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The Haemophilia Society

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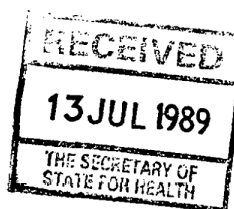
Member of the World Federation of Hemophilia

General Secretary:
David G. Watters, JP

DGW/dw

12 July 1989

The Rt Hon Kenneth Clarke QC
Secretary of State for Health
Richmond House
79 Whitehall
LONDON SW1



Dear Mr Clarke

As you will be aware, preliminary hearings have started in the High Court in connection with claims for compensation from people with haemophilia who have become infected with HIV through their use of contaminated blood products prescribed through the health service.

Our view is that this situation is one which merits compensation: 1200 people with haemophilia have had their future destroyed by what can, justly, be described as the greatest single tragedy in the history of the National Health Service.

To date only some 300 people have commenced their proceedings: we know that this number will grow considerably in the coming months, particularly after Mr Justice Ognall sets a deadline for those wishing to join the current action.

However, people are being prevented from starting proceedings because of some or all of the following reasons:-

- > lack of Legal Aid and the inability to fund actions privately
- > anxiety about undesired publicity arising from Court hearings
- > fears about damage to the valuable doctor/patient relationship
- > not wanting to appear to sue ones doctors
- > a very genuine fear of damage to the whole future of haemophilia treatment and care through the involvement of litigation.

The purpose of this letter is to ask the Government to now take a compassionate view of people with haemophilia who have been so tragically infected through the use of contaminated blood products. The Court actions which are only now beginning could take a very long time indeed to reach a conclusion. 149 people with haemophilia have already contracted fully-diagnosable AIDS and of that number 93 have died: this represents huge personal and family tragedy and loss leaving widows and fatherless children as well as couples who have lost their child.



While we are ever mindful - and deeply appreciative - of the £10m granted on an ex-gratia basis in 1987 and with which the Macfarlane Trust has been established, that is simply not enough to give people charge over their own affairs as they so rightly deserve in the circumstances under which they have to live. While, then, the Macfarlane Trust has been useful over the past two years it cannot take the place of compensation and, in any case, is chronically underfunded for the task it has to undertake.

We urge you and your colleagues to review the situation whereby those cases will have to drag themselves all the way through the Courts in a manner which will be both costly and deeply humiliating for both the litigants and the Government.

I would be most happy to discuss this matter further with you or your officials in due course. I would, naturally, not be prepared to wait too long for your response and would add that I am certain that you are aware of the groundswell of political and public support for our cause which we are of course prepared to mobilise on behalf of our people.

Yours sincerely

GRO-C

David G Watters
General Secretary