

Witness Name: Ian Green  
Statement No.: WITN3075020  
Exhibits: WITN3075021 – 034  
Dated: 9 February 2021

## **INFECTED BLOOD INQUIRY**

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### **THIRD WRITTEN STATEMENT OF IAN GREEN**

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I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 26 November 2020.

I, Ian Richard Green, will say as follows: -

#### **Introduction**

1. My name is Ian Richard Green (DOB GRO-C65), Chief Executive of Terrence Higgins Trust. My work address is 439, Caledonian Road, London N7 9BG. I hold a Bachelor of Arts degree, am a Fellow of the Chartered Institute of Management, a Fellow of the Royal Society of Arts and a Justice of the Peace (now on the Supplemental List). I have lived experience of HIV, having been diagnosed in 1996.
2. Terrence Higgins Trust is the UK's leading HIV and sexual health charity focusing on HIV prevention, enabling people to live well with HIV and to amplify the voices of people living with or affected by the virus.
3. I respond to numbered paragraphs 1 – 9 of the Rule 9 request as follows.

#### **Paragraph 1**

4. Discussions between Terrence Higgins Trust (“**THT**”) and the Macfarlane Trust (“**MFT**”) began following my receipt of the letter dated 31 August 2018 from Jan Barlow, the Chief Executive of MFT. Jan Barlow and I met at my office on 13 September 2018. Jan

Barlow indicated to me that the MFT was in the process of being wound down as a registered charity and intended to transfer its remaining funds to another charity having charitable objects similar to the MFT's objects. Hence, the MFT's interest in gifting its funds to THT. I expressed interest but made clear that I would need to raise the proposal with THT's Board of Trustees before progressing it further.

5. At this meeting Jan Barlow indicated to me that she would shortly be leaving MFT and would be replaced by an experienced interim CEO Gill Edelman. I subsequently met with Gill Edelman in my office on 16 October 2018. Between October and December 2018 we had a number of telephone conversations and exchanged emails, focusing on the legal process required to undertake a gifting of the remaining assets. Exhibited hereto and marked with the letters "WITN3075021" is a true copy of an exchange of emails between Gill Edelman and me dated 17 October 2018 and 18 October 2018; exhibited hereto and marked with the letters "WITN3075022" is a true copy of an exchange of emails between Gill Edelman and me between 23 October 2018 and 6 November 2018; and exhibited hereto and marked with the letters "WITN3075023" is a true copy of an exchange of emails between Gill Edelman and me dated 23 November 2018. Throughout my discussions with Gill Edelman I was impressed by her professionalism and commitment to ensuring that funds gifted to THT were used in accordance with the charitable objects of MFT.

## **Paragraph 2**

6. As stated above, Jan Barlow advised me that THT had been selected because of the similarity of the charitable objects of the two charities. (NB: the total cash amount transferred to THT was £841,000, rather than £680,000 as stated in your request dated 26 November 2020).
7. I am unaware of any other charities being considered as potential recipients of the funds.

## **Paragraph 3**

8. There was no understanding that the funds would be put to any specific purpose, except that it was clear to me that the use of the funds would be restricted to the objects set out in Clause 1.2 of the Deed of Gift. However, within that framework I did suggest some examples of how THT might utilise the funds, such as psychological support for beneficiaries and welfare advice and information.

#### **Paragraph 4**

9. In the first instance I discussed the proposal with the THT Executive Team, which supported the proposal.
10. I then raised the matter with the THT Board of Trustees at its meeting on 26 September 2018. Following discussion, a subgroup consisting of certain Board members was authorised to review the proposal in more detail and I was instructed to produce a report and to be ready to discuss it in a conference call.
11. Exhibited hereto and marked with the letters "WITN3075024" is a true copy of an extract of my Chief Executive's Report to the Board held on 26 September 2018, and exhibited hereto and marked with the letters "WITN3075025" is a true copy of an extract of the Minutes of the Board of Trustees Meeting held on 26 September 2018.
12. Subsequently, at the next meeting of the Board of Trustees held on 26 November 2018, I presented a report on the proposed donation for consideration by the Trustees. The Trustees approved accepting the donation from MFT and delegated any final outstanding decisions to the Chair.
13. Exhibited hereto and marked with the letters "WITN3075026" is a true copy of an extract of my Chief Executive's Report to the Board held on 26 November 2018, and exhibited hereto and marked with the letters "WITN3075027" is a true copy of an extract of the Minutes of the Board of Trustees Meeting held on 26 November 2018.

#### **Paragraph 5**

14. In relation to the use of funds:
  - a. We have provided a range of support to individuals who meet the criteria as set out in the charitable objectives of the MFT.
    - i. Provision of free counselling support including dealing with the trauma of past events and arising out of the current Public Inquiry.
    - ii. Access to our work and skills programme, available online, to assist beneficiaries with gaining new skills and help returning to work or finding a new direction after a period of ill-health.
    - iii. Case management support providing beneficiaries with practical information and emotional support and help with form filling such as

regional Infected Blood Support Scheme applications and signposting/referral into local services to meet current needs.

- iv. Setting up of a beneficiary user group to shape and steer the provision of ongoing support and services.
- v. Completion of a beneficiary questionnaire survey to identify beneficiary needs and shape the service offer.
- vi. Undertaking a review of policy issues impacting upon those infected with HIV through contaminated blood products.

Two part time members of staff have been appointed to oversee these programmes, one of whom is a former MFT registrant.

b. No.

c. No.

- i. As at the end of December 2020 £641,000 remains unspent.
- ii. The funds are held in bank deposits and in investments. On an annual basis our external auditors provide a statement confirming that the funds have been used for the purposes of meeting the charitable objects of MFT. Exhibited hereto and marked with the letters "WITN3075028" is a true copy of a statement of account relating to these funds prepared by haysmanintyre dated 18 December 2020.

#### **Paragraph 6**

15. In relation to the loans:

- i. Soon after the donation and assignment of loans had been received from the MFT in December 2018, THT received a number of requests to consider writing off the loans.
- ii. I was away on annual leave during most of January 2019. Following my return to the office, I met with my Executive Team on 4 February 2019 to consider the possibility of writing off the loans. The Executive Team supported the idea in principle, subject to consideration by the THT Board of Trustees.
- iii. On 26 February 2019 I reported the current status of the review to the Finance Audit & Risk Committee of the Board and said that I would submit a paper at the next meeting of the Board of Trustees due to be held on 14 March 2019.

- iv. Exhibited hereto and marked with the letters "WITN3075029" is a true copy of an extract of the Minutes of the Finance Audit & Risk Committee meeting held on 26 February 2019.
  - v. On 7 March 2019 I met with three of the registrants to hear their concerns and views first hand.
  - vi. On 14 March 2019 I presented my report to the Board of Trustees. In it, I referenced the legal advice received from Bates Wells and indicated that the Trustees had the power to forgive the loans provided that it was proper and prudent for them to do so, taking into consideration the financial position of the beneficiary before making a final decision. The Trustees agreed in principle to write off the loans subject to a process of "light touch" engagement with the beneficiaries to assess their financial circumstances and delegated the decision whether or not to write off any loans to the Executive Team.
  - vii. Exhibited hereto and marked with the letters "WITN3075030" is a true copy of my report to the Board of Trustees at its meeting held on 14 March 2019. Also exhibited hereto and marked with the letters "WITN3075031" is a true copy of an extract of the Minutes of the meeting of the Board of Trustees held on 14 March 2019.
  - viii. I engaged an independent consultant, Tim Waldron, to undertake the process of engaging with each beneficiary to assess their respective financial circumstances and to report back to me. For the reasons set out in his report, Tim Waldron recommended in each case that the loan be written off.
  - ix. Exhibited hereto and marked with the letters "WITN3075032" is a true copy of Tim Waldron's report dated 23 April 2019, together with his supplemental report dated 13 June 2019.
  - x. Thereafter, I reported again to the Finance Audit & Risk Committee of the Board at its meeting on 9 May 2019 and to the Board of Trustees at its meeting on 20 May 2019.
  - xi. Exhibited hereto and marked with the letters "WITN3075033" is a true copy of an extract of the Minutes of the Finance Audit & Risk Committee meeting held on 9 May 2019 and also exhibited hereto and marked with the letters "WITN3075034" is a true copy of an extract of the Minutes of the meeting of the Board of Trustees held on 20 May 2019.
- b. No loan repayments or interest payments were received by THT from any of the loan beneficiaries before the decision was taken to write off the loans.

- c. Please see Tim Waldron's report dated 23 April 2019 and his email dated 13 June 2019 [attached hereto as Exhibit WITN3075032], which describe the personal circumstances of each of the loan beneficiaries. Personal and identifiable details have been redacted.
- d. No – it was not part of THT's responsibility to consider this.

#### **Paragraph 7**

16. There have been no instances in which THT has been called upon to indemnify the MFT trustees.

#### **Paragraph 8**

17.

- a. We were advised at a late stage in discussions with MFT that it would not be possible for MFT to transfer personal information of beneficiaries to THT (apart from those who had outstanding loans) due to the requirements of GDPR. It is my understanding that in order to pass over personal information specific approval would need to be given by each beneficiary.
- b. THT incurred expenses of £24,000 contacting the beneficiaries via the Skipton Fund.
- c. THT has written to approximately 2000 potential beneficiaries. Of that number, approximately 200 potential beneficiaries have contacted THT in response.

#### **Statement of Truth**

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

Signed

GRO-C

Dated 9th February 2021