigation costs potentially in the hundreds of thousands of pounds together with the possibility of our having to pay damages, together with distracting the charity from working for its beneficiaries. We have seen in the last few days how much stress and how much extra work for Liz this incident has caused. This is simply not sustainable.

We will doubtless suffer short-term embarrassment, but experience tells me that it will blow over in a couple of weeks.

I appreciate that some people will see the society apologising to Jan and Roger as a betrayal of those who have suffered from contaminated blood. With the benefit of hindsight, we did damage this community by including the offending passage in the original letter and we are now in damage limitation. I am sure most reasonable people will recognise our action now as necessary prudence under legal pressure. We stand by the rest of Liz's letter which addresses the substantive issues about the trusts and we will be active in supporting the APPG and in responding to Penrose. However, we must also remember that the focus of the majority of the Society's activity is on other issues for those living with a bleeding disorder, and we need to maintain the appropriate balance.

I am sorry if I have upset any of you by taking this action without further consultation. I further apologise to those who feel it is the wrong action. You will have an opportunity to discuss my position at the meeting on 18 March. In the meantime, as noted above I am very willing to discuss any aspect of this by email or phone.

The most important thing we should be doing now is supporting Liz. She has borne the brunt of the pressure on this, and until the situation is resolved she continues to be under threat of being sued personally. If anyone has any complaints about how we have handled this incident they should be addressed at me. Please reflect on the

huge positive activity that the Society is now engaged in under Liz's leadership and help her get back to focusing on maintaining and developing this.

I attach the letter which we sent to Macfarlane's solicitors earlier this evening. Liz and I shall of course keep you informed of the response. If there are further decisions to be taken on this, I shall make every effort to involve the board, but please be understanding if we run into similar timing issues under legal threat.

Best wishes,

Bernard Manson

Mobile GRO-C