

Witness Name: Christine Linda Woolliscroft

Statement No: WITN1616001

Exhibits: WITN1616002 – WITN1616010

Dated: March 2019

INFECTED BLOOD INQUIRY

EXHIBIT WITN1616003

PRELIMINARY MEDICO - LEGAL REPORT ON MICHAEL ANTHONY PRICE

Date of Birth : GRO-C 69

INTRODUCTION

This Medical Report was prepared on the instructions of McGrath & Co., Solicitors, of 135A New Street, Birmingham.

It is based on the documents submitted for examination which included:

- The Letter of Instruction.
- Records from the Children's and Queen Elizabeth Hospitals, Birmingham.
- Uncertified photocopies of Batch numbers from the Children's Hospital.

It was prepared in order to assist in determining whether there were grounds for commencing Legal Action in respect of HIV+ infection from which the above named suffers.

HISTORY

The report is prepared using the Master Letter of Instruction issued by Messrs. J. Keith Park and Co., Solicitors of Claughton House, 39 Barrow Street, St. Helens. The questions raised in that letter are reproduced below together with the appropriate answers.

1. Please read through the medical records supplied and list any items that appear to have been omitted. Please note that we expect the records to include the results of all blood tests taken since the last test prior to the date when the client first took Factor VIII or IX concentrate. In assessing the adequacy of the records please have due regard for the possibility that there may be records from more than one hospital.
2. The condition or conditions for which any blood and/or blood products were prescribed for the Plaintiff, the date of diagnosis thereof and its severity (severe, moderate or mild) and the dates of administration of any blood and/or blood products.

Haemophilia A. Severe (0%)
Diagnosed at 3 years old
Cryoprecipitate 1973-77
3. Has the client been diagnosed as being HIV+. If the answer is "no", then there is no need to answer further questions, unless the client has not been tested.

Yes.

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4. Is there anything in the records to suggest that either there is evidence of, or an opinion that there may have been, another reason for the client to have become exposed to HIV other than through supplies of Factor VIII or IX.

No.

5. Has the client shown symptoms of ARC and, if so, since when and to what extent.

Cervical nodes found December 1981 and axillary nodes February 1983, none March 1984 but lymphadenopathy persisted since January 1985. HIV was considered as a cause on 30.4.85 when he had Anorexia, Myalgia, nausea and a sore throat. A relapse of glandular fever was also considered (initially had this December 1984). In May 1985 he had an odd taste in the mouth, Myalgia and Anorexia, and in July a rash diagnosed as psoriasis. In February 1985 he had a low neutrophil count of 1.8, though this was normal by March.

In June 1989 he had a dry cough, diarrhoea, aches and sweats treated with antibiotics and followed by oral thrush. Nystatin and Amphotericin were given. This may have been a viral infection. He had Candida again in August and Ketoconazole and Nystatin were given. Lymph nodes were worse in January 1990, but these had receded slightly by March and immunology tests showed no significant deterioration for a year or two (T4 0.5 - 0.4 from 18.7.88 - 23.4.90, low but not of great concern at this level). He has been HIV antigen negative and core antibody positive since February 1988.

6. Has the client been diagnosed as suffering from AIDS and, if so when and to what extent?

No.

7. What treatment, if any, has the client been given to deter the onset and/or development of AIDS?

None.

8. Please identify as best you can from the records the history of treatment with Factor VIII or IX concentrate, and any other method of treatment used and, in particular :-

Tranexamic acid February 1989.

(a) The date the client was first given Factor VIII or IX concentrate.

23.5.77

- (b) The names of the manufacturers of all such concentrate given to the client, with, if known, the periods of supply, and identifying such concentrate as was heat treated, together with all Batch Numbers that can be identified from the records of Factor VIII or IX concentrate administered.

Armour 1977-83 and 1986
N.H.S. 1978-86
 (including Scottish 1984)
Allpha 1986-87

See treatment sheets.

- (c) In each case, whether concentrate was given for home treatment or for supply in hospital.

See treatment sheets.

- (d) The date from which the client went onto home treatment.

May 1977.

- (e) If on home treatment, approximately how much concentrate was used per month.

2750 units (1980)

- (f) Whether the client was on prophylactic treatment.

November - December 1980 for left ankle.

- (g) The date the client was first given heat-treated product, (identifying the products), and the details of any subsequent treatment with non-heated product.

9.4.85 HLH 3250 (had been exclusively on N.H.S. product for at least one year prior to this).

- (h) If product was only used on the occasion of hospital treatment for bleeding episodes, please list those occasions since 1980.

On home treatment.

- (i) Whether the client appears to have been given any part of the batch of heat treated Armour product that was withdrawn in 1986 following evidence of contamination and, if so, during what periods? The Batch Number referred to is

No.

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9. On what date was the first blood test carried out that produced an HIV+ result, and when was the sample taken which produced such a result? When did the client sero-convert?

First sample '1984' retrospectively tested but report date not given.

First fully dated result 21.2.86 sampled, 13.3.86 reported.

Sero-conversion occurred in or before 1984.

10. On what date do the records show that the client was notified of his HIV+ condition?

24.10.86

11. Please give the dates of all stored samples of blood that were retrospectively tested for HIV, with the dates when the tests were carried out and the results.

1984 only.

12. Please give the dates of any other stored samples of blood that appear, from the records, to be in the possession of the hospital.

None found.

13. Were any HIV tests carried out, other than on stored samples, that produced negative results and, if so, the dates of the last two tests.

No negative results.

14. Has the client ever contracted hepatitis or had hepatitis antibodies and if so, which type and when?

Hepatitis B surface antibody positive 3.2.77, then negative until 27.8.82 - 29.8.82. Negative again until 17.7.89 when core antibody was also positive (both positive 8.1.90). Hepatitis B vaccine given starting between April - June 1989.

Slightly raised liver enzymes since 1978 (intermittently).

15. Has the client developed Factor VIII or Factor IX antibodies and, if so, when was this diagnosed and did this affect in any way the course of his Factor VIII or Factor IX treatment?

Yes, during May 1978 but negative since. Has not altered course of treatment.

16. Do the records contain any evidence of warnings being given to the client of the dangers of Factor VIII or Factor IX in the context of AIDS and, if so, when?

No.

17. Do the records contain any evidence of warnings being given to the client of the dangers of hepatitis in the context of AIDS and, if so, when and to what extent?

No.

18. Do the records show that the client has received AIDS counselling and if so when and to what extent?

On 24.10.86 significance was discussed (at this time risk was thought to be very low). Sexual transmission and use of sheath discussed. Advised not to try to have children as this would put (future) wife and children at risk.

On 8.12.88 need to use a sheath, and to tell partners and get their consent. He was very shy and this was followed up 27.4.89 when practical and ethical aspects of sexual relationships and advice to use sheath were discussed with the need to develop a relationship before embarking on sex. Counselling was offered.

On 3.8.89 he said he was not intending to have sex so had only told his girlfriend about Haemophilia. On 17.8.89 the importance of telling his girlfriend before intercourse was given and the counsellor offered to plan a strategy to tell her.

On 15.1.90 he was terrified regarding his lymph glands and counselling was arranged at home and hospital.

19. Do the records show that the client has received pre-test counselling and, if so, to what extent?

No.

20. Do the records contain the results of any testing on members of the client's family and, if so, the dates and results of those tests and any information as to when those persons were informed.

No.

21. Is there anything in the records to suggest that consideration was given to providing alternative treatment at any stage other than Factor VIII or IX concentrate and, if so, for what reason was this done? When did it happen and what alternative treatment was considered.

No.

22. Is there anything in the records or that you have learnt from elsewhere to suggest that this particular Haematology Department continued to provide unheated Factor VIII or IX after January 1985 and, if so, are there any reasons evident from those records?

Yes, N.H.S. non heat treated product used until 8.4.85, apparently.

23. Is there anything in the records or that you have learned from elsewhere to suggest that this particular Haematology Department continued to provide unheated Factor VIII or IX after September 1984 and, if so, are any reasons evident from those records?

See above.

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24. Do you know whether the Haematologist in charge of this particular Department had responsibility for deciding on the source of any commercial Factor VIII that was purchased for their use?

Not known.

25. Do you know whether the Regional Blood Transfusion Service for the area in which the hospital is situated provided, at any time since 1970, less plasma to the BPL or its predecessor than was expected and, if so, did this result from shortage of delivery packs or generally from the shortage of funds? If there was such a shortage does it follow that this resulted in less Factor VIII concentrate being provided by the BPL to this particular region than would otherwise be the case?

Not known.

26. Bearing in mind the nature of this type of litigation and the issues involved is there anything in the records or known to you that is relevant and not already mentioned?

No.

27. Is it your view that, had the client never received unheated American Factor VIII or IX concentrate, it is more probable than not that he would not have become HIV+? Please state why you hold this view.

Yes, I can find no other source for his infection other than his Factor VIII treatment.

28. Please watch out for elective surgery or treatment that might have been avoided but involved Factor VIII or IX concentrate therapy.

None found.

29. If such treatment as referred to in 28 is found, when was it given and by whom?

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30. Is there any record of dental treatment involving Factor VIII or IX concentrate therapy? If so, when and what was it?

None found.

31. Was the client given NHS concentrate as well as or instead of commercial concentrate and, if so, when?

Yes, 1978-86.

32. Is it possible to give an assessment of pain and suffering from AIDS and or seroconversion to be pleaded in the individual statements of claim?

No.

DISCUSSION

CONCLUSIONS This severe haemophiliac on home treatment sero-converted in or before 1984.

Signed GRO-C
(DR. T. M. TILSLEY)

Dated 26.5.90
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MICHAEL PRICE

QUEEN ELIZABETH HOSPITAL

Batch numbers by month and year:

All are Alpha Profilate.

1986

Dec AW 6039A

1987

Feb AW 6049A

Mar AW 6054A *

Apr AW 6057A

May AW 7010A *

Jun AW 7010A

All are Home Treatment.

* These numbers labelled PRYCE.