

IN THE HIGH COURT OF JUSTICE

NO.90.J.1171

QUEEN'S BENCH DIVISION

Writ issued 2nd February 1990

HIV HAEMOPHILIA LITIGATION

B E T W E E N :

JKP.121

PLAINTIFF

and

LIVERPOOL DISTRICT HEALTH AUTHORITY	(1)
HAMPSTEAD DISTRICT HEALTH AUTHORITY	(2)
MERSEY REGIONAL HEALTH AUTHORITY	(3)
NORTH EAST THAMES REGIONAL HEALTH AUTHORITY	(4)
ATTORNEY GENERAL ON BEHALF OF THE COMMITTEE ON SAFETY OF MEDICINES	(5)
ATTORNEY GENERAL ON BEHALF OF THE LICENSING AUTHORITY PURSUANT TO THE MEDICINES ACT 1968	(6)
DEPARTMENT OF HEALTH	(7)
NORTH WEST THAMES R.H.A.	(8)
CENTRAL BLOOD LABORATORIES AUTHORITY	(9)

DEFENDANTS

INDIVIDUAL STATEMENT OF CLAIM

In the form of Schedule One to the
Order of Mr Justice Ognall of 24th July 1989

1. Plaintiff's reference number: JKP.121

2. London Number: 1990.J.1171

3. Particulars of Writ

- (a) issue of Writ 2nd February 1990
- (b) renewal of Writ not applicable
- (c) amendment of Writ not applicable.
- (d) service of Writ on First Defendant: 9.2.90
 - Second Defendant: 9.2.90
 - Third Defendant: 9.2.90
 - Fourth Defendant: 9.2.90
 - Fifth Defendant: 9.2.90
 - Sixth Defendant: 9.2.90
 - Seventh Defendant: 9.2.90
 - Eight Defendant: 9.2.90
 - Ninth Defendant: 9.2.90

4. Particulars of Plaintiff

- (a) Date of Birth: 30th December 1964
- (b) Age: 25
- (c) Category: (b)(i)

5. Particulars of Haemophilia of JKP.121

- (a) Type of Haemophilia: A
- (b) Date of diagnosis: In infancy
- (c) Severity: severe
- (d) Date of administration of blood products:

See Appendix 1 attached.

6.1 Types of Blood Product Administered:

See Appendix 1 attached.

6.2 Details of Manufacturers and Batch Numbers of Blood Products Administered

See Appendix 1 attached.

7.1 Period During which each such Blood Product was prescribed for the Plaintiff, with relevant dosages and dosages for each bleeding episode:

See Appendix 1 attached.

7.2 The date of each and every sample of blood taken and stored other than those referred to under 8 & 9 below..

See Appendix 1 attached.

8. HIV Tests with Negative Results:

No negative results supplied within the records.

9. First HIV Test with Postive Results:

Date sample taken:) 1.3.86

Date test performed:) 3.3.86

The Plaintiff believes he was informed of his positive status in or about October 1985 but there is no record of any test prior to the one set out above.

10. Date of Sero-conversion

The Plaintiff will maintain that the sero-conversion occurred shortly before the date of the Plaintiff's first positive HIV test or such earlier date as may be established at trial.

11. Date Plaintiff Developed Clinical AIDS.

The Plaintiff has not developed Clinical Aids.

12. Other Specific Matters to be pleaded. None.

13. Further Definition of Defendants. None

14.1 Any of the duties and/or breaches of duty pleaded in the ReAmended Main Statement of Claim not alleged by this Plaintiff.

The Plaintiff does not rely on any of the allegations in respect of clinical management and counselling set out in the ReAmended Main Statement of Claim paragraph 92 Sections 7 and 8 except 92 (ag) (ah)

14.2 Any duties and/or breaches of duty not pleaded in the ReAmended Main Statement of Claim alleged by this Plaintiff.

None are alleged

15 Particulars of alleged injury including alleged physical and psychological damage and/or other losses.

The Plaintiff is HIV positive and at risk of contracting clinical AIDS and dying from an opportunistic infection. As a result he suffers anxiety and stress from the fear of contracting AIDS and

of death. In addition, he suffers social rejection and ostracism because of his sero-positive state. Specifically the Plaintiff has suffered symptoms of Aids Related Complex, i.e. Low T4 cells, Lymphadenopathy.

16. Particulars of special damages and any past and future loss of earnings.

Not pleaded in accordance with Order made by the Honourable Mr Justice Ognall on the 8th May 1990.

17. Details of any serious illnesses in the preceding ten years, to include dates and places where treated.

19.4.82 Sebaceous cyst removed.

1989 Leukaemia

18. Details of medical notes and records held by relevant Haemophiliac's Solicitors:

Hospital records have been examined and copy extracts taken.

19. Whether an Order for provisional damages is sought.

Provisional damages are sought in anticipation of:

- i) Psychiatric illness;
- ii) Arc;
- iii) AIDS;
- iv) Death.

SERVED THIS 8th DAY OF June 1990

..... GRO-C ...

J. KEITH PARK & CO.
Solicitors,
ST. HELENS.
GLR.PA.35061

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QUEEN'S BENCH DIVISION

ROYAL COURTS OF JUSTICE

B E T W E E N : -

JKP 121

and

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HEALTH AUTHORITY (1)

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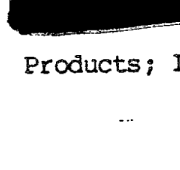




INDIVIDUAL STATEMENT OF CLAIM

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- Printed note in 1979/80 Cryo/FVIII records - applicable to all patients "only use FVIII concentrate if patient allergic to Cryo. NHS FVIII concentrate should be used on 7Y if required. Enter each treatment with date and batch number into the Haemophiliac Book in the treatment room". I did not see this Book - not available.
- FVIII records unavailable in Haematology Department except for those extracted below. No explanation other than "lost" for where others might be.
- "Response to FVIII" graph, photocopied RFH notes mentions Alpha HT A60520A and Armour HT x 60811.

Below are from Liverpool.

20.2.81		09M06380	Home	20 bottles
7.3.81		V90206	Home	30 bottles
4.4.81		09M06380	Home	30 bottles
15.4		09M06380	Home	30
16.5		u15209	Home	30
11.7		09M06980	Home	30
30.7		U26512	Home	30
22.9		09M06980	Home	30
28.11		09M07980	Home	30
		09M06980		
18.10.80		09M04979	Home	30
6.9.80		09M04979	Home	30
8.7		T52609	Home	30
10.6		T52609	Home	30
24.4		09M00679	Home	30
1.2		T43006	Home	20
29.3		T43006	Home	30
17.1		T43006	Home	40

Products; Immuno and Armour

Below are from Royal Free Infirmary records (eventually computerised).

2.11.84	RFH OP	NHS (no number) 12 bottles
21.11.84	RFH OP	NHS (no number) 2 bottles
17.12.84	Home	NHS HTNo795 (HT now mentioned)
9.1.85	Home	Alpha Heat
		Treated A60110
8.9.85	Home	Armour x 4 X60811
9.9.85	Home	Armour x 20 X60811

