

Witness Name: GRO-B

Statement No: WITN4349001

Exhibits: 0

Dated:

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 17 June 2020.

I, GRO-B will say as follows: -

Section 1. Introduction

1. My name is GRO-B. My date of birth is GRO-B 1956 and I reside in Edinburgh. I am a GRO-B and a keen musician. I live alone in Edinburgh and I have a daughter who is 18 years old.
2. I intend to speak about my infection with Hepatitis C (HCV). In particular, the nature my illness, how the illness affected me, the treatment received and the impact it has had on my life.

Section 2. How Infected

3. In GRO-B I was involved in a very serious car accident. It was a head on collision and both my car and the other car were driving at about 50mph. As we came around the bend, I knew there was going to be an impact and I thought a head on collision would give everyone the best chances of survival due to protection from seatbelts and airbags. Unfortunately, the lady passenger in the front seat of the other car was not wearing her seatbelt and upon impact, was ejected from the car and suffered serious injuries, sadly resulting in her death.
4. My car flipped upside down as a result of the impact, and I suffered serious injuries to my leg, including breaking both heels and ankles and a compound fracture. I tried to crawl out of the car to help my girlfriend who was still stuck in the car, causing further damage to my legs by getting debris in my wounds. I managed to cut her seatbelt but I couldn't get her out of the car. A passing motorist who, at the time felt like an angel, stopped to help and managed to get her out of the car.
5. I had a considerable amount of blood loss but I only really noticed this when I realised my face was wet and warm. When I looked down I saw blood from my leg was spraying in my face and there was blood everywhere. It was clear there was arterial damage and I realised that I was suffering such tremendous blood loss that I would not survive much longer if I didn't do something. I am a first aider and despite the shock, my training kicked in and I applied a tourniquet to myself, using my belt. I was then taken to Royal Infirmary in Edinburgh by Medic 1, the emergency range rover reserved for the most serious cases. I was told if I hadn't had the sense to apply the tourniquet, I would be dead.
6. I remember when I first got to the hospital, there was a big 'hooah' as the Police wanted to get a blood sample from me to test for drugs and alcohol in my system, since the accident had resulted in a death. However, as I had already lost so much blood, the doctors wanted to

stabilise me and give me a blood transfusion first. If I had a transfusion, they could no longer test me for drugs and alcohol so they did take a blood sample before I was given a transfusion.

7. When the results of these blood samples came back, they showed that I was not over the limit for alcohol and I had no drugs in my system. I had been looked at very negatively following the accident by hospital staff and the police, and I believe everyone thought I was at fault, especially given I was young and driving a sports car. My mum [GRO-B] [GRO-B] and had heard a lot of horrible comments about me during this time, claiming I was drunk or on drugs and this is why the accident occurred. [GRO-B] [GRO-B] [GRO-B]

8. I remember I had to have 2 operations on my leg, the first to remove all the debris in the wound and to clean it out. These were performed by the surgeon Dr Christy. I also had a skin graft done. I was well versed in medical procedures and very aware that I was receiving blood and I seem to remember a nurse saying I had been given 13 units of blood in total.

9. My right leg was elevated with a half cast on it, dripping blood into a basin for days. As I was losing so much blood, it was being pumped into me just as fast in order to manage the blood loss; I would have run out of blood without it. I was also being given Heparin to stop the blood from clotting, due to the dirt in the wound which could cause an infection.

10. My lawyer, George Moore (who is now head of the Law Society in Scotland), came to see me in hospital and was shocked by my injuries and the blood dripping into the basin. My girlfriend at the time also came to visit me, as well my brother who was a nurse at the hospital. A friend who I had known from my days as a [GRO-B] Dr Stedman, who was a doctor in the hospital also came to see me. He was not however

involved in my treatment. They all witnessed me receiving blood and knew the state I was in.

11. I remember having to sign some consent forms before the surgery, but I don't remember if they specifically asked for consent to give me blood. I certainly was not told of any risks related to a blood transfusion at the time. It was clear I needed the transfusion given the amount of blood I had lost, and I think they just decided to do what they needed to do in order to stabilise my condition.
12. When I arrived at the Royal Infirmary, I told them I had suffered from Hepatitis B in 1981. I had caught it from my flatmate when I went to visit him at his mum's, where he was staying while he recovered. I accidentally drank out of his cup and I think that is how I caught it. I went to see Dr [GRO-B] at [GRO-B] as I felt unwell and looked jaundiced. As I was so brown and jaundiced, he immediately recognised I had Hepatitis B and asked me to leave the surgery using the back door, so as not to infect anyone else. He did not give me any treatment at this time.
13. Because of having told the doctors at the Royal Infirmary I had suffered from Hepatitis B in the past, I was given a single room. However, when I later looked at my medical records held by my GP, it says they did a random Hepatitis B test on me and found I had it at the infectious stage, rather than saying that I had told them I had it in 1981. This is surely incorrect as how could I still be infectious over 6 years later?
14. After a week at the Royal Infirmary, I was transferred to the [GRO-B] [GRO-B] Hospital in Edinburgh (which no longer exists) for about seven weeks. I was a market trader at that time and I could not do any manual work after coming out of hospital; for many years I could hardly walk.
15. Due to the death involved with the accident, I was prosecuted through the courts for causing a death by dangerous driving. I didn't feel like the

accident was entirely my fault and believed both drivers were responsible. However, my lawyer advised me to plead guilty to avoid a longer sentence in the event I was convicted should I plead not guilty. Even the judge who sentenced me commented that it was unfortunate that a small error had led to a death, when so many people drive much more dangerously day in and day out and nothing happens.

16. The judge sentenced me to 11 months in prison which was the minimum sentence for causing death by dangerous driving, but it just felt ridiculous. The woman who died was not wearing a seatbelt and I later found out from my lawyer that the other driver was well over the blood alcohol limit. However, as he was a bank manager and older and well respected in the community, as well as the fact that his wife had died in the accident, my lawyer was sure the jury would favour him over a young man driving a sports car. Although the whole thing felt so unfair, I understand why he thought I should plead guilty and I served my time which was very difficult.

17. Some years after the accident, I started to feel some symptoms but they were very gentle at first and I didn't even realise something was wrong. This included lack of energy, tiredness, lethargy and a general feeling of malaise. For example, before the accident I would never dream of sleeping during the day, but gradually I felt I had to have a nap more and more until I couldn't get through a day without a nap. I started to have irregularity with continence to the point where I couldn't go out. This got progressively worse over the years and I had bad stomach aches and acid reflux as well. It was so bad sometimes it seemed to affect my brain and concentration.

18. This incontinence had begun to cause issues with my work as a GRO-B at GRO-B and I had to try to book lecture rooms near toilets. I would sometimes have to rush out halfway through a class and this was not ideal at all. It would be only 30 seconds after having a pee when I felt like I needed another one.

19. Another symptom I experienced was sensitivity to light. I noticed that bright light would affect me and my eyes would stream with water when I was exposed. I often noticed this when driving through GRO-B to get to work.
20. I also suffered terrible problems with my back which I thought was linked to the accident, but it was a long time after the accident this pain occurred and I now attribute it to side effects of the HCV. I would be laid up, not able to move at all. I was so debilitated and I had incredible back spasms; it was the most disabling thing when this happened. I recall an incident when I saw that my 6-month-old daughter was about to roll off the sofa, and there was nothing I could do to stop it as I just couldn't move. I think this was related to reduced blood flow to the ligaments and after clearing the HCV, I very rarely suffering from back issues now. I also experienced pain in my heels and ankles, which has also reduced significantly after clearing the HCV.
21. I noticed my urine was getting darker and darker in colour. Ultimately my girlfriend at the time (who is the mother of my daughter) noticed this and commented that my urine was very dark. She said that this was really not good and advised me to see my doctor.
22. It was sometime around 2010 or 2011 when I made an appointment with my doctor at GRO-B in Edinburgh and explained what was going on. When she discussed blood tests I told her to test me for everything so I could find out what was going on.
23. I had actually asked my GP, Dr. GRO-B to test my blood sometime in 1999 after coming out of prison. The reason I asked for this is because during my time at GRO-B Prison, I saw so much drug use and was worried about potentially having caught or been infected with something. Although I had never engaged in high-risk behaviour and had never been a drug user, once when adding water to the hot water dispenser, I noticed a syringe hidden in the bottom of the dispenser.

This was how prisoners used to sterilise their needles. I was so shocked by this as I had been drinking water from this during my time there, and HIV and HCV was rife in the prison, as many inmates shared needles.

24. Even if you are never directly involved in high-risk behaviour, having been in such an environment makes you concerned. In 1999 HCV may not have been tested for when I had the blood test, as nothing was mentioned about it at the time about this, and I was only notified that I had Hepatitis B antibodies.
25. A few days after my blood test in 2010/2011, the doctor called me up and said that I had tested positive for HCV. She didn't say where it might be from, but in myself I knew it was the blood transfusion. I knew I'd received 13 units of blood, which is such a large amount. I had never used drugs and I have never had the type of sex life where you could get HCV. It was just clear to me that it had been through the blood. Being an engineer, I had general scientific knowledge and was very aware by then that you could contract HCV through blood or blood products.
26. The GP who told me about the HCV did not provide me with any information about the infection and also did not tell me about any precautions I should take or what the likelihood was of infecting others. The only thing she said was that it was likely I had been infected with HCV a long time ago because my viral load was high. She said she would set up an appointment for me at the Western General to start getting treatment for the HCV.
27. I feel this diagnosis should have been a face to face appointment and not over the phone. Being told you have HCV is a very difficult thing to deal with and one should have the opportunity to ask questions and speak to someone in person.

Section 3. Other Infections

28. I do not believe I was infected with any other infections as a result of the blood transfusions I received.

Section 4. Consent

29. As I mentioned above, I signed consent forms prior to the surgeries I had following the accident. However, I'm not sure if this included giving consent for the blood transfusions I was received.

30. I did consent to being part of a study relating to HCV treatment at the Western General Infirmary in Edinburgh. The papers I signed gave my consent to be studied for the rest of my life in order to qualify for the treatment.

Section 5. Impact

31. As discussed above, the side effects I developed due to the HCV were terribly debilitating and impacted upon my work life, family life and my social life, although at the time I had no idea it was the HCV infection that was causing these symptoms. Looking back, I had no idea what a bad state I was in health wise. Since clearing the HCV infection, I feel so much better and I kick myself for not realising how unwell I had become sooner.

32. The issues with incontinence I suffered as a result of the HCV made it very difficult when GRO-B my students and it felt uncomfortable having to keep going to the bathroom during a class. This also

impacted upon my social life as it was difficult to go out when you keep needing to go to the bathroom; it really screws up your life.

33. I was also impacted by the tiredness and lack of energy, which made me want to do less and less. It became progressively worse and I don't think I, or anyone I knew had realised how bad it had become. As mentioned above, I also suffered debilitating back spasms and pain in my heels and ankles, which also affected what I could do; when I had a back spasm I was completely unable to move or do anything at all.
34. After my diagnosis, I had an appointment at the Western General Hospital in Edinburgh where I was told I could join a study which would allow me to have a new type of HCV treatment. I felt lucky to get this treatment and I signed all the consent paperwork to get into this study. The treatment started about 9 months after my initial diagnosis and I think it took time because of the tests and appointments I had to have before I started it.
35. Although I still feel lucky to have received this treatment, it was horrendous. It involved taking Ribavirin tablets 3 times a day, weekly Interferon injections, calcium tablets and Telaprevir, which had to be taken with 10g of fat. Taking the fat was absolutely awful and I felt like I wanted to be sick all of the time. The whole process was a battle not to vomit.
36. Although the Telaprevir with the fat was only a 3-month course, I wasn't able to complete the course and was about a week off completion when I was so unwell. After an appointment at the hospital, they told me I had to stay in hospital. My haemoglobin was 41 and I knew I could die when it gets that low. They realised how bad my condition was and gave me 5 pints of blood to stabilise my condition and kept me in hospital for 4 to 5 days.
37. The impact the HCV treatment had on me was absolutely awful. I was so exhausted I was dragging myself around and felt so unwell the

entire time. I also suffered mental effects which included becoming highly emotional and crying at the drop of a hat. I would cry for anything, and this has been something that continued after the treatment. I could not control my emotions at all and it really took me by surprise as I had always been a strong-minded person. Even an advert on television could set me off which is never how I used to be. I have never been prone to depression and I am glad I did not suffer from this during the treatment. Looking back I think if you were prone to mental health problems like depression or suicidal thoughts, you would not be able to cope with how this treatment made you feel.

38. I continued to work as a GRO-B during the treatment, and I had to warn my students that there is a chance I might collapse during the GRO-B and if this happened to put me in a chair. This happened once and it was very embarrassing for students to see you like that. Working during this period was the hardest thing I've ever done; it was just exhausting and became very taxing.

39. After coming off the Telaprevir, I still felt half dead, but much better than I did before and I completed the rest of my treatment, which took about a year. By about 2013 I was clear of HCV. I was also vaccinated against Hepatitis A. I was also told my liver has cirrhosis on the surface, but my liver function is good. A nurse told me that if she did not know I had HCV, she would not be able to tell from looking at my liver. I think the fact that I don't really drink and I have never been a drug user has helped this. I am also quite fit, even though I have a bad leg. I have had regular liver scans since completing my treatment to monitor this.

40. My Specialist at the Western General Infirmary, Dr Hazel Rae, was really fantastic and on the ball. She also diagnosed my oesophageal varices when I complained of stomach issues and pain. I have had 3 endoscopy procedures for this issue, 2 of which have involved banding varices. I am likely to need further varices banded in the future.

41. The impact of the HCV diagnosis and treatment had a major impact on my family and social life. There was such a stigma around HCV that if you told people about the HCV they would stop coming around to see you, so I avoided telling people about it. I told my girlfriend at the time and my mother, but no one else. The only reason I told them was because they were the only people who might kiss me, and I wanted to avoid that after my diagnosis as I was scared of infecting them.
42. To this day my daughter is not aware that I had HCV and in hindsight, I think how I acted after my diagnosis did impact our relationship; we no longer speak. I could not in all conscious kiss my daughter and I think I distanced myself from her, becoming less hands on as a father. I stopped hugging her, picking her up or being boisterous with her, even after I cleared the infection. It was horrible to be secretive and she does not know why I acted this way.
43. Having HCV has also impacted my ability to have a relationship as I feel that if I told a potential partner about the HCV, this would probably put them off. The situation has not arisen yet because I'm a conscionable person and would want to tell them and don't want to be in that position where they reject me as a result.
44. One person I did tell about the HCV was my old boss at the GRO-B who asked me directly what was wrong as I looked so unwell. He mentioned that he had heard students commenting on how unwell I looked. Additionally he would have seen me having to use a trolley to move papers and boxes around as I was too weak to carry them. Even then I found it hard to push the trolley and I would need to take regular breaks after walking just 100 yards down a corridor. He was really shocked when I told him about the HCV. I told him I had completed a course of treatment but he commented that I definitely did not look cured.

45. I think the HCV has had an impact on my work life and I have never been able to get a full-time GRO-B role, even though I had worked at the GRO-B for 15 years on a zero-hour contract and some longer fixed term contracts when I did maternity cover. It felt like when they had a general staff requirement I was never the person they needed, and I feel that may have been because I was unwell. The students loved me and the GRO-B has always called me for part time work, but I feel they thought I wouldn't be able to handle the additional administrative responsibilities a full-time role would bring.
46. A few years ago, the GRO-B changed their rules and could only offer a maximum of 200 hours to GRO-B on a zero-hour contract basis, which would only allow me to earn up to £5000 a year with them. They offered me £10,000 as a settlement if I resigned at that point. This was clearly the better option at the time. It was very depressing as I did love the work and I wanted to stay. I was a central figure in the department and felt discarded after all those years. If I had been fit and well maybe they would have considered me a better candidate for a full-time role. This impacted my financial situation badly, had I had a full-time position, things would be different.
47. I used to supplement my meagre income from zero-hours GRO-B by buying and selling guitars, giving guitar lessons and buying and selling cars. I also ran market stalls. However, after I became unwell I had to give this up and this too affected my financial situation significantly.
48. Although I feel much better since clearing the HCV, as I have outlined above, it has had a major lasting impact on my mental and physical wellbeing as well as a major financial impact. I will continue to suffer the consequences for the rest of my life.

Section 6. Treatment/Care/Support

49. I have not had problems accessing dental or medical treatment as a result of being infected with HCV.

50. I have never been offered counselling or any other psychological support following my diagnosis. I think the doctors and nurses I dealt with always felt I was an independent and able guy and did not require it.

Section 7. Financial Assistance

51. I believe it was my liver specialist Dr Rae that told me about the Skipton Fund and encouraged me apply. I provided letters of support from my brother and my friend who confirmed the fact that I had received blood following the car accident, as they had both been witness to the transfusions I received. However, my application was rejected by the Skipton Fund on the basis that there was no proof I had received a transfusion and that I was an IV drug user, which could be why I became infected.

52. I was shocked and horrified by this refusal from the Skipton Fund and I was so confused as to why they thought I was an IV drug user. I had never used drugs in my life! I also could not believe they were unable to find evidence I had received blood, given the fact that I was involved in such a serious, life threatening accident. Not only was I admitted to two hospitals as a result of this accident, but also there were police records relating to the accident. There were so many witnesses to me receiving blood and I had provided supporting evidence from two of them.

53. I appealed this decision from the Skipton Fund and was unsuccessful in my appeal. I just could not understand why this was. It is only more recently after accessing my Skipton Fund folder that I found out that on

my medical notes from the hospital, a comment had been by an unknown doctor that there was 'possible evidence of IV drug use'. There is no explanation as to what this evidence is and I have never been asked if I take drugs by any medical professional.

54. I have thought about this a lot, and the only reason why I could see anyone should think this is because of a comment I made about my veins when I entered hospital, as they were trying to take blood from me. When I was around 11 or 12 years old, I was very ill and urinating blood. I was admitted to City Hospital in Edinburgh and I had hundreds of blood samples taken from me as I was in hospital for weeks. They kept trying to take blood from the veins in the antecubital space on my arm, but it didn't work and I suffered terrible pain and anguish as I was pricked over and over again. I was eventually diagnosed with severe mumps and was off school for a year.
55. When I entered hospital, I knew the veins in that part of my arm were not good to take blood from, so I told them not to try there and to use another vein instead. This may have led them to believe I knew about my veins because of IV drug use, but it is a massive stretch to make such an assumption if so. This is the only reason I can think of as to why they would ever assume I had used IV drugs as there will be no evidence of this anywhere.
56. When I saw this comment, I was extremely upset and angry and spoke to my doctor at my GP at GRO-B about it. We looked at the comment together and I told her that this was completely untrue and I want this taken off from my notes. She said that unfortunately you cannot remove things once they are included in your notes but I still think it should be expunged from my record. It is also very strange that the notes with my GP mention nothing about the operations I had in detail and also do not mention the skin graft I had. I have no idea why these important facts were left out or removed from my notes.

57. I have been unfairly treated by the Skipton Fund and completely misjudged, with life circumstances used against me. They have relied incorrectly on an assumption made by an untraceable doctor who did not even leave his name. Due to this I have never received the financial support I deserve. The decisions made by the funds should be evidentially based, and if there was no other evidence at all of IV drug use, this should not have been a ground for rejecting my claim.
58. Even though I have now got in touch with the Scottish Infected Blood Support Scheme, I really don't expect to get anything from them; It feels like life never goes that way. I have not got copies of my medical records from the hospitals I attended, but I am going to request them to see if they contain more detail about the operations and can support my application.
59. I also am going to try and locate the court file of my trial, as that may have the results of my bloodwork following the accident which showed I had no drugs in my system. This should at least support that I was not a drug user and the comment was due to a misunderstanding.
60. I believe that the Skipton Fund should have made a much bigger effort to investigate my case. For example, Dr Christy, the surgeon who operated on my leg, was actually called to testify at my trial and he is still alive. As my case was notable, I'm sure he could have provided evidence or his personal notes to the Fund to confirm that I had received blood in his care. They could have contacted many other witnesses to confirm this fact too.
61. I think it is unfair to put the onus on the applicant to provide all this information to the fund about how they came to be infected. A lot of the people applying for financial assistance are extremely unwell, elderly or both. I believe the Funds should have a small team of private investigators to help support them, if the applicant is unable to provide the information themselves. I did not even realise I had to provide

everything necessary to 'prove' my case and maybe if I had given more information, they wouldn't have rejected me again.

Statement of Truth

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

Signed

GRO-B

Dated

21/12/2020