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From the Parliamentary Under Secretary of State

POH(3)4151/188

Mrs Ann Winterton MP

11 APR 1995

Thank you for your letter of 21 March to Gerald Malone enclosing one from your constituent Mr **GRO-A** about compensation for patients who have been infected with hepatitis C as a result of NHS treatment.

We have great sympathy with those patients who may have become infected with hepatitis C through blood transfusions or blood products.

Most haemophilia patients were infected with hepatitis C before blood products were treated to destroy viruses. These patients received the best treatment available in the light of medical knowledge at the time.

The Health Departments are considering a range of potential initiatives to improve the understanding, treatment and management of hepatitis C.

The Government does not accept, however, that there has been any negligence and we have no plans to make payments to such patients. On the more general issue of compensation, the Government has never accepted the case for a no fault scheme of compensation for medical accidents. It is unfair to others and still requires proof of causation which is often difficult to establish. Every individual case where a medical accident has occurred is a personal tragedy for both the individual concerned and their family. If the NHS is proved negligent in a Court, it accepts its liability to pay damages.

We are currently considering how best to offer help and support for those infected with hepatitis C. This could include encouragement of research into the condition and guidance to the NHS on best practice where there is a clinical consensus.



The Department is supporting an initiative by the Haemophilia Society to undertake a study into the best way to support its members who are infected with the virus.

I hope that this will reassure you that the Government will do all it can to care for those affected.

A handwritten signature in black ink, appearing to read "Tom Sackville", written over a rectangular box.

GRO-C

TOM SACKVILLE