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Minister for Health and Social Services



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Our ref: JH/00658/04

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Sm
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Dear Haydn

Thank you for your email of 5 March concerning the Irish Government scheme for compensating those who were infected by Hepatitis C as a result of receiving blood and blood products in the Republic of Ireland. You also ask why the UK scheme excludes widows, partners and carers from payments. I am sorry I was unable to reply to you earlier.

I understand that the Irish Government set up their hepatitis C compensation scheme following evidence of negligence by the Irish Blood Service. Indeed, a judicial inquiry (the Finlay Report) found that "wrongful acts were committed". I appreciate that the Irish Government has never admitted liability, but the fact remains that blood services in the UK have not been found to be similarly at fault. Compensation is therefore being given in very specific circumstances which do not apply in the UK. The Irish scheme does not create any precedent for us.

The decision not to make payments to families who cared for loved ones was not an easy decision to make. The underlying principle of the payments is that they should be targeted to help alleviate the suffering of people living with the virus. They are not intended as compensation and, as such, are not designed to compensate for bereavement of widows or widowers. I fully appreciate that this is a very difficult area but the arrangements we have put in place attempt to provide a pragmatic solution to a complex situation.

As you are aware, the ex-gratia payments scheme is being funded from the existing health budget, and we have had to weigh the issue of making payments against all the other demands on this budget.

I hope that this is helpful.

GRO-C

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INVENTOR IN PEOPLE