

INFECTED BLOOD INQUIRY

FIFTH WRITTEN STATEMENT OF MR CHARLES HAMILTON MASSEY

I provide this statement in response to a request under Rule 9 of the Inquiry Rules 2006 dated 8 October 2020.

I, Charles Hamilton Massey, will say as follows: -

- 1 My name is Charles Hamilton Massey. My date of birth is GRO-C 1970 and my address is known to the Inquiry. I am the Chief Executive and Registrar of the General Medical Council, and I have held this role since 1 November 2016.
- 2 This is my fifth witness statement for the Infected Blood Inquiry. My previous statements (WITN3365001, WITN3365011 and WITN3365032, WITN3365035 respectively) are dated 17 July 2019, 30 August 2019, 10 February 2020 and 3 April 2020.
- 3 On 30 September 2020 the GMC launched updated guidance on '*Decision making and consent*' (available at WITN3365040). This will replace our '*Consent: patients and doctors making decisions together*' guidance as of 9 November 2020. The revised guidance sets out high level, normative standards of practice for doctors in relation to making healthcare decisions, together with patients and, where appropriate, those close to them.
- 4 It provides a framework for decision making that helps doctors practise ethically and in line with the law. The first half of the guidance focuses on the dialogue leading to a decision, setting out the key components of effective communication between doctors and patients, including finding out what matters to patients so that doctors can tailor the discussion to the individual patient.
- 5 The second half of the guidance deals with circumstances affecting the decision-making process, including when a patient lacks or may lack the capacity to make a decision, and when a patient's right to consent is affected by law (e.g. mental health legislation or common law powers of the courts).

- 6 It is relevant to all health and care decisions, including decisions about treatments, procedures, interventions, investigations, screenings, examinations and referrals and applies equally to mental and physical health.
- 7 The guidance is relevant to decision making for patients of all ages; however, where the patient is under 18 it should be read alongside our guidance on 0-18 year olds (available at WITN3365041). Given this, and the fact that it applies to all doctors across the UK, at all grades and in any specialism, the guidance is necessarily high level and doctors are expected to exercise their judgement when applying the principles in practice.
- 8 WITN3365042 is a factsheet that provides further detail about the new features of the guidance, new expectations of doctors and the areas where we have provided further clarity.

Statement of Truth

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

Signed

GRO-C

Dated: 26 October 2020