

Witness Name: Jason Jonathan Evans

Statement No: WITN1210001

Exhibits: WITN1210002-3

Dated: November 2018

**INFECTED BLOOD INQUIRY**

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**EXHIBIT WITN1210002**

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DOC (3)

PROOF OF EVIDENCE

JONATHAN EVANS will say:-

My full name is Jonathan Evans. I am 27 years old, born on the [GRO-C] 1962. I am married and live with my wife Sandra Evans at [GRO-C] [GRO-C] Staffs with my Son Jason (d.o.b. [GRO-C] 1989). I am unemployed and in receipt of state benefits.

I am making this proof of evidence in response to a letter which was sent to me by my solicitors on October 19th. I understand that Counsel has requested this information in order to allow him to settle the individual statements of claim in relation to this and other HIV Cases.

My reference number in connection with these proceedings is "[GRO-C]"

I have been asked to detail the physical and psychological injury and/or other losses caused as a result of my being diagnosed as being HIV Positive. Below I set out those details separately listing the physical and and the psychological problems/symptoms.

PHYSICAL:

I was diagnosed as being HIV Positive in July 1984 at the Coventry and Warwick Hospital.

Not long after this, I started to develop rashes on my legs. I also started to suffer severe headaches which resulted in sickness.

In July 1989 I was extremely ill with a bout of gastric flu. I lost approximately 1½ stones over a period of a few days. My weight came down from 9½ stone to

8 stone. It took me a few months to put the weight back on. I am almost back to my normal weight.

In addition to the above, I suffer with night sweats and on occasions have had to change the bed sheets in the night.

The only other major problem that I have noticed (which is gradually becoming more of a problem) is that I am constantly exhausted. The smallest amount of physical exertion leaves me feeling totally worn out.

Apart from the above, there have been no other symptoms.

#### PSYCHOLOGICAL

My reaction to being told that I was HIV Positive was fear. I felt that my world had come to an end. I was told that I would die, but the hospital didn't know when. The manner in which I was told (by Professor Shinton) left a considerable amount to be desired. What has to be borne in mind is that the original test was carried out in November 1983 and not notified to me until July 1984 by which time I was married. Therefore, not only was I worried about my own health, I was worried about GRO-B's as well.

We were told to use condoms and not kiss each other intimately. We were also told not to use the same toothbrush. GRO-C

GRO-C. It is difficult to explain, but every aspect of my life, (my own sanity, that of my wife and the stability of our relationship) came to an end. This had an immense affect on me. If anything, the fear of what has happened and what may happen in the future has got worse.

My wife was extremely concerned that she might lose her job and this

increased the financial worries that we had at the time, since I was by then unemployed. We lost contact with our family, friends and my wife eventually lost her job following an "expose ", with a National Newspaper in June.

Particularly burdensome was the fact that we felt that we couldn't have any children and this really upset Sandra because we had had the chance to start a family before all of this happened.

Perhaps rather foolishly, we confided in our neighbours. However, not long afterwards, the neighbour in question came to our house and informed us that she felt that it was her moral duty to tell everyone in the close of my condition. From then on things got gradually worse.

Following the expose in the newspapers, Sandra would come home crying every night, and was extremely upset. Eventually, she lost her job as a part-time cleaner in a local bakery shop following the information which appeared in the press. She had already given up a full time job to look after me.

There was a subsequent spot on Central TV News. We were informed by Central that we would have the opportunity of putting our side of the story and that is why we agreed to go on TV. However, after the news item appeared, we were completely ostracized. People would walk away from us, or talk about us as we passed them, staring at us as if we were criminals. We began to receive abusive telephone calls and letters suggesting that we should be locked up to stop AIDS spreading in the community. Lots of hurtful things were said by people who we had never known before. It is difficult to explain to a third party the immense stress that all of this created. Eventually, we reached the position where we felt that our relationship could not continue. It very nearly broke down completely. However,

we decided that we would try to start afresh in a new town. We attempted to do this, but due to my HIV Positive status, no-one would give us a mortgage or any life insurance. In effect, we were left with no choice but to remain where we are.

Whilst all of this was going on, I was extremely depressed and felt that I could go onto develop AIDS at any time. These morbid thoughts completely occupied my mind. I became completely introspective. [GRO-C]

[GRO-C] I knew that I could infect her [GRO-C]

[GRO-C] Additionally, Sandra was extremely frightened that she could also catch AIDS. Eventually, the relationship between us deteriorated

[GRO-D]

[GRO-D] This was really the crux for us, but we have done our best to repair the relationship. I still live with the fear of passing AIDS on, but Sandra must also still live in the fear of being infected.

When Sandra became pregnant with Jason (which was an accident) this has gradually increased the pressure and stress on both of us. There is of course the possibility that Jason could be HIV Positive, though as yet, all of the tests have proved negative.

Quite frankly in the 5 years that have passed since I was diagnosed as being HIV Positive, the life of my wife and myself have been hell. I believe that a fair amount of the pain and suffering would have been avoided had we known more about the disease, more about the way in which the general public were reacting to it. We both believe that we have suffered immense psychological damage as a result of what has happened.

I have been asked for details of any serious illness in the preceding 10 years to include the dates and places where treated. The only particularly

serious incident that has come to my mind is the bout of gastric flu I suffered in June 1989. At the time, I was treated by my own GP, Dr. [GRO-B] of [GRO-B] and I also consulted the Haemophilia Centre at Oxford. I was given medicine, and antibiotics. They asked whether I would be prepared to come an inpatient to receive treatment, but I refused this at the time.

The nature of an order for provisionally damages has been explained to me and my wife and certainly as far as I am concerned an order for provisional damages is applicable in view of the likelihood that I could go on to develop AIDS at a later stage. I am also of the opinion that an order for provisional damages in respect of my wife may be applicable from the point of view that she is at risk of becoming HIV Positive and may go onto develop AIDS at a later stage.

The meaning of Section 14 of the Limitation Act 1980 has been explained to me and I am aware that technically speaking ,my application for compensation was made out of time. There are a number of reasons for this.

1. At the time when I was informed of my HIV Positive status, my life completely went to pieces. The way in which the infection was explained to me by the hospital did not leave me with the opinion that I had any cause of action. To some extent this was reinforced by information I received from the Haemophilia Society during 1985, 1986 and 1987 where the general consensus of opinion appeared to be that it would not be possible to sue. In any event, there was a further problem in that I was under the impression that proceedings would be commenced against the individual doctors and hospital responsible for my treatment. Quite frankly, the prospect of this did not appeal, since I relied upon them for medical treatment and did not wish to place myself in a position where that could be

jeopardised.

2. I first became aware that there was a possibility of action being taken in January or February of 1988 when I instructed a firm of Solicitors [GRO-D] known as [GRO-D]. They are situated on [GRO-D]. The matter was being dealt with at the time by a Mr. [GRO-D]. I provided him with preliminary instructions, but nothing happened. Two or three months later, I received a telephone call from Mr. [GRO-D]. He explained that nothing had been done with regard to my case and that Mr. [GRO-D] had had personal problems and had left the practice. Mr. [GRO-D] subsequently expressed the view to me that he felt that the case was of such magnitude that he would rather decline instructions than accept them. He said that his firm was not big enough to deal with the matter. He referred us to the Haemophilia Society and in turn referred us to Ault McGrath & Co in November 1988.

SIGNED .....

DATED .....

I, SANDRA EVANS of [GRO-B] (D.O.B. [GRO-64])

confirm that I have read the above statement and that I agree with its contents. I am an authorised party to this action under code number "[GRO-C]". The only material difference between what John has said and what I would like to say is in relation to the operation of Section 14 of the Limitation Act 1980. I did not become aware of the possibility that I could take any action until April 1989 when the matter was mentioned to me by my husband following a visit he had had to our solicitor. Further details are provided within my proof of evidence taken in connection with this matter.

SIGNED .....

DATED .....