

ANONYMOUS

Witness Name: GRO-B

Statement No: WITN0670005

Exhibits: WITN0670006-10

Dated: 17.10.2019

INFECTED BLOOD INQUIRY

WRITTEN STATEMENT OF GRO-B

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 5 March 2019.

I, GRO-B will say as follows: -

Section 1. Introduction

1. My name is GRO-B My date of birth is GRO-B 1952. My address is GRO-B
2. I wish to make the following additions to my statement concerning the tracing of my blood donation records sometime from 1979 to 1983.
3. I make this statement in addition to my statement of 31 July 2019.

Section 2. Other Issues

4. In this regard in the course of trying to trace my blood transfusion records I remembered that I had given blood on at least two occasions, sometime between 1979 and 1983. As I now know I was infected with

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hepatitis C at that time I thought it my social responsibility to let the NHS Blood and Transplant department know of my infection. Perhaps they could then trace my donations and possibly be able to advise the hospital that had received my blood or blood products derived from my blood. The hospital then, in turn, could advise anyone who had been transfused with my blood or blood products that they should get tested for hepatitis C.

5. Even though I donated blood many years ago, any person who may have been infected by my blood should be told about the fact that they had received contaminated blood or blood products. Or, if they knew they had been infected with my blood then confirmation of that fact may help them resolve any issues they may be having applying for assistance to the English Infected Blood Support Scheme or any other scheme. It may also assist the family of a deceased person prove that their loved one had received contaminated blood.
6. I first asked the Blood and Transplant Service if they had any records for my blood donations for the period 1979 to 1983. They advised me they did not. I then told them that it was unfortunate that they could not trace any records for me as I had been diagnosed with hepatitis C, which I had contracted in 1969. Their response was to thank me for that information which they would forward to their Transfusion Microbiology Team. **(WITN0670006)** I received a letter from Dr Heli Harvala, Consultant Virologist, Microbiology Services, NHS Blood and Transplant dated 16 August 2019 that I submit as evidence. **(WITN0670007)**
7. I find her response to be irresponsible, facile and evasive. Because hepatitis C is a life-threatening disease, by refusing to conduct a manual search she is failing in her duty of care to those people who may have been infected with my blood. I accept that it may not be possible to trace any patient who received my blood but that should not be used as an excuse for not conducting a full and thorough search, even if that means an extensive manual investigation of the records.

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8. Her letter is a far from satisfactory response and once again the medical establishment is unwilling to provide the resources to help anyone who may have been infected with hepatitis C by NHS blood or blood products. The NHS has been duplicitous and evasive in dealing with the repercussions of infected blood stretching back to the 1960s and this letter from the NHS Blood and Transplant Service is an example that it continues to be so. **(WITN0670007)**
9. When I made my original statement to the Inquiry, I was still seeking legal advice and representation to prosecute a Judicial Review of the decision made by the English Infected Blood Support Scheme (EIBSS) to refuse my application for Stage 1 Payments. This was the only course of action open to me to because I did not have the right to a further appeal even after the EIBSS gave an entirely different reason for refusing my appeal from the reason they gave for refusing my application. **(WITN0670008; WITN0670009)** This manipulation of EIBSS procedures is extremely unfair and possibly unlawful. I also believe the Appeal Panel to be biased in their deliberations and a Judicial Review would be a proper test of the veracity of their adjudication and method.
10. The Panel are biased because they are all clinicians or have a clinical background and I believe they all accept the fallacious paradigm held by the medical profession as a whole, that hepatitis-C infection is always contracted through intravenous drug use and not by whole blood transfusion. Furthermore, there is no one on the Panel who is directly or indirectly affected by hepatitis C to represent those who have been infected and whose point of view might challenge those spurious assumptions. Examples of this blinkered attitude are present throughout the testimonies of other witnesses to the Inquiry.
11. I spent many weeks trying to find a solicitor who would help me prosecute a case for a Judicial Review against the EIBSS for refusing my application and my appeal. Most of the 15 or so solicitors I wrote to

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did not even respond to my enquiry and of those who did, only one offered me any help. Unfortunately, I do not qualify for Legal Aid and all this solicitor was prepared to offer me was an 'opinion' as to whether I had a case for a Judicial Review or not. For his 'opinion' he quoted me a fee of £1800, a staggering and unaffordable amount as I am retired and in receipt of just a State Pension and a small company pension. I have provided the solicitor's letter regarding costs to the Inquiry. **(WITN0670010)** I find it absolutely disgraceful that a Government Service, such as the EIBSS, can contravene its own protocols and corrupt the application process in such a way as to deny an applicant a fair and legitimate appeal against an EIBSS decision. Furthermore, when the appeal process has been invalidated, as in this case, most applicants are unable to seek redress in the High Court because of the excessively high costs of legal representation. It appears that the EIBSS are making up and manipulating the rules to suit themselves and denying those people infected with hepatitis C, who have to apply to the scheme for assistance, their legal rights. I can only assume the EIBSS adopts this strategy in order to save money.

12. I have complained to the Parliamentary and Health Service Ombudsman, the only course I can afford left open to me to challenge the EIBSS decisions, but I have to exhaust the EIBSS complaints procedures before he will review my complaint. This will take several weeks.
13. I have seen and heard testimony at the Inquiry from other witnesses who have been treated appallingly by the EIBSS and this supplementary statement is yet another example of their disgraceful treatment of people who need their help.

Statement of Truth

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

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GRO-B

Signed

Dated

Exhibits

Exhibit No.	Description	Date
WITN0670006	Email response from NHS Blood and Transport Service, Customer services	29/07/2019 & 19/08/2019
WITN0670007	Letter from Dr Heli Harvala, Consultant Virologist, Microbiology Services, NHS Blood and Transplant	16/08/2019
WITN0670008	EIBSS letter – Stage 1 refusal	08/04/2019
WITN0670009	EIBSS Appeal refusal letter from Nicola Richardson, Chair of Appeal Panel	10/07/2019
WITN0670010	Stephenson's Solicitor's letter re fees	01/08/2019