

Witness Name: Jason Jonathan Evans

Statement No: WITN1210008

Exhibits: WITN1210009-036

Dated: February 2020

INFECTED BLOOD INQUIRY

EXHIBIT WITN1210028

Chronology of Dr Rejman & ACVSB Destruction

<u>Within Department of Health</u>	<u>What it means</u>
<p><u>3rd July 1989</u> It is clear that HCV studies are being conducted on Haemophiliac samples at the Third Meeting of the ACVSB attended by Dr A Rejman. The Chairman's brief for this meeting states "The suggestion was made at the last meeting of a prospective study of NANB in blood recipients or on stored sera from haemophiliacs (Dr Tuddenham)". The minutes of the meeting state "most recipients of earlier concentrates were Chiron positive. Further study of stored haemophiliac sera was advocated." and "Members were asked to forward all contributions on NANB to Dr Rejman." (HIM 22 7 VOL 3, Page 202)</p>	
<p><u>29th September 1989</u> Dr H Pickles writes to Dr Rejman enclosing papers which state "infections resulted most obviously from large-pool blood coagulation products, in fact, most haemophiliacs at risk would develop hepatitis after the first or second exposure to product." (HIM 22 7 VOL 4, Page 40)</p>	
<p><u>9th October 1989</u> Meeting with Haemophilia Centre Directors Dr Rejman takes part in discussion concerning the HIV Haemophilia Litigation. Later on in the meeting it is stated that: "The Working Party would be looking at HCV testing in haemophiliacs. Dr. Rizza said that he had written to Directors at Dr. Mortimer's request informing them that Dr. Mortimer was willing to test serum samples for anti-HCV." (SNB0017791)</p>	
<p><u>23rd October 1989</u> J Canavan sends papers to Mr Anderson which have been prepared by Dr Rejman. The papers state "In the case of NANB hepatitis, the majority of haemophiliacs became infected after frequent use of concentrate, more quickly if commercial rather than UK concentrate</p>	

<p>was used." & "The new hepatitis C antibody test has shown the majority of severe haemophiliacs to be positive". (HIM 22 7 VOL 4, Page 88)</p>	
<p><u>29th December 1989</u> Dr Rejman sends a "Cost-Benefit Analysis" of HCV testing to Dr Pickles & Mr Canavan. It states 50% of those infected Develop Chronic Hepatitis and he lists other risks which include Cirrhosis and Death. Amongst the potential risks of not introducing HCV testing he writes, is "Litigation". (HIM 22 7 VOL 4, Page 280)</p>	
<p><u>18th January 1990</u> Dr Rejman seeks permission from within the DHSS to attend a symposium on HCV which is granted but he is told "don't get trapped into making any statements". (Rejman attends Ortho)</p>	
<p><u>12th February 1990</u> Dr Rejman is present at a meeting with Haemophilia Centre Directors where following a discussion around potential litigation it is agreed that "the Haemophilia Society should not be given Hepatitis data". (Nineteenth Meeting of the AIDS Group of - Haemophilia Centre Directors)</p>	
<p><u>1st March 1990</u> Dr Rejman receives a copy of a letter from The British Embassy advising that 80% of Haemophiliacs in France have been infected with HCV. (Rejman 80 france aware)</p>	
<p><u>11th May 1990</u> Dr Rejman is copied into a letter from Dr H Pickles (DHSS) which states there is "as expected, high rates of positivity with a recently developed test for hepatitis C in recipients of blood products." It also says that "transmission of non-A non-B hepatitis to haemophiliacs was commonplace". (CBL 29 VOL 1, Page 97)</p>	

<p><u>14th August 1990</u> Dr Rejman is copied into a letter from J Canavan about an event regarding self-sufficiency and the possibility of a DH spokesperson, he says “there is a risk that remarks by UK spokesmen would be exploited for the purposes of the litigation. The occasion could also present an opportunity for awkward questions about past performance in this country”. (HIM 3 VOL 6 Page 243)</p>	<p><u>12th November 1990</u> Dr Rejman is copied into a letter from J Canavan outlining proposed terms and strategy of the HIV litigation settlement. There is a strong desire from the Government to end the litigation.</p>
<p><u>6th December 1990</u> A report is sent from H Pickles to Mr Metters. Dr Rejman is copied in. The report shows that 1 in 10 of those infected with Hep C develop Chronic Cirrhosis. It states “Most haemophiliacs who received unheated blood product (factor VIII) had NANBH.” (HIM 22 7 VOL 7, Page 189)</p>	
<p><u>22nd February 1991</u> Dr Rejman writes to DH officials stating that HIV infected Haemophiliacs should have to agree “not to raise Hepatitis in any further litigation”. (HIM 1 VOL 2, Page 198)</p>	
<p><u>18th April 1991</u> Dr Rejman receives a letter for H Pickles who says “I think we can be satisfied with this outcome”. She is referring to an ASA ruling against the Haemophilia Society in relation to an Advert they ran which said “Hereditary gave him Haemophilia, the NHS gave him HIV”. (HIM 3 VOL 6 Page 60).</p>	
<p><u>18th April 1991</u> Dr Rejman is copied into a letter to the SofS requesting authorisation to make a final offer in respect of the HIV Litigation. (Alcock PS 1991)</p>	<p><u>22nd April 1991</u> Dr Rejman is copied into a letter from Stephen Alcock to Mr Dobson authorising Mr Dobson to convey Government’s final offer to plaintiff’s solicitors in the HIV litigation and make payments upon receipt of a letter of discontinuation. (Alcock to Dobson April 1991)</p>
<p><u>9th May 1991</u> J C Dobson writes to John Murphy, Dr Rejman is copied in, he raises</p>	

<p>concerns over potential press reports concerning delays in implementing a test for HCV and how the press may link this to the Haemophilia HIV Litigation settlement. (SGH0027855)</p>	
	<p>7th June 1991 The Guardian reports that former head of R&D at French CNTS said to paper "We could have put into effect new technology to assure greater safety by mid-1984."</p>
<p>30th July 1991 Dr Rejman is copied into a letter from Mr J Canavan. It is proposed to keep news of a HCV test "low key" in order to avoid "accusations of secrecy" - the HIV litigation is referred to. (GEB 32 VOL 2)</p>	
<p>16th September 1991 Dr Rejman advises Haemophilia Centre Directors that those who accept the HIV settlement cannot go onto sue for HCV. He also outlines points relating to limitation. (HIM 1 VOL 4, Page 224)</p>	<p>THIS SHOWS THAT THE DEPARTMENT OF HEALTH KNEW HAEMOPHILIACS WHO SIGNED THE WAIVER WOULD NOT BE ABLE TO SUE FOR HEPATITIS C ONCE THEY FOUND OUT.</p>
<p>8th November 1991 Canavan CC's Dr Rejman into a letter, it outlines the French blood scandal and states charges have been issued against Allain who runs Cambridge / East Anglia transfusion in the UK. (GEB 5 VOL 1, Page 135)</p>	<p>24th October 1992 The Guardian, NYTimes and others report multiple jail sentences for former health officials involved in the Frances haemophilia blood scandal. https://www.newspapers.com/image/259944975/?terms=Michel%2BGarretta https://www.nytimes.com/1992/10/24/world/france-convicts-3-in-case-of-hiv-tainted-blood.html</p>
	<p>25th October 1992 The Independent reports on JP Allains jail sentence and contrasts events in the UK with France. It is critical of UK action. https://www.independent.co.uk/news/uk/i-am-a-scapegoat-i-am-innocent-steve-connor-talks-to-the-cambridge-professor-facing-two-years-in-a-1559544.html</p>
	<p>18th December 1992 The Guardian reports that former French PM issues statement asking to be indicting after "day of outrage" by French haemophiliacs.</p>

	https://www.newspapers.com/image/260342093/?terms=haemophiliacs
12th January 1993 Dr Rejman writes to senior officials requesting permission to “wind-up” the ACVSB. (SGH0031152)	6th February 1993 The Guardian reports that former French PM and Ministers cannot be tried for infecting Haemophiliacs due to Statute of Limitations. https://www.newspapers.com/image/260303340/?terms=haemophiliacs
9th February 1993 ACVSB Files are closed, retained in section and marked for review in 5 years time. (DOCKETS / DH Internal Audit)	9th February 1993 MP Alf Morris asked the SofS Health “ what representations she has had in regard to compensating people with haemophilia who have contracted hepatitis in the course of treatment under the NHS ” - This is the first time the specific issue of HCV & Haemophiliac compensation is raised in the House of Commons.
	13th May 1993 Richard Burden MP asks Health Minister (Tom Sackville) how many people “ have pursued legal action against the Blood Transfusion Service or any other body in respect of the contraction of post-transfusion hepatitis C ”.
23rd June 1993 Dr Rejman writes to Ms H Symes (PA/DCMO) enclosing copies of “major items discussed by the ACVSB” and The Main Settlement Agreement from the HIV Litigation amongst other things. (INB 3 VOL 22, Page 26)	14th July 1993 Reuters (Paris), The Guardian & The Independent reports that France jails JP Allain (Former ACVSB member) for 2 years for role in haemophilia infections there and upholds a 4 year prison sentence for former head of transfusion service + fines. https://www.newspapers.com/image/259910724/?terms=haemophiliacs https://www.independent.co.uk/news/world/sentence-upheld-1484741.html
	26th July 1993 The Independent reports JP Allain is in jail in France for infecting

	<p>Haemophiliacs with HIV but still being paid by the NHS. The piece is also critical of the East Anglia Inquiry into JP Allain's actions. https://www.independent.co.uk/voices/leading-article-in-jail-in-france-but-still-paid-by-the-nhs-1487236.html</p>
<p>30th July 1993 14 of the 17 ACVSB (GEB) volumes are marked for destruction and sent to the Departmental Record Office. - (Destruction Dockets / DH Internal Audit)</p>	
<p>- - September 1993 Dr Rejman attends a Council of Europe meeting which is focused upon the differing ways countries deal with blood-product liability.</p>	
<p>15th November 1993 Dr Rejman sends a letter to Mr G Jacob HCD, it says that "You will also be aware that it was a condition of receipt of payment under the HIV Haemophilia Scheme that haemophiliacs paid in respect of HIV infection undertook not to make any claim in respect of hepatitis viruses." (TBL 5 VOL 2, Page 104)</p>	
	<p>21st September 1994 The Guardian reports that France's former Prime Minister and two former ministers are to be charged with complicity in poisoning Haemophiliacs. https://www.factor&scandal.uk/press-chronology/</p>
<p>29th September 1994 Dr Rejman attends the 3rd Meeting of the MSBT giving serious thought to a nationwide HCV "Look-Back" exercise, it is said at the meeting that "There was also considerable potential for litigation.associated with HCV lookback." (DOH0010021) On the same day, 29th September 1994, GEB 1 VOL 4 is Destroyed (ACSVB Papers covering 16/05/1989 - 19/07/1990) - (Destruction Dockets)</p>	

<p><u>15th November 1994</u> Dr Rejman is copied into an internal DH memo advising of an upcoming newspaper article in the Independent "about haemophiliacs infected with hepatitis C through blood products before heat treatment was introduced in 1985" (HIM 22 7 VOL 11, Page 219)</p>	
<p><u>15th November 1994</u> Dr Rejman is copied into a reply from D.E.Burrage to an internal DH memo regarding a newspaper article, Burrage says "Those haemophiliacs who accepted the HIV settlement are precluded from raising the hepatitis issue as the arguments on causation are so similar to HIV. However, there are several thousand haemophiliacs who may be infected with hepatitis, but not HIV, and did not share in the settlement." (HIM 22 7 VOL 11, Page 221)</p>	
<p><u>6th December 1994</u> In a letter from Hugh Nicholas, Dr Rejman is made aware of a forthcoming BBC Panorama programme about Hepatitis C. It is stated "It appears the programme may be critical of the PHLS" & "I have not heard whether lookback studies for hepatitis C, or compensation for those who may have acquired the virus as a result of having received blood or blood products are likely to be issues." (HIM 22 7 VOL 11, Page 223)</p>	
<p><u>7th December 1994</u> Dr Rejman replies to Hugh Nicholas' letter on 6th Dec (Rejman has been asked to speak to the programme) stating "I would not think it appropriate for me to be interviewed for this programme" & "various writs have been issued against Regional Transfusion Centres" & "it is likely that DH will be dragged in as a co-defendant". (HIM 22 7 VOL 11 Page 224)</p>	
<p><u>12th December 1994</u> A DH letter sent to Dr Rejman and others relating to compensation claims from those infected with HCV states "We have known for some</p>	

<p>time that a campaign was likely to be launched at some stage on behalf of those who have been infected with hepatitis C as a result of NHS treatment” - “We need to obtain advice as soon as possible on the likelihood of the Department being held to be negligent” - “In any writs that may be taken out there are a number of parties involved. The Department might be named in relation to its general policy, and the conduct of any advisory body (eg the predecessor to the MSBT);” (HIM 22 7 VOL 11, Page 235 on)</p>	
<p><u>10th February 1995</u> Dr Rejman is copied into a letter from Roger Scofield which “seeks to set in motion a process of discovery of relevant papers and records in order to ascertain whether the Department, the National Blood Authority (NBA) or any other party has acted negligently as regards the safety of the blood supply and in caring for the interests of patients who may have been inadvertently infected with Hepatitis C virus through blood or blood products” (TBL 19 VOL 3 Page 194)</p>	<p><u>18th March 1995</u> The BMJ reports that JP Allain has been banned from Adenbrooks due to his French blood products jail bid. The Department of Health refuses to comment and the article is circulated internally by Dr Rejman. (TBL 5 VOL 5, Page 49)</p>
<p><u>27 June 1995</u> Dr Rejman says in a letter “one of our main reasons for delaying with introduction of HCV tests was because we wanted to be able to tell donors whether they were definitely infected or not” (TBL 9, VOL 7 - Page 367)</p>	
<p><u>13th September 1995</u> Dr Rejman writes to Ms Towner and explains he has become aware that in Finland (where only Cryo was used in the 70’s/80’s) HIV infection amongst haemophiliacs was extremely low and that the Hep C rate was half of that in the UK. (TBL 5 VOL 6, Page 75)</p>	
<p><u>18th December 1995</u> Treasury Solicitor Destroys HIV Haemophilia Litigation files following a 1st review procedure. Case No L893211. (Simon R Wit Statement 12th Apr)</p>	

<p><u>25th March 1996</u> Dr Rejman receives a request from Dr Napier (NBTS, Wales) asking to see ACVSB files, specifically in relation to not implementing anti-hbc testing. (TBL 4 VOL 4, Page 89)</p>	
<p><u>1st April 1996</u> Dr Rejman seeks legal advice on Dr Napier's request of 25th March. He says that "decisions made by the ACVSB and its successor committee the MSBT should not be made available to Dr Napier or the Courts unless we are forced to do so". (TBL 4 VOL 4, Page 88)</p>	
<p><u>3rd April 1996</u> Dr Rejman receives an e-mail from Gov legal advising him that there is no duty to disclose the ACVSB files upon request and that if a court order is obtained to see them that the Gov would seek to use Public Interest immunity. (TBL 4 VOL 4, Page 113)</p>	
<p><u>9th April 1996</u> Dr Rejman is advised by Paul Pudlo not to disclose ACVSB files. Paul Pudlo also talks of the need for "avoiding the appearance of secrecy". (TBL 4 VOL 4, Page 87)</p>	
	<p><u>24th June 1997</u> Responding to a number of questions relating to Haemophiliacs and compensation for Hepatitis C - Minister of State for Health Ms Jowell states "Since 2 May, in addition to these Parliamentary Questions, Ministers have received 19 letters on the subject of financial recompense for patients, both haemophiliacs and others, infected with hepatitis C through National Health Service treatment. We have agreed to give this matter our most careful consideration." (HC Deb 24 June 1997 vol 296 c503W)</p>
	<p><u>September / October 1997</u> The General Medical Council circulates guidance relating to testing, particularly in relation to HIV / HCV. It states: "You must obtain consent from patients before testing" & "you must make sure that the patient is given appropriate information about the implications of the</p>

	test" & "Where a child cannot give or withhold consent, you should seek consent from a person with parental responsibility for the child."& "Taking blood from a patient without consent may leave you open to criminal charges." (PEN0180494)
	<u>26th/27th September 1997</u> Legal cases challenging Justice Krever's jurisdiction at the Canadian Inquiry (stemming from his placement of blame following warning notices) were dismissed. Press reports follow widely the next day. http://publications.gc.ca/collections/Collection/CP32-62-3-1997-1E.pdf https://www.newspapers.com/clip/25015925/
	<u>30th September 1997</u> Various press reports that Krever can name those responsible for Canada's Tainted Blood Scandal. https://www.newspapers.com/clip/25015872/ https://www.newspapers.com/clip/25015885/
	<u>8th & 9th October 1997</u> On the 8th October the Canadian Red Cross lost a Civil Lawsuit. For the first time a Canadian Court had ruled that people had been infected with HIV as a result of Red Cross's failure to screen out gay blood donors in the 80's. Some payouts exceeded 1 Million Dollars per victim. The story ran widely in Canadian press on the 9th hitting front pages. https://www.newspapers.com/clip/25015709/ https://www.newspapers.com/clip/25015713/
<u>14th October 1997</u> GEB 1 VOL 6 is Destroyed (Docket)	
<u>15th October 1997</u> GEB 1 VOL 7 is Destroyed GEB 1 VOL 8 is Destroyed (Dockets for 7 & 8) GEB 1 VOL 11 is Destroyed GEB 1 VOL 12 is Destroyed (Dockets for 11 & 12) GEB 1 VOL 14 is Destroyed (Docket)	
	<u>25th November 1997</u> The Canadian "Krever Inquiry" issues its final report and places blame.

	(Source - CBC)
	<p>3rd February 1998</p> <p>Responding to a question about compensation for Haemophiliacs infected with HCV, Health Minister Paul Boateng states "Since 2 May 1997 there have been five Parliamentary Questions, in addition to this one, and Ministers have received approximately 70 letters about the 613W issue of special payments for haemophiliacs infected with hepatitis C through National Health Service blood products. Ministers have also met representatives of the Haemophilia Society to discuss the issue.</p> <p>This is a complex matter which needs full and careful consideration. My right hon. Friend the Secretary of State has promised to write to the Haemophilia Society about it, and he hopes to be in a position to do so shortly." (HC Deb 03 February 1998 vol 305 cc612-3W)</p>
	<p>1st March - 10th March 1998</p> <p>A number of questions are raised in the House of Commons concerning Haemophiliacs, Compensation and HCV.</p> <p>HC Deb 05 March 1998 vol 307 c700W - 5th March 1998 HC Deb 05 March 1998 vol 307 c758W - 5th March 1998 HC Deb 06 March 1998 vol 307 c823W - 6th March 1998 HC Deb 10 March 1998 vol 308 cc114-5W - 10th March 1998</p>
<p>17th March 1998</p> <p>GEB 1 VOL 9 is Destroyed (Docket) GEB 1 VOL 10 is Destroyed (Docket) GEB 1 VOL 13 is Destroyed (Docket)</p>	