

Witness Name: Timothy Phillips

Statement No.: WITN0949001

Exhibits: NONE

Dated: 21/may/2019

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF TIMOTHY NEWMAN PHILLIPS

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 15th May 2019.

I, Timothy Phillips, will say as follows: -

Section 1. Introduction

1. My name is Timothy Phillips. My date of birth is GRO-C1955 and my address is known to the Inquiry. I am the father of Luke Timothy O'Shea Phillips. I have lived in Mid-Wales since 1980 and have two other children both younger than Luke. I live with my wife Victoria and work as a self-employed violin maker.
2. Prior to giving this statement, I have read Shelagh O' Shea, Luke's mother's statement and my son, Luke's statement. However, this statement is formed on the basis of my own recollections and thoughts of how my son came to be infected with the Hepatitis C virus ("HCV").
3. I intend to speak about my son's infection with the HCV. In particular, the nature of his illness, how the illness affected him, the treatment received and the impact it had on him and our lives together.

4. At this time, I am unrepresented by a solicitor.

Section 2. How Affected

5. I was aware that it was possible Luke would be a haemophiliac prior to his birth. It was confirmed that he suffered from mild (15%) Haemophilia type A in his first year.
6. Up to the age of one, Luke lived with me and his mother in mid-Wales. After the age of one, and up to school age, Luke would live with me for one week and with his mother for three weeks on a regular basis. After starting school Luke would visit at half-terms, holidays, and at other relevant opportunities. We have always had a very close and loving father/son relationship. We still do to this day.
7. He grew up in a split, but loving, family. He didn't do very well at school. He worked at Heathrow for a time wheeling disabled passengers to and from their flights. Later he joined the BBC working in the archive warehouses and worked his way up to Management positions. He currently works there as a Senior Media manager. Luke is married and has a one year old daughter. He was infected with HCV through contaminated Factor VIII that was administered to him at a young age.
8. On a daily basis Luke's haemophilia did not affect him that much. However, where it would become apparent would be in relation to when he would have a small fall or cut where he would bruise more easily than other children and would bleed more profusely. When Luke had a small cut, we would be able to stem the bleeding ourselves without needing to use Factor VIII.
9. On three occasions I took him to Shrewsbury Hospital for treatment for trauma events, to treat bleeding. He was treated in the Haematology Department, by Mr O'Shea if I remember correctly, on all three occasions. Once for a 'black eye', once for a knee or ankle injury (both pre-1985), and once for bleeding in his mouth approximately in 1989.

10. On the final occasion (1989), I was asked to choose between Ultra Heat Treated (UHT) Factor VIII' or 'Single Donor Factor VIII'. It was explained to me that HIV was the associated danger but that they felt UHT was the safer option, as there were no known cases of infection from its use. I was told 'Single Donor' was only on the word of the donor being clean, and was not tested. I therefore chose the use of 'UHT Factor VIII' because I trusted the advice of Mr O'Shea. On this occasion Luke's condition was not life threatening, and this treatment was not lifesaving. I was never made aware that this batch of Factor VIII could expose Luke to a HCV infection.
11. From later blood tests, following that treatment with UHT Factor VIII, in 1989, I was informed that Luke was clear of HIV. At the time I recall that I was worried whether my decision had led to Luke contracting HIV and thus I was relieved when I learnt that he had not contracted this infection. Although, it subsequently became apparent that it was known by the NHS that Luke had already been infected with HCV, from 12th June 1985.
12. I only received information from Luke and his mother regarding his infection, in 1994, when Luke was around 14 years old. His mother subsequently informed me that he had been infected with HCV at a very early age. I was never contacted by anyone dealing with Luke in the NHS to notify me of his infection, as his father. I believe the infection occurred on 12th June 1985 when he received Factor VIII blood products, and that the NHS had known this. We had not been informed of his condition at that time, and we received no information about HCV.
13. This information should have been provided to us as soon as the condition was known. i.e. about 12 years earlier. For us all not to have been directly and promptly informed is utterly wrong. This put myself and my wife directly at risk of cross-contamination, as we dealt with cleaning up Luke's blood from bleeding events. It also endangered our two children, Luke's younger half-siblings. They played freely with him both indoors and out. There was also a risk to the wider community as Luke

had a wide circle of friends and people he would interact with. We should have known about his infection! To this day, we have never been advised to be tested for HCV and only recently learnt of the dangers of cross-contamination from participating in the Inquiry.

14. I personally, was not given any information directly from the NHS regarding Luke's infection. However, I was informed by Luke's mum that the condition of HCV was not well known at the time and that the treatment was an unknown quantity. The best we could hope for was that Luke would die 'with' HCV rather than 'from' HCV: an open-ended prognosis. This is not what you want to hear as a parent!
15. I was not given any information from the NHS on the condition or how to manage it both physically and emotionally. Despite this, we aimed to keep things as normal as possible when Luke was with us, and with our dealings with him, in order to provide him with as stable as possible 'home' in Wales. We aimed for normality.

Section 3. Other Infections

16. I have been asked if Luke received any infections other than HCV as a result of being given infected blood products. To the best of my knowledge, Luke was infected with HCV only. From subsequent blood tests I was informed that Luke was not infected with HIV.

Section 4. Consent

17. I believe that my son Luke was treated and tested without our knowledge. We were never given the opportunity to give consent for this treatment or testing.
18. I also believe that Luke was used for the purposes of research without our knowledge or consent, to determine the safety of UHT Factor VIII. This is unbelievable and unconscionable.

Section 5. Impact

19. The impact of Luke being infected with HCV never really affected us until we were eventually made aware of it when Luke was 14. I remember he said to me, at the time, that he hoped he would not be ill.
20. Obviously, we were affected by it, and no doubt allowed Luke more slack than we would have done otherwise.
21. From the time Luke found out he was infected his behaviour changed in ways we had not expected. Luke was a very positive, caring, considerate and loving personality at heart, but elements of this began to change. His behaviour became less predictable. He grew to be less considerate towards other people and cared more for himself and less how he affected others. He was more reckless in both his social behaviour and how he looked after himself. He was less reliable and learned a certain economy with the truth, usually stating what he thought you wanted to hear rather than the reality of a situation.
22. During this period Luke also became very dependant on GRO-C and alcohol. These substances would allow him to spend a lot of time avoiding reality. His temperament became more extreme and a kind of compulsive addictive personality appeared and manifested itself in various ways. I shall not go into detail or examples.
23. Prior to Luke receiving treatment from the NHS for HCV, he sought help from a Chinese practitioner where he received acupuncture and Chinese herbal medicines. The effects of this are unknown, but taking the medicine certainly was a daily reminder of his condition. The fact that he endured it for several years demonstrated his optimistic outlook and determination to do his best to treat the infection. Particularly, as he was too young at the time to be treated on the NHS with Interferon and Ribovirin, although he did pursue these avenues.
24. The year Luke undertook treatment from the NHS for his HCV was a very difficult one for him. He had to inject Interferon and take Ribovirin once a week. He would begin to feel better towards the end of the week as the

- drugs wore off, but would then have to re-dose himself; thus making himself feel lousy again. Not an easy thing to do for the best part of a year. The effects of this treatment would cause him be too ill to work or travel, and ultimately, confined him to his room.
25. During this treatment, Luke also regularly suffered from nightmares when asleep, for which we sent him homeopathic Lycopodium, which, he says, offered considerable relief.
 26. His whole life was put on hold for this year of treatment, without a guaranteed outcome. Although, he showed great resilience and fortitude to endure it and the treatment has been successful to date.
 27. Luke has suffered considerably due to his HCV infection. His life has been different from what it could have been. He will always have to live with the ghost of HCV hanging over him, knowing that it could possibly come back. He has showed great courage and fortitude to have achieved what, from the outside, looks like a normal life.
 28. Everybody close to him has been affected one way or another by his condition.
 29. I did not keep Luke's infection with HCV a secret, I told everyone and anyone about it. I have never faced any form of stigma from it.
 30. I imagine that HCV has probably negatively affected Luke's education and work. When he was under-going treatment, it also financially affected him as he was forced to work part-time.
 31. Luke's infection had no impact on my educational or financial lifestyle nor did it affect my work in anyway financially.

Section 6. Treatment/Care/Support

32. When Luke was 16 or 17 he went through the process of applying for the treatment for HCV. As I understood it from him at the time, the treatment was approved and all set up. On the day, or in the week before, it was due to start, he was told that the treatment could not go ahead because he was too young to give his consent. This was a massive let down, as the treatment is no small undertaking; 11 months of Interferon and Ribovirin and all that that entails. This was unbelievable that they

allowed him to go through that process to only be told he couldn't have it at the final hurdle. I just remember him looking so let down by this decision.

33. Counselling has never been offered to me or any of the other members of my immediate family.

34. From speaking to Luke in relation to the Inquiry I have since found out that he recently underwent some NHS counselling. However, he was only able to see the counsellor for the maximum allowed number of NHS sessions rather than the number of sessions that my son needed.

Section 7. Financial Assistance

35. I do not know the details of any financial assistance that Luke received and the process he took to obtain it.

36. I have never received or requested any financial assistance.

Section 8. Other Issues

37. I have not taken part in any campaigning or litigation in relation to this matter to date.

38. As far as I am aware Shelagh and Luke have obtained his medical records.

39. Anonymity has been explained to me and at this time I do not wish to seek it.

40. It's a credit to my son that he didn't allow his HCV or haemophilia to hold him back from living his life. He is happily married with a young daughter and has maintained a very successful career in the BBC.

41. To find out that your child has been infected with HCV by the NHS is not a good thing, and that it originated from contaminated blood products sourced and purchased by the NHS is bad.

42. To discover that blood products were already known, from the mid-seventies, to be a danger of carrying such life-altering infections is shocking.

43. To find out that you were not informed of your own son's infection, until 12 or so years after the NHS knew is appalling. Yet, there was a threat of cross-contamination to my family and others throughout this entire period.
44. To then discover that your child had been used as a guinea pig in determining the safety of UHT Factor VIII without your knowledge or consent is almost unbelievable and, obviously, a gross tsunami of human dereliction.
45. Now imagine it was YOU or YOUR CHILD who were infected...

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed

GRO-C

Dated

21/may/2019